

Allotment applications total 500 under Fanny Barr ruling

Approximately 500 Native land allotment applications have been filed under a settlement reached in the "Fanny Barr" land allotment law suit.

Craig Tillery, an Alaska Legal Services attorney representing a class of Alaska Natives called the "Fanny Barr class," said that about 500 people had filed applications by the Nov. 22 cutoff deadline.

He said that since Nov. 22 Legal Services and others involved in the case have been trying to determine if any of the applicants were ineligible or already had filed under other circumstances.

The Fanny Barr decision allowed a class action group of Natives to refile allotment applications which had been filed with allotment workers prior to a deadline but then lost for years by federal representatives.

The allotment applications had to be filed prior to the Dec. 18, 1971 signing of the Alaska Native Claims Settlement Act to be considered.

Fanny Barr is a woman from Shishmaref who had filed an allotment application with volunteer workers from the Rural Alaska Community
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Next step for allotments

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Action Agency (RurAL CAP) who were acting on behalf of the federal government in processing allotments. The government couldn't handle the volume of applications.

The case was titled *Fanny Barr* because she was the first person named in a suit of several people filed against the government. Mrs. Barr's application was misplaced with many others from her village in the attic of a RurAL CAP building in Nome.

In other cases applications needing revision were returned to villages with the promise that federal workers would follow them to help straighten out problems. In one case a RurAL CAP volunteer kept the applications in his home without turning them in.

When the applicants discovered their applications hadn't been filed, they sued. The government maintained until recently that their efforts were past the allotment deadline and that the government wasn't responsible for the actions of

the volunteer RurAL CAP workers.

It backtracked this summer, however, and agreed to allow those people who felt their applications were filed before the deadline but then not turned over to the government to refile with the U.S. District Court Clerk.

Part of the settlement stipulated that no more than 325 such persons be included.

Now that the 500 applicants have filed, they will be researched to make sure that no duplications in applicants occur.

Such duplications could include applicants who believed that their allotments were never filed but actually are on record with the government.

In another case "we might find that someone filed an application on some land and we find someone with the same name filed on an almost identical parcel only two lots over. They probably are the same person who just filed wrong or it may be a father or son. We have to check all

this out."

Such investigations often mean interviews with the applicant or applicants.

Tillery said he thinks this first duplication review process will take about another week but more extensive reviews will continue and he had no estimate on how long that will take.

In any event, representatives of the Bureau of Land Management which is charged with reviewing the allotment requests and surveying the land being applied for, said it will take from 20 to 40 years for all allotment requests to be finally disposed of.

Tillery also is waiting for word on whether the 9th Circuit Court will reconsider its ruling on another allotment class action case involving the Tongass National Forest.

Albert Shields had filed suit contending he was entitled to an allotment because his father had worked the land in the Tongass prior to the Tongass being declared national forest land.