

Indian policy review report has Alaska section

The first comprehensive review of Indian policy undertaken by the Federal Government since 1928 has been completed and is now in the hands of the U.S. Congress, it was revealed this week by John Borbridge Jr., President of the Sealaska Corporation.

Borbridge, one of the five American Indian Commissioners named by Congress to serve on the 11-member American Indian Policy Review Commission, said that the Commission's investigative work was completed with the delivery of its final Report to Congress on Tuesday, May 17.

At the urging of Indian leaders, with the support of Congress, President Gerald Ford signed Public Law 93-580 on January 2, 1975, calling for formation of an 11-member Commission to conduct a comprehensive review of the historical and legal developments

underlying the Indians' unique relationship with the Federal Government. Six are members of Congress, and five are Indian Commissioners, selected from names submitted by Indian tribes and organizations.

First Serious Look

"It is the first serious look at the problem facing American Indians in half a century," said Borbridge, who explained that the Report accomplished two major requirements:

--"First it detailed the nature and the scope of revisions needed in government programs and policies concerning the Indians.

--Secondly, the Report presented to Congress specific recommended legislative remedies to the problem areas defined," he said.

Borbridge, the only Indian member from Alaska and the West Coast, reports that he was successful in his requests for

including a Special Joint Task Force on Alaska Natives Issues, and a special section on Alaska, including recommendations specifically pertinent to Alaska.

Following the instructions of Congress, the Commissioners undertook a thorough analysis of the Constitution, treaties, statutes, judicial interpretations, and Executive Orders to review the relationship of the Federal Government and Indian Tribes and the land and other resources they possess.

The policies, practices and structure of the various Federal agencies, including the Bureau of Indian Affairs, were probed by the Commissioners.

Alternative Elective Bodies

A prime responsibility of the group was to explore the feasibility of alternative elective bodies which could fully represent Indians at the national level of government to pro-

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vide Indians with minimum participations in policy formations and program development. Included was consideration of alternative methods to strengthen tribal government and assume fundamental rights of individual Indians.

The final Commission Report was submitted to the Speaker of the House, Tip O'Neil, and to President of the Senate pro-tem, James Eastman, on May 17. Among its recommendations were several calling for improvements in the administration of the Federal Trust responsibility to American Indians.

Enhance Trust Resource

Enhancement of Indian Trust resources and tribal government was urged, with the government called upon to maintain the highest standards of care and good faith consistent with the principles of common law trust. The recommendations included appointment of an Independent Prime Agent, in the Executive branch, who would be responsible for administering the trust.

The report recommended giving tribal governments the same status and responsibilities as other local governments, and establishing them as equal to

state governments in Federal domestic assistance programs.

The Commission called for more efficient organization of the Bureau of Indian Affairs, including transfer of management responsibilities to tribes, at the local level. It also recommended combining all Federal and Indian related agencies into one independent agency, the Department of Indian Affairs.

Future legislation should require the Interior Department to provide full, annual fiscal accounting of all Federal Indian programs, and establish Committees for Indian Affairs in each House of Congress, or in the form of one joint committee.

Improvements in tribal economic development, tribal fisheries management, child placement and medical and social services were also urged.

All American Indians (Which includes all Alaska Natives), should be included in all Federal programs, the Commission stressed.

Special Alaska Section

The Special Section on Alaska initiated by Commis-

sioner Borbridge, called for improvements in situations unique to Alaska's Native population.

Congress should enact legislation prescribing the order of preference in which applications for benefits under Federal Laws and programs will be received from the several kinds of Alaska Native organizations qualified as applicants. This legislation should confirm the Central Council of the Tlingit and Haida Indians of Alaska as the general and supreme governing body of a single tribal entity, recommending that similar groups such as the Tanana Chiefs Conference enjoy the same status.

Limited Easements

Proposed legislation would limit easements on Settlement Act lands definitely defined easements across such lands and at periodic points that are necessary under treaty obligations and to provide access to public lands.

Limitations on environmental impact statement requirements were called for and a December 31, 1978 deadline for conveyances of Settlement Act lands was proposed.

Congress was urged to honor its promise to advance payments to relieve the adverse impact to Natives due to delay in construction of the Trans-Alaska pipeline.

The Commission also stressed the Native's right to make use of their lands for subsistence purposes without reference, and suggested exemption from state and local taxation for lands that are undeveloped, leased or unproductive.

Congress was asked to determine whether tax exemptions and the period of inalienability of stock currently provided by the Settlement Act should be provided.

Clarification of interpretation of revenues under Section 7(j) revenue sharing, of the Settlement Act was requested.

Job Is Not Over

"The job is not over yet," said Borbridge, who indicated that the next move is up to both houses of Congress, and that the appropriate committees of the Senate and the House of Representatives now have two years, or less, in which to report progress made to either the President of the Senate or the Speaker of the House of Representatives.

"There is no doubt in my



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mind that this exhaustive Report will help chart the next century of Federal-Indian Relationships. I am pleased and honored to have played a part in providing the framework for our future. What happens from here on will depend on the united effort of the Native Americans, the concerned non-Indians, and, of course, the Congress," Borbridge concluded.