DEPARTMENT OF THE INTERIOR BUREAU OF INDIAN AFFAIRS JUNEAU, ALASKA FINAL DECISION CONCERNING THE ELIGIBILITY OF CASWELL AS A NATIVE VILLAGE FOR PURPOSES OF ANCAS 1971 ACTION UPON PROTEST ADMINISTRATIVE DETERMINATION This is a written decision on pro-

ACTION UPON PROTEST
ADMINISTRATIVE
DETERMINATION
This is a written decision on protests filled pursuant to 43 CFR, Part 2650 by the Alaska Chapter, Sierra Club, P. O. Box 2025, Anchorage, Alaska 99510; by the Alaska Wildiffe Federation and Sportsman Council, inc. and Philip Holdsworth by and through their Counsel, James F. Clark of the law firm of Robertson, Monagle, Eastaugh and Bradley, P. O. Box 1211, Juneau, Alaska 99801; by Charles F. Herbert, Commissioner, Monagle, Eastaugh and Bradley, P. Charles F. Herbert, Commissioner, Alaska 98801; and by Matanuska-Susitna Borough, P. O. Box B, Janaska 9861; and by Matanuska-Susitna Borough, P. O. Box B, Palmer, Alaska 98645, hereinafter referred to as Protestants. The protest of the Alaska Chapter, Sierra Club was dated January 18, 1974, by the Director, Juneau Area Office, Bureau of Indian Affairs. The protest of the Alaska Wildiff Federation and Sportsman Council, Inc., and Philip Holdsworth was dated January 21, 1974, and was received on January 21, 1974, and was received on January 21, 1974, by the Director, Juneau Area Office, Bureau of Indian Affairs.

The protest of the Matanuska-Sussitna Groupel, Mak added January 17, 1974, by the Director, Juneau Area Office, Bureau of Indian Affairs.

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census data snowed that 29 Natives were not resident of these villages as of the date of the census."

Protestants Alaska Wildiffe Federation and Sportsman Council. Inc., and Philip Holdsworth state: "The printout run by the Bureau of Indian Affairs November 8, 1973 shows none of the enrollees presently consistent of the properties of

Act, the Director's decision to certify is protested."
Protestant Commissioner, Department of Natural Resources, State o' Alaska, states in part as follows: "The findings of fact are decetive in that no reasonable effort was made to determine if the persons enrolled to the villages were in fact residents of the villages were in fact residents of the villages as required by Sec. 5(b) of the Alaska Native Claims Settlement Act. 85 Stat. 690. The findings are further defective in that an examination of the Alaska Native Roll Family list for these villages indicates on its face that less then twenty-five enrollees to each village have had adequate residence in their respective villages to be considered domiciled therein on April 1, 1970. To the contrary, the data on the Family List, developed from application forms upon which the of residency for almost all of the enrollees to each of these villages. The findings are further defective in that they do not include an examination of voting and licensing records of the enrollees to determine the legal represence."

legal residence." testant - Matanuska-Susitna Bor in states in part as follows: "Tha testant. Matanuska-Sustina Borny states in part as follows: "That
reten persons enrolled to Caswell
I not use Caswell as a piace in
inch they actually lived in 1970 as
juried **" and that "Caswell is
t nor was within the time frame
43 GFR 2651. 2a Native Village."
e Alaska Native Claims Settlement The Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688-716), and 43 CFR, Part 2650 provides for the settlement of certain land claims of Alaska Natives and other purvious. Section 11 (b) (3) of the Act is quoted as foliows: "Native villages not listed in subsection (b) (1) hereof shall be eligible for land and benefits under this Act and tands shall be withdrawn pursuant te this section if the Secretary within two and one-half years from the date of enactment of this Act, determines that—

that—
(A) twenty-five or more Natives were residents of an established village on the 1970 census enumeration date as shown by the census or other evidence satisfactory to the Secretary, who shall make findings of fact in each instance; and

findings of fact in each instance: and (B) the village is not of a modern and urban character, and a majority of the residents are Natives."

The 1970 census is not, therefore the exclusive source of information or the determination of residency. Part 43h of Title 25 of the Code of Federal Regulations provides for the enrollment of the Natives. A main source of "other evidence satisfactory to the Secretary of the Interior" is the official enrollment which not only contains evidence of race but of residence (on the 1970 census date) as well.

as well.
Subpart 2651.2 of Title 43 CFR contains the authority for the Director, Juneau Area Office, Bureau of Indian Affairs, to act for the Secretary of the Interior in the determination of the eligibility of

Natives for land benefits under the

As of January 21, 1974, 31 Natives had been approved for enrollment in Native Village of Caswell. On September 28, 1973, a field in-vestigation was completed of Caswell and at that time 18 Natives who used the village for a period of time in 1970 had been certified for enrollment to this village and such enrollment to this village and such enrollment was approved on December 17, 1973. The 31 Natives who have been approved for enrollment was approved on December 17, 1973. The 31 Natives who have been approved for enrollment to Caswell, represent a majority of the sidents of the village in 1970. It is sidents of the village in 1970 of the sidents of the village in 1970 dentifiable physical location evidenced by occupancy consistent with Natives' own cultural patterns and life style and more than thirteen Native enrolled thereto have used the village during 1970 as a place where they actually lived for a period of time. The voting and licensing records of fine State of Alaska have no bearing on the determination of the eligibility of the enrolled Natives of Caswell. The Director, Juneau Area Office, Bureau of Indian Affairs, has examined and evaluated the protests together with his record of findings of fact and decision and, does hereby render a final decision determining that the Native Village of Caswell is eligible for land benefits under a final decision of the Director, Juneau Area Office, Bureau of Indian Affairs, shall be published in the Federal Register and in one or more newspapes of general curculatory. The Caswell is eligible for land benefits under the state of Alaska, and any other party of fact and fection and findings of fact and fection and findings of fact upon which the decision is based within the State of Alaska, the State of Alaska, and any other party of fact of the Interior by a notice filed with the Ad Hoc Board as established in Section 2651.2 (a) (5) of Title 43 CFR, within thirty days of its located, all regional corporations within the State of Alaska, the State of Alaska, and any oth

Alaska 99510.

Clarence Antioquia Acting Director
February 19, 1974
Published in the Federal Register on
February 26, 1974.
Publish March 6, 1974.

LEGAL NOTICE

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
JUNEAU AREA OFFICE
JUNEAU, ALASKA
FINAL DECISION
CONCERNING THE
INCLIBILITY OF HAINES AS A
NATIVE VILLAGE FOR
PURPOSES OF ANCSA 1971
ACTION UPON PROTESTS
ADMINISTRATIVE
DETERMINATION
This is a written decision on protests

ACTION UPON PROTESTS
ADMINISTRATIVE
DETERMINATION
This is a written decision on protests
filed pursuant to 43 CFR, Part 2650
by the State of Alaska, by and
through Charles F, Herbert, Commissioner, Department of Natural Resources, Pouch M, Juneau, Alaska
99801; by the United States Department of Agriculture, Forest Service,
by and through C.C. Yates, Regional
Forester, P.O. Box 1628, Juneau,
Alaska 99801; by Mr. F.D. Stoan,
P.O. Box 152, Juneau, Alaska 99801;
by the Alaska Chapter, Sierra Club,
P.O. Box 152, Juneau, Alaska Wildlife
Federation and Sportsman Council,
Inc., and Philip Holdsworth by and
through their Counset, James F.
Clark of the law firm of Robertson,
Monagle, Eastaugh and Bradley, P.O.
Box 1211, Juneau, Alaska 99801.
The protest of the State of Alaska
was dated January 16, 1974 and was
received January 17, 1974 by the
Director, Juneau Area Office, Bureau
of Indian Affairs.
The protest of Mr. F.D. Sioan was
dated January 17, 1974 by the
Director, Juneau Area Office, Bureau
of Indian Affairs.
The protest of Mr. F.D. Sioan was
dated January 17, 1974 and was
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Director, Juneau Area Office, Bureau
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1974, and it was received on January
21, 1974 by the Ourster.

The protest of the Alaska Chapter, Slerra Club was dated January 18, 1974, and it was received on January 21, 1974, by the Director, Juneau Area Office, Bureau of Indian Affairs. The protest of the Alaska Wildlife Federation and Sportsman-Council, Inc., and Philip Holdsworth was dated January 21, 1974, and it was received on January 21, 1974, by the Director, Juneau Area Office, Bureau of Indian Affairs.

Protestant Commissioner, Department of Natural Resources, State of Alaska, states in part as follows: "The

Family list for these villages indicates on its face that less than twenty-live enrollees to each village have had adequate residence in their respective villages to be considered omiciled therein on April 1, 1970. To the contrary, the data on the Family List, developed from application forms upon which the enrollee himself furnished mention and proposed from application forms upon which the enrollee himself furnished line information of the enrollees to each of these villages. The findings are further defective in that they do not include an examination of voting and licensing records of the enrollees to determine their legal residence." Protestant Regional Forester, Forest Service, United States Department of Agricultrue states in part: "Haines, according to the 1970 census, was composed of 463 persons in 1970 and 110 of that number was Native-Port Chilkhoot consisted of 220 souls on that census, \$2 of which were Native. There is no conceivable way that the 162 consists of a majority of 683 or that in accordance with BIA enrollment, 318 consist of anapority." Protestant Mr. F.D. Sloan states in part: "The combined population of Haines-Port Chilkhoot at the time of 1970 census was 683," "The majority of the residents at the time of 1970 census was 683," "The majority of the residents at the time of 1970 census was 687," and Protestant Alaska Chapter, Sierra Club states in part as follows: "Haines appears to be of a modern and urban character and therefore incipile." Protestant Alaska Wildlife Teders of the 1970 census were not Native."

The Alaska Native Claims Settlement Act unless they are named in Section 16(a) thereof, Haines is not named. Therefore, its includible for land benefits under the Act."

The Alaska Native Claims Settlement Act unless they are named in Section 16(a) thereof, Haines is not named. Therefore, its includible for land benefits under the Act wildsees not isted in subsection (b)(1) and the first of the part of the settlement of certain and claims of Alaska Natives and for other purpose

Actiment of this Act, determines at ...

(A) twenty-five or more Natives were residents of an established village on the 1970 Census enumeration date as shown by the census or other evidence satisfactory to the Secretary, who shall make findings of fact in each instance; and [B] the village is not of a modern and urban character, and a majority of the residents are Natives."

majority of the residents are Natives."

The 1970 Census is not, therefore, the exclusive source of information for the determination of residency. Part 43h of Title 25 of the Code of Federal Regulations provides for the enrollment of the Natives. A main source of "other evidence satisfactory to the Secretary of the Interior" is the official enrollment which not only contains evidence of race but of residence (on the 1970 Census date) as well.

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Subpart 2651.2 of Title 43 CFR contains the authority for the Director, Juneau Area Office, Bureau of Indian Affairs, to act for the Secretary of the Interior in the determination of the Interior of I

Tundra Times, wednesda
the State of Alaska. The decision of
the Ad Hoc Board shall be submitted
to the Secretary of the Interior for
his personal approval.
The Ad Hoc Board is now known
as the Alaska Native Claims Appeal
Board and its address is P.O. Box
2433, Anchorage, Alaska 99510.
Clarence Antioquia
Acting Director
February 15,1974
Published in the Federal Register on
February 15,1974
Publ.: March 6, 1974

LEGAL NOTICE

DEPARTMENT OF THE INTERIOR BUREAU OF INDIAN AFFAIRS JUNEAU, ALASKA FINAL DECISION CONCERNING THE ELIGIBILITY OF KNIK AS A NATIVE VILLAGE FOR PURPOSES OF ANCSA 1971 ACTION UPON PROTEST ADMINISTRATIVE

NATIVE VILLAGEFOR)

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PURPOSES OF ANCSA 1971

ACTION UPON PROTEST)

ADMINISTRATIVE DETERMINATION TO PROTEST (ADMINISTRATIVE DETERMINATION This is a written decision on protests filed pursuant to 43 CFR, Part 2650 by the Alaska Chapter, Sierra Club, P.O. Box 2025, Anchorage, Alaska 99510, Alaska Wildlife Federation and Sportsman Council, Inc., and Philip Holdsworth by and through their Counsel, James F. Clark of the law firm of Robertson, Monagle, Eastaugh and Bradley, P.O. Box 1211, Juneau, Alaska 99801, Charles F. Herbert, Commissioner, Department of Natural Resources, State of Alaska, Pouch M, Juneau, Alaska 99801, Charles F. Herbert, Commissioner, Department of Natural Resources, State of Alaska, Pouch M, Juneau, Alaska 99801, and Matanuska-Sustina Borough, P.O. Box B, Paimer, Alaska 99801, and Matanuska-Sustina Borough, P.O. Box B, Paimer, Alaska 99601, The protest of the Alaska Chapter, Sierra Club was dated January 18, 1974, by the Director, Juneau Area Office, Bureau of Indian Affairs.

The protest of the Alaska Wildlife Federation and Sportsman Council, Inc., and Philip Holdsworth was dated

Area Office, Bureau of Indian Affairs.
The protest of the Alaska Wildlife Federation and Sportsman Council, Inc., and Philip Holdsworth was dated January 21, 1974, and was received on January 21, 1974, by the Director, Juneau Area Office, Bureau of Indian Affairs.
The protest of the Commissioner, Department of Natural Resources, State of Alaska, was dated January 16, 1974, and was received on January 17, 1974, by the Director, Juneau Area Office, Bureau of Indian Affairs. The protest of the Matanuska-Sustina Borough was dated January 17, 1974, and was received on January 17, 1974, by the Director, Juneau Call, 1974, and was received on January 17, 1974, by the Director, Juneau Call, 1974, by the Director, Juneau Call, 1974, and was received on January 17, 1974, by the Director, Juneau Call, 1974, and was received on January 17, 1974, by the Director, Juneau Call, 1974, and was received on January 17, 1974, and was received and January 17, 1

Area Office, Bureau of Indian Alfairs.

The protest of Eklutna, Inc., was dated January 17, 1974, and was received on January 21, 1974, by the Director, Juneau Area Office, Bureau of Indian Affairs.

Protestant Alaska Chapter, Sierra Club States in part as follows: "1970 census data showed that 25 Natives were not resident of these villages as of the date of the census."

Protestants Alaska Widlife Federation and Sportsman Council, Inc., and Philip Holdsworth state in part and Philip Holdsworth state in part and Philip Holdsworth state in part and Philip Holdsworth state in parts persently reading there. Kink is not listed as a village in the 1970 census."

Protestant Commissioner, Department of Natives 10

Alaska, states in part as follows: The fundings of fact are defective in that no reasonable effort was made to determine if the persons enrolled to the villages were in fact residents of the villages as required by Sec. 5(b) of the Alaska Native Claims Settlement Act. 85 Stat. 690. The findings are further defective in that an examination of the Alaska Native Roll Family list for these villages indicates on its face that-less than twenty-five enrollees to each village have had adequate residence in their respective villages to be considered domiciled therein on April 1, 1970. To the contrary, the data on the Family List, developed from application forms upon which the enrollee himself furnished the information, indicates a different place of residency for almost all of the enrollees to each of these villages, The findings are further defective in that they do not include an examination of voting and licensing records of the enrollees to determine the legal residence." Protestant Matanuska-Sustina Borough states in part as follows: "This Notice of Protest has been prepared in conformity with 43 CFR 2651.2 and is accompanied by evidence which shows that Knik is ineligible for certification and benefits pursuant to the Alaska Native Claims Settlement Act."

Protestant Eklutina, Inc., states in part as follows: "This Notice of Protest has been prepared in conformity with 43 CFR 2651.2 and is accompanied by evidence which shows that Knik is ineligible for certification and benefits pursuant to the Alaska Native Claims Settlement Act."

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Part 43h of Title 25 of the Code of
Federal Regulations provides for the
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is the official enrollment which not
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residence (on the 1970 Census date)
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Subpart 2651.2 of Title 43 CFR contains the authority for the Director, Juneau Area Office, Bureau of Indian Affairs, to act for the Secretary of the Interior in the determination of the Interior in the Interior of Interior in the Interior of Interior and Interior in the Interior of Interior in the Interior of Interior in the Interior of Interior in Interior Int

render a final decision determining that the Native Vilage of Knik is eligible for land benefits under said Act.

The final decision of the Director, Juneau Area Office, Bureau of Indian Affairs, shall be published in the Federal Register and in one or more newspapers of general circulation in the State of Alaska and a copy of the decision and findings of fact upon which the decision is based shall be mailed to the affected village is located in the region in which the affected village is located, all regional corporations within the State of Alaska, the State of Alaska, and any other party of record. Such decision shall become final unless appeals of the section of the se

99510 Clarence Antiogola Acting Director February 15, 1974 Published in the Federal Register on February 26, 1974 Publi: Marich 6, 1974

LEGAL NOTICE

NOTICE FOR PUBLICATION
UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF
LAND MANAGEMENT
FAIRBADES DISTRICT OFFICE

LAND MANAGEMENT
Fairbanks District Office
P.O. Box 1150
Fairbanks, Alaska 99707
Hereby gives Notice that Sam
Parent of Kalskaa, Alaska, Together
with his witnesses George Morgan
and Fredie C. Holmberg, both of
Kalskag, Alaska shas submitted Application to, Purchase on his Homestle
Settlement Claim, Serial Number (s)
F-029197 for a tract of land described as:
Tract "E" of U.S. Survey No.
4413, Alaska, situated at the
Village of Upper Kalskag,
Alaska,
Containing 4.50 acres.

Village of Upper Kalskag, Alaska, Containing 4.50 acres. During the period of publication or within 30 days thereafter any person, corporation, or association having or asserting any adverse interest in or claim to the tract of land or any part hereof may file in the proper Land Office, under oath, an adverse claim settling forth the nature and extent hereof: and such adverse claim-ant shall within 60 days after the filing of such adverse claim, begin action to quiet title in a court of competent jurisdiction in Alaska, and thereafter patent shall be issued in conformity with the final decree of the court.

the court.
Harold E. Waldo
Chief, Olvision of Land Office
Pub.: Feb. 13, 20, 27; March 6, 13, 20, 27; April 3, 10, 1974

Sign up for U.S. SAVINGS BONDS, FREEDOM SHARES