

AFN:

Delegates discuss future

By Linda Lord-Jenkins

Tundra Times

Unity of purpose and dedication of spirit was the theme presented by speakers at last week's annual AFN convention which focused on 1991 but from the attention given the matter by all who attended, it was obvious they knew the importance of the matter at hand.

The convention was devoted to discovering the desires of Alaska's Native peoples on the matter of 1991 and it became abundantly clear that all delegates were aware, interested and involved. The Westward Hilton ballroom was packed at any time that 1991 was discussed and young and old listened quietly and attentively as they considered their options.

It became obvious as the days wore on and the convention resolutions were passed that none of the participants wanted to sell their stock and all wanted to retain control of their land and stock.

The convention presented

nine special resolutions on the 1991 issue in addition to 62 resolutions on a myriad of other concerns.

The resolutions passed on 1991 were mostly those that had been formulated by AFN staff working at two retreats of representatives of the profit and non-profit corporations. The resolutions concerned land protection, stock alienation, Elders, disenfranchised Natives born after passage of the land claims act.

But a new resolution was included concerning "tribalization of village land." The resolution was proposed by the Association of Village Council Presidents which stated that the AFN endorsed the concept of "retribalization" of Natives' lands through the transfer of ANCSA lands from village corporations and regional corporations to tribal governments, and recommended that all villages begin to consider the possibility of retribalizing ANCSA lands as a method for protecting the future use and

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Tribalization resolution added to 1991 issues

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disposition of their lands, including reviewing the efforts of regional villages which have already considered such a transfer.

Such a transfer already is being considered and acted upon in Akiachak, which recently turned all village lands over to the IRA council and voted to remove itself from its second class city status.

The state of Alaska recently issued a legal opinion stating that Akiachak took the action illegally and did not follow proper procedure.

The amendment binds no region or village to anything because it included a clause inserted by Roy Huhndorf of Cook Inlet Region, Inc. (CIRI) that states that any region could decide to include itself in or out of any such arrangement.

That amendment was inserted in all but one resolution upon motion by CIRI.

Huhndorf lost his attempt to include the "opting out" clause in the resolution dealing with Elders after Tanana Chiefs Council president Spud Williams objected.

"I don't mind Mr. Huhndorf being against Native values. And I don't mind Mr. Huhndorf being against 'new Natives.' But when Mr. Huhndorf places himself against our Elders I have to draw the line," said Williams.

He argued against including the amendment in the Elders resolution because "This is the only chance our Elders are going to get to get a part of the settlement. If we pass this amendment, I don't think any corporation should be able to opt out and not give the Elders the benefits that we may be able to get Congress to mandate by law."

Such Elder benefits could include pension plans, conversion of insurance policies to a monthly payment to each Elder and other plans, according to discussion at the retreats.

Huhndorf said the CIRI board of directors wanted the flexibility to be able to select plans for their Elders that may go beyond those which may be proposed by the Congress.

CIRI argued that the resolution would "actually hurt our activities in helping our Elders. We have the first low income housing project for Elders in Anchorage," said Huhndorf, who listed other CIRI plans for Elders.

John Schaeffer argued that the resolution doesn't mandate any specific action. "All we are trying to do is get added benefits for the Elders."

The opting amendment failed with the Ahtna, Aleut, Bering Straits, Bristol Bay, Chugach, CIRI, Koniag, Aleutian Pribilof, Bristol Bay Native Corp., Copper River, KANA, North Pacific Rim, CINA, and Kawerak corporations voting in favor and the majority voting against.



AFN Chairman Charlie Johnson who served as master of ceremonies for the Tundra Times Banquet, congratulates Paul Tiulana who was named AFN Man of the Year. Tiulana is head of the King Island Dancers which last year performed the Wolf Dance for the first time in 50 years. Tiulana has worked at the Cook Inlet Native Association in teaching traditional crafts to young people.

PHOTO BY BILL HESS

One Elder, Pauline Carlo, who spoke during the debate, left the group with food for thought when she said she has been at many conventions and meetings where Elder benefits were discussed. "I am sick and tired of people saying they are going to do this and that for the Elders and as soon as the meeting is over, it is forgotten." She was applauded.

The question of Elder participation was discussed during the workshop sessions and Reggie Joule of Kotzebue, who works with the Inupiat Iitqusiut, said the AFN might consider forming an advisory statewide Elders' Council to oversee the AFN board of directors, just as each NANA Region village has Elders' councils to oversee village council activities.

The resolutions passed by the convention will now be taken back to AFN staff which will work with attorneys to start drafting legislation to be presented by Congress.

Attorney Ken Bass who has worked with AFN on the 1991 issue for years, said the drafting of law will be difficult because many very complex issues will be included. "We are going into some areas that have never been touched before," said Bass.

The 1991 resolutions are: Shall develop and request the Congress to enact additional mechanisms which achieve this goal of continuing Native ownership of Native lands.

No ANCSA corporation either regional or village should be compelled by federal or state law to implement any new restrictions on the disposition of land or

stock, but that each corporation should make its choices from a uniform set of options, and

That the ANCSA restrictions against alienation of stock should be continued indefinitely, but each corporation should be given the choice of "opting out" of those restrictions.

Endorses the prior efforts of the Alaska Federation of Natives in this area and directs AFN to conduct a thorough study of the practical and legal implications of changing the vehicle for implementing the settlement. This study should examine the following options:

1. Membership organizations combining Native values and traditions with compatible aspects of Western corporations.
2. Tribal organizations, both traditional and IRA.
3. Separating the land from the business and using different organizational vehicles to manage the different assets.

Endorses the prior efforts of AFN in this area and directs AFN to undertake a thorough study of the practical and legal implications of making sure that individual Natives born after December 18, 1971 should share in ANCSA as a birthright. This study shall include consideration of the following specific issues:

1. The definition of "Native" for purposes of the settlement.
2. The possibility of Natives receiving stock as a birthright, but not immediately upon birth, rather using mechanisms such as no stock at birth and full vesting of stock at maturity, use of non-voting stock at birth and conversion to voting stock at maturity.
3. Different classes of stock.
4. Whether there should be a uniform way of treating issues for all ANCSA corporations.
5. Providing participation in the settlement for Natives born before December 18, 1971, who were left out of the current

structure.

6. Mechanisms for dealing with new Natives whose ancestral roots go back to two or more regions or villages.

Endorses the prior efforts of AFN in this area and directs that AFN conduct a thorough study of the options that each ANCSA corporation might use to prevent any ownership of stock by non-Natives after 1991. This study will examine the practical and legal aspects of the following options:

1. Complete prohibition on selling or transferring stock by inheritance or otherwise.
2. Permitting sale or transfer of stock only to the corporation that issued the stock or to Natives that already owned that stock.
3. Permitting sale or transfer of stock only to Natives or Native organizations.
4. Requiring the specific approval of the corporation before selling or transferring stock.
5. Limiting the amount of stock that one person could sell in a given period of time and/or the amount of stock one shareholder could own.
6. Utilizing the right of first refusal and/or limitation of voting rights to Natives as permitted under the ANILCA amendments to ANCSA.
7. Creating different classes of stock for Natives and non-Natives.
8. Using voting trusts to preserve Native control regardless of ownership of the stock.

9. Elimination of stock.

Shall request Congress to alter the structure of the Alaska Native Claims Settlement Act to authorize Native corporations to provide social benefits to their Elders, and

Request Congress to exempt such benefits from consideration by federal and state agencies for eligibility for programs for the Elders provided by those agencies.

Endorses the concept of retribalization of Native lands through the transfer of ANCSA lands from village corporations and transfer of ANCSA lands from village corporations and regional corporations to tribal governments, and

Recommends that all villages immediately begin to consider the possibility of retribalizing ANCSA lands as a method for protecting the future use and disposition of their lands, including reviewing the efforts of regional villages who have already considered such a transfer.

Recommends the combining of efforts and resources of all regional and village ANCSA corporations to address issues and problems of 1991 that are common to us all.

That the Alaska Federation of Natives, on behalf of, and in conjunction with the above-listed participants, be authorized to prepare a comprehensive study of all issues, including postponement with alternatives and action choices relating to 1991, and present said report to the delegates assembled at the next AFN Convention.