

State of Alaska  
Department of Natural Resources  
DIVISION OF GEOLOGICAL SURVEY  
Box 80007, College, Alaska 99701

INFORMATION  
CIRCULAR # 2

Revised  
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MINERAL RIGHTS OF ALIENS IN THE STATE OF ALASKA

Mining Claims on Federal Land

An individual alien who has lawfully entered the United States singly or in association with other aliens or U. S. citizens, regardless of his age or national origin, may locate, hold, buy, sell, lease, or exploit mining claims on Federal land. However, unless he has declared his intention to become a U. S. citizen, he cannot obtain a patent to a mining claim from the U. S. Government. This does not prevent an alien from buying, leasing, or otherwise acquiring a patented mining claim. A claim staked by an alien and later sold to a U. S. citizen may be patented.

An alien's right to minerals in a mining claim cannot be attacked for reason of his non-citizenship by anyone but the Federal Government. There is no record of an instance in which the government has ever dispossessed an alien of mining rights simply because he was an alien, but there is a single case on record in which an alien was prevented from asserting surface rights on a mining claim against the government.

An alien corporation has the same mining rights on Federal land as does an individual alien, but before an alien corporation enters the business of buying, selling, or leasing mining claims it must appoint a resident agent in Alaska and register with the Commissioner of Commerce, Pouch D, Goldstein Building, Juneau, Alaska, 99801.

Mineral Leases on Federal Land

Oil, gas, coal, potassium, sodium, phosphate, oil shale, native asphalt, bitumen, and bituminous rock can be acquired only by lease. Leases will not be issued to individual aliens, but they will be granted to U. S. corporations in which part or all of the stock is owned by aliens from countries that grant similar privileges to U. S. citizens, or in which a relatively small percentage of the stock is owned by aliens who are not thus qualified.

Nationals of the following nations are qualified:

Argentina	Israel
Belgium	Italy
Bermuda	Japan
Canada	Mexico
Formosa	Netherlands
France	Norway
Great Britain	Panama
Greece	Switzerland
Ireland	

The above list may not be complete and it is subject to change.

### Mining Claims on State Land

Mining rights on State land (mining claims, mining leasehold locations, prospecting sites, offshore prospecting permits, and offshore mining leases) may be acquired by an alien individual if he is at least 19 years of age and if he has either declared his intention of becoming a U. S. citizen or if he is from a country that grants similar mining rights to U. S. citizens. Nations named on the foregoing list are considered to offer similar mining rights to U. S. citizens with the probable exception of the Northwest Territories of Canada.

An alien corporation cannot acquire mining rights on State land, but alien corporations and alien individuals may own stock in a U. S. corporation registered in Alaska provided that not more than 50% of the stock is owned by aliens who are not qualified to acquire mining rights.

### Mineral Leases on State Land

Oil, gas, oil shale, coal, sodium, sulphur, potassium, and phosphates on State land can be acquired only by lease. Leases will not be issued to individual aliens, but they will be granted to U. S. corporations registered to do business in Alaska. Part or all of the stock may be owned or controlled by aliens from nations which grant similar privileges to U. S. citizens. These nations are those named on the preceding page. If an "appreciable percentage" of the stock in a corporation is held by aliens from nations not listed as granting similar privileges to U. S. citizens, the corporation is not qualified to hold mineral leases.