

ALASKA NATIVE VIETNAM ERA VETERANS LAND
ALLOTMENT EXTENSION ACT OF 2025

JULY 10, 2025.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. WESTERMAN, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 410]

The Committee on Natural Resources, to whom was referred the bill (H.R. 410) to extend the Alaska Native Vietnam era veterans land allotment program, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE LEGISLATION

The purpose of H.R. 410 is to extend the Alaska Native Vietnam era veterans land allotment program, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 410 would extend the Alaska Native Vietnam-era Veterans Land Allotment Program five years to end on December 29, 2030, rather than the current end date of December 29, 2025. This extension would enable the Bureau of Land Management (BLM) to continue outreach to the estimated 150 Alaska Native Vietnam veterans that do not have addresses on file with BLM and who are eligible for up to 160 acres of federal land in Alaska. With President Trump’s 2021 rescission of several Alaska-specific Public Land Orders (PLOs), more federal land may be available to fulfill selected allotments by eligible Alaska Native veterans, necessitating more time to complete the program.¹

¹Public Land Order No. 7899; Partial Revocation of Public Land Orders No. 5169, 5170, 5171, 5173, 5179, 5180, 5184, 5186, 5187, 5188, 5353, Alaska. 86 FR 5236. <https://www.federalregister.gov/documents/2021/01/19/2021-01111/public-land-order-no-7899-partial-revocation-of-public-land-orders-no-5169-5170-5171-5173-5179-5180>.

When Congress passed the General Allotment Act² in 1887, it was unclear if it applied to Alaska Natives. To clarify, Congress passed the Alaska Native Allotment Act (ANAA) in 1906, which allowed the Secretary of the Interior to allot up to 160 acres of non-mineral federal land in Alaska to any Alaska Native who was at least twenty-one years old.³ This allotted land was to remain with the allottee and their family in perpetuity.⁴

The Alaska Native Claims Settlement Act (ANCSA)⁵ was enacted in 1971 to settle the aboriginal land claims of Alaska Natives, which had gone unresolved for more than 100 years since the U.S. purchased Alaska from the Russian Empire in 1867.⁶ At the time of ANCSA's enactment, the Department of the Interior (DOI) held a backlog of at least 7,000 applications for allotments under the ANAA.⁷ Because ANCSA repealed the ANAA, eligible Alaska Natives were encouraged to apply for an allotment of land before the ANAA was repealed.⁸ This push was largely successful, as 10,000 individuals applied for an allotment.⁹ However, many Alaska Natives serving overseas in the U.S. Armed Forces during the Vietnam War were unable to submit an application for an allotment or were unaware of the imminent repeal, which resulted in many Alaska Native veterans being unable to select an allotment.¹⁰

In 1998, Congress attempted to rectify this unintended consequence by passing legislation that included a provision in which Alaska Natives, or their heirs, who were eligible under ANAA and served during the Vietnam War (serving between January 1, 1969, and June 2, 1971), or were enlisted or drafted before December 17, 1971, to apply for an allotment of land.¹¹ The opportunities for allotted land came from vacant, unappropriated, and unreserved parcels.¹² These restrictions proved challenging to navigate, and out of the 3,000 eligible service members, only 500 applied.¹³ Noting the need to address the lack of success following the 1998 legislation,

² 25 U.S.C. 331.

³ 34 Stat. 197 (Pub. Law 59–171). 1906. (repealed 1971). <https://govtrackus.s3.amazonaws.com/legislink/pdf/stat/34/STATUTE-34-Pg197a.pdf>.

⁴ 1934 Stat. 197 (Pub. Law 59–171). 1906. <https://govtrackus.s3.amazonaws.com/legislink/pdf/stat/34/STATUTE-34-Pg197a.pdf>. In 1956, the Alaska Native Allotment Act was amended to require applicants to prove they had used and occupied the parcel for at least five years to qualify for an allotment, but it also expanded the allotment eligibility to include national forest land as long as the applicant could prove the necessary occupancy and use. See Alaska Native Lands and the Alaska Native Claims Settlement Act (ANCSA): Overview and Selected Issues for Congress. Tana Fitzpatrick. December 2021. <https://crsreports.congress.gov/product/pdf/R/R46997>.

⁵ P.L. 92–203. 85 Stat. 688.

⁶ 15 Stat. 539.

⁷ Alaska Native Lands and the Alaska Native Claims Settlement Act (ANCSA): Overview and Selected Issues for Congress. Tana Fitzpatrick. December 2021. <https://crsreports.congress.gov/product/pdf/R/R46997>.

⁸ 43 U.S. Code § 1617 and S. Rept. 115–451. Alaska Native Vietnam Era Veterans Land Allotment Act.

⁹ S. Rept. 115–451. Alaska Native Vietnam Era Veterans Land Allotment Act. <https://www.congress.gov/congressional-report/115th-congress/senate-report/451/1>.

¹⁰ Alaska Native Lands and the Alaska Native Claims Settlement Act (ANCSA): Overview and Selected Issues for Congress. Tana Fitzpatrick. December 2021. <https://crsreports.congress.gov/product/pdf/R/R46997>; and S. Rept. 115–451. Alaska Native Vietnam Era Veterans Land Allotment Act. <https://www.congress.gov/congressional-report/115th-congress/senate-report/451/1>.

¹¹ 1998 Act, Sec. 432 of Public Law 105–276.

¹² *Id.*

¹³ Sullivan, Murkowski Renew Effort to Deliver Alaska Native Vietnam-Era Veterans Their Rightful Land Allotments. Feb. 13, 2024. <https://www.murkowski.senate.gov/press/release/sullivan-murkowski-renew-effort-to-deliver-alaska-native-vietnam-era-veterans-their-rightful-land-allotments>.

Congress amended the law in 2000 and again in 2004.¹⁴ Despite these changes, approximately 2,800 eligible Alaska Natives had yet to receive their allotment.¹⁵

In the 116th Congress, Congress passed the *John D. Dingell, Jr. Conservation Management, and Recreation Act*, which included a provision establishing the Alaska Native Vietnam-era Veterans Land Allotment Program.¹⁶ The provision authorized eligible Alaska Native Vietnam veterans, or their heirs, to select an allotment of up to 160 acres from certain federal land. To be eligible, the applicant (or their heir) must show proof of service between August 5, 1964, and December 31, 1971, and have not previously received an allotment. This provision authorized an application period of five years beginning after final regulations were issued, which currently is from December 28, 2020, to December 29, 2025.¹⁷

In January 2021, under President Trump, then-Secretary of the Interior David Bernhardt signed the revocation of 11 Public Land Orders (PLOs) initially put in place in 1972 and 1973 for the benefit of Alaska Native Corporations under ANCSA.¹⁸ Then-Secretary Bernhardt's action opened up 28 million acres of BLM land which could be used for allotment purposes.¹⁹ However, in February 2021, the Biden Administration postponed the revocation, prompting a battle that waged throughout the Biden Administration's term.²⁰

In February 2024, Sens. Lisa Murkowski and Dan Sullivan expressed concerns that then-Secretary of the Interior Deb Haaland's ordering of further environmental impact statements was unnecessarily delaying the allotment program.²¹ The senators also highlighted that over the three years the program had been up and running, only 18 of the more than 2,000 eligible Alaska Native veterans had received their allotments.²² On February 26, 2024, the BLM website for the Alaska Native Vietnam-era Veterans Land Allotment Program showed that only 15 applications had been certificated or completed during the three years the program operated.²³ BLM data through January 24, 2025, indicated that 41 applications have been certificated, with 378 applications in process. It was also noted that the BLM still needs addresses for 150 eligible vet-

¹⁴ S. Rept. 115–451. Alaska Native Vietnam Era Veterans Land Allotment Act. p. 4–5 <https://www.congress.gov/congressional-report/115th-congress/senate-report/451/1>.

¹⁵ *Id.*

¹⁶ P.L. 116–9, Sec. 1119 (43 U.S. Code § 1629g–1).

¹⁷ Murray, Mariel. *Alaska Native Lands and the Alaska Native Claims Settlement Act (ANCSA): Overview and Selected Issues for Congress*. CRS. December 2021. <https://www.crs.gov/Reports/R46997?source=search#fn130>.

¹⁸ Public Land Order No. 7899; Partial Revocation of Public Land Orders No. 5169, 5170, 5171, 5173, 5179, 5180, 5184, 5186, 5187, 5188, 5353, Alaska. 86 FR 5236. <https://www.federalregister.gov/documents/2021/01/19/2021-01111/public-land-order-no-7899-partial-revocation-of-public-land-orders-no-5169-5170-5171-5173-5179-5180>.

¹⁹ Sens. Lisa Murkowski and Dan Sullivan, Press Release, “Access Denied: BLM To Revoke 2021 Public Land Orders, Keep Alaska Lands in Highly Restricted Status.” July 2024. <https://www.murkowski.senate.gov/press/release/access-denied-blm-to-revoke-2021-public-land-orders-keep-alaska-lands-in-highly-restricted-status>.

²⁰ *Id.*

²¹ Sens. Lisa Murkowski and Dan Sullivan, Press Release, “Sullivan, Murkowski Renew Effort to Deliver Alaska Native Vietnam-Era Veterans Their Rightful Land Allotments.” February 13, 2024. <https://www.murkowski.senate.gov/press/release/sullivan-murkowski-renew-effort-to-deliver-alaska-native-vietnam-era-veterans-their-rightful-land-allotments>.

²² *Id.*

²³ BLM, “Alaska Native Vietnam-era Veterans Land Allotment Program” February 26, 2024, archived at Wayback Machine, <https://web.archive.org/web/20240226002134/https://www.blm.gov/programs/lands-and-realty/regional-information/alaska/land-transfer/ak-native-allotment-act/alaska-native-vietnam-veterans-land-allotment>.

erans.²⁴ Considering how slow the process has been for BLM to review and certify applications, it is unlikely that all eligible Alaska Native Vietnam veterans would receive their promised allotments without extending the program.

On January 20, 2025, President Trump issued an Executive Order (EO) titled *Unleashing Alaska's Extraordinary Resource Potential* in which Public Land Order No. 7899, 7900, 7901, 7902, and 7903 were reinstated as originally issued on January 11, 2021.²⁵ This EO also required the Department of the Interior to review all PLOs to ensure that Interior's actions are consistent with several Alaska related statutes, including the Alaska Native Vietnam-era Veterans Land Allotment Program.²⁶

H.R. 410 would extend the Alaska Native Vietnam-era Veterans Land Allotment Program for five more years beyond its current expiration of December 29, 2025.

COMMITTEE ACTION

H.R. 410 was introduced on January 15, 2025, by Representative Nicholas Begich (R-AK). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Indian and Insular Affairs. On February 5, 2025, the Subcommittee on Indian and Insular Affairs held a hearing on the bill. On June 25, 2025, the Committee on Natural Resources met to consider the bill. The Subcommittee on Indian and Insular Affairs was discharged from further consideration of H.R. 410 by unanimous consent. The bill was ordered favorably reported to the House of Representatives by unanimous consent.

HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee on Indian and Insular Affairs held on February 5, 2025.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 establishes that the short title shall be cited as the "Alaska Native Vietnam Era Veterans Land Allotment Extension Act of 2025".

Section 2. Extension of the Alaska Native Vietnam Era Veterans Land Allotment Program

Section 2 amends Section 1119(b)(3)(B) of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (43 U.S.C. 1629g-1(b)(3)(B)) to extend the Alaska Native Vietnam Veteran Land Allotment Program for an additional five years.

²⁴ BLM, "Alaska Native Vietnam-era Veterans Land Allotment Program" January 27, 2025. <https://www.blm.gov/programs/lands-and-realty/regional-information/alaska/land-transfer/ak-native-allotment-act/alaska-native-vietnam-veterans-land-allotment>.

²⁵ *Unleashing Alaska's Extraordinary Resource Potential*. Executive Order. January 20, 2025. <https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-alaskas-extraordinary-resource-potential/>.

²⁶ *Id.*

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* Pursuant to clause 3(c)(2) of House rule XIII and section 308(a) of the Congressional Budget Act of 1974, and pursuant to clause 3(c)(3) of House rule XIII and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received from the Director of the Congressional Budget Office a budgetary analysis and a cost estimate of this bill.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to extend the Alaska Native Vietnam era veterans land allotment program, and for other purposes.

earmark statement

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

unfunded mandates reform act statement

An estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chair of the Committee shall cause such estimate to be printed in the Congressional Record upon its receipt by the Committee, if such estimate is not publicly available on the Congressional Budget Office website.

existing programs

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169) as relating to other programs.

applicability to legislative branch

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

**JOHN D. DINGELL, JR. CONSERVATION, MANAGEMENT,
AND RECREATION ACT**

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TITLE I—PUBLIC LAND AND FORESTS

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**Subtitle B—Public Land and National
Forest System Management**

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**SEC. 1119. ALASKA NATIVE VIETNAM ERA VETERANS LAND ALLOT-
MENT.**

(a) DEFINITIONS.—In this section:

(1) AVAILABLE FEDERAL LAND.—

(A) IN GENERAL.—The term “available Federal land” means Federal land in the State that—

(i) is vacant, unappropriated, and unreserved and is identified as available for selection under subsection (b)(5); or

(ii) has been selected by, but not yet conveyed to—

(I) the State, if the State agrees to voluntarily relinquish the selection of the Federal land for selection by an eligible individual; or

(II) a Regional Corporation or a Village Corporation, if the Regional Corporation or Village Corporation agrees to voluntarily relinquish the selection of the Federal land for selection by an eligible individual.

(B) EXCLUSIONS.—The term “available Federal land” does not include any Federal land in the State that is—

(i)(I) a right-of-way of the TransAlaska Pipeline; or

(II) an inner or outer corridor of such a right-of-way;

(ii) withdrawn or acquired for purposes of the Armed Forces;

(iii) under review for a pending right-of-way for a natural gas corridor;

(iv) within the Arctic National Wildlife Refuge;

- (v) within a unit of the National Forest System;
- (vi) designated as wilderness by Congress;
- (vii) within a unit of the National Park System, a National Preserve, or a National Monument;
- (viii) within a component of the National Trails System;
- (ix) within a component of the National Wild and Scenic Rivers System; or
- (x) within the National Petroleum Reserve-Alaska.

(2) **ELIGIBLE INDIVIDUAL.**—The term “eligible individual” means an individual who, as determined by the Secretary in accordance with subsection (c)(1), is—

(A) a Native veteran—

- (i) who served in the Armed Forces during the period between August 5, 1964, and December 31, 1971; and
- (ii) has not received an allotment made pursuant to—

(I) the Act of May 17, 1906 (34 Stat. 197, chapter 2469) (as in effect on December 17, 1971);

(II) section 14(h)(5) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(5)); or

(III) section 41 of the Alaska Native Claims Settlement Act (43 U.S.C. 1629g); or

(B) is the personal representative of the estate of a deceased eligible individual described in subparagraph (A), who has been duly appointed in the appropriate Alaska State court or a registrar has qualified, acting for the benefit of the heirs of the estate of a deceased eligible individual described in subparagraph (A).

(3) **NATIVE; REGIONAL CORPORATION; VILLAGE CORPORATION.**—The terms “Native”, “Regional Corporation”, and “Village Corporation” have the meanings given those terms in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

(4) **STATE.**—The term “State” means the State of Alaska.

(5) **VETERAN.**—The term “veteran” has the meaning given the term in section 101 of title 38, United States Code.

(b) **ALLOTMENTS FOR ELIGIBLE INDIVIDUALS.**—

(1) **INFORMATION TO DETERMINE ELIGIBILITY.**—

(A) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense, in coordination with the Secretary of Veterans Affairs, shall provide to the Secretary a list of all members of the Armed Forces who served during the period between August 5, 1964, and December 31, 1971.

(B) **USE.**—The Secretary shall use the information provided under subparagraph (A) to determine whether an individual meets the military service requirements under subsection (a)(2)(A)(i).

(C) **OUTREACH AND ASSISTANCE.**—The Secretary, in coordination with the Secretary of Veterans Affairs, shall conduct outreach, and provide assistance in applying for allotments, to eligible individuals.

(2) REGULATIONS.—Not later than 18 months after the date of enactment of this section, the Secretary shall promulgate regulations to carry out this subsection.

(3) SELECTION BY ELIGIBLE INDIVIDUALS.—

(A) IN GENERAL.—An eligible individual—

- (i) may select 1 parcel of not less than 2.5 acres and not more than 160 acres of available Federal land; and
- (ii) on making a selection pursuant to clause (i), shall submit to the Secretary an allotment selection application for the applicable parcel of available Federal land.

(B) SELECTION PERIOD.—An eligible individual may apply for an allotment during the ~~5-year period~~ *10-year period* beginning on the effective date of the final regulations issued under paragraph (2).

(4) CONFLICTING SELECTIONS.—If 2 or more eligible individuals submit to the Secretary an allotment selection application under paragraph (3)(A)(ii) for the same parcel of available Federal land, the Secretary shall—

(A) give preference to the selection application received on the earliest date; and

(B) provide to each eligible individual the selection application of whom is rejected under subparagraph (A) an opportunity to select a substitute parcel of available Federal land.

(5) IDENTIFICATION OF AVAILABLE FEDERAL LAND ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the State, Regional Corporations, and Village Corporations, shall identify Federal land administered by the Bureau of Land Management as available Federal land for allotment selection in the State by eligible individuals.

(B) CERTIFICATION; SURVEY.—The Secretary shall—

- (i) certify that the available Federal land identified under subparagraph (A) is free of known contamination; and
- (ii) survey the available Federal land identified under subparagraph (A) into aliquot parts and lots, segregating all navigable and meanderable waters and land not available for allotment selection.

(C) MAPS.—As soon as practicable after the date on which available Federal land is identified under subparagraph (A), the Secretary shall submit to Congress, and publish in the Federal Register, 1 or more maps depicting the identified available Federal land.

(D) CONVEYANCES.—Any available Federal land conveyed to an eligible individual under this paragraph shall be subject to—

- (i) valid existing rights; and
- (ii) the reservation of minerals to the United States.

(E) INTENT OF CONGRESS.—It is the intent of Congress that not later than 1 year after the date on which an eligible individual submits an allotment selection application for available Federal land that meets the requirements of

this section, as determined by the Secretary, the Secretary shall issue to the eligible individual a certificate of allotment with respect to the available Federal land covered by the allotment selection application, subject to the requirements of subparagraph (D).

(c) IDENTIFICATION OF AVAILABLE FEDERAL LAND IN UNITS OF THE NATIONAL WILDLIFE REFUGE SYSTEM.—

(1) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(A) conduct a study to determine whether any additional Federal lands within units of the National Wildlife Refuge System in the State should be made available for allotment selection; and

(B) report the findings and conclusions of the study to Congress.

(2) CONTENT OF THE REPORT.—The Secretary shall include in the report required under paragraph (1)—

(A) the Secretary's determination whether Federal lands within units of the National Wildlife Refuge System in the State should be made available for allotment selection by eligible individuals; and

(B) identification of the specific areas (including maps) within units of the National Wildlife Refuge System in the State that the Secretary determines should be made available, consistent with the mission of the National Wildlife Refuge System and the specific purposes for which the unit was established, and this subsection.

(3) FACTORS TO BE CONSIDERED.—In determining whether Federal lands within units of the National Wildlife Refuge System in the State should be made available under paragraph

(1)(A), the Secretary shall take into account—

(A) the proximity of the Federal land made available for allotment selection under subsection (b)(5) to eligible individuals;

(B) the proximity of the units of the National Wildlife Refuge System in the State to eligible individuals; and

(C) the amount of additional Federal land within units of the National Wildlife Refuge System in the State that the Secretary estimates would be necessary to make allotments available for selection by eligible individuals.

(4) IDENTIFYING FEDERAL LAND IN UNITS OF THE NATIONAL WILDLIFE REFUGE SYSTEM.—In identifying whether Federal lands within units of the National Wildlife Refuge System in the State should be made available for allotment under paragraph (2)(B), the Secretary shall not identify any Federal land in a unit of the National Wildlife Refuge System—

(A) the conveyance of which, independently or as part of a group of allotments—

(i) could significantly interfere with biological, physical, cultural, scenic, recreational, natural quiet, or subsistence values of the unit of the National Wildlife Refuge System;

(ii) could obstruct access by the public or the Fish and Wildlife Service to the resource values of the unit;

(iii) could trigger development or future uses in an area that would adversely affect resource values of the surrounding National Wildlife Refuge System land;

(iv) could open an area of a unit to new access and uses that adversely affect resources values of the unit; or

(v) could interfere with the management plan of the unit;

(B) that is located within 300 feet from the shore of a navigable water body;

(C) that is not consistent with the purposes for which the unit of the National Wildlife Refuge System was established;

(D) that is designated as wilderness by Congress; or

(E) that is within the Arctic National Wildlife Refuge.

(d) LIMITATION.—No Federal land may be identified for selection or made available for allotment within a unit of the National Wildlife Refuge System unless it has been authorized by an Act of Congress subsequent to the date of enactment of this Act. Further, any proposed conveyance of land within a unit of the National Wildlife Refuge System must have been identified by the Secretary in accordance with subsection (c)(4) in the report to Congress required by subsection (c) and include patent provisions that the land remains subject to the laws and regulations governing the use and development of the Refuge.

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