

§ 2568.60

PERSONAL REPRESENTATIVES

§ 2568.60 May the personal representatives of eligible deceased veterans apply on their behalf?

Yes. The personal representative or special administrator, appointed in the appropriate Alaska State court proceeding, may apply for an allotment for the benefit of a deceased veteran's heirs if the deceased veteran served in South East Asia at any time during the period beginning August 5, 1964, and ending December 31, 1971, and during that period the deceased veteran:

- (a) Was killed in action,
- (b) Was wounded in action and later died as a direct consequence of that wound, as determined and certified by the Department of Veterans Affairs, or
- (c) Died while a prisoner of war.

[65 FR 40961, June 30, 2000, as amended at 66 FR 52547, Oct. 16, 2001]

§ 2568.61 What are the requirements for a personal representative?

The person filing the application must present proof of a current appointment as personal representative of the estate of the deceased veteran by the proper court, or proof that this appointment process has begun.

§ 2568.62 Under what circumstances does BLM accept the appointment of a personal representative?

BLM will accept an appointment of personal representative made any time after an eligible person dies, even if that appointment came before enactment of the Alaska Native Veterans Allotment Act.

§ 2568.63 Under what circumstances does BLM reject the appointment of a personal representative?

If the appointment process is incomplete at the time of allotment application filing, the prospective personal representative must file the proof of appointment with BLM within 18 months after the application filing deadline or BLM will reject the application.

43 CFR Ch. II (10-1-13 Edition)

§ 2568.64 Are there different requirements for giving an allotment to the estate of a deceased veteran?

No, the estate of the deceased veteran eligible under § 2568.60 must meet the same requirements for a Native allotment as other living Alaska Native veterans. In addition, a deceased veteran must have been a resident of Alaska at the time of death.

APPLYING FOR AN ALLOTMENT

§ 2568.70 If I am qualified for an allotment, when can I apply?

If you are qualified, you can apply between July 31, 2000 and January 31, 2002.

§ 2568.71 Where do I file my application?

You must file your application in person or by mail with the BLM Alaska State Office in Anchorage, Alaska.

§ 2568.72 When does BLM consider my application to be filed too late?

BLM will consider applications to be filed too late if they are:

- (a) Submitted in person after the deadline in section 2568.70, or
- (b) Postmarked after the deadline in section 2568.70.

§ 2568.73 Do I need to fill out a special application form?

Yes. You must complete form no. AK-2561-10, "Alaska Native Veteran Allotment Application."

§ 2568.74 What else must I file with my application?

You must also file:

- (a) A Certificate of Indian Blood (CIB), which is a Bureau of Indian Affairs form,
- (b) A DD Form 214 "Certificate of Release or Discharge from Active Duty" or other documentation from the Department of Defense (DOD) to verify military service, as well as any information on cause of death supplied by the Department of Veterans Affairs,
- (c) A map at a scale of 1:63,360 or larger, sufficient to locate on-the-ground the land for which you are applying, and
- (d) A legal description of the land for which you are applying. If there is a