which the area was established, the Service will attempt to negotiate with the owner for the acquisition of the property in order to eliminate a use or avoid development of a use adverse to the management of the area.

In the event all reasonable efforts at negotiation fail, and the owner persists in his efforts to devote the property to a use deemed by the Service to be adverse to the primary purpose for which the area was established, the United States may institute eminent domain proceedings to acquire the property."

The possibility of the government nullifying Native use of Native lands by these methods may seem remote, and it probably is. Still, this is one of those fine points of land use policy that rural Alaskans should consider when they present d-2 testimony.

At present time, subsistence remains the main land use practice of Alaska Natives. Even though many supporters of large parks and wildlife refuges are sincerely trying to find ways to protect this use of the land, careful attention should be paid to how this protection is to be established. The National Park Service has been trying to develop a subsistence policy for use on its lands in Alaska. Although this policy has not been set down in final form, it contains some provisions that may do more harm than good to subsistence land users.

"The Secretary of the Interior recognizes the dependency of many rural Alaskans upon subsistence activities taking place on lands currently proposed as additions to the National Park System. Therefore, except as may otherwise be prohibited by applicable state or federal laws, local residents in the vicinity of a new parkland making customary and consistent use of subsistence resources within such parkland at the time of enactment of the Alaska Native Claims Settlement Act(ANSCA) and thereafter, will be permitted to continue these resource uses for as long as is necessary to supply their primary needs of food, shelter materials, firewood, clothing, and traditional handicrafts.

The resident direct descendents of such qualified local residents, and the resident spouses of such descendents, will also be eligible for subsistence use permits for the taking of subsistence resources within new parklands established pursuant to ANSCA."

This statement is undoubtedly well-intended. However, the lan - uage in the policy raises many questions that should be resolved by Congress at the time the parks are created, not answered by the Park Service or other agencies after the legislative battles have faded into history. For example, would Native people who attend college or enlist in the Armed Forces or decide to try a different way of living away from home be able to return and hunt and fish the way they did before they left? How does this policy statement affect the religious or other culturally-related uses of fish and game? Another problem is that this policy leaves wide open the possibility that the Alaska Department of Fish and Game, with its policy of dividing fish and game among urban and rural hunters, might try to severely cut back subsistence hunting.

Congress does have the power to establish land use policy for the d-2 lands that takes into account the needs of rural people. We cannot emphasize enough that Congress has the final say in this massive legislation; these crucial land use decisions do not have to be left in the hands of administrators and bureaucrats. It is Congress which can through the d-2 legislation, alter the traditional land management policies of federal agencies enough to protect the choices that Alaska Natives of TODAY need in order to survive the impact of unavoidable change. **–J.R.R.**

Editorial —

Will the d-2 Lands Remove Subsistence/Development Choices for Natives ?

Since the debate over classification of National Interest (d-2) Lands began heating up early this year, the Alaska Federation of Natives has stressed the importance of allowing Native people to leave open land use options.

The idea behind this approach is that many Native corporations and village councils should not be rushed into committing themselves, absolutely, to either subsistence or development. Subsistence use of the land should have priority, but Native-sponsored resource exploitation should not be blocked by strict federal land policies before it even has a chance to prove itself compatible with more traditional Native social and cultural values.

When AFN decided not to propose its own d-2 bill in Congress, it indicated that Rep. Morris Udall's 114-million acre park plan was the most reasonable to work with. Native leaders are satisfied that they can amend the Udall bill enough to achieve their d-2 goal: keeping both development options and subsistence options open for Native people.

Taking a look at the traditional policies of Federal land agencies and some of the changes in those policies proposed for Alaska, it is not difficult to imagine that Natives may have difficulty hanging onto both subsistence and development options unless Congress wakes up to the realities that face Alaska Natives today. Most communities in rural Alaska still depend heavily on fish and game to satisfy cultural and economic needs. Still, if competition for food resources continues to increase, Natives may be forced to turn more to their corporations for "bread and butter."

This would require these corporations, in many cases, to develop the natural resources of their private lands to produce the dividends needed to eat and prosper above the poverty line.

Generally, the policies of the National Park Service and the U.S. Fish and Wildlife Service prevent developers from building roads, pipelines or other resource transport networks across the lands they control. This c uld present problem enough for villages and regions whose lands are completely surrounded by park and refuge proposals. This is the case in many areas of the state, regardless of which d-2 proposal you are looking at.

The problem of developing and transporting resources out of the regions gets even stickier. In most cases, when new federal conservation reserves are set aside, the management agency is given the authority to purchase private lands within or beside the reserve boundaries. This is done to maintain or improve the values that the park was created to protect. What it means is that some regions or villages might be put under pressure to sell their lands back to the government!

It is also possible that these agencies could take these lands away, if Natives refused to sell, by exercising the federal government's authority of eminent domain.

As an example, this procedure is set forth in existing policy of the National Park Service:

"1. The Service will welcome offers from the owners to sell private properties to the United States, and it is hoped that the owners will give the Service first opportunity to purchase them. If an owner wishes to sell his property outright, the Service would be glad to negotiate on that basis; or, in the alternative, on such other basis as may be authorized in the applicable legislation relating to the retention of use and occupancy rights by the owner for a given number of years or for the remainder of his life and that of his spouse.

2. The Service will not seek to acquire private lands without the consent of the owner, so long as the lands continue to be devoted to acceptable use--such as for modest homesites, ranches, eating establishments, or lodges. This also applies to any future owners of the property so long as the properties continue to be used for the same purpose.

3. If existing incompatible uses persist, or if present compatible uses of property are to be changed, and the properties are to be changed, and the properties are to be devoted to new and different uses not compatible with the primary purpose for