

Home Is Where the Heart Is, BUT—

Land Allotments Can be Lost

By LAEL MORGAN

Eskimo Fred Gordon was born in 1905 in the Barter Island area. As a boy he camped and hunted with his family, traveling all along the coast from Canada to Barrow, but there was one spot they called home. His family built a log cabin there and an ice house and a smoke house. He honeymooned on the site and one of his daughters was later born there.

It was natural that, when Gordon picked a spot for his native land allotment, he chose this site, but now it looks like it may never be legally his.

Before the Congressional Land Claims Settlement, Alaskan natives were given the opportunity to claim land that they had traditionally used and occupied. The act was rather like the Alaskan homestead act but instead of clearing and planting 160 acres, natives were required to show they had used the land for a continuous five-year period.

Although the act existed for years, few natives ever heard about it until just before the land claims bill passed. Knowing passage of the Land Claims Act would revoke the land allotment act, a number of native organizations and the Rural Alaska Community Action program made a concerted effort in 1971 to inform natives of their opportunity to acquire their hunting and fishing grounds.

Although many filed at that time, very few patents have been granted to date and many applications have been refused.

In areas unincumbered by

government land withdrawals such as Anaktuvuk Pass, it appears title will be granted eventually. To date only five Anaktuvuk claims have been turned down and those mainly because the land claimed had oil shale which had been withdrawn by the government.

"Some of the people purposely took oil shale not knowing it had been withdrawn. They went for the big money instead of staking their hunting ground,"

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ZACK HUGO with BLM man Chuck Larson at Hugo's land allotment site near Anaktuvuk Pass. The caribou horn is Hugo's marker.

— Photo by LAEL MORGAN

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admits an Anaktuvuk leader. But for those who chose favored trapping spots that happened to have oil shale, it's a bad situation.

David Mekiana appears to be one.

"I usually trap there. You know, I always talk about it," he said. (And he had when I was his neighbor in the Pass in 1972). "Trapping fox, wolverines . . . hunting sheep. I got no other area. I didn't want money or anything. Just trapping, you know. Something wrong somewhere. I guess I can't claim it."

More disastrous, though, is the plight of the Eskimos of Barter Island whose land was withdrawn by the federal government in 1943 for a military base and not returned after the war. Instead the government waited to release it until 1948, then immediately withdrew it again as a wildlife refuge.

This means that in order to qualify at all, a Barter Island man must prove he lived on the land before 1943 and those who were under 21 at that time are just out of luck.

Currently the Bureau of Land Management is trying to help Eskimos document their claims. Teams in Anaktuvuk and Barter have been visiting each site with the native who staked it, photographing all signs of occupancy.

"We're out to prove occupancy, not disprove it," explained Chuck Larson who has been working virtually around the clock in Anaktuvuk.

BLM's mission is often like a detective story. Larson and his partner in Anaktuvuk, Odos Lowery, have "sleuthed" out the remains of ancient stone caribou blinds from which early Eskimos ambushed the big deer with bows and arrows.

Traplines are hard to document because by their very nature they are designed not to disturb the country, but gamely Lowery and Larson search out traps, marks on trees, the remains of old campfires, even old garbage dumps.

The same technique is being used by Jerry Knoll and David Williams at Barter Island but at this point they are very disheartened by the problems caused by government land withdrawal.

"I'm the half of the team that's thinking of resigning because of all those 'Catch 22' provisions that have been thrown at these people," Williams admitted.

"They need help. Most of them who were old enough to be here before the land withdrawal didn't even know about the land allotment.

"After meeting with them I'd say six people could have qualified who never filled out an application. And those who were turned down have only 30 days to appeal. I don't think their native organization is giving them much help, either.

"There's no reason why the government shouldn't have given this land back to the Eskimos after World War II," Williams speculated. "Instead they kept it closed to entry 15 or 20 years beyond what they should have and another small segment of the population has been had.

"If they opened it, all the productive young adults in the village now would have had a chance."

It is the hope of the BLM men that some exception can be made for the Barter Islanders and others in the same pinch. There's no problem documenting use and occupancy of land like Fred Gordons' but it may take an act of Congress to make sure he gets to keep it.