

Interior Secretary Kleppe meets with AFN

Thomas Kleppe apparently was disappointed that he got no pats on the back when he talked with the Alaska Federation of Natives on Sept. 8 in Anchorage. AFN Vice-president, Jake Lestenkof, says that

the Secretary of the Interior remarked that it seemed like no progress had been made in the nagging issues of the Alaska Native Claims Settlement Act, and that all he heard were gripes.

Last week, Lestenkof smiled and said that AFN reminded the Secretary that meetings with him were rare, valuable and necessarily short. "We have to deal with troublesome matters," says Lestenkof, "meetings like this are not meant to be laudatory."

The Anchorage discussion lasted about two hours and most all Native Regions were represented. Others present included Ronald Coleman, Assistant Secretary for budget programs and head of Interior's Alaska task force; Curtis McVee, state director of the Bureau of Land Management; Greg Austin, solicitor for Interior; and BIA Commissioner, Morris Thompson.

Lestenkof reports that three major topics under the broad heading of implementation of ANCSA were discussed. Some progress was made and the meeting was beneficial.

First, and the most time consuming topic of the day, was the new problem that has cropped up in land selections under 14 (h) of the Act. Under that authority, two million acres of cemeteries and historical sites were to be selected by July 1, 1976, and under 14 (h) (8), what is left over will be distributed to the twelve regions.

It now seems that some villages not understanding that land under 14 (h) (1) (cemeteries)

could not have already been appropriated under another selection authority, have "toppled." The errors now have been discovered, but because the selection deadline has passed, there is no chance to make corrections.

Two regions have already succeeded in getting the July 1 date waived until Oct. 1 of this year. At the meeting, AFN requested that the same be done for all regions.

Did Kleppe agree? Says Lestenkof, "he said, 'write me' A written request is on its way.

AFN had a second major request. Under the Claims Act, the federal government withdrew lands under section 11 and was to select those lands under section 12. At the same time, public land orders were also operating which have already been extended twice, once to March, 1976 and now with the 14 (h) problems, to Oct. 1, 1976.

When those orders expire, the state under the Statehood Act, has a 90-day selection preference right during which time, AFN can take no action. However, under 14 (h) (8), Natives still have until Dec. 18, 1977 to make selections. Not surprisingly, AFN is asking that those public land orders be extended to that date also so that selections can be made under the protection of the orders. Again Kleppe said to write a letter.

The third topic of the meeting was a bit of an event, according to Lestenkof, because for the first time, at a high level, a statement was made to clear up the common confusion over the operative date to be used in identifying and administering easements.

Most people, particularly Native people, have been under the impression that if they wanted to apply for recreational easements they'd been using, they had to have been using the area prior to Dec. 1971 when ANCSA became law.

But according to the regions, it appears that local administrators have not understood this and are accepting easement applications from people who have used an area only in the last one or two years.

Lestenkof was pleased that though no official pronouncement was made, Curtis McVee affirmed the Dec 1971 date and was supported by Ronald Coleman. Lestenkof feels that in the long run, that statement will be important.

AFN and six regional corporations have filed suit against Secretary Kleppe on the issue of easements under ANCSA. That case has not yet gone to court. Meanwhile during his Alaskan trip this month, Kleppe was promising "full speed ahead" on conveyance of the lands in spite of the lawsuit. Lestenkof says that all that can mean is full speed ahead with special interim agreements between Interior and individual corporations such as Arctic Slope, which will allow land transfer while litigation hangs in the air.