

TANACROSS CLAIM IGNORED

Agencies Sit on Claim While State Acts Fast Selecting, Disposing

By THOMAS RICHARDS, JR.

Staff Writer

Secretary of the Interior Walter J. Hickel recently indicated that neither his office, nor the State Division of Lands, nor the Bureau of Land Management has knowledge of any claim filed by natives in the Tanacross area.

This was revealed in a letter written by the Interior Secretary to Tanacross Chief Andrew Isaac and made public Wednesday by Chief Isaac.

In the letter, Hickel stated that his department, the State Division of Lands Office in Anchorage, and the BLM "were not aware that any of these lands had been applied for by any Native."

"When I received your radiogram," Hickel said, "I checked with the Bureau of Land Management here in the Department. They were of the opinion," he stated, "that the lands being offered for sale had been selected by the State before the 'freeze' and that the land was patented to the State as required under

the State Land Act."

"Upon learning of this, a call was made to the State Division of Lands office in Anchorage and they advised us that all the lands being offered for sale in early May in Fairbanks were owned in fee by the State," continued Hickel. "They were not aware that any of these lands had been applied for by any Native," Hickel stated.

"They agreed to re-check their records and call me back. This they did and reported that neither their records nor the records of the Bureau of Land Management showed any applications on file in either office," Hickel said.

Research of the Tanacross Land issue by the Tundra Times last week indicates that a serious intra-department communications problem exists; or, at the least, a lack of expediency.

A visit to the Fairbanks BLM office produced no less than four documents filed by the Tanacross Village and stamped as received by that office.

The first, dated November 6, 1950 was a petition addressed to the Secretary of the Interior requesting "that you establish a reservation for our exclusive use and occupancy." It was signed by 42 members of the Native Village of Tanacross.

A second document, entitled Petitions for Possessory Rights Hearing and Reservation in the matter of the Natives of Tanacross, was signed by former Village Council President David Paul and dated November 30, 1950. It was stamped as received by the Fairbanks BLM office on November 16, 1961.

The eleven-year delay in filing

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the original petition with the Land Office is due to inaction on the part of the Bureau of Indian Affairs Realty Office, then headed by Charles Jones, which did not file the petition with the BLM until 1961.

An appeal prepared by the Area Director of the BIA, dated February 24, 1962 was also filed with the Fairbanks Land Office. The appeal asked for a hearing on the original 1950 petition.

"It is respectfully submitted that the Northway and Tanacross Indians are entitled to a hearing to present evidence of their claim of use and occupancy of the lands in question," the appeal read, "and that the decision of the Manager arbitrarily denying the Northway and Tanacross claims without a hearing is contrary to law and should be reversed."

The BLM subsequently dismissed the petition, citing that there was no existing law under which it could be recorded. An immediate appeal was made and was forwarded to the BLM Director, in Washington, D.C., where it has sat since with no determination made either affirmative or negative.

In the meantime, the State was granted tentative approval or patent on 63,533 acres of the Tanacross claim. When the State received this approval, it gave assurances that it would not seek to dispose of any land until a final determination was made.

A statement issued by State Lands chief Roscoe Bell, dated June 9, 1965, said, "We believe that the rights of individuals should be a paramount and that we will now make doubly sure that the rights of individuals are not jeopardized by our actions before we move ahead with any disposal plans."

Despite these assurances, the State proceeded to offer land located within the Tanacross protest for sale. In 1964, the State placed vacant lots within the Tanacross townsite up for sale.

In 1965, the State also had plans to sell "wilderness estates" at George Lake during the New York World's Fair.

Both sales were thwarted when they received extensive newspaper coverage. The State presently is offering land for sale which is located within the protest area. This action has sparked renewed controversy.

On August 17, 1964, Chief Andrew Isaac sent to the BLM office written notification of a blanket claim filed by him on behalf of the Village of Tanacross. This action was prompted by an attempt by the State to secure and sell lots within the

Tanacross townsite.

When queried as to the status of these claims, the BLM stated that the 1962 appeal was sent to the Secretary of the Interior for action. During the entire 20 year period since the original petition was filed, Chief Isaac states, the Tanacross natives were never given notification of the official status of their claim.

The only advice given to the Tanacross natives by the Interior Department since the claim and subsequent appeals were filed came from Secretary Hickel himself, in his letter to Chief Isaac.

"I would suggest," stated Hickel, "that you protest directly to the State Division of Lands Office in either Fairbanks or Anchorage and submit to them any specific evidence you might have that your people claim ownership of these lands."

Commenting on the Hickel letter, Chief Isaac said, "Isn't it amazing that the State and Bureau of Land Management could not locate either the 1950 claim or the one put in the early 1960's; Also that they could not locate any Indian allotments?"

"Now we see how they could overlook a whole village, they just didn't look," stated Chief Isaac.

For years, Chief Isaac and the Tanacross Indians have angrily contended that their claim has been ignored. It appears that this charge has received unknowing support from no less than the Secretary of the Interior.

Had an expedient determination been made by the agencies involved, the Tanacross Indians granted title to lands procured through historical use and occupancy, there would be no cloud on the title to the claim.

Subsequently, had the State held fast to its promise that it would not dispose of the lands until a determination was made on the protest, the Tanacross natives may have received all the land which they believe is rightfully theirs.

As a result of inaction by the BIA and the BLM Washington Office, and as a result of rapid action by the State, the natives of Tanacross have been ignored. The claim, and subsequent appeal, still sits in the office of the BLM Director and still no decision has been made.

The entire issue has been grossly ignored. The State has profited from this inaction, and will continue to profit. Chief Isaac and the native people of Tanacross continue to suffer, and continue to lose the land that they have occupied for countless generations.