

# Congress of the United States

Washington, DC 20510

October 28, 2013

The Honorable Sally Jewell  
Secretary  
United States Department of the Interior  
1849 C Street N.W. – M.S. 7229  
Washington, DC 20240

The Honorable John Kerry  
Secretary  
United States Department of State  
2201 C Street, N.W. – Room 7226  
Washington, DC 20520

Dear Secretaries:

We write to express our continued concern over the looming possibility of an international transboundary park arrangement between the National Park Service (NPS) and Russia that would span the Bering Straits region. Our understanding is that a Memorandum of Understanding (MOU) has been agreed to by the Department of State and Russia, and that a delay in translating it for both sides is the reason it has not been released. While your Departments appear to have decided this arrangement is in the best interest of our nation, Alaskans remain unconvinced that it will benefit those who actually live in the region. To the contrary, the most direct impact is likely to be another layer of federal bureaucracy that serves only to restrict Alaskans' rightful access to – and lawful activities on – these public lands.

Our staffs met with representatives for the Shared Beringian Heritage Program last November and listed our concerns over this concept at that time. Alaska Governor Sean Parnell similarly outlined his reservations in a letter to then-Secretary of State Hillary Clinton in September 2012. Yet, nothing has changed. The proposed “sister park” arrangement, with its cross-border collaboration and cooperation defined by the MOU, continues to present several potential problems for Alaskans. Local communities still stand to receive no direct benefit to our knowledge. Subsistence activities and access are still not adequately protected. New limitations are still likely to deprive rather than foster economic opportunities, particularly with regard to resource development. In our view, international influence has been excessive, while local, State and Native participation has been insufficient.

To our knowledge, none of these concerns have been addressed, and it is difficult to fathom how additional bureaucracy will do anything but further slow and complicate decisions by federal agencies in the Bering Sea region. Accordingly, as Alaskans continue to communicate to us their valid apprehension over the negative impacts an international arrangement could have, we have decided to elevate this issue and formally request that you fully account for local and statewide concerns.

While we support the general concept of fostering a strong, international relationship between Alaska and Russia across the Bering Straits, we hereby request that you consider the views of Alaskans prior to any final decisions on this issue. Specifically, we ask that you engage directly with the Alaskans this arrangement will directly affect, that you schedule public

meetings in our state to familiarize yourselves with local concerns, that you engage on this matter with the State of Alaska, and that you convene government-to-government consultations with the Alaska Native Tribes who are likely to be impacted.

Our offices are ready to help in any way we can. Thank you for your consideration.

Sincerely,



Lisa Murkowski  
United States Senator



Don Young  
Congressman for all Alaska

Draft of October 28, 2013

MEMORANDUM  
of Understanding  
between the Government of the United States of America  
and the Government of the Russian Federation  
Symbolically Linking National Parks in  
the Bering Strait Region

The Government of the United States of America and the Russian Federation, hereinafter referred to as the Governments,  
calling for protection of the shared natural and longstanding cultural heritage of Chukotka and Alaska;

recognizing the worldwide cultural and natural significance of the Bering Strait region, both as an ancient crossroads and as an area of present-day cooperation between our two countries;

noting that the Bering Strait region is important to the economies of our two countries;

recognizing the success of joint cooperation under the National Park Service's "Shared Beringian Heritage Program" in preserving and strengthening the shared heritage and cultural vitality of the indigenous and other local inhabitants in the Bering Strait region;

confirming the mutual interest of our two countries in deepening cooperation and strengthening ties, particularly in the area of the U.S.-Russian boundary in the Bering Strait region;

noting the important need to protect the rights of indigenous and other local inhabitants in Chukotka and Alaska and to ensure their access to natural resources in accordance with each country's laws;

highlighting the importance of bilateral cooperation in protecting the environment and natural resources and preserving cultural heritage in the Bering Strait region;

understanding the significance of unique Arctic ecosystems of Chukotka and Alaska in the Bering Strait region;

conscious of the effects of human activities, climate change, and other environmental factors on the natural resources and cultural heritage of the Bering Strait region,

affirm that the linking of national parks in the Bering Strait region on both sides of the border between United States and Russia is intended to promote conservation of flora, fauna, and natural ecosystems; preservation of kinship ties, cultural practices, and languages of indigenous peoples of Chukotka and Alaska; and collaboration on environmental protection in the Bering Strait region and environmental research and monitoring, and also symbolize the link of two continents, our Governments, and people.

The Governments have reached the following understandings:

1. The Governments designate the following Participants for the implementation of cooperation under this Memorandum:

for the United States of America - the National Park Service of the U.S. Department of the Interior.

for the Russian Federation - the Ministry of Natural Resources and Environment of the Russian Federation;

2. The geographic scope of cooperation under this Memorandum is defined as the Bering Strait region, including the transboundary area comprising the Beringia National Park, which is located in the Russian Federation, and the Bering Land Bridge National Preserve and Cape Krusenstern National Monument, which are located in the United States of America. The Participants acknowledge that they have exchanged information concerning the boundaries of these national parks, including their cartographic coordinates. Either Government may change the aforementioned boundaries of the

national parks in its territory in accordance with its country's laws. In the event either Government changes the aforementioned boundaries, a written notification should be sent to the other Government.

3. The linking of national parks in the Bering Strait region under this Memorandum is intended to:

- exemplify constructive cooperation between the Participants at the national level;
- provide an opportunity for social and economic benefit for both countries by promoting ecological tourism, recreation, and sustainable development, as well as environmental awareness and education;

- foster mutual understanding and cooperation respecting environmental protection and the preservation of cultural heritage and in public education;

- advance the unique, traditional way of life of indigenous peoples of the Bering Strait region;

- respect subsistence rights of indigenous and other local inhabitants, in accordance with each country's laws;

- promote the study and enjoyment of natural resources, as well as the study and understanding of cultural heritage of international significance in the region;

- support cultural, scientific, and educational exchanges and exchanges of experts and specialists; and

- provide a framework for the people of Russia and the United States to participate in the conservation of the natural and cultural heritage and to work jointly to protect the fragile Arctic ecosystems in the Bering Strait region.

4. The Participants intend to develop a joint action plan that describes the specific work to be accomplished under this Memorandum and that identifies specific projects and types of activities, as well as the roles and responsibilities of the both countries' Participants and organizations in implementing them. The Participants intend to annually review and update the plan as needed.

5. Each Participant confirms that it intends to designate a Coordinator responsible for developing and coordinating implementation of the joint action plan. Each Participant may designate a different Coordinator at any time by notifying the other Participant in writing. The Coordinators should interact directly with one another and

may also facilitate direct contacts among the Participants, institutions, and other organizations of both countries to achieve the goals of this Memorandum.

6. Cooperative activities that may occur under this Memorandum include exchanges of information and technical expertise concerning natural and cultural resource management and use, including study tours, internships, training courses, workshops, symposia, joint research projects, and other forms of joint activities, including activities related to cultural traditions, subsistence, kinship, and languages of indigenous peoples, as mutually decided by the Participants and reflected in the joint action plan. Where appropriate either Participant may seek the assistance of other agencies or organizations in performing requested actions in support of the implementation of this Memorandum.

7. Cooperation under this Memorandum is subject to the availability of personnel, funds, and other material resources of each Participant. Additionally, each Participant intends to approve and conduct activities under this Memorandum in accordance with its country's laws. Nothing in this Memorandum is intended to affect other existing or future arrangements between the Governments or between one of the Governments and a third party.

8. This legally nonbinding Memorandum is not an international agreement and does not create any rights or obligations under international law.

9. Cooperation under this Memorandum commences upon signature. Either Government may discontinue cooperation under this Memorandum for any reason, in which event the Government discontinuing cooperation should take all possible measures to provide the other Government written notification at least 90 (ninety) days in advance.

10. Nothing in this Memorandum abrogates or in any way infringes upon the sovereign rights and authorities of each of the Governments and their Participants to manage lands within its respective borders in accordance with its country's laws, or upon the rights of third parties. The Participants intend to resolve any differences in interpretation or application with respect to this Memorandum through consultations between them.

Signed at \_\_\_\_\_ on \_\_\_\_\_ 20\_\_, in two originals, in duplicate in the Russian and English languages.

For the Government of the  
Russian Federation

For the Government of the  
United States of America

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