

AFN BACKS UDALL BILL

Natives will seek changes in HR39

By NANCY HARVEY
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The Alaska Federation of Natives has decided not to develop their own D-2 legislation at this time, but to seek amendments to the bill introduced by Representative Morris Udall of Arizona.

AFN President Byron Mallott told the Tundra Times following a board of directors meeting last week with Steward Udall, who has been hired by the Federation to look out for their interests in Congress. Stewart is the brother of the Arizona congressman.

According to Mallott, it is the feeling of the board that Congress will use the Udall bill as a starting point in its effort to classify millions of acres of public interest lands in Alaska.

Congress has until December of 1978 to determine the future of federal d-2 lands.

The Udall Bill (H.B. 39) titled the Alaska National Interest Lands Conservation Act, calls for the inclusion of 114 million acres of land into the National Park, National Wildlife Refuge, and National Wild and Scenic River Systems. The bill would also authorize the President of the United States to add lands to the Tongass and Chugach National Forests by executive order.

Subsistence Protection

Already somewhat in the tune with the AFN D-2 position, the bill calls for protection of subsistence resources as well as giving local residents a voice in subsistence resources management.

The AFN Board also reaffirmed their commitment to protect all existing subsistence rights of Alaskan Natives. At D-2 meetings held in February, Mallott told Governor Hammond and Alaska's Congressional Delegation that subsistence needs of Alaskan Natives must be protected by clearly establishing subsistence as the priority use of fish and wildlife, and by offering protection and sound management of subsistence resources and habitat.

The AFN D-2 position also states the need to protect development options of Native Corporations. "We are very concerned that D-2 legislation not limit economic development on Native lands by very restrictive classifications," Mallot said.

And, this could prove to be a potential area of contention between Alaska Natives and supporters of the Udall legislation. Udall's bill calls for the 114 million acres to receive an "instant wilderness" classification, thereby closing them to development or exploration. After closer study, certain areas would later be "de-

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classified" to permit resource development. In some areas this might frustrate, for some time, Native corporation attempts to explore for oil and minerals, and to develop the timber industry.

Implement Claims Act

Another important concern of the AFN Board is the implementation, or lack of implementation, of the Alaska Native Claims Settlement Act, according to Mallott. Through D-2 legislation, AFN hopes to ensure the Settlement Act is "properly and speedily implemented".

"We will present a strong case to Congress that the Federal Government has blown the implementation of the Alaska Native Claims Settlement Act," Mallott said, "And we will insist that Congress rectify this."

One area of the act which could be affected by D-2 legislation is the issue of taxation of Native lands. Terms of the Settlement Act stipulate that Native owned lands are not taxable until 1992, except for lands leased or developed. The AFN Board directed efforts be made through D-2 legislation to ensure Natives are not dispossessed of their lands by future taxation.

Alaska Land Bank

Along these lines one AFN Board member suggested there might be a change in the status of the proposed Alaska Land Bank. Originally intended to be open to any owner of fee simple land in Alaska, the land bank may now be limited to Native owned lands.

The land bank concept as it is now written to be included in D-2 legislation, would give Native corporations the option of "banking" up to 80% of their lands for future use and development.

Lands in the bank could not be used for development, although they could be used for traditional purposes. Land could be withdrawn for development at a rate of no more than 25% every five years. Land contained within the bank would not be subject to state or local real property taxes or adverse possession.

Commenting on other D-2 interest groups, Mallott said, "We aren't concerned with State or CMAL (Citizens for Management of Alaska Lands) legislation." But he went on to say, "We will use any appropriate vehicle to advance what we want."

HASTY Position

Three of the top four elected Alaska officials have reached a consensus on the D-2 issue. Sometimes called the HASTY (HAMmond, STEvens, YOUNG) position, the proposal calls for a total of 79 million acres to be set aside for public interest uses.

Of the 79 million acres, slightly less than one-third would be designated as "core" areas to be included in the National Parks, Wildlife Refuges, Forests, and Wild and Scenic River Systems, in the year 2000. The remaining 55 million acres would be classified as Alaska National Lands, "buffer zones", to be open to diversified uses under the direction of an Alaska Land Commission.

The lands would be managed by existing federal agencies such as the National Park Service, Forest Service, and Fish and Wildlife Service.

The proposed Alaska Land Commission would consist of eight members, four appointed by the

President and four by the Governor. Under terms of the proposal, one federal appointee must be an Alaskan Native. The Commission's major duty would be to oversee and direct specific management of the core areas, buffer zones, and land cooperatively managed by state and private landowners.

Both the Governor and Secretaries of Interior and Agriculture (in specific cases involving forest lands) would retain a complete veto power over the Commission when dealing with disputes involving State and Federal lands respectively.

Senator Mike Gravel differs with some provisions of the HASTY position and has yet to give the proposal his support. Gravel feels the proposal is an extreme reaction to the Udall bill, and a compromise should be reached somewhere in the middle. While he agrees with the amount of acreage proposed for the core areas, Gravel feels the lands should be included in the National Systems immediately, instead of waiting until the year 2000.

CMAL for Multi-Use

Although they have no formal legislation as yet, CMAL advocates a multi-use concept for Alaska lands. They suggest lands be managed to produce both basic needs, such as food and shelter, as well as secondary needs, such as recreation. CMAL further believes that stable land ownership and management practices should be paramount to any decision relating to Alaska's land and resources.

What is the next step for AFN in the impending D-2 battle? According to President Mallott it is the preparation of specific amendments to the Udall legislation by the time D-2 hearings begin in Alaska.

The General Oversight Subcommittee on Alaska Lands, of the House Interior and Insular Affairs Committee, has scheduled D-2 hearings for July and August in Alaska. It is expected that as many as 30 Congressmen will visit the state during those months to gain an insight into Alaskan's views on the controversial D-2 issue.
