

MILLER'S TESTIMONY SNARLS

Governor's Views May Impair Land Grants to Natives Say Attorneys

Alaska's Gov. Keith H. Miller's testimony before the Indian Affairs Subcommittee in Washington this week is being viewed by the native leaders and their attorneys as a breach of faith.

The native leaders said Gov. Miller's testimony is almost a complete departure from his predecessor the then Gov. Walter J. Hickel now Secretary of the Interior.

This week, attorneys representing native groups noted that Gov. Miller in testifying before the Indian Affairs Subcommittee of the House Committee on Interior and Insular Affairs took a position almost in direct conflict to the position Secretary Hickel assumed when he was Alaska's governor and to the position taken by the current state legislature.

In his testimony last Tuesday, Gov. Miller opposed the granting of 40 million acres of land to the natives and proposed instead that each village be granted one to four townships or a maximum of 10 million acres.

This was seen as drastically less than the 40 million acres supported by Hickel when he was governor and by the current state legislature. It is also much less than the 27 million acres proposed by the Nixon administration.

In addition, Gov. Miller opposed the granting to the natives of leasible mineral rights including oil and gas under the land and he suggested that the state be able to select these minerals.

This, too, is contrary to the position taken by former Gov.

Hickel and by the current state legislature.

Gov. Miller also testified that reservation land not be granted to the villages now in the reservations, for example, Tetlin or Venetie; but that the villages be limited to the one to four township concept.

Attorneys for the native organizations are fearful that the State will take almost all of the Tetlin reservation land as it has already selected the land on the Tetlin Reservation borders.

In further testimony, Gov. Miller told the members of the subcommittee that urban natives should not receive any land other than through means of the present Native Allotment Act.

The attorneys stated that this will in effect prohibit the urban native from obtaining land as the Native Allotment Act is very restrictive since it requires use and occupation of the land.

Contrary to the desires of the Alaska Federation of Natives, but in harmony with the Nixon administration, Gov. Miller testified that a majority of the directors of the native business corporation should be selected by the federal government until the year 1991.

At that time, the governor

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said, the majority could be selected by the natives themselves.

The AFN had asked that the native people be immediately empowered to select a majority of the directors, and Hickel, when he was Alaska's governor and the current state legislature had concurred.

It was noted, however, that Gov. Miller did support the grant to the natives of \$500 million, payable as follows:

—\$100 million the first year and \$50 million a year for the next succeeding eight years with interest.

This position is in agreement with the native position, as is Gov. Miller's support of distribution of the money to state and regional native business corporations.

He also supported the AFN's request not to repeal the Native Allotment Act.

The attorneys believe that Gov. Miller's testimony will substantially impair the chance of obtaining a grant of more land than the proposed by the Governor.

The lawyers believe that if Miller had supported what Hickel had supported when he was governor that the native land claims could still result in a fair land settlement.

The attorneys further pointed out to the fact that Miller's position resulted in a grant of only 3 per cent of the entire land encompassed by the State while while the natives had claimed

virtually all of the State and the Federal Field Committee had found that the natives could prove use and occupation of almost all of the state.

This change of position by the state administration as exhibited by Gov. Miller's testimony is being viewed by the native leaders, according to the attorneys, as a breach of faith with the commitment made by the then Gov. Hickel to the native people at a time when the State and the natives were to be united in obtaining a fair and just settlement of the land claims of Alaska's native people.

The natives of Alaska are asking for 40 million acres out of the state's 375 million acres. In comparison under the Statehood Act, the State was awarded 103 million acres now in the process of withdrawal.

In his testimony this week, Congressman Howard W. Pollock pointed out:

"Set out against a map of Alaska, the grants of land to the Alaskan native villages do not appear overwhelming. Certainly they are far more reasonable when viewed in relationship to those lands which the native people through their protests, claim they historically have used and occupied throughout history."

Also in his testimony this week, Secretary of the Interior Walter J. Hickel proposed that Alaska natives be awarded 27 million acres.