

HJR

68

S I A T E C O M M I T T E E R E P O R T

DATE: 4/10/92

FURTHER:

DATE TURNED INTO OFFICE: April 23, 1992

Resources Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 68 (MLV)

Urging the Congress to reopen the Native allotments process for the benefit of Native military veterans.

and recommends:

- replace with _____ CS _____ (_____)
- or adopt previous _____ CS _____ (_____)
- attaches amendment(s)

- same title
- new title
- technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

NEW FISCAL NOTES: Dept/Date

zero fiscal notes _____

fiscal notes _____

appropriation--no fiscal note

PREVIOUS FISCAL NOTES: Dept/Date

zero fiscal notes Use M+U Cmte 2/13/92

fiscal notes _____

DO PASS:

[Signatures]

OTHER RECOMMENDATIONS:

[Signature]

Chair Signature and Recommendation

STATE COMMITTEE REPORT

Frank

DATE: 4/2/92

FURTHER: Resources

DATE TURNED INTO OFFICE: 4/9/92

State Affairs Committee considered CS HOUSE JOINT RESOLUTION NO. 68 (MLV)

Urging the Congress to reopen the Native allotments process for the benefit of Native military veterans.

and recommends: *do pass*

- replace with _____ CS _____ ()
- or adopt previous _____ CS _____ ()
- attaches amendment(s)

- same title
- new title
- technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

- do pass
- do not pass
- no recommendation
- individual recommendations

PH 0150

NEW FISCAL NOTES: Dept/Date

zero fiscal notes _____

fiscal notes _____

appropriation--no fiscal note

PREVIOUS FISCAL NOTES: Dept/Date

zero fiscal notes *House MVA Comite*

fiscal notes _____

DO PASS

OTHER RECOMMENDATIONS:

Frank

Rich

Paul

John

Paul

Chair: Signature and Recommendation

Alaska State Legislature

House of Representatives

Rep. Ivan, Chair
Rep. Davidson
Rep. Foster
Rep. Gonzales
Rep. Gruenberg
Rep. M.W. Miller
Rep. Parnell



State Capitol
Juneau, Alaska 99801-1182
(907) 465-1527

Special Committee on Military & Veterans Affairs

M E M O R A N D U M

TO: Senator Lloyd Jones, Chair
Senate Resources Committee

FROM: Representative Ivan M. Ivan, Chair *IMI*
House Special Committee on Military and
Veterans Affairs

DATE: April 14, 1992

RE: Request for Scheduling - House Joint Resolution 68

Please consider this request to schedule CS for HJR 68 (MLV) at your earliest possible convenience.

House Joint Resolution 68 requests Congress to amend federal law that would allow otherwise eligible Alaska Native veterans a new 18-month filing period for Native land allotments.

Since some of our Native veterans served during the time of the Viet Nam conflict, many were overseas and could not take advantage of the Native land allotments which were discontinued by the enactment of ANCSA in 1971. This resolution addresses that problem by requesting Congress to reopen this issue.

I appreciate your consideration of my request. Please do not hesitate to contact me or Tom Wright of my staff should you have questions or need further information.

IMI:tw

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HJR 68

Revision Date: February 13, 1992 Department Affected: None
 Title: Reopen allotments for Native veterans BRU: None
 Component: None

Sponsor: House Special Committee on Military and Veterans Affairs

Requestor: House Special Committee on Military and Veterans Affairs COMPONENT SERIAL NO.

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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0					
TRAVEL	0					
CONTRACTUAL	0					
SUPPLIES	0					
EQUIPMENT	0					
LAND & STRUCTURES	0					
GRANTS, CLAIMS	0					
MISCELLANEOUS	0					
TOTAL OPERATING	0					

CAPITAL	0					
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REVENUE	0					
FUND SOURCE:	0					

FUNDING: (Thousands of Dollars)

GENERAL FUND	0					
FEDERAL FUNDS	0					
OTHER	0					
FUND SOURCE:	0					
TOTAL	0					

POSITIONS:

FULL-TIME	0					
PART-TIME	0					
TEMPORARY	0					

Estimate of current year impact: 0

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Thomas W. Wright, Committee Staff Phone: 465-4527
 Division: House Special Committee on Military and Veterans Affairs Date: February 13, 1992
 Approved by Commissioner: Representative Ivan M. Ivan, Chair
 Agency: House Special Committee on Military and Veterans Affairs Date: February 13, 1992

Alaska State Legislature

House of Representatives

Rep. Ivan, Chair
Rep. Davidson
Rep. Foster
Rep. Gonzales
Rep. Gruenberg
Rep. M.W. Miller
Rep. Parnell



State Capitol
Juneau, Alaska 99801-1182
(907) 465-4527

Special Committee on Military & Veterans Affairs

SUMMARY - HJR 68

House Joint Resolution 68 requests Congress to amend federal law that would allow otherwise eligible Alaska Native veterans a new 18-month filing period for Native land allotments.

Since some of our Native veterans served during the time of the Vietnam conflict, many were overseas and could not take advantage of the native land allotments which were discontinued by the enactment of ANCSA in 1971. This resolution addresses that problem by requesting Congress to reopen this issue.

KIKIKTAGRUK INUPLAT CORPORATION

BOX 1050
KOTZEBUE, ALASKA 99752

MAR 09 1992

March 6, 1992

Representative Ivan M. Ivan
Alaska State Legislature
Special Committee on Military & Veterans Affairs
State Capitol
Juneau AK 99801-1182

Dear Representative *Ivan* Ivan:

We appreciate your letter of March 2, 1992 regarding HJR68. We at KIC have always supported legislation that will benefit our shareholders.

We believe that the process should get started to make land available to those natives that were in the service to be afforded the same opportunities we had to make our claims.

Thank you for giving us the opportunity to make comments on HJR68.

Sincerely,



Willie Goodwin Jr.
Land Manager

WGJr/as

NORTH SLOPE BOROUGH

OFFICE OF THE MAYOR

P.O. Box 69
Barrow, Alaska 99723

Phone: 907-852-2611

Jeslie Kaleak, Sr., Mayor



February 20, 1992

Representative Ivan Ivan
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

FEB 26 1992

Dear Representative Ivan:

I was delighted to be informed that the House of Representatives has introduced the House Joint Resolution No. 68 urging Congress to reopen the Native Allotment process for the benefit of our Native military veterans.

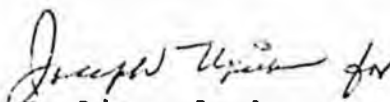
I would like to inform you that the North Slope Borough supports this bill as there are numerous military veterans who served in the Vietnam War who were not able to participate in the Native Allotment filing process. These veterans should not be denied the right to own an allotment because he/she was serving our country at the time of the filing period.

This great country of ours should honor the wishes of these brave military veterans who answered to the call of duty.

I would like to thank you for the opportunity to say a few words in this regard. I hope that this bill will pass the Congress as it deals with the most important part of our country, its people.

If I can be of any assistance to you in this crucial matter, please let me know.

Sincerely,


Jeslie Kaleak, Sr.
Mayor

c:\wp50\misc\rep_ivan

Delbert J. Rexford
Box 231
Barrow, Alaska 99723

February 20, 1992

Good Morning Mr. Chairman
House Special Committee Members on Military & Veterans' Affairs

My name is Delbert J. Rexford. I am a member of the Inupiat Community of the Arctic Slope, IRA Joint Tribal Council and the Treasurer for the Native Village of Barrow, Inupiat Traditional Government Council.

I am here this morning to speak in support of House Joint Resolution No. 68. Please keep in mind I have not served in any of the United States Military Service Branches.

During the Vietnam conflict in South East Asia. Many of our young Alaska Natives served in the military when the Alaska Native allotments deadline filing date of December 18, 1971 was in effect.

I would like to make my statement brief and to the point. I whole heartedly support House Joint Resolution No. 68. Many of our Alaska Natives are deprived of receiving Native Allotments due to serving their country in a controversial war. Controversial on the home front as well as on the battle fields of Vietnam. The Vietnam War between the United States and Vietnam continues haunts many of our Alaska Natives.

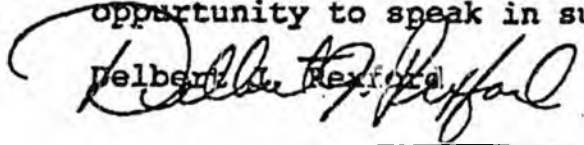

I would like to share with you a healing process a Pt. Hope Vietnam Veteran uses due to the personal impact on his life. He continues to experience emotional and spiritual setbacks due to his involvement in Vietnam. When the Vietnam War conflict flashbacks occur...he goes into the country to relaxes by being alone. This is a common occurrence by Vietnam Veterans. The point is this man has been deprived of peace of mind and the only way he gets peace of mind is to be alone in his own country. He deserves to receive a Native Allotment. After all he fought for the United States of America. He fought for Old Glory. He fought for the beliefs and principles of his country. But the United States Government mandated a deadline date of December 18, 1971 for Native Allotment eligibility. All Alaskan Natives who served in the Vietnam War should be made eligible for Native allotments. After all they laid their life on the line when in active duty for our country and the United States of America owes them peace of mind. In our Alaska Native Cultures...peace of mind is being one with the earth, the environment and having a sense of belonging.

In closing, " The great law of culture: let each become all that he was created capable of being." A quote from Thomas Carlye between 1795-1881. Our Alaska Native Vietnam Veterans are people of the land. Depriving them of Native Allotments is the greatest injustice for those who served in to fight for the beliefs and principles of

a democratic and free nation.

Please support House Joint Resolution No. 68. Thank you for this opportunity to speak in support of HJR No. 68.

Delbert G. Rexford

P.O. Box 402
Barrow, AK 99723

REPRESENTATIVE EILEEN MACLEAN

552-5367(H)
852-0320 (W)

HOUSE JOINT RESOLUTION NO. 68

I am Arnold N. Brower Jr., a Vietnam Veteran honorably discharged. My time in service began in February 1968. I received an honorable discharge in January of 1971.

In delight of House Joint Resolution No. 68, I lend full support.

I appreciate this opportunity to speak for native veterans from the Vietnam conflict. After all, the draft gave no choice of our future. Higher education of some sort would have been my preference in civilian life.

Those of us that went to Vietnam, it was a traumatic experience. Returning home relapses occurred, it was like a period of sobering up after drunkenness, except it took a long time for some veterans.

I received an early out discharge provided exceptance by an accredited college or school immediately upon discharge. Upon settling at home from attending Sheldon Jackson Jr College, I heard about the land allotments but I was told it was too late. At the time the ASRC or application office was in Barrow. Wesley Aiken and Jacob Adams were the personnel attending to the maps.

The issue started before the ANILCA passage. Apparently, the amendment never got submitted in Washington, D.C. Other issues considered in the past include the opt in, opt out provisions to the 1991 amendments. Provisions for 1991 issues allow children born after 1991 some privileges under the ANSCA law.

Alaska native veterans should apply same as those Alaska natives who applied for native allotments. The same allowance is comparable in the education paid by the military after a military discharge. Normally the veteran would have gone to further educational venture instead of military service by the draft. The military grants under the laws of the United States certain educational benefits a veteran he or she didn't receive because of service. Congress should pass the Alaska native veteran's allotment right to similar benefits a veteran did not receive because of the military service provided. Alaska native veterans would have normally applied if they didn't go to War.

I urge this resolution to pass and forwarded to the congressional delegation for immediate passage. I urge all veteran posts and affiliation to support this important document. If an American citizen had a right before his service for his country, it must be restored after his service is no longer needed by the country. Aboriginal native rights of all Alaska natives was intended to be honored during the land claims act.

To: Chairman Ivan M. Ivan
House Special Committee on Military and Veterans Affairs

From: Johnny T. Hawk, President & Chief Executive Officer
Calista Corporation

Date: February 21, 1992

Subject: House Joint Resolution 68

I am speaking for House Joint Resolution 68, which I feel is long overdue. It is good that the Alaska Legislature is recognizing the contributions of Alaska Natives who have served this great country of ours at a great sacrifice.

I believe this country should reward those who served their country in time of need rather than penalize them. Alaska Natives historically have proven themselves to be very patriotic and their record speaks for itself.

Some may say that those involved were wards of the government itself, so had the opportunity to participate in the Native Allotment Program. If they hold that belief, how many United States Department of the Interior personnel were willing to go to the front lines and enroll them? This holds true for those military personnel that were assigned to the four corners of the world at that time as well.

It is only fair that the State of Alaska urge the United States to open a window of opportunity for those affected to participate in a program beneficial to all eligible. This is a good time to do this because I have spoken to our Congressional Delegation personnel and they informed me that the Department of the Interior is reviewing land allotment applications at this time. Thus, now is the time to make this request on behalf of Alaska Native Veterans.

I thank you, Mr. Chairman and members of the Committee, on behalf of the many Native Veterans from the Calista Region for this and for the opportunity extended to us. It is very much appreciated.

cc: United States Veterans Affairs, Washington DC
Honorable Manual J. Lujan, Jr., Secretary of the Interior
Honorable Dan Quayle, Vice President of the United States
Ranking Members of U.S. House of Representatives and U.S. Senate
Honorable Robert C. Byrd, President Pro Tempore, U.S. Senate
Honorable Thomas S. Foley, Speaker, U.S. House of Representatives
Honorable Ted Stevens, U.S. Senator
Honorable Frank Murkowski, U.S. Senator
Honorable Don Young, U.S. House of Representatives

RESOLUTION # 079

AMEND 1971 ANSCA/ANILCA LANDS CLAIM ACT

WHEREAS, Alaska Native allotments were closed during the Vietnam Era, having a closing date for filings of December 18, 1971; and

WHEREAS, because of the action of Congress during the Vietnam Era, many Native Alaskans participated in the Vietnam conflict; and

WHEREAS, those Native Alaskan Vietnam veterans were not notified, nor were aware of the Native Allotment issue while it happened; and

WHEREAS, these Native Alaskan Vietnam veterans were discriminated against by the actions of Congress in not being able to exercise their normal rights as free citizens to file entitlement applications during the Vietnam conflict; and

WHEREAS, many Vietnam veterans were eighteen years of age prior to induction and military service; and

WHEREAS, all Vietnam veterans served their country at the will of Congress and are entitled to any benefits that they normally would have received if not obstructed and/or informed because of this action; therefore

BE IT RESOLVED, by the Veterans of Foreign Wars of the United States, Department of Alaska, that the 1971 ANSCA/ANILCA Land Claims Act be amended to allow eligible Alaskan Native veterans a grace period of eighteen months from date of enactment to file entitlement applications.

Submitted by: John Guinn

Sponsored by: VFW Post 10041, Bethel - endorsed at General Membership meeting.

July 27, 1987

Miles Pierce
Alaska Senior Vice Commander
7414 Pamela Place
Anchorage, Alaska 99504

Dear Mr. Pierce,

I appreciate your consideration of my concerns regarding Native servicemen who have been deprived of the opportunity to obtain Native lands during and following military tenure.

To review my personal experience with this issue we need to return to when I was stationed in the U.S. Navy out of San Diego, California. While there I attempted to register with my Native corporation, NANA Regional Corporation, and register for land claims. I went to the Indian Center offices in San Diego where staff from the Bureau of Indian Affairs, Bureau of Land Management and state personnel were employed. It was explained that because I was in government service and thus a ward of the government, I would not qualify for land under the Alaska Native Claims Settlement Act (ANCSA). Several other Native individuals serving in the Navy and Marines were in the office at the time and shared my surprise with this policy. We had no prior knowledge of this, took it to be fact and as a result I ceased pursuing land until last year.

In 1986 when U.S. Senator Frank Murkowski visited Kotzebue I spoke with one of his aides and explained the details of my and other Native's predicaments. I was instructed to submit a memorandum explaining the circumstances and that cases "might" be considered on an individual basis.

Native Veterans, no matter where they were at the time of passage of ANSCA, should not be deprived of its inherent rights. Agreements made between the U.S. government and Natives should not be confused with or exclude Natives who were serving our government at the time of such agreements.

In particular, Vietnam veterans should not be subject to this policy. We sacrificed time, energy and effort for our country. When experiencing further personal losses, it becomes easy to conclude that our efforts may have been for naught.

I trust you will pursue this in my behalf and in behalf of other Native veterans who are adversely effected.

Sincerely,

~~WILLIAM R. KARMUN~~
WILLIAM R. Karmun
LCM, VFW Post 8839
Box 343
Kotzebue, Alaska 99752
907-442-2199

WK - 442-3799

A RESOLUTION PERTAINING TO THE ALASKA NATIVE VIETNAM VETERANS ALLOTMENT AS PER THE 1971 ANSCA LAND CLAIMS ACT.

WHEREAS NATIVE ALLOTMENTS WERE CLOSED DURING THE VIETNAM ERA

WHEREAS ALASKA NATIVES WERE IN VIETNAM DURING THE NATIVE ALLOTMENT PROCESS

WHEREAS VIETNAM VETERANS IN VIETNAM WERE 18 PRIOR TO INDUCTION AND MILITARY SERVICE

WHEREAS THOSE VIETNAM VETERANS WERE NOT NOTIFIED ABOUT THE NATIVE ALLOTMENT ISSUE WHILE IT HAPPENED.

THEREFORE POST 9890 SEEKS SUPPORT OF THIS RESOLUTION FOR FURTHER DOCUMENTATION TO CONGRESS FOR THE 1991 AMENDMENTS OF THE ANSCA/ANILCA.

PASSED THIS 20 DAY OF JUNE 1986

ADJUTANT Na. Oe

POST COMMANDER Arnold Brown

FILE