

# Congress passes 1991 legislation

by A.J. McClanahan

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After years of debate, the bill to protect Native lands beyond 1991 has been passed by Congress and will be sent to President Reagan for his consideration.

The bill passed the House Monday morning by a roll call vote of 397 to 9. It passed the Senate at 1:30 a.m. Tuesday morning by a unanimous voice vote.

Sen. Ted Stevens, R-Alaska, said he was very pleased the bill passed and added that the victory was due in large part to hard work by staff members.

He said certain tax provisions in the bill were removed "when it got down to the wire." That led to what he term-

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*—Congressman Don Young*

ed a breakthrough in the Senate. "It was very significant to get it passed in time," he added.

Stevens pointed out that he and Congressman Morris Udall, D-Ariz., are the only two members of Congress left who were on the conference committee for the Alaska Native Claims Set-

tlement Act of 1971. He said that gives him particular pleasure in extending stock alienability now to protect the land.

Besides staff members, Stevens also credited Congressman Don Young, R-Alaska, for his "courageous decision" to go for a vote in the House.

"A lot of people helped us. It worked out very well," Stevens said.

Young called the process of getting the bill passed "real nicks and tucks," adding the timing — in December — and the years of work in getting it passed reminded him of ANCSA.

The congressman called the work to get the bill a team effort. "It will keep us from being divided. And that's something I've been trying to do all along."

Young predicted Reagan will not veto the bill because of the strong congressional support. He said, however, that it's going to be a close call because Interior Secretary Donald Hodel is

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very much opposed to it. Hodel believes that Alaska Natives should be able to benefit from their individual shares of stock by selling them in 1991, when the stock would become alienable if the 1991 bill fails.

Even if the president did veto the bill, both Young and Stevens said there are enough votes in both houses to override.

George Irvin, Alaska Federation of Natives vice president, said he was delighted with the bill's passage by Congress.

He said AFN "owes a real debt of gratitude" to Alaska's congressional delegation, to the committee chairmen in both Houses, Congressman Morris Udall and Sen. Bennett Johnston, D-La., as well as Congressmen George Miller, D-Calif. and Bruce Vento, D-Minn., and Sen. James McClure, R-

Idaho.

Irvin said if the bill gets White House approval it will mean significant protections for Native lands.

"It's a major public policy action by the Congress to refine the terms of the original 1971 settlement," Irvin said. "This major victory will allow AFN to turn its attention to other critical issues facing the Native community. These include human services, family and community problems, subsistence rights, tribal governance, economic development and alcohol and drug abuse."

The bill contains most of the original goals of AFN, as expressed in the eight 1991 resolutions passed in March 1985. Left out of the bill, however, was a provision to provide for the transfer of lands to other entities, such as tribal councils, as well as an exemp-

tion on federal gift taxes for the conveyance of stock to family members.

Included in the bill are these major provisions:

- Automatic extension of alienability restrictions on village and regional corporation stock. Included is a provision, however, that authorizes the board of directors of any regional corporation or any village corporation within the Bristol Bay and Aleut regions to decide within one year of the bill's passage that they want to call for a vote of their shareholders to extend stock sale restrictions. Any corporation that decided to seek a vote would then be required to pay for the stock of their dissenters.

- A stock repurchase option, allowing a corporation to buy back shares of stock from non-Native shareholders who inherit stock.

- Authorization to issue shares to new Native children, those who were missed in the 1971 enrollment, as well as a the option to give special to Native elders.

- Extension of voting rights to descendants of Natives who inherit shares.

- The automatic land bank protections to protect undeveloped Native lands from loss due to bankruptcy, bad debt, taxation or squatters' rights.

In addition, the bill contains a provision to authorize corporations to "recapitalize" by issuing alienable shares of stock on the open market or to the corporation's shareholders that could have limited voting rights. And, it includes the option of a state registered settlement trust as an alternative organization which could receive transfers of surface land.