

Stevens' road measure threatens Native lands

by Tundra Times staff

Ted Stevens has won a key vote to rescind a Department of Interior policy on rights of way across federal lands.

Flexing his new muscle as chairman of the Senate Appropriations Committee, Stevens persuaded colleagues in a floor vote to retain a rider he attached to a flood relief spending bill. The rider would prevent Interior Secretary Bruce Babbitt from implementing a policy on adjudicating right-of-way claims asserted by states across federal lands.

Babbitt's policy would make it harder to assert such claims by placing the burden of historical justification more squarely on states. Currently, the Alaska legislature is

working on a bill to approve hundreds of such claims.

The vote is bad news for Alaska Natives. Potentially, it hastens the day where the State of Alaska will be able to validate right-of-way claims across federal and Native allotments. This poses a serious threat to fish and wildlife habitat on which Native villages depend for their livelihood and cultural vitality.

While greater access to rural areas may be a boon for Native corporations who want to develop natural resources, other federal laws guarantee this access already.

The claims covered by Babbitt's ~~policy~~ are those asserted pursuant to Revised Statute 2477. Western state governments

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have taken the position that the law allows them to claim numerous old roadways and trails - even if they're no longer used - for future highway development. Such a position is a potential land management nightmare, which Babbit has been trying to address.

Governor Tony Knowles has joined Stevens and the rest of the state's Congressional delegation in stiff opposition to Babbit on the RS2477 issue, and state of-

ficials were crowing after last week's vote.

However, while Stevens could claim victory, it was far from resounding. With a 51-49 tally, the Senate turned down an effort by Dale Bumpers (D-Arkansas) to remove the Stevens rider.

There were some indications at week's end that President Bill Clinton might veto the spending bill because lawmakers had attached several objectionable riders opposed by the White House. The most serious of these was a measure that would

keep the federal government operating even if Congress and the president can't reach final agreement on an FY 98 budget. Republicans want to avoid a repeat of the last shutdown in the winter of 1996-96, for which they were largely blamed. The president would prefer to retain this leverage, especially since Republicans control both houses.

On the other hand, it's difficult to veto a bill to aid flood victims.

The question for Alaska Native villages,

tribes and corporations, is: if Republicans buckle on the budget provision but hold firm on RS2477, would the president still veto the measure?

Given the nature of Stevens rider it will not be voted on in the House. However, a House-Senate conference committee will meet to reconcile their spending bills. Thus, House conferees - probably this week or next - will have a chance to speak against the RS2477 measure.