

112TH CONGRESS  
1ST SESSION

# H. R. 3604

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

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 7, 2011

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

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## 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 2 years after the date of  
16 the enactment of the Alaska Native Veterans Land Allot-  
17 ment Equity Act, the Secretary shall approve an applica-  
18 tion for allotments filed in accordance with subsection (a)  
19 and issue a certificate of allotment which shall be subject  
20 to the same terms, conditions, restrictions, and protections  
21 provided for such allotments.

22 “(2) Upon receipt of an allotment application, but in  
23 any event not later than 6 months after receiving such  
24 application, the Secretary shall notify any person or entity  
having an interest in land potentially adverse to the appli-

1 cant of their right to initiate a private contest or file a  
2 protest under existing Federal regulations.

3 “(3) Not later than 2 years after the date of the en-  
4 actment of the Alaska Native Veterans Land Allotment  
5 Equity Act, the Secretary shall—

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

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

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

18 **SEC. 3. REGULATIONS.**

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

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