

111TH CONGRESS
2^D SESSION

H. R. 5402

To amend the Alaska Native Claims Settlement Act to provide for equitable allotment of lands to Alaska Native veterans.

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2010

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

A BILL

To amend the Alaska Native Claims Settlement Act to provide for equitable allotment of lands to Alaska Native veterans.

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 “Alaska Native Vet-
5 erans Land Allotment Equity Act”.

6 **SEC. 2. AMENDMENT TO ALLOW CERTAIN ALASKA NATIVE**
7 **VETERAN LAND ALLOTMENTS.**

8 Section 41 of the Alaska Native Claims Settlement
9 Act (43 U.S.C. 1629g) is amended as follows:

1 (1) Paragraphs (1) and (2) of subsection (a)
2 are amended to read as follows: “(1) The period for
3 filing allotments under this Act shall end 3 years
4 after the Secretary issues final regulations under
5 section 3 of the Alaska Native Veterans Land Allot-
6 ment Equity Act. A person described in paragraph
7 (1) or (2) of subsection (b) shall be eligible for an
8 allotment of not more than two parcels of Federal
9 land totaling 160 acres or less.

10 “(2)(A) Allotments may be selected from the fol-
11 lowing:

12 “(i) Vacant lands that are owned by the United
13 States.

14 “(ii) Lands that have been selected or conveyed
15 to the State of Alaska if the State voluntarily relin-
16 quishes or conveys to the United States the land for
17 the allotment.

18 “(iii) Lands that have been selected or conveyed
19 to a Native Corporation if the Native Corporation
20 voluntarily relinquishes or conveys to the United
21 States the land for the allotment.

22 “(B) A Native Corporation may select an equal
23 amount of acres of appropriate Federal land within the
24 State of Alaska to replace lands voluntarily relinquished

1 or conveyed by that Native Corporation under subpara-
2 graph (A)(iii).

3 “(C) For security reasons, allotments may not be se-
4 lected from—

5 “(i) lands within the right-of-way granted for
6 the TransAlaska Pipeline; or

7 “(ii) the inner or outer corridor of that right-
8 of-way withdrawal.”.

9 (2) Subsection (a)(3) is repealed.

10 (3) In subsection (b)(1), strike “A person” and
11 insert “Except as provided in paragraph (3), a per-
12 son”.

13 (4) Subsection (b)(1)(B) is amended to read as
14 follows:

15 “(B) is a veteran who served during the period
16 between August 5, 1964, and May 7, 1975, includ-
17 ing such dates.”.

18 (5) Subsection (b)(2) is amended to read as fol-
19 lows:

20 “(2) If an individual who would otherwise have been
21 eligible for an allotment dies before applying for the allot-
22 ment, an heir on behalf of the estate of the deceased vet-
23 eran may apply for and receive the allotment.”.

24 (6) In subsection (b)(3), insert before the pe-
25 riod the following: “, except for an heir who applies

1 and receives an allotment on behalf of the estate of
2 a deceased veteran pursuant to paragraph (2)”.
3

4 (7) Subsection (e) is amended to read as fol-
5 lows:

6 “(e) REGULATIONS.—All regulations in effect imme-
7 diately before the enactment of subsection (f) that were
8 promulgated under the authority of this section shall be
9 repealed in accordance with section 552(a)(1)(E) of the
10 Administrative Procedure Act (5 U.S.C. 552(a)(1)(E))”.

11 (8) Add at the end the following new sub-
12 sections:

13 “(f) APPROVAL OF ALLOTMENTS.—(1) Subject to
14 valid existing rights, and except as otherwise provided in
15 this subsection, not later than January 31, 2012, the Sec-
16 retary shall approve an application for allotments filed in
17 accordance with subsection (a) and issue a certificate of
18 allotment which shall be subject to the same terms, condi-
19 tions, restrictions, and protections provided for such allot-

20 ments.
21 “(2) Upon receipt of an allotment application, but in
22 any event not later than October 31, 2009, the Secretary
23 shall notify any person or entity having an interest in land
24 potentially adverse to the applicant of their right to ini-
25 tiate a private contest or file a protest under existing Fed-
eral regulations.

1 “(3) Not later than January 31, 2010, the Secretary
2 shall—

3 “(A) if no contest or protest is timely filed, ap-
4 prove the application pursuant to paragraph (1); or

5 “(B) if a contest or protest is timely filed, stay
6 the issuance of the certificate of allotment until the
7 contest or protest has been decided.

8 “(g) RESELECTION.—A person who made an allot-
9 ment selection under this section before the date of the
10 enactment of Alaska Native Veterans Land Allotment Eq-
11 uity Act may withdraw that selection and reselect lands
12 under this section if the lands originally selected were not
13 conveyed to that person before the date of the enactment
14 of Alaska Native Veterans Land Allotment Equity Act.”.

15 **SEC. 3. REGULATIONS.**

16 Not later than 1 year after the date of the enactment
17 of this Act, the Secretary of the Interior shall issue final
18 regulations to implement the amendments made by this
19 Act.

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