

**STATE OF ALASKA**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Mining, Land and Water**

**NOTICE OF DECISION**  
**RELEASE OF STATE INTEREST**  
**State Selection File CG-142**

**Partial Relinquishment of State Land Selection**

*AS 38.05.035(a)(11), AS 38.05.035(e), ANILCA Sec. 906(f)(2), ALTAA Sec. 404(a)(4)(B)*

**I. Action**

Proposed relinquishment of State of Alaska (State) surface estate selection while retaining the State's subsurface selection on all minerals excluding sand and gravel in favor of Dingell Act allotment application AA-95894.

**II. Authority**

The 2019 John D. Dingell, Jr. Conservation, Management, and Recreation Act (Dingell Act) (Pub. L. 116-9) provides that eligible Alaska Native Vietnam Veterans may request conveyance of Statehood Act land selections and that the State may voluntarily relinquish either fee title or surface estate interests to facilitate conveyance of the lands to the Native Veteran.

Lands were selected by the State under Sec. 6(a) of the Alaska Statehood Act (Pub. L. 85-508). The ability to relinquish Statehood Act selections was codified in Sec. 906(f)(2) of the Alaska National Interest Land Conservation Act (ANILCA) (Pub. L. 96-487). Sec. 404(a)(4)(B) of the Alaska Land Transfer Acceleration Act (ALTAA) (Pub. L. 108-452) provides that the State shall relinquish selections in excess of 125% of its remaining entitlement.

The provisions of Alaska Statute (AS) 38.05.035(a)(11) allow the Director of the Division of Mining, Land and Water (DMLW) to manage Statehood Entitlement selections. AS 38.05.035(e) provides authority for disposals of lands, resources, property, or interests in them. Article XIII of the Alaska Constitution provides guiding principles for maximum use of state lands and resources and authority for disposals of interests in lands and resources.

**III. Background**

The Dingell Act allows eligible Alaska Native Vietnam Veterans (applicants) to select up to 160 acres of federal land as an allotment. Available lands are those managed by the Bureau of Land Management (BLM), excluding lands withdrawn by Public Land Orders (PLOs), the Trans-Alaska Pipeline (TAPS) right-of-way, military withdrawals, Conservation System Units (CSU's) including the National Forests, and the National Petroleum Reserve-Alaska (NPR-A). Lands selected by the State or Alaska Native Claim Settlement Act (ANCSA) Corporations are classified as available

regardless of priority status. The State and ANCSA Corporations have the option to relinquish or deny relinquishment of selections for any reason within 60 days of receiving BLM's request.

#### **IV. Administrative Record**

The selection file for state selection CG-142 constitutes the administrative record for this action.

#### **V. Location**

The allotment selection is located in DNR's Southcentral Region, within Section 35, Township 21 South, Range 2 East, Fairbanks Meridian.

*USGS Map Coverage:* Healy A-1 SW 1:25,000

*Platting Authority:* Mat-Su Borough

*Regional Corporation:* Ahtna, Inc.

*Federally Recognized Tribe:* Native Village of Cantwell

*Village Corporation:* Native Village of Cantwell

Please see Attachment A for a visual depiction of the allotment selection.

#### **VI. Legal Description**

Those lands including approximately 160 acres one quarter mile south of the Denali Highway in the south half of Section 35 excepting those lands within PLO 2961, of Township 21 South, Range 2 East, Fairbanks Meridian, Alaska.

#### **VII. Selection History**

- On Nov. 10, 1986, State selection GS-5242 was filed for all available lands within T. 21 S., R. 2 E. F. M.
- Community Grant CG-142 was filed in April 1993, for lands in several townships along the Denali Highway.
- In Jan. 1991, this township along with others in the Valdez Creek Mining District (Clearwater Block) were placed on the Tentative Approval conveyance priority list with a high ranking.
- On Dec. 20, 1993, state selection GS-5242 was topfiled pursuant to ANILCA. State reasserts and amends.
- In Aug. 1994 BLM issued State's Filing of No Effect for some portions of the township, excluding section 35.
- DNR Memorandum dated Dec. 6, 2005, stated that "It was agreed to put these selections on hold until the final version of the Alaska Land Transfer Acceleration Act was passed by congress".
- On Dec. 10, 2004, Public Law 108-452 (Alaska Land Transfer Acceleration Act) was passed. This law, under Title I, SEC. 101. (1)(p) approves all Community Grant selections on file with the Secretary of the Interior.

- In Nov. 2008, the state requested priority conveyance of sections 1 through 12 under GS-5242.
- In Dec. 2008, Tentative Approval was issued under GS-5242 for the priority conveyance request lands.
- On Sep. 10, 2009, BLM issued a decision rejecting duplicate lands selected by both GS-5242 and CG-142. The remaining lands are to be conveyed under CG-142.
- On Apr. 20, 2010, BLM issued Tentative Approval under CG-142 for section 36 in this township.
- On Feb. 22, 2011, The State of Alaska requested the revocation of a portion of Power Site Classification No. 443, and all of Public Land Order No. 2961 as most of the State's land selections within the withdrawal area are No. 1 priority for conveyance.
- On Aug. 16, 2023, Realty Services received a request from BLM to relinquish approximately 160 acres for a Dingell Act allotment serialized as AA-95894. The proposed allotment lands are located south of the Denali Highway.
- The lands are currently selected under CG-142 and are ranked as a priority 1.

#### VIII. DMLW and Agency Review

Information and comments received from multiple sections within DMLW prior to and during agency review have been considered and included in the preparation of this decision. The proposed relinquishment documents were distributed to State agencies for review from Nov. 21, 2023, through Dec. 26, 2023. The intent of an agency review is to request comments from agencies that may be affected by the selection relinquishment. Agencies are given the opportunity to evaluate and comment on the relinquishment to determine if it is in the State's best interest to release the land selection and, if so, provide supporting reasons.

The following agencies or groups were included in the agency review:

- **DNR Division of Oil & Gas Leasing Section:** Thank you for the opportunity to review the proposed relinquishment. The Division of Oil and Gas has no authorization or pending applications on the proposed relinquishment, and no objections to relinquishment of the surface. Furthermore, we do not request to reserve the subsurface estate.
  - **DMLW Realty response:** Thank you for your comment.
- **Dept. of Transportation:** Thank you for the opportunity to review the proposal. The Alaska Department of Transportation & Public Facilities (DOT&PF) advises that any new driveway or modification of an existing driveway that connects to the Denali Highway shall require an AKDOT&PF driveway permit prior to construction. For more information, please work with the DOT&PF Northern Region Right-of-Way Group in Fairbanks.
  - **DMLW Realty response:** Thank you for your comment.
- **DNR DMLW PAAD Section:** PAAD has no comments on this proposed action. There are no waters or trails within the parcel. There are what appear to be old DOT&PF pits but they appear to be outside of the proposed allotment.
  - **DMLW Realty response:** Thank you for your comment.

- **DNR DMLW Statewide Abatement of Impaired Land (SAIL) Section:** No comments. Thank you for the chance to review.
  - **DMLW Realty response:** Thank you for your comment.
- **Department of Fish & Game:** The Alaska Department of Fish and Game (ADF&G) reviewed the proposed relinquishment of 160 acres of state lands located within Sec. 35, T. 21 S., R. 2E., FM. This allotment is located on the east side of the Susitna River and just south of the Denali Highway. We have no interests created on this parcel and there do not appear to be any trails or important access routes within this parcel. We have no objection to the reconveyance of these state lands.
  - **DMLW Realty response:** Thank you for your comment.
- **DNR DMLW Land Conveyances Section:** Land Conveyance Section has no objections.
  - **DMLW Realty response:** Thank you for your comment.
- **DNR Division of Parks and Outdoor Recreation:** DPOR has no issues.
  - **DMLW Realty response:** Thank you for your comment.
- **DNR DMLW Resource Assessment & Development Section (RADS):** Thank you for the opportunity to review and comment on the Proposed Relinquishment of State-Selected Land to the Federal Government for Native Allotment AA-95894. The Resource Assessment & Development Section (RADS) has reviewed the available data, satellite imagery, and the applicable regional land use plan (the 1985 Susitna Area Plan (SAP)) and provides the following comments. Background & Discussion: The proposed relinquishment is for a parcel of Federal lands located within: Sec. 35, T. 21 S., R. 2 E., Fairbanks Meridian, containing approximately 160 acres. The Denali Highway is immediately north of the selection and the Susitna River is approximately two miles to the southwest. most this township are state lands excepting those affected by PLO 2961. Lands to the north and to the east are all State owned, there are several parcels of private land in the area. The parcel is located within the 1985 Susitna Area Plan (SAP) – most of this plan has been superseded by other plans, but this parcel is in the north Talkeetna mountains area, which the SAP still provides management intent for. Specifically, the parcel is in Unit 1a. The management intent recommends that these lands be managed in generally the same way as adjacent public lands, including protecting fish and wildlife habitat, and allowing these lands to be used by the general public for hunting, hiking, etc. Recommendation: Taking all the above into account, RADS concurs with the proposed voluntary relinquishment of the surface estate for these lands – Native Allotment AA-95894.
  - **DMLW Realty response:** Thank you for your comment.

The following agencies or groups were included in the agency review, but no comment was received:

- Department of Agriculture.
- DNR DMLW Southcentral Regional Land Office.
- DNR DMLW Mining Section.
- DNR DMLW Water Section.

## IX. Public Comment

Public notice of the proposed relinquishment was conducted from Nov. 21, 2023, through Dec. 26, 2023. The notice was posted to the State of Alaska Online Public Notice System. Copies of the notice were sent to the applicant, the Tanana Chiefs Conference, Mat-Su Borough Mayor, Mat-Su Borough Planning Commission, Mat-Su Borough Manager, Southcentral Game Board, Native Village of Cantwell, Ahtna Incorporated, Central Council of the Tlingit, Cantwell Post Office, Gakona Post office, Denali Park Post Office, Bureau of Land Management (BLM), BLM Field Office, Bureau of Indian Affairs (BIA) Regional Realty Office and Title Services Center, Alaska Department of Natural Resources Commissioners Office, Alaska State legislature, and adjacent landowners.

- **Public Comment:** I am a combat veteran of the Vietnam War. I served in the U.S. Army from 1969 to 1970, and I was deployed to Vietnam from 1969 to 1970. While in Vietnam, I served in the battlefield theaters of the war from 1969 to 1970. I earned a Purple Heart because I was wounded. I was honorably discharged because of my medical condition. I am a disabled veteran.  
I was appointed to the Advisory Committee on Minority Veterans (ACMV) by the Secretary of the United States Department of Veterans Affairs (VA) and served from 2012 to 2014. The ACMV is a committee that was Congressionally established under Public Law 103-446 § 510, November 2, 1994. "The committee consists of veterans who represent respective minority groups and are recognized authorities in fields pertinent to the needs of the minority group they embody. The committee is responsible for advising the Secretary and Congress on VA's administration of benefits and provisions of healthcare, benefits, and services to minority Veterans. It also provides an annual report to Congress outlining recommendations, concerns, and observations on VA's delivery of services to minority Veterans."  
1. ANVC membership is composed of Alaska Natives who served on active duty in the United States Armed Services. It serves as an Alaska Native Veterans Committee of the Board of Directors of the Alaska Federation of Natives (AFN). AFN is a statewide Native organization established in 1966 to represent Alaska's 100,000+ Eskimos, Indians, and Aleuts on concerns and issues affecting their rights and property interests.  
For the record, ANVC is in favor of the proposed relinquishment of 160 acres of land as a Native Allotment by the Department of Natural Resources in favor of an Alaska Native Veteran of the Vietnam War or Vietnam War Era or the heir of a veteran. This relinquishment of land is being considered by the Alaska Department of Natural Resources during the implementation of PL 116-9, John D. Dingell, Jr. Conservation, Management, and Recreation Act, (Dingell Act.) Furthermore, ANVC recommends that this type of relinquishment of land by the State of Alaska becomes a permanent policy of the State.  
ANVC thanks the State of Alaska for demonstrating its support of the Alaska Native veterans in Alaska by deed, the qualified veterans of the Vietnam/Vietnam War Era

veterans, and the heirs of our veterans who have died. We appreciate this and it must continue.

Availability of Land: One of the biggest issues in the implementation of the Dingell Act is the availability and location of lands that can be applied for as Native Allotments by qualified veterans and their heirs. This proposed action by the Alaska Department of Natural Resources will benefit one veteran, and it has the potential of resolving part of the land issue if it is applied universally across the State of Alaska as its permanent policy on Native Allotments as authorized by the Dingell Act.

As an example of one land issue, there are 3 Alaska Native veterans of the Vietnam War Era from the Native Village of Tuntutuliak. The nearest land set aside closest to these veterans is in Goodnews Bay area. The distance between Tuntutuliak and Goodnews Bay is about 93 miles. Access to the land is an issue here. Tuntutuliak is located on the west bank of Kuskokwim Bay, and Goodnews Bay is on the other bank of the Kuskokwim Bay. There is no road between Tuntutuliak and Goodnews Bay area.

There are other examples of land issues. Southeast Alaska and the Arctic Slope Regions collectively have one of the largest numbers of veterans who are qualified to apply for Native Allotments under the Dingell Act. If a qualified veteran living in Juneau applies for a Native Allotment in the Goodnews Bay area, that land is about 970 miles away from the Veteran. No direct access exists for the Juneau veteran to access the land he/she applied for as there is no road between these places. Similar land issues exist for veterans in the Arctic Slope Region and the Goodnews Bay area.

#### Individual Examples

The late Robert Beans, former Chairman of the Board, of Calista Corporation, initially from Mountain Village, was hesitant to apply for a native allotment at Goodnews Bay area because the distance from Mountain Village to that area is about 217 miles according to Google. He was disabled and walked with a cane. He eventually applied for one in that area. He wondered how he might access his allotment if it was approved.

A qualified heir of a veteran living in Utqiagvik, Alaska (formerly Barrow, Alaska), whose husband was deployed to Vietnam, may not apply for a Native Allotment because the nearest area she could apply for one is in the Goodnews Bay area. According to Google, the distance between Utqiagvik and the lands she may apply for as Native Allotment is about 852 miles away. One of her major concerns is access to the land and she does not know the land.

According to some veterans in Southeast Alaska, the Alaska Native veterans of the Vietnam/Vietnam War Era and their heirs are hesitant to apply for Native Allotments in the Goodnews Bay Area. Their rationale is based on their culture. They do not want to unknowingly violate the cultural values and beliefs of the Yupik people by applying for Native Allotments in the Yupik Country.

The delegates of the AFN Annual Convention recognized the land issue faced by the qualified Alaska Native veterans of the Vietnam/Vietnam War Era and their heirs. They unanimously passed AFN Convention Resolution 23-15 on Saturday, October 21, 2023. A copy of this resolution is attached.

The resolved portion of this resolution states:

“NOW THEREFORE BE IT RESOLVED by the Delegates of the 2023 Alaska Federation of Natives Convention that the Alaska’s Congressional Delegation Consider Affirmatively of amending PL 116-09 as follows:

1. Incorporate the Congressionally recognized dates of the Vietnam War, as “The period beginning on Feb. 28, 1961 and ending on May 7, 1975, And;
2. Extend the application period by at least five to ten years, And;
3. Expand the Land base by mandating certain lands such as wildlife refuge lands, lands that were Sections 17(d)(1), 17(d)(2) lands of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), unselected Section 11 of ANCSA land withdrawals be made available as Native Allotment selections, and; Authorize the Alaska Native of the Vietnam War with Service-Connected Disabilities by a Congressional mandate to be allowed to apply for Allotments close to their homes, And;
5. Amend the present law such that the veterans/heirs who applied for Native Allotments to exchange their Allotments for lands close to their homes, and
6. If lands are not available, other forms, including monetary equivalent must be authorized.”

AFN will ask Alaska’s Congressional Delegation to consider amending the present Native Allotment law to accomplish what is mandated in this resolution. ANVC is asking the State of Alaska to support us when AFN pursues amending the law so that this land issue is resolved.

Thank you for allowing me to submit this statement. I ask that my written comments be incorporated in the record of the State of Alaska’s proposed relinquishment of Alaska’s land entitlement as Native Allotments to the qualified Alaska Native veteran of the Vietnam War/Vietnam War Era and or heir. I am also asking that the attached resolution is added to the comment record on this topic.

ATTACHMENT: AFN CONVENTION RESOLUTION 23-15

- **DMLW Realty response:** Thank you for your comment. As the Dingell Act is a federal program, the State of Alaska has no authority to change the process or make additional federal lands available for selection by eligible applicants. DNR recommends contacting BLM with suggested changes to the program. Currently, the DNR DMLW Realty Services Section (RSS) considers each relinquishment request for Dingell Act allotment parcels filed on State-Selected lands as received. Those suitable for potential relinquishment receive an internal agency review and public input is solicited through a public notice process. Realty Services then issues a decision weighing the interests of the Dingell Act applicant, the interests of the State of Alaska, and the public. The scope of this decision is to relinquish or not; therefore, the States’ support for or lack of changes to the Dingell Act is outside the scope of this decision and the duration of the application period is outside the scope of this decision.
- **Public Comment:** I am writing this to support the Proposed Relinquish of Entitlement lands AA-95894 by this application listed. There are more than two thousand veterans who served in active-duty Uniform Armed Forces during the

Vietnam War Era and heir on behalf of those who died since the Dingell act has passed who can apply for 160 acres. One of the biggest issues is the availability of available lands in the vicinity of the Aleutian Islands, Kodiak, Arctic Slope region, and the southeast. Thank you for your consideration.

- **DMLW Realty Response:** Thank you for your comment. As the Dingell Act is a federal program, the State of Alaska has no authority to change the process or make additional federal lands available for selection by eligible applicants. DNR recommends contacting BLM with suggested changes to the program. Currently, the DNR DMLW Realty Services Section (RSS) considers each relinquishment request for Dingell Act allotment parcels filed on State-Selected lands as received. Those suitable for potential relinquishment receive an internal agency review and public input is solicited through a public notice process. Realty Services then issues a decision weighing the interests of the Dingell Act applicant, the interests of the State of Alaska, and the public.
- **Public Comment:** This letter is in support of the PROPOSED RELINQUISHMENT OF STATE ENTITLEMENTS-DINGELL ACT ALASKA NATIVE VETERAN ALLOTMENT AA-95894 by the Alaska Department of Natural Resources. This proposal addresses the Native Allotment application listed as AA-95894. There are more two thousand Alaska Native veterans who served in active duty in the United States Armed Force during the Vietnam War and the Vietnam War Era, 'Alaska Native veterans' hereafter. The heirs of some of these veterans are also impacted as they can apply for one 160-acre Native Allotment on behalf of the veterans who died. Relinquishment of Alaska State land entitlements must be extended to all the qualified Alaska Natives and heirs of this war. One of the biggest issues faced by the qualified Alaska Native veterans and their heirs per PL 116-9 is land close to their communities. Mr. Benno Cleveland, Chairman of the Board, Alaska Native Veterans Council, elaborated on this in his comments on this, and they were submitted to you recently. While all the Alaska Native veterans in Alaska are impacted by the lack of land issue in their vicinity, veterans along the Aleutian Chain, Kodiak, Arctic Slope Region, Southcentral Alaska, and Southeast Alaska are most impacted. Lands they may apply for as Native Allotments are as far as about a thousand miles from them. The State of Alaska relinquishing some of their land entitlements will alleviate part of this land issue. Thank you for your consideration.
- **DMLW Realty response:** Thank you for your comment. As the Dingell Act is a federal program, the State of Alaska has no authority to change the process or make additional federal lands available. DNR recommends contacting BLM with suggested changes to the program. Currently, the DNR DMLW Realty Services Section (RSS) considers each relinquishment request for all Dingell Act allotment parcels filed on State-Selected lands as received. Those suitable for potential relinquishment receive an internal agency review and public input is solicited through a public notice process. Realty Services then issues a decision weighing the interests of the Dingell Act applicant, the interests of the State of Alaska, and

the public. The scope of this decision is to relinquish or not; therefore, general access to other Dingell Act parcels is outside the purview of this decision and subject to the locations of lands available determined by the BLM. Access to this parcel is possible through generally allowed uses of State land as provided in 11 AAC 96.020.

#### **X. Discussion and Alternatives**

The State is supportive of the federal Dingell Act Native Veteran allotment program and will relinquish selections when it is in the State's best interests. In addition, the State's land selections are currently over-selected, under federal law the State is required to relinquish selections in excess of 125% of the remaining entitlement. To reduce over-selection, the State will consider relinquishing surface estate interests for all state entitlement lands to facilitate conveyance to Dingell Act applicants.

The Denali Highway is immediately north of the selection and the Susitna River is approximately two miles to the southwest. Most lands in this township are state lands excepting those affected by Power Site Classification 443 and Public Land Order 2961, which may be inundated by water if the Susitna/Watana Project. While lands in this township are available for conveyance to the State, restrictions on title placed under the authority of the Section 24 of the Federal Water Power Act (June 10, 1920, Ch. 285, 41. Stat. 1063) make acquisition of the lands not in the State's best interests. The allotment is outside the areas of inundation, power site classification, and PLO. Lands to the north and to the east are all State owned, there are several parcels of private land in the area.

This allotment application is the only Dingell Act allotment in this township; however, there are currently eleven Dingell Act Native Allotment applications in neighboring townships along the west end of the Denali Highway and Susitna River. The management plan for these lands recommends the lands be managed in generally the same way as adjacent public lands, including protecting fish and wildlife habitat, and allowing these lands to be used by the general public for hunting, hiking, etc. This allotment does not significantly affect the intended management of this area.

The State relinquishing the surface estate of the parcel to facilitate conveyance to the applicant is keeping in character with the surrounding mixed private and public land ownership pattern. Relinquishment also supports the success of the Dingell Act Allotment program and provides an opportunity for a Native Vietnam War veteran to obtain an allotment that was denied due to circumstances related to military service.

The parcel is not crossed by any known trails or waterway, nor does it significantly inhibit public access to the surrounding lands.

The State considered the following alternatives in adjudicating the request for relinquishment:

Alternative 1: Relinquish the State's land selection in full (both surface and subsurface).

Alternative 2: Maintain State land selection.

Alternative 3: Relinquish the State's surface estate selection and maintain the State's subsurface selection on all minerals excluding sand and gravel.

**XI. Decision**

This decision considers all public and agency review comments received. After considering the facts and input described above, the Department finds it is in the best interest of the State to choose Alternative 3 and relinquish the above-described state selection of the surface estate while maintaining the subsurface selection to facilitate conveyance of Dingell act allotment application AA-95894.

Recommended by:

Walter Zimmerman  
Walter "Z" Zimmerman  
Natural Resource Specialist 2  
Realty Services Section  
Division of Mining, Land and Water  
Department of Natural Resources

3/7/2024  
Date of Signature

Approved by:

Jane Boer  
Jane Boer  
Realty Services Section Chief  
Division of Mining, Land and Water  
Department of Natural Resources

3/20/2024  
Date of Signature

Approved by:

JCY  
Commissioner Boyle  
Department of Natural Resources

4/2/2024  
Date of Signature

**Reconsideration**

An eligible person affected by this decision, and who provided timely written comment or public hearing testimony to the department, may request reconsideration to the DNR Commissioner per AS 44.37.011 and 11 AAC 02. Any request for reconsideration must be received by the Commissioner's Office within twenty (20) calendar days after issuance of the

decision under 11 AAC 02.040. The Commissioner may order or deny a request for reconsideration within thirty (30) calendar days after issuance of the decision. If the Commissioner takes no action on a request for reconsideration within thirty (30) days after issuance of the decision, the request for reconsideration is considered denied. The Commissioner's decision on reconsideration, other than a remand decision, is a final administrative order and decision of the department. An eligible person must first request reconsideration to the Commissioner before seeking relief in superior court. The Alaska Court System establishes its own rules for timely appealing final administrative orders and decisions of the department.

Reconsideration/appeal may be mailed or hand-delivered to the DNR Commissioner's Office, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska, 99501; or faxed to (907)-269-8918 or sent by electronic mail to [dnr.appeals@alaska.gov](mailto:dnr.appeals@alaska.gov). Reconsideration must be accompanied by the fee established in 11 AAC 05.160(d)(1)(F), which has been set at \$200 under the provisions of 11 AAC 05.160(a)-(b). A copy of 11 AAC 02 is available on the department's website at <https://dnr.alaska.gov/mlw/pdf/DNR-11-AAC-02.pdf>.



ALASKA FEDERATION OF NATIVES  
2023 ANNUAL CONVENTION  
RESOLUTION 23-15

- TITLE:** AMENDING PL LAW 116-09 ON LAND FOR NATIVE ALLOTMENTS OF THE VIETNAM WAR VETERANS AND QUALIFIED HEIRS OF THE VIETNAM WAR VETERAN
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska, and its membership includes 179 federally recognized tribes, 154 village corporations, 9 regional corporations, and 10 regional nonprofit and tribal consortiums that contract and compact to run federal and state programs; and
- WHEREAS:** The mission of AFN is to enhance and promote the cultural, economic, and political voice of the entire Alaska Native community; and
- WHEREAS:** The United States Congress overwhelmingly passed S. 47 in February of 2019; and
- WHEREAS:** John D. Dingell, Jr. Conservation Management and Recreation Act was enacted into law on March 12, 2019; and
- WHEREAS:** PL 116-09 authorized the qualified Alaska Native Veterans/heirs of the Vietnam War to apply for Native Allotments; and
- WHEREAS:** PL 116-09 states that certain conservation system lands such as Wildlife Refuge lands and other lands may be made available as lands for the Alaska Native Veterans of the Vietnam War or their heirs; and
- WHEREAS:** Some Alaska Native Veterans of the Vietnam War and some heirs of the veterans met with the Honorable Interior Secretary Deb Haaland at her request on November 2, 2021, and the main objective of the meeting with the Secretary was to get a very strong commitment of support from the Secretary of the Interior on the Native Allotment land issue for the Alaska Native veterans of the Vietnam/Vietnam War Era and the heirs of the fallen warriors; and
- WHEREAS:** Some Alaska Native veterans met with the Honorable Denis McDonough, Secretary, Department of Veterans Affairs and Alaska's Congressional Delegation members, the Honorable U.S. Senator Lisa Murkowski, the Honorable U.S. Senator Dan Sullivan, and the Honorable U.S. Representative Mary Peltola, on February 24, 2023, at the VA Clinic, and sought their support in expanding the land base for Native Allotments; and

NOW THEREFORE BE IT RESOLVED that the delegates of the 2023 Alaska Federation of Natives Convention request Alaska's Congressional Delegation consider affirmatively amending PL 116-09 as follows:

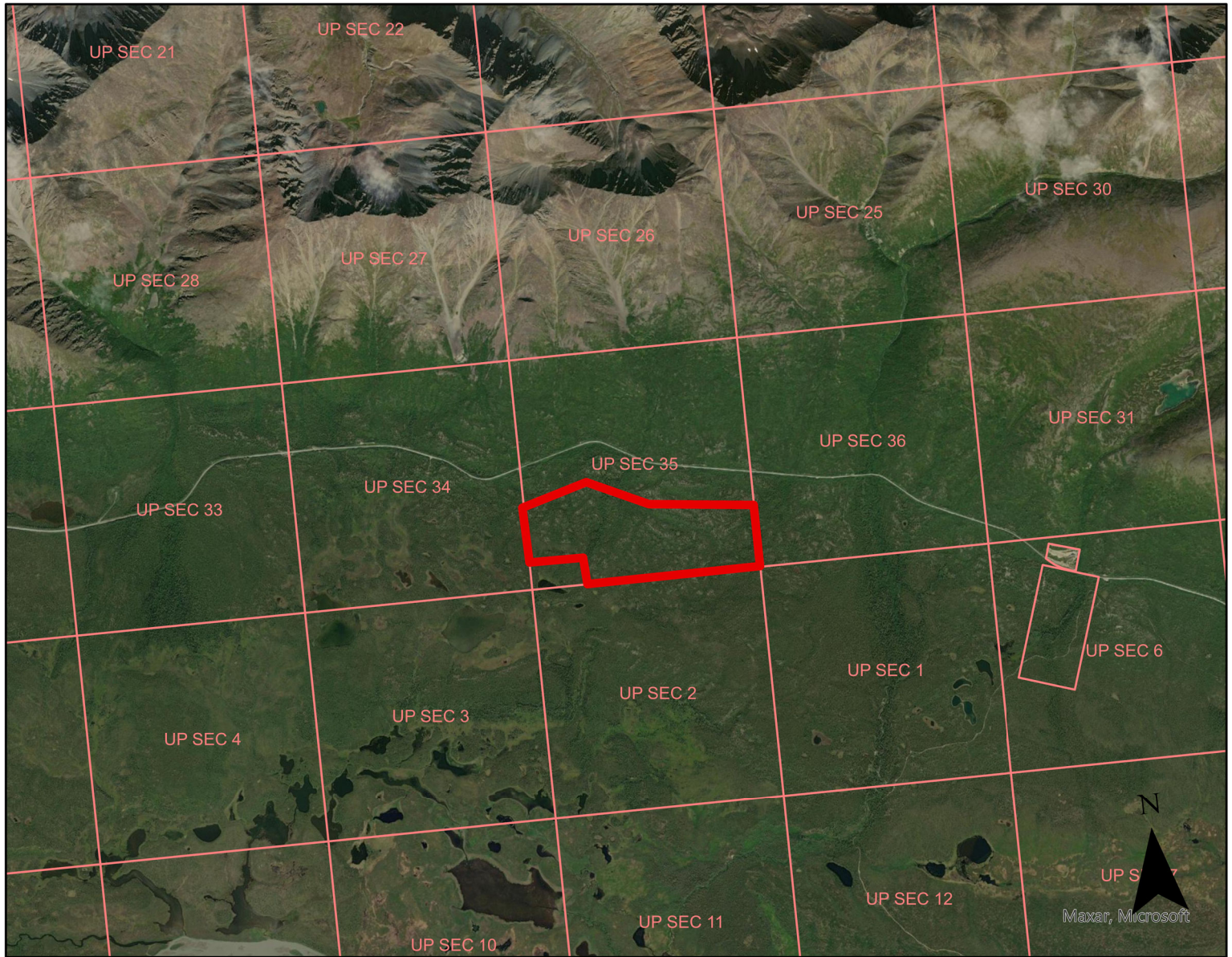
1. Incorporate the Congressionally recognized dates of the Vietnam War, as "The period beginning on February 28, 1971, and ending on May 7, 1975; and
2. Extend the application period by at least ten years; and
3. To avoid claim denials that state that veterans' selected lands that have already been taken, it is important to expand the land base by mandating certain lands such as wildlife refuge lands and national forest lands that were Sections 17(d)(1) and 17(d)(2) of the National Interest Lands Provision of the Alaska Native Claims Settlement Act (ANCSA) of December 18, 1971, and unselected ANCSA land withdrawals under Section 11 to be made available as Native Allotment selections.
4. Authorize the Alaska Natives of the Vietnam War with Service-Connected Disabilities by a Congressional mandate to be allowed to apply for Allotments close to their homes; and
5. Amend the present law such that the veterans/heirs who applied for Native Allotments exchange their Allotments for lands close to their homes; and
6. If land is not available, other forms developed in consultation with Alaska Native tribes or corporations, including monetary equivalent, be authorized by Congress.

SUBMITTED BY: ALASKA NATIVE VETERANS COUNCIL AND ALASKA FEDERATION OF NATIVES VETERANS COMMITTEE

COMMITTEE ACTION: DO PASS

CONVENTION ACTION: AMENDED AND ADOPTED ON SATURDAY, OCTOBER 21, 2023

# Attachment A: Vicinity Map Alaska Native Veteran Land Allotment Program Application AA-95894



## Legend

 project location  
AA-95894

USGS QUAD 1:25,000  
Healy A1 SW  
For more information contact:  
Walter "Z" Zimmerman  
Department of Natural Resources  
Division of Mining, Land, and Water  
Realty Services Section  
Phone: 907-334-2550  
Email:  
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## Section 35, Township 21 S., Range 2 E., Fairbanks Meridian

