

Lundgren Employs Minorities

James Lundgren, candidate for the State House and president of Pacific Construction

New State Law . .

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Willard gave this as an example: An individual instituting an action against a company to redress racial discrimination can maintain a class action and obtain relief as to all members of his class, including those in other departments.

This legislation was originally drafted by Alaska Legal Services Corporation attorneys and jointly introduced in the first session of the sixth state legislature by Senators Joe Josephson, Nick Begich, Brad Phillips and John Rader—all of Anchorage, and Terry Miller of Fairbanks.

It passed the Senate April 7, 1969, by a vote of 19-1, and the House on May 11, 1970 by 29-9 tally.

Willard said the new statute serves three basic functions:

(1) An individual will be free to pursue his own remedies rather than rely upon Commission action in cases where the Commission is unable to give his problem prompt attention;

(2) Class actions directed at patterns or practices will be permitted, rather than requiring enforcement to focus on individual or isolated acts; and

(3) The Commission's enforcement powers will be strengthened by the power to intervene in broad scale attacks upon discrimination.

Willard said the new legislation is "really a landmark in dealing with acts of discrimination."

The State Commission exercises jurisdiction over all violations of existing State anti-discrimination laws.

Specifically, its jurisdiction relates to discrimination in employment, whether by an employer, labor organization or employment agency; places of public accommodation; housing; financial practices and state operations.

Prior to the implementation of the new law, prime enforcement responsibility was vested in the state commission.

The commission, upon receipt of a complaint from an aggrieved individual or upon its own motion, would initiate informal proceedings to achieve conciliation; and if appropriate, issue a cease and desist order against the individual or firm.

In such proceedings the commission, and not the complainant, would exercise control of the presentation. The complainant or the respondent had the right to seek judicial review as to the commission's action.

The enforcement of the cease and desist order may be judicially obtained, but only at the insistence of the commission.

In addition, enforcement had to be through criminal prosecution of a person who engages in action prohibited by the substantive provisions of the anti-discrimination law.

"Now, with the new law," Willard said, "it speeds the process of resolving a complaint of discriminatory conduct and ensures that it never occurs to other minorities after the case is settled."

Willard concluded by stating that the new law does not disengage its present powers to receive, investigate, and resolve complaints of discrimination as it has in the past.

He said that further information on this or other related statutes should be brought to the attention of the Alaska State Commission for Human Rights, 338 Denali, 520 MacKay Building, Anchorage 99501.

Company, Inc., was recently commended for the company's minority employment on an FAA project in Nome.

All of the company's 13 employees on the project were reported to be members of a minority group.

"The 'minority' work force is truly reflective of the major population in the Nome area," William A. Bradshaw, Jr., chief of the Civil Rights Staff of the

FAA, wrote Lundgren.

"Our congratulations on a job well done," he concluded.

Bradshaw explained in the letter that each month the FAA's resident engineer sends to the FAA contracting officer an Administration and Labor Compliance Inspection Report reflecting the total work force—broken down into minority groups and job categories.

Land Protection . .

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land claims issue is settled.

He reemphasized that position Monday. "We want a total freeze on the whole state until the problem is resolved," he said from Anchorage.

He stressed that the AFN opposes any lifting of the freeze until the natives are dealt with fairly—including a partial lifting tentatively proposed by Hickel.

Notti was in Washington the last of September with an AFN delegation while the land claims issue was under consideration by the House Interior Committee. (Tom Richards, Jr. worked as a staff writer for the Tundra Times in 1968 and 1969. He is now stationed in Washington, D. C. with the U.S. Navy. All of the following comments by native leaders were reported to the Tundra Times by him.)

In the event that the AFN doesn't succeed in its efforts to maintain the freeze, Notti indicated in Washington that a partial extension of the freeze could be implemented.

If so, "We would like to have some input into the regulations on how the land freeze is extended in order to minimize the areas of conflict before these rules are implemented..." he said.

The state has already made it known that it plans to have selected a major portion of the remaining 65 million acres allotted to it under the Statehood Act by the time the land freeze is lifted. Some of these selections might well come in conflict with native claims to the land.

Protection of native interests in the event that the claims issue is not settled in Congress prior to the lifting of the freeze was jointly discussed in Washington by the AFN Board of Directors and Secretary Hickel and his special assistant, Morris Thompson.

John Borbridge, first vice-president of the AFN reported after the meeting, "Indications were given that the matter of protecting Native interests when the freeze expires is being given consideration by the Secretary although no formal draft of a proposal has been developed as of this date." (Sept. 27)

The Secretary agreed, Borbridge added, with a suggestion that it might be in the best interests of all concerned if the Natives were to have an opportunity to make some suggestions that might be incorporated in the freeze.

Visiting in Anchorage Oct. 7, Hickel said that if the freeze is lifted partially, the federal government would maintain a complete freeze on about 40 million acres surrounding native villages. This action would be designed to protect the land that the Interior Department feels the natives are entitled to under the administration's bill.

The freeze would be in effect until native villages complete their land selection under legislation passed by Congress.

The Interior Department is supporting a settlement of \$500 million in cash and 10 to 12 million acres of land. The na-

tives have requested a land settlement of 40 million acres, and there have been some reports that the House Interior Committee is seriously considering such an award. The recently passed Senate bill provides only 10 million acres of land.

Also speaking in Anchorage, Hickel implied that he believed the partial freeze would give native claims sufficient protection to allow a federal court to lift an injunction obtained by Stevens Village barring construction of the pipeline and the haul road over land claimed by the village.

The pipeline project is also blocked by a federal injunction obtained by conservationists. Hickel said that he expected to receive within 60 to 90 days a new application to build the pipeline from the newly organized Alyeska Pipeline Service Company.

He added that he expects this new application to have the necessary information to convince the conservationists that the pipeline will not harm the environment and to enable the Interior Department to issue a construction permit.

Notti said that if the natives did not feel their claims were being protected under a partial freeze, a final alternative would be to seek legal stoppage of action to dispose of native claimed land.

"According to legal opinion, because of the 9th Circuit Court decision and because of the protests that are on file in the Secretary's office, we would at least be entitled to a hearing to determine the facts before land is given to those people who have filed on it and that includes the State of Alaska."

The Ninth Circuit Court in San Francisco ruled that natives have a right to be heard on the extent of use and occupancy of land as a basis for claiming ownership of it before ownership of the land can be determined by a court.

When Native leaders discuss this issue in Anchorage Oct. 15-17, chances are fairly strong that a freeze of 40 million acres will not be acceptable to them as a means of protecting the 40 million acres they are requesting from Congress.

Also on the agenda of the convention is the election of officers. Emil Notti said Monday that he is 99.99 percent sure that he will not run for reelection. Likely candidates, he added, are John Borbridge, Jr., now first vice president of the AFN, and Willie Hensley, former executive director of the AFN and candidate for the State Senate.

Notti added that the convention delegates will also discuss strengthening the Alaska Native Political Education Committee.

A thousand copies of the Oct. 14 issue of the Tundra Times has been purchased by the AFN for distribution at the convention.

Barrow Problem . .

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ther problems, the deliveries to all of the remaining villages will be made and one of the three ports reached the first part of November.

Emphasizing that he was making no promises, Richmond said that the bureau hoped to then deliver the bulk of the freight to Barrow the last of November.

How the goods will move from the Alaskan port to Barrow is still in the air.

Although the cost of various transportation methods is still under investigation, the area director speculated that the goods might go by rail or truck to Fairbanks and by air to Barrow.

If the freight must be flown commercially, then the amount will largely depend on funds that the BIA is able to secure for that purpose.

Igtanloc said that Richmond made it clear at the meeting that the Bureau wants to airlift the materials at no additional cost to the individuals who have orders on the ship.

The Barrow residents could not bear any additional cost, he added.

The councilman added that the North Star is self-supporting with the revenue made on the freight shipments paying for the operation.

Reportedly the Governor has been asked to make the Air National Guard available for airlifting the freight north.

Richmond said he had heard the reports but that he was not counting on such assistance until he saw the planes on the runway.

The Barrow council is hoping, Igtanloc said, that the guard will help out because then possibly all of the goods could be shipped up, not just the perishable items.

The BIA has said, he added, that it will get the perishable goods there but that if done commercially, delivery of the freight will depend on money available.

The city feels that all of the freight is essential, Igtanloc said, not just the food.

In addition to food and other individual orders, materials for additional classrooms, two water trucks, school supplies, and goods for two of Barrow's three general stores are on the ship.

The classrooms, Igtanloc said, are needed for kindergarten classes. These classes are now meeting in three shifts in an education building of a church.

Also, he added, the town needs the additional employment that construction of the classrooms would have provided. Some 30 to 50 men would have been employed for about two months on the job—previously scheduled to commence in September.

Richmond told the council that it would be up to the BIA Division of Plant Design and Construction in Albuquerque, N. M. to decide whether to airlift the building materials up and that he is awaiting an answer from there.

The water trucks, Igtanloc stressed, are needed so that Barrow Utilities can deliver water from the treatment plant to the townspeople.

In the past people have hauled ice from a lake 3½ miles away, but water obtained from melting this ice must be boiled before use.

"The water trucks would mean that we could have clean, pure water and would also generate a little employment," Igtanloc said.

To the people of Barrow all the supplies on the ship are critical, he stressed, with the exception of a crane needed to unload the goods from the barge.

The people of the town need the supplies, such as individual food orders and food for the school lunch program, even before the tentative delivery date of late November but "we understand that the other villages must have their goods also" and that the ship cannot skip them and proceed immediately to an unloading port for the Barrow goods, he added.

In the 67 years the BIA has been delivering, this is the only one in which the North Star has not made it to Barrow, he said.

Richmond explained that the ship, which usually arrives in Barrow the last of August or the first of September, was a little behind schedule this year.

But, he added, I don't think that it would have mattered if we had been two weeks earlier. Even earlier, the risks were extremely high that ice might blow in and block the ship at Barrow.

"Our operation is different from that of the barges which unload at Prudhoe Bay under such conditions, Richmond explained. "We cannot run the risk of getting frozen in because that would leave 32 villages without supplies." The barges don't have these worries.

Jack Anderson . .

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They came from Jacksonville, Fla.; Concord, Mass.; Bethesda, Maryland; Corpus Christi, Texas; Reno, Nevada; Arlington, Va.; Santa Barbara, Calif.; Oklahoma City, Okla.; and Raleigh, N.C.

Perhaps the best was from St. Petersburg, Fla., addressed to "An old Indian Fund," with a donation inside for "a Deserving Indian."

Others included: —A request for a subscription from "an old man—95 in 2 months" who has lived among Indians since 1884.

—A letter from a couple in Washington State wanting to know if Mr. Rock could suggest a name for their third child due in January.

—One letter with only a scrawled statement inside: "I read Jack Anderson" and 25 six-cent stamps.

—Several inclosing money for subscriptions to be sent to persons who would most benefit.

—One subscription request that added, "There are many of us in this great democracy that appreciate a newspaperman who

fights the good battle in face of tremendous odds."

—One from a small businessman in California who wrote, "I understand your position as my business is in the same condition."

The paragraphs on the Tundra Times in Anderson's column followed a story about several big businesses pouring money into the primary campaign of one of their friends, Rep. Herman Schneebeli of Pennsylvania, enabling him to secure 70 per cent of the vote.

An attorney from Berryville, Arkansas referred to the contrast between the situation and that of the Tundra Times. He enclosed money for two subscriptions: one to the oldest citizen in the district and one to some local school. "I also hope that other people will see the necessity of helping you out," he wrote, "for the simple reason that your paper is needed in those parts, and a lot of this congressional money treachery isn't."