Indian Affairs - Office of Public Affairs

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The Department of the Interior announced today that amendments by Alaska Natives to enrollment applications filed under the Alaska Native Claims Settlement Act will be considered on appeal if received by the Enrollment Coordinator in Anchorage, Alaska, by August 15, 1973.

The action was taken by the Department to assist Alaska Natives, particularly those who are permanent non-residents of Alaska, in their attempts to amend their applications to reflect their correct permanent place of residence for enrollment purposes. The Regional Corporation with which they will be affiliated is determined by residence.

The Act provided for the establishment of Regional Corporations representing Natives in 12 geographical regions of Alaska It also provided that if a majority of all eligible Natives eighteen years or older who are not permanent residents of Alaska elect to be enrolled in a thirteenth region for Natives who are non-residents of Alaska, the Secretary shall establish such a region.

As many as 10,000 persons may appeal from rejection of their original enrollment applications. Hundreds of other appeals may be taken from denials of requested changes in place of residence. The regulations governing enrollment issued by the Department set a final date for filing enrollment applications of March 30, 1973. The regulations did not provide for the filing of amended applications.

However, such amendments received through May 9, 1973, were processed. After May 9, the applications to amend were rejected as untimely filed and the applicants advised of their rights of appeal.

The Department said that the enrollment coordinator is now completing the encoding of the determination of eligibility or ineligibility of the last of the more than 95,000 applications received. Those whose amended applications are denied or rejected may file appeals, if they so desire and the appeals will be considered if the amended application was filed by August 15.

In a notice being published in the Federal Register this week, the time for filing appeals, including appeals from rejections of amended applications, is being changed from 45 days to 30 days. This change is necessary, the Department said, to assure there will be sufficient time to decide all appeals in time to complete the roll of Alaska Natives by the deadline of December 18, 1973 imposed by the Alaska Native Claims Settlement Act.

The notice also provides that applicants, regions, and villages served with notices of appeal shall have 15 days from the date of service to file with the Regional Solicitor their written views on the appeal.

A group of Alaska Natives, who are now living outside Alaska, primarily in the Pacific Northwest area, have made efforts to have such non-resident

Natives support the formation of a thirteenth Regional Corporation to represent them.

Regulations for enrollment provide that those non-residents who did not elect enrollment in a thirteenth

region if one is formed, must be enrolled in an Alaska region, and all non-residents must be enrolled in an Alaska region unless a thirteenth region is created.

The indications of the non-resident Natives as to whether they desire to be enrolled in a thirteenth region or in an Alaska region are being encoded and computerized but it is not expected that a determination of whether a majority vote to establish a thirteenth region will be made before November, 1973.

The Department said today that the Anchorage Regional Solicitor will act for the Secretary on all appeals from adverse decisions of the enrollment coordinator.

In a letter to Senator Henry M. Jackson, chairman of the Senate Committee on Interior and Insular Affairs, and to Rep. Lloyd Meeds, chairman of the Indian Affairs Subcommittee of House Interior and Insular Affairs Committee, Secretary of the Interior Rogers C. B. Morton said: ''We believe that honest mistakes and errors in the enrollment applications can be corrected through the use of the appeals procedure.

''We recognize that many Alaska Natives had some difficulty in following the enrollment instructions, and we are sympathetic to their desire to rectify any errors that may have resulted.

"In order to assist them, we are asking all Bureau of Indian Affairs offices, in and outside Alaska, to render technical assistance in the preparation of appeals from denials or rejections of amended enrollment applications or amendments to enrollment applications. Appropriate letters to this effect will be sent all known organizations of Alaska Natives throughout the United States."

Secretary Morton said he was assured that the Regional Solicitor will fairly and judiciously decide the appeals on their merits. ''Where applicants represent that because of error in law or in fact they reported on the application the wrong permanent place of residence, the necessary corrections can be made," he said.

"For example, if an applicant originally stated that his permanent place of residence on April 1, 1970, was some place in-Alaska when in actuality it was some place outside Alaska, his enrollment record may be corrected and he may be allowed to state his election to be enrolled in a thirteenth region of Natives who are non-residents of Alaska if such region is established pursuant to Section 7(c) of the Act.

"On the other hand, if he had erroneously stated that he was a nonresident of Alaska, his record may be corrected to reflect his true residence in Alaska and any previous thirteenth region election would be canceled."

The Native Claims Act of December 18, 1971, provides for settlement of awards totaling $962.5 million and 40 million acres of land. It is expected that the first payments under the Act after the completion of the enrollment in December will amount to about $130 million, which will go in the first instance to the Regional Corporations.

The notice of the deadline for amending enrollment applications, as being published in the Federal Register, states: "Amendments to enrollment applications, or amended applications, will not be considered originally or on appeal unless filed (received by the Enrollment Office) on or before August 15, 1973. All such amendments or amended applications received subsequent to August 15, 1973, will be returned to the applicant without action."

The notice also states: "Upon receipt of the appeal petition, the Coordinator will forward the petition, with all records pertaining thereto, to the Regional Solicitor. Determination on appeals will be made by the Regional Solicitor on behalf of the Secretary and shall be final. The applicant and the appropriate village and region shall be notified in writing of the determination of the Regional Solicitor."

Amendments to enrollment applications should be addressed to the Enrollment Coordinating Office, Kaloa Building, 16th & C Streets, Pouch 7-1971, Anchorage, Alaska 99501.
