

State of Alaska
DEPARTMENT OF LAW

PRESS RELEASE

Interior Restores Alaska's Territorial Jurisdiction over Native Allotments

September 26, 2025

(Anchorage, AK) – Today the U.S. Department of the Interior took action to withdraw a controversial Biden Administration decision and reaffirm the State's territorial jurisdiction over Alaska Native allotments.

"We are encouraged that Interior has returned to a position grounded in Alaska's unique history. The Supreme Court has often said, 'Alaska is the exception, not the rule.' Today's action respects that principle and restores the jurisdictional balance Congress intended and courts have repeatedly affirmed," **said Alaska Attorney General Stephen Cox.**

For more than 30 years, Interior maintained that federally recognized tribes in Alaska generally lack territorial jurisdiction over Alaska Native allotments. That framework was affirmed as recently as 2021 by the U.S. District Court for the District of Columbia in *Native Village of Eklutna v. U.S. Department of the Interior*.

In February 2024, however, a senior Biden Administration official abruptly abandoned Interior's long-standing position and announced that Alaska tribes would thereafter be presumed to hold jurisdiction over Alaska Native allotments owned by their members. This sweeping change effectively redrew Alaska's jurisdictional map and disregarded decades of precedent, without even giving the State an opportunity to comment.

With more than 17,000 Alaska Native allotments covering an estimated three to five million acres within the State, the Biden Administration's action created uncertainty by raising questions as to whether federal, state, or tribal laws would apply on Alaska Native allotments, and whether such laws would be limited to tribal members or would be broadly applicable.

Today's decision restores Interior's prior position: that the State maintains primary jurisdiction over land owned by Alaska Natives, Alaska Native corporations, and Alaska tribes (with the exception of trust lands beneficially owned by the Metlakatla Indian Community).

In February 2025, the State filed a lawsuit challenging a series of federal administrative decisions that relied on the Biden Administration's now-withdrawn position. The State is hopeful that today's action by Interior will resolve that litigation and provide much-needed clarity for all Alaskans.

Read the revocation on the [Solicitor's Opinion webpage](#).

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The Attorney General and Department of Law staff may not provide legal advice to private citizens or organizations. Please contact an attorney if you need legal advice.

The Alaska Lawyer Referral Service or your local bar association may be able to assist you in locating a lawyer.

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