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Applications are now being accepted for the following Apprenticeship openings: Carpenters, cement masons, electricians, iron workers, printers, plumbers-pipefitters and sheet metal workers. Interested persons contact the Apprenticeship Outreach Program, 315 5th Avenue, Fairbanks, Alaska, or Russell Anderson, Apprenticeship Outreach Program, 238 East 5th Ave., Anchorage, Alaska 99501. (Equal Opportunity Employer)

We often have vacancies for elementary teachers and teacher-aids; clerk-typists, social workers, engineers, and maintenance workers, as well as technical and administrative openings. For information on how to apply, write: Personnel Officer, Bureau of Indian Affairs, Box 3-8000, Juneau, Alaska.

# LEGAL NOTICE

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

FINAL DECISION  
CONCERNING THE INELIGIBILITY  
OF PAULOFF HARBOR (Sanak)  
AS A NATIVE VILLAGE FOR  
PURPOSES OF ANCSA 1971 ACTION  
UPON PROTEST

ADMINISTRATIVE  
DETERMINATION

This is a written decision on a protest filed pursuant to 43 CFR, Part 2650 by the Aleut Corporation by and through its attorneys, Kay, Miller, Libbey, Kelly, Christie and Fuld, hereinafter referred to as protestant, First National Building, Suite 500, Anchorage, Alaska 99501. The protest of the Aleut Corporation was dated October 29, 1973, and it was received on October 30, 1973, by the Director, Juneau Area Office, Bureau of Indian Affairs.

Protestant objects to the Native Village of Pauloff Harbor (Sanak) being determined to be ineligible because protestant contends that the village does meet the requirements of 43 CFR 2651.2 (b).

The Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688-716), and 43 CFR, Part 2650 provides for the settlement of certain land claims of Alaska Natives and for other purposes. Section 11 (b) (2) of the Act is quoted as follows: "Within two and one-half years from the date of enactment of this Act, the Secretary shall review all of the villages listed in Subsection (b) (1) hereof, and a village shall not be eligible for land benefits under subsections 14 (a) and (b), and any withdrawal for such village shall expire, if the Secretary determines that—

(A) Less than twenty-five Natives were residents of the 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; \*\*\*"

The 1970 Census is not, therefore, the exclusive source of information for the determination of residency. Part 43b of Title 25 of the Code of Federal Regulations provides for the enrollment of 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 Secretary of the Interior in the determination of the eligibility of Natives for land benefits under the Act.

As of November 8, 1973, 11 Natives had been certified for enrollment in the Native Village of Pauloff Harbor (Sanak). On August 16, 1973, a field investigation was completed of Pauloff Harbor (Sanak) and at that time only three Natives who used the village for a period of time in 1970 had been certified for enrollment to this village. Since only 11 Natives had been certified for enrollment to Pauloff Harbor (Sanak) on November 8, 1973, this number is less than the number of Native required by Subpart 2651.2 (b) (1) and (2) for the regulations.

The Director, Juneau Area Office, Bureau of Indian Affairs, has examined and evaluated the protest together with his record of findings of fact and proposed decision, and does hereby render a decision determining that the Native Village of Pauloff Harbor (Sanak) is ineligible for land benefits under said Act.

The decision of the Director, Juneau Area Office, Bureau of Indian Affairs, shall be published in the Federal Register and in one or more newspapers of general circulation in the State of Alaska and a copy of the decision and findings of fact upon which the decision is based shall be mailed to the affected village, all villages located in the region in which the affected village is located, all regional corporations within the State of Alaska, the State of Alaska, and any other party of record. 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 Section 2651.2 (a) (5) of Title 43 CFR, within thirty days of its publication in the Federal Register.

Appellant shall have not more than 15 days from the date of filing of his 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 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.

John A. Moore II, Acting Director

November 30, 1973.

Published in the Federal Register on December 6, 1973.

Publish December 12, 1973.

\*\*\*\*\*  
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\*\*\*\*\*

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# LEGAL NOTICE

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

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

ADMINISTRATIVE  
DETERMINATION

This is a written decision on a protest filed pursuant to 43 CFR, Part 2650 by the Department of the Navy, Naval Petroleum and Oil Shale Reserves, hereinafter referred to as Protestants, Washington, D.C. 20360. The protest was dated October 24, 1973 and received on October 16, 1972, by the Director, Juneau Area Office, Bureau of Indian Affairs. Protestants object of the Native Village of Atkasook being added to the list of proposed eligible Native Villages on the ground that "Clearly less than twenty five Natives were residents of the village of Atkasook \*\*\* on the 1970 census enumeration date."

The Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688-716), and 43 CFR, Part 2650 provides for the settlement of certain land claims of Alaska Natives and for other purposes. Section 11 (b) (2) of the Act is quoted as follows: "Within two and one-half years from the date of enactment of this Act, the Secretary shall review all of the villages listed in Subsection (b) (1) hereof, and a village shall not be eligible for land benefits under subsection 14 (a) and (b), and any withdrawal for such village shall expire, if the Secretary determines that—

(A) less than twenty-five Natives were residents of the 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; \*\*\*" (Emphasis ours).

The 1970 Census is not, therefore, the exclusive source of information for the determination of residency. Part 43b of Title 25 of the Code of Federal Regulations provides for the enrollment of 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 October 30, 1973, 52 Natives had been certified for enrollment in the Native Village of Atkasook. On June 10, 1973, a field investigation was completed of Atkasook and at that time seventeen Natives who used the village for a period of time in 1970 had been certified for enrollment to this village. The 25 or more Natives who have been certified for enrollment to Atkasook 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 had 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 protest, together with his record of findings of fact and proposed decision, and does hereby render a decision determining that the Native Village of Atkasook is eligible for land benefits under said Act.

The decision of the Director, Juneau Area Office, Bureau of Indian Affairs, shall be published in the Federal Register and in one or more newspapers of general circulation in the State of Alaska and a copy of the decision and findings of fact upon which the decision is based shall be mailed to the affected village, all villages located in the region in which the affected village is located, all regional corporations within the State of Alaska, and any other party of record. 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 Section 1651.2 (a) (5) of Title 43 CFR, within thirty days of its publication in the federal register.

Appellant shall have not more than 15 days from the date of filing of his 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 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.

Morris Thompson, Director

Published in the Federal Register on November 29, 1973

Publish December 12, 1973.

# Alaska Business Directory

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