

INTERIOR ACTS

PUBLIC LAW 107-362—DEC. 19, 2002

Public Law 107-362
107th Congress

An Act

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

Dec. 19, 2002

[H.R. 3048]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Russian River
Land Act.
Contracts.

SECTION 1. SHORT TITLE.

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

SEC. 2. FINDINGS AND PURPOSES.

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

(1) Certain lands adjacent to the Russian River in the area of its confluence with the Kenai River contain abundant archaeological resources of significance to the Native people of the Cook Inlet Region, the Kenaitze Indian Tribe, and the citizens of the United States.

(2) Those lands at the confluence of the Russian River and Kenai River contain abundant fisheries resources of great significance to the citizens of Alaska.

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

(4) The United States Bureau of Land Management, the Federal agency responsible for the adjudication of ANCSA selections has not finished adjudicating Cook Inlet Region, Inc.’s selections under section 14(h)(1) of that Act as of the date of the enactment of this Act.

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

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

(7) A portion of the selections under section 14(h)(1) of ANCSA and the lands certified by the Bureau of Indian Affairs lies within the Kenai National Wildlife Refuge over which the United States Fish and Wildlife Service is the land managing agency currently responsible for the administration of public activities, archaeological features, and natural resources.

(8) The area addressed by this Act lies within the Sqilantnu Archaeological District which was determined eligible for the National Register of Historic Places on December 31, 1981.

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

PUBLIC LAW 107-362—DEC. 19, 2002

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

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

(B) resolve their disputes concerning the validity of Cook Inlet Region, Inc.'s selections under section 14(h)(1) of ANCSA without litigation; and

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

(11) Legislation is required to enact the resolution reached by the Forest Service, the Fish and Wildlife Service, and Cook Inlet Region, Inc.

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

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

(a) RATIFICATION OF AGREEMENT.—

(1) IN GENERAL.—The terms, conditions, covenants, and procedures set forth in the document entitled “Russian River Section 14(h)(1) Selection Agreement”, which was executed by Cook Inlet Region, Inc., the United States Department of Agriculture, and the United States Department of the Interior on July 26, 2001, (hereinafter in this Act referred to as the “Agreement”), are hereby incorporated in this section, and are ratified, as to the duties and obligations of the United States and the Cook Inlet Region, Inc., as a matter of Federal law.

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

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

(B) The Secretary of the Interior shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a copy of the agreement implementing any exchange under section 5 of the Agreement not less than 30 days before the exchange becomes effective.

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

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

SEC. 4. AUTHORIZATION OF APPROPRIATION.

(a) IN GENERAL.—There is authorized to be appropriated to the Department of Agriculture, Office of State and Private Forestry, \$13,800,000, to remain available until expended, for Cook Inlet Region, Inc., for the following:

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

(2) Planning and design of the Sqilantnu Archaeological Research Center.

(3) Construction of these facilities to be established in accordance with and for the purposes set forth in the Agreement.

PUBLIC LAW 107-362—DEC. 19, 2002

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

Approved December 19, 2002.

LEGISLATIVE HISTORY—H.R. 3048:

HOUSE REPORTS: No. 107-573 (Comm. on Resources).

SENATE REPORTS: No. 107-275 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

July 22, considered and passed House.

Nov. 19, considered and passed Senate.