

ASNA Protests

The Arctic Slope Native Association is trying to block approval of an application by the State of Alaska for a highway right-of-way to the North Slope.

The application, which was filed with the Bureau of Land Management January 8 by State Attorney General John Havelock requests the right-of-way for a highway to be built under state auspices and permission to extract gravel for use in construction along the road route.

The ASNA protest, which was filed Monday with the BLM, contests the right of the state to build such a highway "over ab-

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original held lands without the consent of the Eskimo owners thereof." It holds that the highway to be built is actually not a public one, but a device to use state resources to aid private people.

"As for the minerals, the Bureau of Land Management has no authority to give away the gravel to the state," according to the ASNA.

ASNA attorney Frederick Paul prepared the formal protest which was countersigned by executive director Charles Edwards, Jr.

The complete text of the ASNA protest is as follows:

-1. The Arctic Slope Native Association has received from the office of the Attorney General of Alaska a copy of the State's application for a right-of-way and free mineral resources for a public highway along a described route, the application being in letter form and dated January 8, 1971.

-2. The Arctic Slope Native Association is composed of all of the Eskimos of the Slope north of the watershed of the Brooks Range, including its constituent bands, tribes, people, individuals and villages, including the "Native Village of Barrow", a federally chartered corporation.

-3. The Arctic Slope Native Association owns all of the land, including minerals, north of the watershed of the Brooks Range by virtue of immemorial use and occupancy.

-4. The Arctic Slope Native Association does hereby protest said application.

-5. Said application was filed without authority and is an ultra vires act of the State officials.

-6. Said road is not a public one.

-7. The State's application is one to utilize state powers and resources to aid private people and therefore is illegal.

-8. If indeed it be a public road, the State has no authority to construct a public highway over aboriginally held lands without the consent of the Eskimo owners thereof.

-9. As for the minerals, the Bureau of Land Management has no authority to give away the gravel to the State.

-10. As for the minerals, the Bureau of Land Management has no authority to sell the gravel belonging to the Eskimos of the North Slope.

Wherefore, the Arctic Slope Native Association prays that said application be denied.

/S/ Frederick Paul

Attorney for the Arctic Slope Native Association.