

A BILL

The following is legislation proposed and authored by the Alaska Federation of Natives and their counsel for the settlement of the Alaska Native Land Claims by the Congress of the United States. It was introduced before the United States Senate as an amendment to S.B. 1830 by Senator Ted Stevens on October 2, 1969.

91st CONGRESS 1st Session
S. 1830
IN THE SENATE
OF THE UNITED STATES
October 2, 1969

Referred to the Committee on Interior and Insular Affairs and ordered to be printed

AMENDMENT

Intended to be proposed by Mr. STEVENS to S. 1830, a bill to provide for the settlement of certain land claims of Alaska Natives, and for other purposes, viz: Strike out all after the enacting clause and insert the following:

That this Act may be cited as the "Alaska Native Claims Settlement Act of 1969."

DECLARATION OF POLICY

SEC. 2. (a) Congress hereby recognizes the claims of Natives and Native villages based upon aboriginal occupancy and use of lands within the State of Alaska, and finds and declares that there is an immediate need for a fair and just settlement of all land claims by such Natives and Native villages and that the purpose of this Act is to effect such settlement by providing—

(1) a grant to each Native village listed in section 10(c) of this Act of title to the village site and additional lands adjacent thereto for community use and expansion;

(2) for the organization of Native corporations and, in order to promote economic self-sufficiency as well as enhance the Natives' present and future welfare, for a transfer of lands and rights to such corporations;

(3) a payment of \$500,000,000 and retention of an overriding royalty, as compensation for Native lands and interests in lands taken in the past or to which Native title will be extinguished by this Act;

(4) authority for individual Natives to acquire ownership of the lands which they use and occupy for homes, businesses, fishing, hunting and trapping camps, and for reindeer husbandry; and

(5) protection of Native subsistence hunting, fishing, trapping and gathering rights and, where it is within the power of the Federal Government, measures for the conservation of subsistence biotic resources.

(b) It is the intent of Congress to carry out the terms of this settlement promptly, with certainty, and in conformity to the real economic and social needs of Alaska Natives by maximizing the participation by Natives in decisions affecting their rights and property and by vesting in them as rapidly as prudent and feasible control over the lands set aside and corporations organized pursuant to this Act, without (1) establishing any permanent racially defined institutions, rights, privileges or obligations, (2) creating a reservation system or lengthy trusteeship, or (3) ultimately adding to the categories of property and organization enjoying special tax

privileges or to the legislation establishing special relationships between the United States Government and the State of Alaska.

(c) No provision of this Act is intended to replace, diminish or otherwise modify any right, privilege, or obligation of Alaska Natives as citizens of the United States and the State of Alaska, nor to relieve, replace, or diminish any obligation of the United States or the State to protect and promote the rights and welfare of Alaska Natives. The payments and grants authorized under section 5 of this Act constitute compensation for the extinguishment of property rights, and shall not be deemed a substitute for any governmental programs otherwise available to the Natives of Alaska in accordance with the laws applicable to Indian affairs.

DEFINITIONS

SEC. 3. For the purposes of this Act, the term—

(a) "Commission" means the Alaska Native Commission established by this Act;

(b) "Corporation" means the Alaska Native Development Corporation authorized to be established pursuant to this Act under the laws of the United States;

(c) "Fund" means the Alaska Native Compensation Fund established under the terms of this Act;

(d) "Native" means a citizen of the United States who is an Alaskan Indian, Eskimo, or Aleut of one-fourth degree or more Alaska Indian, Eskimo, or Aleut blood, or a combination thereof, including any Native as so defined whose adoptive parent is not a Native, and, in the absence of proof of a minimum blood quantum, also any citizen of the United States who is regarded as an Alaska Native by the Native village of which he claims to be a member and whose father or mother is (or, if deceased, was) regarded as Native by such village or any other Native village listed in section 10(c) of this Act;

(e) "Native village" means any village listed in section 10(c) of this Act, and, unless expressly provided herein to the contrary, also any other identifiable tribe, band, clan, group, village or community in the United States which is composed of twenty-five or more Natives, regardless of whether or not resident in a predominantly Native area;

(f) "public lands" means all Federal lands and interests therein situated in Alaska as of the effective date of this Act, including lands selected by, but not yet patented to, the State, except the smallest practicable tract (but not less than forty acres), as determined by the Secretary, enclosing improved land actually used in connection with the administration of any

Federal installation: *Provided*, That this exception shall not be applicable for purposes of section 14 of this Act;

(g) "regional corporation" means a corporation organized to hold, invest, manage and/or distribute lands, property, funds and other rights and assets for and on behalf of the Natives of a specified region of Alaska in accordance with the terms of this Act;

(h) "Secretary" means the Secretary of the Interior;

(i) "State" means the State of Alaska; and

(j) "village corporation" means a corporation organized to hold, invest, manage and/or distribute lands, property, funds and other rights and assets for and on behalf of a Native village in accordance with the terms of this Act.

DECLARATION OF SETTLEMENT

SEC. 4. The provisions of this Act shall constitute a full and final settlement and extinguishment of any and all claims against the United States, the State of Alaska and all other persons which are based upon aboriginal right, title, use, or occupancy of land in Alaska by any Native or Native village or claims arising under the Act of May 17, 1884 (23 Stat. 24), or the Act of June 6, 1900 (31 Stat. 321), including all land claims (but not claims based on grounds

other than loss of original Indian title land) pending before any court or the Indian Claims Commission on the effective date of this Act.

ALASKA NATIVE COMPENSATION FUND

SEC. 5. (a) There is hereby authorized to be appropriated \$500,000,000 as partial compensation to the Natives of Alaska for lands and interests in lands taken in the past or to which their rights and claims are extinguished by this Act, such compensation to be paid into a special Alaska Native Compensation Fund in the Treasury of the United States in accordance with the following schedule:

(1) \$100,000,000 during the fiscal year in which this Act becomes effective; and

(2) \$50,000,000 per year during the next eight fiscal years, plus interest at the rate of 4 per centum annually upon the unpaid balance of such compensation.

(b) As additional compensation to the Natives of Alaska, there shall be paid into the Fund all revenues derived from the overriding royalty upon the sale, lease or other disposition of public lands in accordance with section 14 of this Act.

(c) Payments under subsections (a) and (b) hereof shall be deemed contractual obligations of the

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THE LAND BILL is a result of years of painful effort on the part of the Alaska Natives to achieve unity of position and unity of purpose. In 1966, Alaska Natives organized one central organization to speak for all the people. Here, Eskimos, Indians, and Aleuts

gather from across the state at the fourth annual Alaska Federation of Natives Convention in Anchorage October 3 and 4. The AFN represents 60 thousand Alaska Natives in seeking a just settlement of the native claims.