

NATIVE LEADERS SEE HEARING PREVIEW OF THINGS TO COME

The initial land claims hearings passed into history last Saturday at 9:40 a.m., the third day of the three-day hearing, at the Sidney Laurence Auditorium in Anchorage.

They were chaired by Sen. Henry M. Jackson of the State of Washington and Sen. Lee Metcalf of Montana, the latter filling in for Sen. Jackson for a day and a half because of Jackson's commitment at the White House that delayed his trip.

The Committee on Interior and Insular Affairs members attending were rounded out by Sen. Ernest Gruening of Alaska and Sen. Paul Fannin of Arizona. Sen. Jackson is the chairman of the committee.

The conclusion of the hearings was generally viewed by the native leaders and their lawyers as "a preview of things to come" and "this is just the beginning."

There was also a general feeling that the Senate committee members were generally agreeable to the aims of the hearings.

Senator Jackson seemed to have summarized the feeling of his committee when he said that he wanted to pass the bill during the current session of Congress.

The bill in question is the S. 2906, the latest of the series of land bills. It is a compromise bill hammered

out by the Governor Walter J. Hickel's Land Claims Task Force, the State, and
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the Department of the Interior.

It was introduced by Sen. Gruening on February 1 by request before the Committee on Interior and Insular Affairs.

Immediately after the land hearing, Land Claims Task Force members met in Anchorage and expressed that work was just beginning.

"This is a milestone but it's just the beginning," Barry Jackson, one of the land claims attorneys told the group. "Task Force job is not over. It has just begun but things are rolling."

There was also an air of urgency that support on behalf of the native people and the bill was needed to be organized; that ways be found to raise money to finance services like lobbying in Washington, D. C. and public relations.

"I strongly urge that you get professional help along these lines," Fred Paul, claims attorney from Seattle said. "The more professional help we have, the better. I'm an old hand in trying to raise funds among the Indians and if you don't get professional help, you won't raise 25 cents."

It was generally agreed that a budget of about \$100,000 would be needed to provide adequate means of assistance toward the passage of the bill.

The Anchorage land hearing had a general effect of cautious optimism among the native leaders as well as awareness of the opposition that can develop.

Emil Notti, president of the Alaska Federation of Natives made the following statement:

"I think the Senators agree that something has to be done as soon as possible. These hearings are the beginning of the long legislative process. I'm sure there'll be hearings in Washington.

"The earliest we can expect to see a bill passage, I would think, would be six months to a year. Realistically, I don't expect action on it possibly in three years.

"The time for the native people to make a determined stand on our land is here. There has been no greater need for unified effort on the

part of the native people. The longer we wait to solve the problem, the tougher it's going to be.

"I think we can expect opposition to come from sportsmen's groups, mining groups and conservation groups. I think they'll oppose the granting of land to the natives."

"Opposition heard at the hearings is an indication of what we can expect. I think the opposition will become more refined and it has to be offset by letting the public know that a fair settlement for the native people will benefit every citizen in Alaska and will mark the beginning of true development in rural Alaska."

Testimonies at the hearings were predominantly and heavily pro-native but there were a few men who opposed the proposed land legislation and these were geologists and a representative of the Alaska Miners' Association George A. Moerlein.

Moerlein made the following plea to the Senate committee:

"...We urge you to do your utmost to quickly legislate against these native land claims and to prevent them from recurring again in the future..."

Sen. Metcalf, who was chairing the hearing at the moment, remarked:

"You're the first witness to say that we should do nothing!"

Moerlein, during his testimony, had also remarked that the native people had no moral right or legal right to a land settlement.

Phil R. Holdsworth, former commissioner of Natural Resources for the state, apparently laid his job on the line when he refuted Moerlein. Holdsworth had been hired by the Alaska Miners' Association as a lobbyist.

In his testimony before the Senate committee, Phil Holdsworth said that the miners did recognize a moral obligation.

He was fired from his job a day or so after his testimony by Leo Mark Anthony, president of the miners association, who said

Holdsworth's remarks were contrary to the position of the miners.

"Holdsworth did the natives a tremendous service and we're really disappointed at his firing," said Hugh Nicholls, first vice president of the Arctic Slope Native Association, as Holdsworth saw him off at the Anchorage airport.

"The Eskimos won't forget it," Nicholls promised.

Some testimonies may have produced some possible changes in the bill.

The provision in the bill to appoint seven land claims commissioners with salaries of \$25,000 per year met with some opposition from Sen. Gruening who said that Congress would not buy it.

He thought that they should serve on a per diem basis. William Paul, Sr., attorney from Seattle had the following to say about some of the possible changes:

"In the words of Mr. Morken (Owen Morken, Area Director of the Bureau of Indian Affairs for Alaska), 'this is a great step forward.' I think Congress will modify. First they'll do something about those seven commissioners, four of whom must be of native descent, either putting them on per diem or reducing the number.

"My personal view is that there should be some approval of this commission by the native people so that the intent of control might be assured. Another probable change will be to strike the judicial functions of this commission.

"It is obvious that the manner of appointing the commission will not assure it for the semi-judicial functions imposed on them.

"I see some difficulty for the Arctic Slope people, for already I hear some delegations speculating on obtaining lieu lands for their interior areas for its limited grounds.

"Another disappointment for the Barrow people will be the Naval Reserve No. 4 whose withdrawal seems to be protected, and while the Barrow people have the right to select (in lieu lands) elsewhere, just where is that

land located?

"The price of this legislation is the offer of 40 million acres to be selected after the state select its 103 million acres.

"Another disturbing item in the state's insistence that its tentative selection of 18 million acres be confirmed. When you take all of these withdrawals into consideration and add to that the University of Alaska and Mental Health withdrawals, we are wondering just what is left for the natives.

"After hearing Mr. Kelly's (Thomas Kelly, commissioner of State Natural Resources) glowing description of the vast amount of land already withdrawn, I'm more disturbed than ever as to the value of our bargain.

"However, we have filled the incubator with a sufficient number of eggs said to be fertilized by the state, I join with others in hoping that they all hatch."

Sen Ernest Gruening was asked by Tundra Times what the Bureau of the Budget would play in the land legislation and in connection with Outer Continental Shelf revenues proposed for compensatory awards for land settlement.

"That's the Public Enemy No. 1," Gruening quickly answered.

He thought that Interior Secretary Stewart Udall being the President's cabinet member, might be one man to approach the Bureau to make way for discussions on land legislation and the proposed revenues.

After the first day of hearings, Sen. Lee Metcalf was asked what he thought of the testimonies he heard so far.

"I thought the testimony on background history of the native people was a bit superfluous but when that testimony by the miners was given, I could see the importance of it," he said.

In all, 75 witnesses testified at the land claims hearings in Anchorage.

(NEXT WEEK: Exerpts from testimonies pro and con.)