

Stop Disposal of Tanacross Lands To Be Asked

A request from the firm of Jackson and Fenton to Governor Keith Miller to freeze state disposition of lands within the Tanacross claim area, and a subsequent refusal from the Governor, will lead to another request to suspend state action in disposal of lands in the immediate Tanacross area.

The Fairbanks firm of Jackson and Fenton represents the village of Tanacross, which has been unable to receive title to lands claimed as early as 1917.

Despite claims, petitions, and native protests made by Tanacross Chief Andrew Isaac and the villagers, no final determination has ever been made on the status of their claim.

Inaction on a 1951 petition in Juneau's Bureau of Indian Affairs Realty Office and unanswered inquiries to the State and the Bureau of Land Management has typified agency approaches to the Tanacross issue.

More recently, too impatient to await a determination of the status of the claim, the state has selected over 400,000 acres of

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Tanacross Land Disposal . . .

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the Tanacross Claim.

It has received tentative approval of over 60,000 acres of the claim, and has begun final disposition of that land.

The July request by Jackson and Fenton for freezing state action within the claim area was refused by Governor Miller. In a letter received August 19 by the firm, Miller said,

"I feel sure that the selection made by the Division of Lands was made with the honorable intent of satisfying the requirements of the Statehood Act.

"The State cannot at this time, when the native land issue is so pertinent and undergoing close scrutiny by the United States Congress, consider the establishment of a secondary land freeze in this area.

"I feel sure that such an action would be unwise, since it would only add complications to an already complex question. A land freeze for this selected case would open the door to future litigation regarding all State selections which have been tentatively approved to us," Miller

said.

Attorney Barry Jackson suggested that his firm may take further action in requesting a state freeze of disposition of open to entry lands in the Tanacross claim, or at least, in the immediate area surrounding Tanacross and Dot Lake villages.

Such a freeze request would be based on a land settlement concept advanced by the Alaska Federation of Natives and soon to be under consideration by the United States Senate.

It is expected that the land settlement bill may include a provision allowing villages to acquire land, amounting to several townships, surrounding each village.

This concept has received endorsement from the State, which indicated that it favored, and intended to reserve townships adjacent to native villages. Based on this, the Tanacross attorneys may request a freeze of state disposition of lands in nine townships surrounding Tanacross and Dot Lake.

Jackson stated that there is some reason to believe that Governor Miller may be favorable to this request.

"While we are disappointed that Governor Miller has not done this this time, his letter does leave open the issue to be dealt with 'at the proper time.'"