

109TH CONGRESS
1ST SESSION

S. 2000

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

IN THE SENATE OF THE UNITED STATES

NOVEMBER 10, 2005

Ms. MURKOWSKI (for herself and Mr. STEVENS) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Alaska Native Claims Settlement Act to provide for equitable allotment of land 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. OPEN SEASON FOR CERTAIN ALASKA NATIVE VET-**
7 **ERANS FOR ALLOTMENTS.**

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

1 (1) in subsection (a)—

2 (A) in the subsection heading, by striking
3 “IN GENERAL” and inserting “ALASKA NATIVE
4 VETERAN ALLOTMENTS”;

5 (B) by striking paragraphs (1) through (4)
6 and inserting the following:

7 “(1) ALLOTMENTS.—

8 “(A) ELIGIBLE RECIPIENTS.—Any person
9 described in paragraph (1) or (2) of subsection
10 (b) shall be eligible to receive an allotment
11 under the Act of May 17, 1906 (34 Stat. 197,
12 chapter 2469), of not more than 2 parcels of
13 Federal land, the total area of which shall not
14 exceed 160 acres.

15 “(B) FILING DEADLINE.—An allotment
16 shall be filed for an eligible recipient not later
17 than 3 years after the date on which the Sec-
18 retary promulgates regulations pursuant to sec-
19 tion 3 of the Alaska Native Veterans Land Al-
20 lotment Equity Act.

21 “(2) LAND AVAILABLE FOR ALLOTMENTS.—

22 “(A) IN GENERAL.—An allotment under
23 this section shall be selected from land that
24 is—

25 “(i)(I) vacant; and

1 “(II) owned by the United States;

2 “(ii) selected by, or conveyed to, the
3 State of Alaska, if the State voluntarily re-
4 linquishes or conveys to the United States
5 the land for the allotment; or

6 “(iii) selected by, or conveyed to, a
7 Native Corporation, if the Native Corpora-
8 tion voluntarily relinquishes or conveys to
9 the United States the land for the allot-
10 ment.

11 “(B) RELINQUISHMENT BY NATIVE COR-
12 PORATION.—If a Native Corporation relin-
13 quishes land under subparagraph (A)(iii), the
14 Native Corporation may select appropriate Fed-
15 eral land, as determined by the Secretary, the
16 area of which is equal to the area of the land
17 relinquished by the Native Corporation, to re-
18 place the relinquished land.

19 “(C) EXCLUSIONS.—An allotment under
20 this section shall not be selected from land that
21 is located within—

22 “(i) a right-of-way of the TransAlaska
23 Pipeline; or

24 “(ii) an inner or outer corridor of
25 such a right-of-way.

1 “(3) ALTERNATIVE ALLOTMENTS.—A person
2 described in paragraph (1) or (2) of subsection (b)
3 who qualifies for an allotment under this section on
4 land described in paragraph (2)(C) may select an al-
5 ternative allotment from land that is—

6 “(A) located within the boundaries land
7 described in paragraph (2)(C); and

8 “(B)(i)(I) withdrawn under section
9 11(a)(1)(C); and

10 “(II) not selected, or relinquished after se-
11 lection, under section 11(a)(3);

12 “(ii) contiguous to an outer boundary of
13 land withdrawn under section 11(a)(1)(C), un-
14 less that land is within a National Park; or

15 “(iii) vacant, unappropriated, and unre-
16 served.”; and

17 (C) by redesignating paragraphs (5) and
18 (6) as paragraphs (4) and (5), respectively;
19 (2) in subsection (b)—

20 (A) in paragraph (1), by striking subpara-
21 graph (B) and inserting the following:

22 “(B) is a veteran who served during the period
23 beginning August 5, 1964, and ending May 7,
24 1975.”;

1 (B) by striking paragraph (2) and insert-
 2 ing the following:

3 “(2) DECEASED INDIVIDUALS.—If an individual
 4 who would otherwise have been eligible for an allot-
 5 ment under this section dies before applying for an
 6 allotment, an heir of the individual may apply for,
 7 and receive, an allotment under this section, on be-
 8 half of the estate of the individual.”;

9 (C) in paragraph (3), by inserting before
 10 the period at the end the following: “, other
 11 than an heir who applies for, and receives, an
 12 allotment on behalf of the estate of a deceased
 13 individual under paragraph (2).”;

14 (3) by redesignating subsections (d) and (e) as
 15 subsections (f) and (g), respectively; and

16 (4) by adding at the end the following:

17 “(d) APPROVAL OF ALLOTMENTS.—

18 “(1) IN GENERAL.—Subject to any valid right
 19 in existence on the date of enactment of the Alaska
 20 Native Veterans Land Allotment Equity Act, and ex-
 21 cept as provided in paragraph (3), not later than
 22 January 31, 2010, the Secretary shall—

23 “(A) approve any application for an allot-
 24 ment filed in accordance with subsection (a);
 25 and

1 “(B) issue a certificate of allotment under
 2 any term, condition, or restriction as the Sec-
 3 retary determines to be appropriate.

4 “(2) NOTIFICATION.—Not later than October
 5 31, 2007, on receipt of an application for an allot-
 6 ment under this section, the Secretary shall provide
 7 to any person or entity that has an interest in land
 8 described in subsection (a)(2) that is potentially ad-
 9 verse to the interest of the applicant notice of the
 10 right of the person or entity, not later than 90 days
 11 after the date of receipt of the notice—

12 “(A) to initiate a private contest of the al-
 13 lotment; or

14 “(B) to file a protest against the allotment
 15 in accordance with procedures established by
 16 the Secretary.

17 “(3) ACTION BY SECRETARY.—If a private con-
 18 test or protest relating to an application for an allot-
 19 ment is initiated or filed under paragraph (2), the
 20 Secretary shall not issue a certificate to the allot-
 21 ment under paragraph (1)(B) until a final deter-
 22 mination has been made with respect to the private
 23 contest or protest.

24 “(e) RESELECTION.—A person that selected an allot-
 25 ment under this section may withdraw that selection and

1 reselect land in accordance with this section after the date
2 of enactment of the Alaska Native Veterans Land Allot-
3 ment Equity Act, if the land originally selected—

4 “(1) was selected before the date of enactment
5 of the Alaska Native Veterans Land Allotment Eq-
6 uity Act; and

7 “(2) as of the date of enactment of that Act,
8 was not conveyed to the person.”.

9 **SEC. 3. REGULATIONS.**

10 Not later than 1 year after the date of enactment
11 of this Act, the Secretary of the Interior shall promulgate
12 final regulations to carry out the amendments made by
13 this Act.

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