

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3048

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IN THE SENATE OF THE UNITED STATES

JULY 23, 2002

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

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## 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.*