

LEGAL NOTICE

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
JUNEAU AREA OFFICE
JUNEAU, ALASKA

FINAL DECISION CONCERNING THE ELIGIBILITY OF LITNIK AS A NATIVE VILLAGE FOR PURPOSES OF ANCSA 1971 ACTION UPON PROTEST

ADMINISTRATIVE DETERMINATION

This is a written decision on protests filed pursuant to 43 CFR Part 2650 by Konlag, Inc., a Native regional corporation and by Litnik, Inc., a Village incorporated under the laws of Alaska, by and through their counsel, Edward Weinberg of the law firm of Wyman, Bautzer, Rothman and Kuchel at Suite 1000, 600 New Hampshire Avenue, N.W., Washington, D.C. 20037, hereinafter referred to as protestants. The protest of Konlag, Inc., was dated January 10, 1974 and received January 14, 1974 by the Director, Juneau Area Office, Bureau of Indian Affairs. The protest of Litnik, Inc., which joined with the protest of Konlag, Inc., was dated January 11, 1974 and was dated January 11, 1974 and was received January 15, 1974 by the Director, Juneau Area Office, Bureau of Indian Affairs.

The protestants object to the Native Village of Litnik being determined to be ineligible because protestants state that the Native Village of Litnik does meet the requirements of 43 CFR 2651.2(b) as follows: "There were timely filed with the Enrollment Co-ordinator, applications for changes in enrollment by qualified Alaska Natives in sufficient numbers to establish the enrollment of at least twenty-five eligible Alaska Natives each of such villages."

The Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688-716), and 43 CFR, Part 2650 provide for the settlement of certain land claims of Alaska Natives and for other purposes. Section 11(b)(3) of the Act is quoted as follows:

"Native villages not listed in subsection (b)(1) hereof shall be eligible for land and benefits under this Act and lands shall be withdrawn pursuant to this section if the Secretary within two and one-half years from the date of this Act, determines that—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

(B) the village is not of a modern and urban character, and a majority of the residents are Natives."

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. 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 Act.

As of May 11, 1974, 34 Natives had been certified for enrollment in the Native Village of Litnik. A field investigation report of Litnik dated August 30, 1973 shows that at least 13 Natives who used the village for a period of time in 1970 had timely filed with the Enrollment Co-ordinator, applications for changes in enrollment to the Native Village of Litnik.

The 25 or more Natives who have now been approved for enrollment to Litnik as is shown on a listing dated May 11, 1974, from Alaska Native Enrollment Office in Anchorage, Alaska, represent a majority of the residents of the village in 1970. It had on April 1, 1970, an identifiable physical location evidenced by occupancy consistent with the Natives' own cultural patterns and life style and at least thirteen Natives enrolled thereto used the village during 1970 as a place where they actually lived for a period of time.

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 reverse the decision made on February 12, 1974 and published on page 6740 in the Federal Register on February 22, 1974 determining that the Native Village of Litnik is ineligible for land benefits under said Act.

On May 16, 1974, the Secretary of the Interior sent a telegram to the Director, Juneau Area Office, Bureau of Indian Affairs, which is quoted in part as follows: "You are hereby authorized to reconsider your previous determinations of ineligibility of certain Kodiak Island unlisted villages in those cases in which subsequent information indicates that they may be eligible for Settlement Act benefits. To the extent necessary for such reconsideration, the determination date of December 19, 1973, set by Regulation in 43 CFR 2651.2(a)(8) is hereby waived. New determinations of eligibility shall follow the procedures set forth in the regulations except that your determinations shall not be subject to protest and shall become final unless appealed to the Ad Hoc Board within fifteen days after Federal Register publication. Any provisions of 43 CFR Subpart 2651 in conflict herewith are hereby waived. This action is taken pursuant to 43 CFR 2650.0-8.

Your action on these reconsiderations should be taken not later than May 22, 1974. All parties entitled to notice of your determination must be sent copies thereof and their attention specifically called to waiver of protests and reduced time for appeals."

This telegram is referring to the Native Village of Litnik and certain other Native villages in the Kodiak Island Area.

The Director, Juneau Area Office, Bureau of Indian Affairs, therefore hereby determines the Native Village of Litnik to now be eligible for land benefits under the Alaska Native Claims Settlement Act.

The decision of the Director, Juneau Area Office, Bureau of Indian Affairs, shall be published in the Federal Register. Such decision shall become final unless appealed to the Secretary of the Interior by a notice filed with the Ad Hoc Board as established in Subpart 2651.2(a)(5) of Title 43 CFR within fifteen days after its publication in the Federal Register. Any provisions of 43 CFR 2651 in conflict herewith have been waived by the telegram of the Secretary of the Interior quoted herein and the Secretary's authority to waive these regulations is contained in 43 CFR 2650.0-8.

Appellants shall have not more than 15 days from the date of receipt of their notice of appeal within which to file an appeal brief, and the opposing parties shall have not more than 15 days from the date of receipt of the appellant's brief within which to file an answering brief. No more than 15 days shall be allowed for the filing of additional briefs in connection with such appeals. All hearings held in connection with such appeals shall be conducted in 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

May 21, 1974

Published in the Federal Register on May 31, 1974

Pub.: June 12, 1974

LEGAL NOTICE

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
JUNEAU AREA OFFICE
JUNEAU, ALASKA

FINAL DECISION CONCERNING THE ELIGIBILITY OF UGANIK AS A NATIVE VILLAGE FOR PURPOSES OF ANCSA 1971 ACTION UPON PROTEST

ADMINISTRATIVE DETERMINATION

This is a written decision on protests filed pursuant to 43 CFR, Part 2650 by Konlag, Inc., a Native regional corporation and by Uganik, Inc., a Village incorporated under the laws of Alaska, by and through their counsel, Edward Weinberg of the law firm of Wyman, Bautzer, Rothman and Kuchel at Suite 1000, 600 New Hampshire Avenue, N.W., Washington, D.C. 20037, hereinafter referred to as protestants. The protest of Konlag, Inc., was dated January 10, 1974 and received January 14, 1974 by the Director, Juneau Area Office, Bureau of Indian Affairs. The protest of Uganik, Inc., which joined with the protest of Konlag, Inc., was dated January 11, 1974 and was received January 15, 1974 by the Director, Juneau Area Office, Bureau of Indian Affairs.

The protestants object to the Native Village of Uganik being determined to be ineligible because protestants state that the Native Village of Uganik does meet the requirements of 43 CFR 2651.2(b) as follows: "There were timely filed with the Enrollment Co-ordinator, applications for changes in enrollment by qualified Alaska Natives in sufficient numbers to establish the enrollment of at least twenty-five eligible Alaska Natives each of such villages."

The Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688-716), and 43 CFR, Part 2650 provide for the settlement of certain land claims of Alaska Natives and for other purposes. Section 11(b)(3) of the Act is quoted as follows:

"Native villages not listed in subsection (b)(1) hereof shall be eligible for land and benefits under this Act and lands shall be withdrawn pursuant to this section if the Secretary within two and one-half years from the date of this Act, determines 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
(B) the village is not of a modern and urban character, and a majority of the residents are Natives."

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.

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 Act.

As of May 11, 1974, 29 Natives had been certified for enrollment in the Native Village of Uganik. On August 21, 1973 a field investigation was completed of Uganik and at that time at least 13 Natives who used the village for a period of time in 1970 and timely filed with the Enrollment Co-ordinator applications for changes in enrollment to the Native Village of Uganik.

The 25 or more Natives who have now been approved for enrollment to Uganik as is shown on a listing dated May 11, 1974 from the Alaska Native Enrollment Office in Anchorage, Alaska, represent a majority of the residents of the village in 1970. It had on April 1, 1970, an identifiable physical location evidenced by occupancy consistent with the Natives' own cultural patterns and life style and at least thirteen Natives enrolled thereto used the village during 1970 as a place where they actually lived for a period of time.

The Director, Juneau Area Office, Bureau of Indian Affairs, has examined and evaluated the protests together with his record of fact and decision, and does hereby reverse the decision made on February 12, 1974 and published on page 6740 in the Federal Register on February 22, 1974 determining that the Native Village of Uganik is ineligible for land benefits under said Act.

On May 16, 1974, the Secretary of the Interior sent a telegram to the Director, Juneau Area Office, Bureau of Indian Affairs, which is quoted in part as follows: "You are hereby authorized to reconsider your previous determinations of ineligibility of certain Kodiak Island unlisted villages in those cases in which subsequent information indicates that they may be eligible for Settlement Act benefits. To the extent necessary for such reconsideration, the determination date of December 19, 1973, set by Regulation in 43 CFR 2651.2(a)(8) is hereby waived. New determinations of eligibility shall follow the procedures set forth in the regulations except that your determinations shall not be subject to protest and shall become final unless appealed to the Ad Hoc Board within fifteen days after Federal Register publication. Any provisions of 43 CFR Subpart 2651 in conflict herewith are hereby waived. This action is taken pursuant to 43 CFR 2650.0-8.

Your action on these reconsiderations should be taken not later than May 22, 1974. All parties entitled to notice of your determination must be sent copies thereof and their attention specifically called to waiver of protests and reduced time for appeals."

This telegram is referring to the Native Village of Uganik and certain other Native villages in the Kodiak Island Area.

The Director, Juneau Area Office, Bureau of Indian Affairs, therefore hereby determines the Native Village of Uganik to now be eligible for land benefits under the Alaska Native Claims Settlement Act.

The decision of the Director, Juneau Area Office, Bureau of Indian Affairs, shall be published in the Federal Register. Such decision shall become final unless appealed to the Secretary of the Interior by a notice filed with the Ad Hoc Board as established in Subpart 2651.2(a)(5) of Title 43 CFR within fifteen days after its publication in the Federal Register. Any provisions of 43 CFR 2651 in conflict herewith have been waived by the telegram of the Secretary of the Interior quoted herein and the Secretary's authority to waive these regulations is contained in 43 CFR 2650.0-8.

Appellants shall have not more than 15 days from the date of receipt of their notice of appeal within which to file an appeal brief, and the opposing parties shall have not more than 15 days from the date of receipt of the appellant's brief within which to file an answering brief. No more than 15 days shall be allowed for the filing of additional briefs in connection with such appeals. All hearings held in connection with such appeals shall be conducted in 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

May 21, 1974

Published in the Federal Register on May 31, 1974

Pub.: June 12, 1974

LEGAL NOTICE

INVITATION FOR BIDS
STATE OF ALASKA

DEPARTMENT OF HIGHWAYS
Sealed bids in single copy for furnishing and labor, materials and equipment, and performing all work on Project RF-095-10(6), Haines Highway, Milepost 23.85 to Canadian Border described herein, will be received until 2:00 p.m. prevailing time, July 18, 1974 in the Commissioner's Office, Department of Highways, Island Center Building, Douglas, Alaska.

This project will consist of asphalt pavement on 3.4 miles of reconstructed roadway at various locations and 5.0 miles of open-graded asphalt friction course located near Haines, Alaska.

Principal items of work consist of the following: 68,000 cubic yards of unclassified excavation; 121,000 cubic yards of borrow; 12,000 cubic yards of subbase B; 22,000 tons of asphalt pavement; 3,000 tons of open-graded asphalt friction course; 1,600 tons of AR-10 asphalt cement; and 23,000 tons of AR-40 asphalt cement and miscellaneous items of work.

All work shall be completed in 150 Calendar days.

Plans and specifications may be obtained by all who have a bona fide need for them for bidding purposes from the Chief Road Design Engineer, P. O. Box 1467, Juneau, Alaska 99801 at a charge of \$10.00 for each assembly. Plans may be examined at Department of Highway Offices in Anchorage, Fairbanks, Valdez.

B. A. Campbell
Commissioner of Highways
Publish June 12, 19 and 26, 1974.

LEGAL NOTICE

IN THE SUPERIOR COURT
FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT
SARAH A. KRUKOFF,)
Plaintiff,)
vs.)
CONRAT WIDLE KRUKOFF,)
Defendant.)

No. 73-869

NOTICE TO ABSENT DEFENDANT
TO: CONRAT WIDLE KRUKOFF

You, Defendant in the above action, are hereby summoned and required to serve upon E. JOHN ATHENS, JR., Plaintiff's Attorney, whose address is 510 Second Avenue, Suite 226, Fairbanks, Alaska, an answer to the Complaint filed in the above civil action in this Court. If you fail to do so within thirty (30) days after the date of last publication, published below, judgment by default may be rendered against you for the relief demanded by Plaintiff.

This is an action for divorce. The relief demanded is an absolute decree of divorce.

You have been made a party to this action because you are the husband of Plaintiff.

DATED June 3, 1974.
CLAYTON STEGER, Clerk
By: Sharon Holtrum
Deputy Clerk

Pub.: June 12, 19 and 26 & July 3, 1974

HELP WANTED

The Tanana Chiefs Conference is now accepting applications for the position of Chief Accountant, closing date June 18.


Requirements for the position include: Knowledge of payroll procedures, experience in recording general ledgers, experience and/or knowledge of governmental accounts, procedures and reporting systems, experience in the preparation of financial statements, budgets, and contract reports for the above.

Salary is dependent on experience. Contact: Chris Anderson
Executive Director, T.C.C.
102 Lacey Street
Fairbanks, Alaska 99701
Or Telephone: 452-1746

HELP WANTED

The Sitnasuak Native Corporation is accepting applications for Land Planner. Has the responsibility to oversee final land selection and management. Salary ranges 13,400 to 16,400. Closing date 6-19-74. Apply to Box 905; Nome, Alaska 99762





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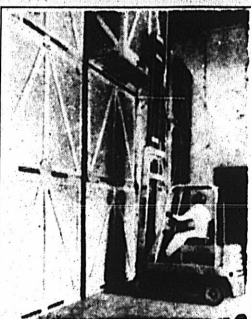
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BIOLOGICAL/ENVIRONMENTAL SCIENCE

Immediate openings exist at all levels in Fairbanks, Valdez, and Prudhoe Bay.

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Send inquiries or applications to Lois Benzel, Division of Personnel, Pouch C, Juneau 99801. For additional information contact Evelyn LaPoint at area code 907-586-6721.

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