

107TH CONGRESS
2^D SESSION

H. R. 3048

IN THE SENATE OF THE UNITED STATES

JULY 23, 2002

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To resolve the claims of Cook Inlet Region, Inc., to lands
adjacent to the Russian River in the State of Alaska.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Russian River Land
3 Act”.

4 **SEC. 2. FINDINGS AND PURPOSES.**

5 (a) FINDINGS.—Congress makes the following find-
6 ings:

7 (1) Certain lands adjacent to the Russian River
8 in the area of its confluence with the Kenai River
9 contain abundant archaeological resources of signifi-
10 cance to the Native people of the Cook Inlet Region,
11 the Kenaitze Indian Tribe, and the citizens of the
12 United States.

13 (2) Those lands at the confluence of the Rus-
14 sian River and Kenai River contain abundant fish-
15 eries resources of great significance to the citizens of
16 Alaska.

17 (3) Cook Inlet Region, Inc., an Alaska Native
18 Regional Corporation formed under the provisions of
19 the Alaska Native Claims Settlement Act of 1971
20 (43 U.S.C. 1601 et. seq.) (hereinafter in this Act re-
21 ferred to as “ANCSA”), has selected lands in the
22 area pursuant to section 14(h)(1) of such Act (43
23 U.S.C. 1613(h)(1)), for their values as historic and
24 cemetery sites.

25 (4) The United States Bureau of Land Man-
26 agement, the Federal agency responsible for the ad-

1 judication of ANCSA selections has not finished ad-
2 judicating Cook Inlet Region, Inc.'s selections under
3 section 14(h)(1) of that Act as of the date of the en-
4 actment of this Act.

5 (5) The Bureau of Indian Affairs has certified
6 a portion of Cook Inlet Region, Inc.'s selections
7 under section 14(h)(1) of ANCSA as containing pre-
8 historic and historic cultural artifacts, and meeting
9 the requirements of section 14(h)(1) of that Act.

10 (6) A portion of the selections under section
11 14(h)(1) of ANCSA made by Cook Inlet Region,
12 Inc., and certified by the Bureau of Indian Affairs
13 lies within the Chugach National Forest over which
14 the United States Forest Service is the agency cur-
15 rently responsible for the administration of public
16 activities, archaeological features, and natural re-
17 sources.

18 (7) A portion of the selections under section
19 14(h)(1) of ANCSA and the lands certified by the
20 Bureau of Indian Affairs lies within the Kenai Na-
21 tional Wildlife Refuge over which the United States
22 Fish and Wildlife Service is the land managing
23 agency currently responsible for the administration
24 of public activities, archaeological features, and nat-
25 ural resources.

1 (8) The area addressed by this Act lies within
2 the Sqilantnu Archaeological District which was de-
3 termined eligible for the National Register of His-
4 toric Places on December 31, 1981.

5 (9) Both the Forest Service and the Fish and
6 Wildlife Service dispute the validity and timeliness of
7 Cook Inlet Region, Inc.'s selections under section
8 14(h)(1) of ANCSA.

9 (10) The Forest Service, Fish and Wildlife
10 Service, and Cook Inlet Region, Inc., determined
11 that it was in the interest of the United States and
12 Cook Inlet Region, Inc., to—

13 (A) protect and preserve the outstanding
14 historic, cultural, and natural resources of the
15 area;

16 (B) resolve their disputes concerning the
17 validity of Cook Inlet Region, Inc.'s selections
18 under section 14(h)(1) of ANCSA without liti-
19 gation; and

20 (C) provide for the management of public
21 use of the area and protection of the cultural
22 resources within the Sqilantnu Archaeological
23 District, particularly the management of the
24 area at the confluence of the Russian and
25 Kenai Rivers.

1 (11) Legislation is required to enact the resolu-
2 tion reached by the Forest Service, the Fish and
3 Wildlife Service, and Cook Inlet Region, Inc.

4 (b) PURPOSE.—It is the purpose of this Act to ratify
5 an agreement between the Department of Agriculture, the
6 Department of the Interior, and Cook Inlet Region, Inc.

7 **SEC. 3. RATIFICATION OF AGREEMENT BETWEEN THE**
8 **UNITED STATES FOREST SERVICE, UNITED**
9 **STATES FISH AND WILDLIFE SERVICE, AND**
10 **COOK INLET REGION, INC.**

11 (a) RATIFICATION OF AGREEMENT.—

12 (1) IN GENERAL.—The terms, conditions, cov-
13 enants, and procedures set forth in the document
14 entitled “Russian River Section 14(h)(1) Selection
15 Agreement”, which was executed by Cook Inlet Re-
16 gion, Inc., the United States Department of Agri-
17 culture, and the United States Department of the
18 Interior on July 26, 2001, (hereinafter in this Act
19 referred to as the “Agreement”), are hereby incor-
20 porated in this section, and are ratified, as to the
21 duties and obligations of the United States and the
22 Cook Inlet Region, Inc., as a matter of Federal law.

23 (2) SECTION 5.—The ratification of section 5 of
24 the Agreement is subject to the following conditions:

1 (A) The Fish and Wildlife Service shall
2 consult with interested parties when developing
3 an exchange under section 5 of the Agreement.

4 (B) The Secretary of the Interior shall
5 submit to the Committee on Resources of the
6 House of Representatives and the Committee
7 on Energy and Natural Resources of the Senate
8 a copy of the agreement implementing any ex-
9 change under section 5 of the Agreement not
10 less than 30 days before the exchange becomes
11 effective.

12 (3) AGREEMENT CONTROLS.—In the event any
13 of the terms of the Agreement conflict with any
14 other provision of law, the terms of the Agreement
15 shall be controlling.

16 (b) AUTHORIZATION OF ACTIONS.—The Secretaries
17 of Agriculture and the Interior are authorized to take all
18 actions required under the terms of the Agreement.

19 **SEC. 4. AUTHORIZATION OF APPROPRIATION.**

20 (a) IN GENERAL.—There is authorized to be appro-
21 priated to the Department of Agriculture, Office of State
22 and Private Forestry, \$13,800,000, to remain available
23 until expended, for Cook Inlet Region, Inc., for the fol-
24 lowing:

1 (1) Costs for the planning and design of the
2 Joint Visitor's Interpretive Center.

3 (2) Planning and design of the Sqilantnu Ar-
4 chaeological Research Center.

5 (3) Construction of these facilities to be estab-
6 lished in accordance with and for the purposes set
7 forth in the Agreement.

8 (b) LIMITATION ON USE OF FUNDS.—Of the amount
9 appropriated under this section, not more than 1 percent
10 may be used to reimburse the Forest Service, the Fish
11 and Wildlife Service, and the Kenaitze Indian Tribe for
12 the costs they incur in assisting Cook Inlet Region, Inc.
13 in the planning and design of the Joint Visitor's Interpre-
14 tive Center and the Sqilantnu Archaeological Research
15 Center.

Passed the House of Representatives July 22, 2002.

Attest:

JEFF TRANDAHL,

Clerk.