

If State Sidesteps—

Stevens Village Attorneys to Protect Village's Interests

An attorney for Stevens Village stressed this week that Alaska Legal Services will take whatever legal action is necessary to protect the interests of its clients if the State tries to sidestep a federal court injunction to build the pipeline access road.

The injunction was issued in early April by U.S. District Judge George Hart and bars Interior Secretary Hickel from issuing construction permits for the pipeline or access road over land claimed by Stevens Villages.

It is simply a question of the State trying to take land from the natives without compensating them for their loss, David Wolf, supervising attorney for Alaska Legal Services, said.

The State has claimed that it has the authority to build the

access road under an 1866 law, and Gov. Keith Miller has asked the State Legislature to appropriate \$120 million for that purpose.

The form of further legal action that Alaska Legal Services will take on behalf of Stevens Village and 4 other villages in the area will depend on what the State Legislature does, Wolf said.

With Gov. Miller's request several questions arise, but for natives who claim land in the path of the proposed road, one of the most serious is whether the State will compensate them for lands taken for the project.

For privately owned land, the State has the power of eminent domain and can take the land for public purposes, such as roads, compensating the owner of the

land off his loss of property.

However, as explained by Wolf, the state has no concept for such compensation as regards Indian title, based upon use and occupancy from time immemorial.

In light of the suit and the injunction resulting from it, other questions also arise.

—Does the state have the authority to build the road? Gov. Keith Miller says yes. But Secretary Hickel has said that his approval will be necessary before a permanent road to the North Slope can be built either by TAPS or the State.

Yet he has been restrained from giving such approval by the injunction.

—Can the BLM give gravel to the State for the construction of the road without violating the injunction? (Refer to banner story.)

According to the injunction, the Secretary of the Interior and his agents and employees are enjoined until further action by the U.S. District Court "from directly or INDIRECTLY (our emphasis) issuing or granting to any person or corporation a right-of-way for either a pipeline or a road" through land claimed by Stevens Village.

—Does Secretary Hickel have to lift the Rampart Dam withdrawal before the State can use the 1866 law. As written in the suit against Hickel, the 1866 law states that the State can build roads over public lands, not reserved for public uses.

However, certain portions of the proposed access road have been withdrawn and reclassified as a power site for the Rampart Dam and thus seem not to be "public lands not reserved for public uses."

GALENA . . .

(Continued from page 1)

The resolution was signed by President Alfred R. Evans and council members Archie Thurmond, Edgar Nollner, Jr., Emmett W. Evans, Robert Thurmond, Edward Pitka, and C. Demientieff.

Reindeer Ownership . .

(Continued from page 1)

originated from this plant.

"The Reindeer Act of 1937 restricted ownership of deer to Alaskan Natives," the Mekoryuk spokesman said. "Up to a few months ago we didn't even know there was such an Act."

The BIA has always employed villagers in the processing plant, and reindeer operations provide the main cash income to the residents.

The stated objectives of the government herd was to provide starter animals for new mainland herds, to provide herd management training, and to provide a source of income to the village.

"We feel that we can continue to fulfill these objectives through local management," a village resident said. "After all, we've served a 25-year apprenticeship."

Under terms of the new contract, Mekoryuk will receive ownership of the reindeer. The building, corrals, and other real property will be renovated within the next five years and then transferred to the village.

The new owners will receive the same types of assistance rendered the BIA during its tenure. The State of Alaska will continue to provide slaughter inspection and animal husbandry assistance; the U.S. Fish and Wildlife Service

will conduct range capacity surveys; and the BIA will provide financial support and operational advice.

Special assistance in training, marketing, bookkeeping—and if necessary, financing—will be provided by the Community Enterprise Development Corporation (CEDC).

On the request of the Mekoryuk Village Association, CEDC personnel helped council members to negotiate terms of the contract.

The non-profit, private corporation provides technical and financial assistance to rural community-owned enterprises.

Responsibility for management, marketing, herding and slaughtering operations rest with the Village of Mekoryuk. The Village has also agreed to continue to make reindeer available to other Alaskan Natives for starter herds.

A reindeer committee will be formed to consult with, and advise, the village during the first three years of new management.

The committee will consist of six members: three from Mekoryuk, one representing the BIA, and one Alaskan citizen "knowledgeable in the reindeer industry."

To Aid Eskimo Tots—

Yuk Eskimo Dialect

The BIA disclosed plans for the first bilingual education program designed for Eskimo learners.

Three Kuskokwim River villages will participate in the pilot project of teaching the child in his first language—Eskimo.

C.A. Richmond, Area Director, stated this is a joint endeavor with the University of Alaska.

The BIA will conduct the Educational Program and provide funding for the university to train the teachers and develop teaching materials in the Yuk Eskimo dialect.

Miss Irene Reed, linguist at the University of Alaska, has only

recently completed the orthography for the Yuk dialect that allows for a standardization of the written language.

She will be in charge of developing culturally relevant materials in the Eskimo language.

The six year olds in the BIA schools at Akiachak, Napakiak, and Nunapitchuk will enter school this fall with the opportunity to understand everything introduced to them.

Language will no longer be a learning hazard, and English will become a subject to be learned in conjunction with their other studies.

Native Art Heritage . . .

(Continued from page 1)

Chaired by Mary Hale, the members of the Alaska Council on the Arts are: Greeta Brown, Jean Mackin, Fr. James Poole, Ronald Senungetuk, Betty Myser, Jan Craddick, Carl Heinmiller,

Charlotte Symonds, Augie Herbert, and Dale De Armand.

The banquet and the program was in conjunction with the Festival of the Arts programmed by the University of Alaska.

Dial Telephones . . .

(Continued from page 1)

But how will the system work?

The plan for the bush system begins with 18 villages where telephone systems owned by private companies or municipalities are currently operating. Homing in on the telephone exchanges in these 18 locations, RCA plans to link surrounding villages to them.

The 18 areas are Barrow, Kotzebue, Nome, Fairbanks, Nenana, McGrath, Healy, Bethel, King Salmon, Kodiak, Cordova, Cold Bay, Dillingham, Wrangell, Angoon, Ketchikan, Fort Yukon and Homer.

His genuine interest in the project quite apparent, the RCA spokesman explained that many of the villages to be reached are miles away from one of the 18 existing systems and, he added, it is not feasible to link them by stretching telephone wires across hundreds of miles of often rough, mountainous terrain.

So instead, RCA will use radio waves (very high frequency or micro-wave) to do the job.

These radio waves can be made to perform over a long distance. Plus, the method is not susceptible to interference and is not subject to radio blackouts as occurs frequently with present village radio facilities.

Each village in the program will have a telephone and will share two channels with five to ten other villages nearby. To call another village within the same system, he will dial 110 for long distance.

Incoming calls will go to the village telephone, and, if both channels available to the village are tied up (busy), the caller will hear a busy tone. If not, then the phone will ring. At this point, the village council becomes responsible for the call.

The community will appoint an attendant to collect regular and long distance charges and to fetch people on incoming calls. Also, it is responsible for providing a space for the telephone in a centrally-located or commonly-visited building and for seeing that the equipment is protected.

RCA will not be installing phones in homes in the villages because it is concerned primarily with providing long distance communications. It will link the village to the outside world leaving home installation to a local company or the villagers.

Each month, the village council will receive a bill from RCA for the minimum rate plus a charge for each call over the minimum allowed. In turn, the

council will collect charges from individual users to cover these costs plus enough to pay for an attendant and the electricity necessary to operate the telephone.

The bush system has been estimated to cost in excess of \$3 million. For several years, it will be operating at a loss, but is expected to break even as the rural areas of the state develop.

Already the project has gone out to bidders, and the company hopes to have a contract for installing the system awarded by June 1. Once built, RCA will operate it. Tentative plans call for telephone communications to be extended to 72 of the 142 villages by the end of this year and to all of them within three years.

In light of the enormous costs and special problems of distance and climate encountered in Alaska, why has RCA undertaken such a project?

The principal reason, the RCA spokesman said, is to provide service.

With a population of about 250,000 Alaska has only about 41,000 resident phones. These are mainly in cities and larger communities where numerous services are readily available.

Most of the villages, however, have little or no communications nor do they have the services important to the health and welfare of their people.

The village telephone program is intended to make these services readily available to the bush through reliable communication facilities.

RCA is making an investment in the long range future of Alaska the spokesman added.

"Mining and mineral exploration will take development to the villages, and we want to be prepared for it. Once the network is established, other services will be needed and things will start rolling.

"Demands will grow on the service. And, by providing a means of communication for the villages, we will bring business in to them also. This will greatly assist in stimulating employment and other development urgently needed in the remote communities."

Beyond the proposed bush system, there is talk of direct distance dialing in rural Alaska along with satellite communications that will take television to even the most remote areas of the state.

11 Million Acres . . .

(Continued from page 1)

At an April 20 meeting, the board voted to ask for more than the 7.5 million acres provided for in the unofficial land claims bill.

The body seemed pleased with the bill's \$500 cash compensation and the \$500 million derived from oil and gas royalties, but openly expressed disappointment that the land settlement was so much less than the 40 million acres it had requested.

According to Eben Hopson, executive director of the AFN, the delegates have presented their recommendations to the Senate Interior Committee in the form of a position paper for consideration before the bill is actually reported out.

Indications were, Hopson said, that the bill would officially come out Wednesday, but the time might be moved back a day or two due to the AFN's recommendations.

Concerning the land suggestion, the AFN has requested 7 million acres for village land, 2 million for timber selection, one million for mineral lands, half of which may be selected north of the Brooks Range, and one million acres for hardship land.

The "hardship" provision would be used if the 7 million acres is not enough to go around, Hopson explained.

Other recommendations are:

—Village land grants. The organization has requested that each village receive one township for every 400 persons living in the village. As the unofficial bill now reads, all villages having a population of 400 or more are entitled to select up to two townships.

A village of 2,000 under the bill would receive only 2 townships, but under the AFN proposal would receive 5 townships.

—Termination of the Bureau of Indian Affairs and the Public Health Service. The AFN proposal requests that a study be made as to whether Alaska is ready to live without these two agencies.

The bill now sets up the procedure for the elimination of the BIA and the PHS within five to 13 years. Talking from his Anchorage office, Hopson explained that the AFN would like for such termination to remain an open question for the period of five years.

The present budget of the BIA and the PHS in Alaska is now about \$70 million, he stressed. Several members of the AFN have said that if the two agencies are to be terminated and many of their functions assumed