

# **Contract dispute**

After nearly two months of bitter conflict between AHTNA Regional Corporation and Alyeska Pipeline Service Company involving a series of disputes over contract maintenance agreements for the pipeline, the situation may finally be headed towards a resolution.

Following a series of legal moves, Federal Court Judge James A. von der Heydt has ordered AHTNA and Alyeska to cease harassing each other and to begin good faith bargaining. A decision we feel could be the beginning of meaningful negotiations between the parties, hopefully resulting in an agreement to resolve the seven-week dispute which has seen over 30 Copper River Natives lose their pipeline related jobs.

AHTNA had demonstrated their intent to comply with Judge von der Heydt's order by removing the gravel berms they placed across access roads to the Trans Alaska Pipeline near Copper Center. A negotiation meeting held the morning following the Federal Court ruling saw a delegation of AHTNA representatives appear for the meeting. Only a retained counsel was present to represent Alyeska.

In their dispute with Alyeska, which has been termed a "David and Goliath" battle by some, AHTNA has received the support of virtually the entire Native community. Most recently the Alaska Federation of Natives Inc., acting at their 12th Annual Convention last month, unanimously passed a resolution in support of the smallest regional corporation. We feel the resolution is significant enough to reprint here:

WHEREAS, Ahtna Inc. is one of thirteen regional Alaska Native corporations created under the ANCSA, entitled to a portion of the money and lands to be conveyed thereunder, and

WHEREAS, in order to facilitate planning for a Trans Alaska oil pipeline corridor in return for special considerations in training, contracting and hire on the pipeline, and

WHEREAS, Alyeska failed to live up to terms of that release and

WHEREAS, an 8-mile corridor was withdrawn rather than 200 feet, eliminating all the core township of two Ahtna villages and seriously affecting that of two others, and

WHEREAS, Ahtna was in a position to sue successfully and hold up construction a minimum of 18 months at a cost of an additional \$2 billion or more, and

WHEREAS, Ahtna in a spirit of cooperation, entered into negotiations with the Secretary of the Interior and Alyeska Pipeline Service Company to draft the 1974 "Omnibus Agreement" guaranteeing special contract and job treatment in construction, maintenance and other work on the pipeline in return for easements and releases for construction, and

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# ● contract

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**WHEREAS, Alyeska is now in violation of that agreement, and has no agreement to legally do any work on the 55 miles of Ahtna land over which the pipeline runs and**

**WHEREAS, Alyeska has made on meaningful offer to let Ahtna do the work thereon and**

**WHEREAS, Alyeska failed to "equitably" afford Ahtna, Chugach Natives Inc. and Doyon, as required by law, the opportunity as a joint venture to bid on the overall pipeline maintenance agreement,**

**NOW THEREFORE, the Alaska Federation of Natives, by delegates here assembled, does hereby urge Alyeska to live up to commitments to Alaska Natives given in return for good and valuable considerations, and further expresses serious concern at the insensitivity of Alyeska's former President, E.L. Patton, and requests that Alyeska explain to Alaska Federation of Natives on behalf of Alaska's Native People its present and contemplated policy regarding implementation of these agreements and minority employment and contracting in general, and why it is not in compliance with the Department of Interior regulations.**

**The AFN expresses unanimous support for Ahtna in this matter, and urges the Secretary of Interior to determine whether Alyeska is not in violation of maintenance and Native hire stipulations in the 1974 Omnibus Agreement and the Trans Alaska Pipeline Act.**

**If so, the AFN asks that Alyeska's pipeline permit be suspended on that portion crossing Ahtna land till such time as Alyeska takes steps to comply with its signed agreements, which were made at the urging of the Secretary of Interior.**

**The TUNDRA TIMES wishes to add its name to the growing list of individuals and organizations backing AHTNA in reaching an equitable agreement with Alyeska in the near future.**

—n.h.