

107TH CONGRESS  
1ST SESSION

# H. R. 3148

To amend the Alaska Native Claims Settlement Act to provide equitable treatment of Alaska Native Vietnam Veterans, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 16, 2001

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

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## A BILL

To amend the Alaska Native Claims Settlement Act to provide equitable treatment of Alaska Native Vietnam Veterans, and for other purposes.

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. ALASKA NATIVE VETERANS.**

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

6 (1) Paragraphs (1) and (2) of subsection (a)  
7 are amended to read as follows:

8 “(1) The period for filing allotments under this Act  
9 shall end on July 31, 2003. A person described in para-  
10 graph (1) or (2) or subsection (b) shall be eligible for an

1 allotment of not more than two parcels of Federal land  
2 totaling 160 acres or less.

3 “(2) Allotments may be selected from—

4 “(A) vacant lands that are owned by the United  
5 States; or

6 “(B) lands that have been selected or conveyed  
7 to the State of Alaska or a Native Corporation if  
8 such entity voluntarily relinquishes or conveys to the  
9 United States the land for the allotment.”.

10 (2) Subsection (a)(3) is repealed.

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

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

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

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

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

1           (6) In subsection (b)(3), insert before the pe-  
2           riod the following: “, except for an heir who applies  
3           and receives an allotment on behalf of the estate of  
4           a deceased veteran pursuant to paragraph (2)”.

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

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

12          (8) Add at the end the following new sub-  
13          section:

14          “(f) APPROVAL OF ALLOTMENTS.—(1) Subject to  
15          valid existing rights, and except as otherwise provided in  
16          this subsection, not later than January 31, 2005, the Sec-  
17          retary shall approve an application for allotments filed in  
18          accordance with subsection (a) and issue a certificate of  
19          allotment which shall be subject to the same terms, condi-  
20          tions, restrictions, and protections provided for such allot-  
21          ments.

22          “(2) Upon receipt of an allotment application, but in  
23          any event not later than October 31, 2003, the Secretary  
24          shall notify any person or entity having an interest in land  
25          potentially adverse to the applicant of their right to ini-

1 tiate a private contest or file a protest under existing Fed-  
2 eral regulations.

3 “(3) Not later than January 31, 2005, the Secretary  
4 shall—

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

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

10 **SEC. 2. CODIFICATION.**

11 Unless otherwise provided in an agreement to which  
12 the tribe or tribal organization is a party, (including a  
13 Tribal-State compact), section 2(2) of the Act of July 5,  
14 1935 (49 Stat. 450, chapter 372) shall not apply to the  
15 Indian tribe or tribal organization when the Indian tribe  
16 or tribal organization is carrying out a health care pro-  
17 gram pursuant to a self-determination contract, compact,  
18 annual funding agreement, grant, or cooperative agree-  
19 ment under the Indian Self Determination Act.

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