

Union Calendar No. 343

107TH CONGRESS
2^D SESSION

H. R. 3048

[Report No. 107-573]

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

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 4, 2001

Mr. YOUNG of Alaska introduced the following bill; which was referred to the Committee on Resources

JULY 15, 2002

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on October 4, 2001]

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Russian River Land*
5 *Act”.*

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) *FINDINGS.*—Congress makes the following findings:

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

9 (2) *Those lands at the confluence of the Russian*
10 *River and Kenai River contain abundant fisheries re-*
11 *sources of great significance to the citizens of Alaska.*

12 (3) *Cook Inlet Region, Inc., an Alaska Native*
13 *Regional Corporation formed under the provisions of*
14 *the Alaska Native Claims Settlement Act of 1971 (43*
15 *U.S.C. 1601 et. seq.) (hereinafter in this Act referred*
16 *to as “ANCSA”), has selected lands in the area pur-*
17 *suant to section 14(h)(1) of such Act (43 U.S.C.*
18 *1613(h)(1)), for their values as historic and cemetery*
19 *sites.*

20 (4) *The United States Bureau of Land Manage-*
21 *ment, the Federal agency responsible for the adjudica-*
22 *tion of ANCSA selections has not finished adjudi-*
23 *cating Cook Inlet Region, Inc.’s selections under sec-*
24 *tion 14(h)(1) of that Act as of the date of the enact-*
25 *ment of this Act.*

1 (5) *The Bureau of Indian Affairs has certified a*
2 *portion of Cook Inlet Region, Inc.'s selections under*
3 *section 14(h)(1) of ANCSA as containing prehistoric*
4 *and historic cultural artifacts, and meeting the re-*
5 *quirements of section 14(h)(1) of that Act.*

6 (6) *A portion of the selections under section*
7 *14(h)(1) of ANCSA made by Cook Inlet Region, Inc.,*
8 *and certified by the Bureau of Indian Affairs lies*
9 *within the Chugach National Forest over which the*
10 *United States Forest Service is the agency currently*
11 *responsible for the administration of public activities,*
12 *archaeological features, and natural resources.*

13 (7) *A portion of the selections under section*
14 *14(h)(1) of ANCSA and the lands certified by the Bu-*
15 *reau of Indian Affairs lies within the Kenai National*
16 *Wildlife Refuge over which the United States Fish*
17 *and Wildlife Service is the land managing agency*
18 *currently responsible for the administration of public*
19 *activities, archaeological features, and natural re-*
20 *sources.*

21 (8) *The area addressed by this Act lies within*
22 *the Sqilantnu Archaeological District which was de-*
23 *termined eligible for the National Register of Historic*
24 *Places on December 31, 1981.*

1 (9) *Both the Forest Service and the Fish and*
2 *Wildlife Service dispute the validity and timeliness of*
3 *Cook Inlet Region, Inc.'s selections under section*
4 *14(h)(1) of ANCSA.*

5 (10) *The Forest Service, Fish and Wildlife Serv-*
6 *ice, and Cook Inlet Region, Inc., determined that it*
7 *was in the interest of the United States and Cook*
8 *Inlet Region, Inc., to—*

9 (A) *protect and preserve the outstanding*
10 *historic, cultural, and natural resources of the*
11 *area;*

12 (B) *resolve their disputes concerning the va-*
13 *lidity of Cook Inlet Region, Inc.'s selections*
14 *under section 14(h)(1) of ANCSA without litiga-*
15 *tion; and*

16 (C) *provide for the management of public*
17 *use of the area and protection of the cultural re-*
18 *sources within the Sgillantnu Archaeological Dis-*
19 *trict, particularly the management of the area at*
20 *the confluence of the Russian and Kenai Rivers.*

21 (11) *Legislation is required to enact the resolu-*
22 *tion reached by the Forest Service, the Fish and Wild-*
23 *life Service, and Cook Inlet Region, Inc.*

1 (b) *PURPOSE.*—*It is the purpose of this Act to ratify*
2 *an agreement between the Department of Agriculture, the*
3 *Department of the Interior, and Cook Inlet Region, Inc.*

4 **SEC. 3. RATIFICATION OF AGREEMENT BETWEEN THE**
5 **UNITED STATES FOREST SERVICE, UNITED**
6 **STATES FISH AND WILDLIFE SERVICE, AND**
7 **COOK INLET REGION, INC.**

8 (a) *RATIFICATION OF AGREEMENT.*—

9 (1) *IN GENERAL.*—*The terms, conditions, cov-*
10 *enants, and procedures set forth in the document enti-*
11 *tled “Russian River Section 14(h)(1) Selection Agree-*
12 *ment”, which was executed by Cook Inlet Region,*
13 *Inc., the United States Department of Agriculture,*
14 *and the United States Department of the Interior on*
15 *July 26, 2001, (hereinafter in this Act referred to as*
16 *the “Agreement”), are hereby incorporated in this sec-*
17 *tion, and are ratified, as to the duties and obligations*
18 *of the United States and the Cook Inlet Region, Inc.,*
19 *as a matter of Federal law.*

20 (2) *SECTION 5.*—*The ratification of section 5 of*
21 *the Agreement is subject to the following conditions:*

22 (A) *The Fish and Wildlife Service shall con-*
23 *sult with interested parties when developing an*
24 *exchange under section 5 of the Agreement.*

1 (B) *The Secretary of the Interior shall sub-*
2 *mit to the Committee on Resources of the House*
3 *of Representatives and the Committee on Energy*
4 *and Natural Resources of the Senate a copy of*
5 *the agreement implementing any exchange under*
6 *section 5 of the Agreement not less than 30 days*
7 *before the exchange becomes effective.*

8 (3) *AGREEMENT CONTROLS.—In the event any of*
9 *the terms of the Agreement conflict with any other*
10 *provision of law, the terms of the Agreement shall be*
11 *controlling.*

12 (b) *AUTHORIZATION OF ACTIONS.—The Secretaries of*
13 *Agriculture and the Interior are authorized to take all ac-*
14 *tions required under the terms of the Agreement.*

15 **SEC. 4. AUTHORIZATION OF APPROPRIATION.**

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

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

23 (2) *Planning and design of the Sqilantnu Ar-*
24 *chaeological Research Center.*

1 (3) *Construction of these facilities to be estab-*
2 *lished in accordance with and for the purposes set*
3 *forth in the Agreement.*

4 (b) *LIMITATION ON USE OF FUNDS.—Of the amount*
5 *appropriated under this section, not more than 1 percent*
6 *may be used to reimburse the Forest Service, the Fish and*
7 *Wildlife Service, and the Kenaitze Indian Tribe for the costs*
8 *they incur in assisting Cook Inlet Region, Inc. in the plan-*
9 *ning and design of the Joint Visitor’s Interpretive Center*
10 *and the Sqilantnu Archaeological Research Center.*

Union Calendar No. 343

107TH CONGRESS
2^D SESSION

H. R. 3048

[Report No. 107-573]

A BILL

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

JULY 15, 2002

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed