Indian Affairs - Office of Public Affairs

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The Interior Department's Bureau of Indian Affairs has submitted for publication in the Federal Register final rules governing removal from the roll of Alaska Natives the names of those ineligible under terms of the Alaska Native Claims Settlement Act.

Proposed rules were published in the Federal Register on April 7. Comments from native corporations and individual Alaska Natives, as well as from Bureau staff in Anchorage, have resulted in several changes intended to clarify the final rules, to make the application of the revised disenrollment policy uniform and fairer and to ensure due process for those whose eligibility is challenged.

The 1971 Settlement Act directed the Interior Secretary to prepare within two years an official roll of Alaska Natives for use in distribution of land and funds. Work was not completed by the deadline so the roll was certified subject to changes reflecting future legal decisions.

The Bureau of Indian Affairs began in 1974 a program to remove the names of ineligible individuals from the roll.

Alaska native corporations supported the program in principle but objected to some disenrollment practices. They said procedures were too complex and frequently misunderstood and that many eligibility challenges were based on inadequate investigation. Native leaders also feared that natives who failed to answer complaints against them faced default judgments.

In response to the criticisms, the Secretary ordered a dull review of the disenrollment program. He determined that lack of a final roll was interfering with land conveyances to Native Corporation and ordered a revised program carefully limiting the grounds for disenrollment.

In essence, the new program limits eligibility challenges to those who:

--Died before or were born after December 18, 1971, the date the Act was passed.

--Have no native ancestry.

--Have no U.S. citizenship, either by birth of naturalization.

--Were enrolled as of April 1, 1970, to the Metlakatla Indian Community

--Committed fraudulent misconduct in submitting their enrollment application.

The Final rules become effective 30 days after publication in the Federal Register.