

Calendar No. 592

107TH CONGRESS
2^D SESSION**H. R. 3048****[Report No. 107-275]**

IN THE SENATE OF THE UNITED STATES

JULY 23, 2002

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

SEPTEMBER 11, 2002

Reported by Mr. BINGAMAN, without amendment

AN ACTTo 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”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

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

7 (2) Those lands at the confluence of the Rus-
8 sian River and Kenai River contain abundant fish-
9 eries resources of great significance to the citizens of
10 Alaska.

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

19 (4) The United States Bureau of Land Man-
20 agement, the Federal agency responsible for the ad-
21 judication of ANCSA selections has not finished ad-
22 judicating Cook Inlet Region, Inc.’s selections under
23 section 14(h)(1) of that Act as of the date of the en-
24 actment of this Act.

1 (5) The Bureau of Indian Affairs has certified
2 a portion of Cook Inlet Region, Inc.'s selections
3 under section 14(h)(1) of ANCSA as containing pre-
4 historic and historic cultural artifacts, and meeting
5 the requirements 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,
8 Inc., and certified by the Bureau of Indian Affairs
9 lies within the Chugach National Forest over which
10 the United States Forest Service is the agency cur-
11 rently responsible for the administration of public
12 activities, archaeological features, and natural re-
13 sources.

14 (7) A portion of the selections under section
15 14(h)(1) of ANCSA and the lands certified by the
16 Bureau of Indian Affairs lies within the Kenai Na-
17 tional Wildlife Refuge over which the United States
18 Fish and Wildlife Service is the land managing
19 agency currently responsible for the administration
20 of public activities, archaeological features, and nat-
21 ural resources.

22 (8) The area addressed by this Act lies within
23 the Sqilantnu Archaeological District which was de-
24 termined eligible for the National Register of His-
25 toric 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
6 Service, and Cook Inlet Region, Inc., determined
7 that it was in the interest of the United States and
8 Cook 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
13 validity of Cook Inlet Region, Inc.'s selections
14 under section 14(h)(1) of ANCSA without liti-
15 gation; and

16 (C) provide for the management of public
17 use of the area and protection of the cultural
18 resources within the Sqilantnu Archaeological
19 District, particularly the management of the
20 area at the confluence of the Russian and
21 Kenai Rivers.

22 (11) Legislation is required to enact the resolu-
23 tion reached by the Forest Service, the Fish and
24 Wildlife 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
11 entitled “Russian River Section 14(h)(1) Selection
12 Agreement”, which was executed by Cook Inlet Re-
13 gion, Inc., the United States Department of Agri-
14 culture, and the United States Department of the
15 Interior on July 26, 2001, (hereinafter in this Act
16 referred to as the “Agreement”), are hereby incor-
17 porated in this section, and are ratified, as to the
18 duties and obligations of the United States and the
19 Cook Inlet Region, Inc., 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
23 consult with interested parties when developing
24 an exchange under section 5 of the Agreement.

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

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

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

16 **SEC. 4. AUTHORIZATION OF APPROPRIATION.**

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

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

24 (2) Planning and design of the Sqilantnu Ar-
25 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
7 and Wildlife Service, and the Kenaitze Indian Tribe for
8 the costs they incur in assisting Cook Inlet Region, Inc.
9 in the planning and design of the Joint Visitor's Interpre-
10 tive Center and the Sqilantnu Archaeological Research
11 Center.

Passed the House of Representatives July 22, 2002.

Attest:

JEFF TRANDAHL,

Clerk.

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