

REGULATING FISHING IN CERTAIN WATERS OF ALASKA

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JULY 18, 1996.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. YOUNG of Alaska, from the Committee on Resources,  
submitted the following

R E P O R T

[To accompany H.R. 1786]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1786) to regulate fishing in certain waters of Alaska, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

**SECTION 1. DESCENDANTS' LAND USE.**

(a) **IN GENERAL.**—Local residents who are descendants of Katmai residents who lived in the Naknek Lake and River Drainage shall be permitted, subject to reasonable regulations established by the Secretary of the Interior, to continue their traditional fishery for red fish within Katmai National Park (the national park and national preserve redesignated, established, and expanded under section 202(2) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 410hh-1)).

(b) **RED FISH DEFINED.**—For the purposes of subsection (a), the term “red fish” means spawned-out sockeye salmon that has no significant commercial value.

**SEC. 2. EFFECT ON TITLE AND JURISDICTION OF TIDAL AND SUBMERGED LANDS.**

(a) **TITLE.**—No provision of this Act shall be construed to invalidate or validate or in any other way affect any claim by the State of Alaska to title to any or all submerged lands, nor shall any actions taken pursuant to or in accordance with this Act operate under any provision or principle of the law to bar the State of Alaska from asserting at any time its claim of title to any or all of the submerged lands.

(b) **JURISDICTION.**—Nothing in this Act nor in any actions taken pursuant to this Act shall be construed as expanding or diminishing Federal or State jurisdiction, responsibility, interests, or rights in management, regulation, or control over waters of the State of Alaska or submerged lands under any provision of Federal or State law.

**PURPOSE OF THE BILL**

The purpose of H.R. 1786 is to regulate fishing in certain waters in Alaska.

## BACKGROUND AND NEED FOR LEGISLATION

The ancestors of local residents who reside within the boundaries of the Katmai National Park have participated in the annual harvest of red fish from August to early October every year. When the Katmai National Park was designated a park in the 1930s, the local residents were prohibited from the taking of fish except with a rod and reel.

This bill is the result of the work of the Alaska Federation of Natives, the Bristol Bay Native Association and the Department of the Interior, and would reinstate the taking of red fish for local residents during the months of August through October.

This bill was introduced in the 103d Congress as H.R. 4947; however, no committee action occurred.

## COMMITTEE ACTION

H.R. 1786 was introduced by Congressman Don Young (R-AK) on June 8, 1995. The bill was referred to the Committee on Resources. The Committee held a hearing on March 19, 1996, to accept testimony for the Bristol Bay Native Association and the Administration. The full Committee held a mark up of H.R. 1786 on June 26, 1996, and accepted by voice vote an amendment in the nature of a substitute offered by Congressman Young. The bill was ordered favorably reported to the House of Representatives by voice vote.

## SECTION-BY-SECTION ANALYSIS

*Section 1.—Descendants' land use*

Section 1 defines the Katmai National Park and red fish.

*Section 2.—Effect on title and jurisdiction of tidal and submerged lands*

Section 2 addresses the effect of title and jurisdiction of tidal and submerged lands within the Katmai National Park.

## COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(1)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

## INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(1)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 1786 will have no significant inflationary impact on prices and costs in the operation of the national economy.

## COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 1786. However, clause 7(d) of that Rule provides that this requirement does

not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 1786 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 1786.

3. With respect to the requirement of clause 2(1)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 1786 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, July 16, 1996.*

Hon. DON YOUNG,  
*Chairman, Committee on Resources,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 1786, a bill to regulate fishing in certain waters of Alaska, as ordered reported by the House Committee on Resources on June 26, 1996. We estimate that implementing this bill would have no significant impact on the federal budget. H.R. 1786 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

H.R. 1786 would allow certain Alaskan natives who live within the boundaries of the Katmai National Park to catch red fish (spawned-out sockeye salmon) on park property. Based on information provided by the National Park Service, we estimate that the agency's cost to promulgate and enforce any necessary fishing regulations would not be significant.

H.R. 1786 contains no private-sector or intergovernmental mandates as defined in Public Law 104-4 and would impose no costs on state, local, or tribal governments.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

JAMES L. BLUM  
(For June E. O'Neill, *Director*).

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 1786 contains no unfunded mandates.

DEPARTMENTAL REPORTS

The Committee has received no departmental reports on H.R. 1786.

CHANGES IN EXISTING LAW

If enacted, H.R. 1786 would make no changes in existing law.

