Indian Affairs - Office of Public Affairs

Media Contact: Knuffke (202)343-4186
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Secretary of the Interior Cecil D. Andrus announced today he will review the Department's policy requiring five years' occupancy before land can be withdrawn under the 1906 Alaska Native Allotment Act.

Action on such withdrawals will be suspended pending the review, the Secretary said. A notice of the review and suspension was published in the Federal Register July 11, 1978

Before the Alaska Native Claims Settlement Act (ANCSA) was passed in 1971, Alaska Natives could get title to public land under the 1906 Act. ANCSA expressly repealed the 1906 Act but protected the several thousand claims pending on the date of the repeal--December 18, 1971.

In 1973, the Department began requiring a five-year occupancy of the land be completed before it could be withdrawn for a Native allotment As a result, many application were denied. Several lawsuits were filed against the Department and some of them are still pending.

"Because of the understandable concern of the Alaska Natives, I have decided to review, with the Solicitor, the policy of requiring the full five year' occupancy to have been completed before withdrawal," Andrus said.

Those interested in commenting on the policy under review will have 30 days from the date notice appears in the Federal Register in which to submit their views. Comments should be sent to the Associate Solicitor, Indian Affairs Office of the Solicitor, Department of the Interior, Washington D.C. 20240.