

Land Protection May Be Major Topic of AFN Meet

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As Dec. 31 draws closer and prospects for a land claims settlement this year grow more remote, native leaders are beginning to seriously discuss alternatives for protecting their claims to the land. The topic may prove to be one of major concern at the AFN convention Oct. 15-17.

About 500 delegates are expected to gather in Anchorage for the three-day event.

On Dec. 31 the land freeze instituted by the former Secretary of the Interior, Stewart Udall, is scheduled to expire. This freeze has held unreserved public lands in the State in a status quo position for about four years. It

was designed to protect the rights of the native Aleuts, Eskimos, and Indians of Alaska until Congress could settle the land claims issue.

Native leaders have remained hopeful that Congress will act on the matter when it reconvenes after the November elections.

However, Secretary of the Interior Walter J. Hickel said Tuesday in Anchorage that chances are slim for such action.

According to a Washington report from Tom Richards, Jr., president of the AFN, Emil Notti, stated that it would be desirable from the native point of view to hold the land freeze in its present form indefinitely until the

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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.