"I may not agree with a word you say but I will defend unto death your right to say it." — Voltaire

Tundra Times

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Guest Editorial—

Unfair Allotment Ruling

By JOHN SACKETT

When traveling back to Washington, D. C. recently, a statement was made to us by one of the leading Indian leaders in the lower states which is ringing truer every day. The statement was that although we, as natives in Alaska, have received a substantial amount of money from Congress under our settlement, the majority of that money would be used in fighting the Department of Interior in retaining the lands that we originally felt we owned.

As time is developing, we are finding that due to the interpretations the Department is now placing on the intent of the act we are definitely spending a larger portion of our monies in meetings, travel and litigation costs fighting the same entity who legally is the "guardian" of us natives.

Substantial time was spent working on rules and regulations that we felt we could live with in implementing the act. The Department finally issued a set which is now partially acceptable and this took one year and three trys. We felt that we were about to make progress in implementing the act when very recently Under-Secretary Jack Horton, presumably a friend of Alaskan natives, issued a memorandum with stipulations which will literally wipe out 60-75% of all existing native allotment applications. How much longer will we as Alaskan natives, have to fight the Administration in the Department of Interior? Obviously we have only begun fighting.

The memorandum referred to was issued to the Bureau of Land Management on June 6, 1973 under the signature of Jack Horton. In the memorandum, new direction and regulations were issued which changed and tightened the original rules under which all of us filed

For example, the BLM is now accepting applications as being valid on the date of filing rather than on the date of use. This eliminates all of the Rampart Dam Withdrawal area in addition to all withdrawn areas before December 18, 1971. Applicants can also no longer apply for a total of 160 acres of four 40 acre tracts for such areas as fish camps and trapping cabins. These are cut down to approximately 5 acres, thereby losing 35 acres on each tract. Additionally, the different criteria that must be shown to prove use and occupancy are now so strict that many people will never qualify.

All of these new regulations are meant to stop alleged "rip off" by Alaskan natives of land that supposedly they never used, and it is all being done under the umbrella of reasoning that the Secretary has the "discretion" to do whatever he pleases in this particular area.

Many of us are not in any knowledgable position to know if indeed some people are taking advantage of the existing law. However, it is very apparent that the new rules are so strict that our people who do not know how to read and write and are unsophisticated in BLM procedures are the ones who will hurt the most. These unfortunately are the ones who will have their applications denied and won't even know how to appeal the decision by the Department.

A continued fight through the courts will be necessary. At the present time, the Alaska Legal Services and the attorneys for the different regional corporations are looking at all ways to stop the present guidelines from being implemented. The fight is going to be difficult, but, like in all other areas we must continue to uphold the rights that were originally given to us by Congress.

Lost VISTA Volunteer And an Old Eskimo

Strange Encounter Leads Into Extensive Analysis of the Alaska Native Claims Settlement Act

Land's End Village
State of Alaska
July 23, 1973

Dear Howard,

I have been thinking about the last letter I wrote to you about the corporations and what they can or should do according to AN ACT. Talking with my friend Wally Morton about these kinds of things like stockholder's rights, the responsibility of the board of directors, and corporation charters has been very interesting for me. Even though I am an old man, I am still very curious and like to know how new things work. But what troubles me is the fact that I don't seem to have much of a choice about the whole process. I have to learn about corporations out of self-defense, not because I am necessarily interested in them.

I asked Wally if it was better to be a resident in a village or a stockholder in a village corporation. He said it was a silly question because I could be both and if I didn't want to be a stockholder I didn't have to enroll as a Native. I had to remind him, and myself too, that I was a Native regardless of whether I had enrolled or not. But then we both began to realize that maybe this was not going to be quite so true in the future. After all in 20 years anyone will be able to buy stock and become a shareholder in these "native" corporations, while "Natives" being born in the next 20 years aren't Natives according to AN ACT. But all of these benefits that we Natives are supposed to be getting by being allowed to enroll ourselves as stockholders in Native corporations are based on the taking of what was ours originally. It belonged to all of us and all of our children and it was worth far more than all of these dollars we are supposed to receive.

You see what is bothering me, Howard. I have never been a person who has been afraid of progress, even though many times I prefer the traditional ways of our fathers. To me every change must be checked to see if it will be better or worse than what it is to replace. Change is not always progress. AN ACT is bringing many changes to our way of life and I fear that not all of them will be helpful for our people. The sad part is that we had a better chance to deal with mechanical things like airplanes and snow machines, than with the changes that this piece of paper, AN ACT, is bringing so quickly to our villages. It is almost like a disease that will pass over us for 20 years and leave no living Natives in its wake.

Your friend,
Naugga Cunerput