

# TANACROSS ASKS IN ON CLAIMS

## State Selections Spurs Urgency for Inclusion In Claims Solution

By MADELYN SHULMAN  
Staff Writer

As land claims is once again debated in Congress, the native people of the Upper Tanana River renew their efforts to include their people in any land claims settlement.

Since Alaska became a state, the natives of Tanacross, Northway, Tok and Tetlin have been battling for their land—which has been selected by the State of Alaska under the provisions of the Statehood Act.

For several years, the Tundra Times has sought to make Alaskans and others aware of the problems of Tanacross and the surrounding Athabaskan villages of the United Crow Bands.

During the summer of 1969, Tundra Times reporter Thomas Richards, Jr., documented this extent of the land claims filed by the people of the Tanacross area.

Their claims date back to 1917, the year a trader named Newton reportedly had the natives mark hunting trails, fishing sites and ancestral burying grounds on a map which he registered with the Territorial Commissioner for the Upper Tanana.

Since that year, the people of the Upper Tanana have filed repeated claims with the Interior

Department, especially since 1950 and the enactment of the Native Allotment Act.

Yet, in 1971, two land claims bills pending before Congress exclude these villages whose lands have been tentatively approved (TA'd) by the BLM for State Selection.

"Our people are greatly concerned that the land claims bills exclude our people from any selection on tentative approved lands to the state," writes Andrew Isaac of Tanacross, Traditional Chief of the United Crow Band.

"Our villages have all been given tentative approval to the State. The State of Alaska is holding tentative approval to nearly 7 million acres; within are more than 15 villages on subsistence lands. Since statehood, our people have been treated badly by the State and

(Continued on page 6)

# Tanacross Asks in ...

(Continued from page 1)

we have developed a deep distrust of State policy or promises.

"If we get any land at all from the State it would be less the mineral rights as the State receives that upon patent by BLM. Our pleas have been ignored that we have the same rights of selections as others.

"It is felt by our people that the State of Alaska is engaged in a land swindle with the help of the BLM of such magnitude to be unique in the history of the Native property loss," writes the Chief.

He documents this charge with files of Native allotment applications turned down on technicalities, forcing villagers to reapply. The State closed the land saying that it was unoccupied, despite the presence of Native villages, subsistence hunters and ancient burial grounds.

In 1969 and 1970 the State of Alaska served eviction notices to those natives who were forced to reapply for native allotments.

Letters signed by F.J. Keenan of the State Division of Lands advised applicants for native allotments that they were trespassing on State Lands. These trespass orders, received as late as the end of 1970, were sent despite a contrary decision on appeals to the BLM.

In February of this year, Congressman Wayne Aspinall of Colorado, Chairman of the House Interior Committee, replied to a letter from Miss Margaret Kirstetter of Healy Lake. He told her that no trespass order was valid until her claims was investigated and proved false.

Also, the State had only Tentative Approval to the land and did not own it. Until the BLM investigated her claim, the state has no right to order her out.

Two years ago, the State of Alaska allowed archeologists to excavate the traditional Indian village site at Healy Lake, saying it is on State lands, despite protests by Indian residents. Land in the Upper Tanana Area has also been included in "open to entry" plots for "recreational cabin sites" despite the land freeze.

Some villagers, whose lands were not State Selected received their Native Allotments and did not file registration of land ownership with the State. Beginning in 1967, the State foreclosed on these lands for nonpayment of the registration fee and accumulated penalties.

The villagers, many of whom do not read and who assumed the land was tax exempt (under provisions of the Native Allot-

ment Act, these lands are tax exempt) ignored the notices. At present, through such foreclosures, the titles to these lands are tangled almost beyond belief, according to attorney Barry Jackson who has represented some of the villagers in their suits.

At present, with congressional committees discussing the provisions of a land claims act, the people of these villages have passed a resolution asking Secretary of the Interior Morton and the Congress to withdraw the TA'd lands from the State, set aside state selections and allow their people to file native allotments and land claims settlements.

Yet, under the provisions of two bills in the Senate and House, settlements in this area will have to come from the State, which has no legislation making this possible.