

Native Land Claims - Significant Issue

(EDITOR'S NOTE: The editor of The Pioneer-All-Alaska Weekly, Thomas A. Snapp, last Friday wrote an editorial entitled, "Native Land Claims-Significant Issue". In it, Snapp penned a succession of events that led up to the "Native Rights Assertions", as Bureau of Land Management labeled the land claims that began in northern Alaska in early 1960's. Tom Snapp is speaking from practical experience as he was the assistant editor of the Tundra Times during those years. The Editorial is a timely one and we are printing it in its entirety in this issue of the newspaper.)

In our opinion the most significant issue in the present political campaign is that of Native land claims. The issue had been around for a long time, in fact, it has cropped up in Alaska at election time for about three decades.

Unlike the Indians of Southeast Alaska and the lower states who went to the courts to validate their claims, most of the Natives of Alaska have sought settlement of their claims through political means. Their patience is now beginning to wear thin and they are wondering if a court settlement might be quicker and less painful.

After all, it's no picnic to live in hell for a hundred years waiting on Congress to fulfill its promise. And politicians seem adept at making promises shortly before elections and adept at forgetting those promises as soon as the votes are counted.

The Native land claims issue has intensified greatly since statehood. The Statehood Act contained two provisions which set up a collision course. One required protection of the rights of Alaska natives to the land they used and occupied. The other provision allowed the state to select 107 million acres from the public domain.

The Natives did not have written title to the land they claimed and their claims were not recorded on Bureau of Land Management records. Instead they were embodied in petitions gathering dust in the Department of Interior-Bureau of Indian Affairs archives.

For the above reasons, the state had a heyday for a decade selecting the best and most valuable land in Alaska, first around the big population centers, then on both sides of the Alaska Railroad, both sides of rivers, both sides of roads and highways. Check the records and you'll find that except for privately owned homesteads the University of Alaska has selected all the land on both sides of the Alaska Highway. The state also moved in to select all the land it could find rich in minerals.

Then the state really began to get greedy. It began to move in on the villages and select the land out from under the Natives. If the land freeze had not been imposed and the state had continued, it seems almost certain the only areas left would have been valueless muskeg, volcanoes, or mountaintops.

It was actually the quest of oil that caused the land freeze to be imposed. In the fall of 1961 five major oil companies filed for several thousand acres in oil and gas leases between Minto and Nenana. They announced plans for bringing in a rig to drill for gas or oil. That touched off a rash of private oil lease filings. About 50 Fairbanks and Anchorage businessmen filed for leases around those of the oil companies. The state also moved in to make tentative selection of land around the filings of the businessmen and in a short time practically all of the land between Nenana and Minto had been filed for. The state was selecting land right up to the Minto village. The villagers of Nenana and Minto could stand it no longer seeing the land base on which they depended for a livelihood snatched out from under them. They sought legal aid through the Tundra Times and filed protests which the BLM termed "Native Rights Assertions." Locally, the protests were denied, but those decisions were appealed and when the appeals reached Secretary of Interior Stewart L. Udall, he ordered land entry stopped in the assertion areas. Taking cue from Nenana and Minto, the villages of Tanacross and Northway filed huge blanket claims. And soon native groups all over the state were doing the same.

Then came the Prudhoe Bay oil strike. That set off a frenzy of oil and gas filings the likes of which Alaskans had never seen. And Udall had little choice: he imposed a super land freeze covering almost the entire state.

In 1966 Wally Hickel running for governor made an all-out pitch to Natives of Alaska if he were elected, the

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state would get behind the Natives in their push for a equitable land claims settlement from Congress. At first, Hickel indicated he was in favor of natives receiving only the land around their village but in the heat of the campaign came out for a much more generous settlement. After he was elected, he had numerous meetings with Native leaders in Juneau and Anchorage. The Natives were asking for 60 million acres, plus royalty, and large cash payment. Finally, Hickel agreed with the Native leaders that a generous settlement was in the best interest of the state and pushed through the Republican controlled legislature a bill calling for state participation in the land claims settlement if the settlement came within a year.

But Hickel was named Secretary of Interior and Secretary of State Keith Miller became governor. Henry Pratt was appointed as an assistant to the governor and relations between the governor's office and Native leaders began quickly to deteriorate. At once a hard line on Native land claims was taken. Not only did the governor's office not support a generous settlement, but it openly opposed such a settlement. And the new governor said state participation in the settlement was out of the question.

All the meetings and negotiations of the Natives with former Governor Hickel in reaching a unified position on the settlement were to no avail, because Governor Miller's position was quite different from that of Hickel. And Governor Miller and Native leaders put forth contradicting positions to the U.S. House and Senate Interior and Insular Affairs committees. In the meantime, Hickel, as Interior secretary, went back to his earlier position taken prior to the 1966 election, that Natives should receive only one or two townships of land around their villages.

The handling of the Native land claims bills in Congress has been most baffling, particularly because there has been so many behind-the-scene closed door compromises and maneuverings. The bill that was passed late in the session by the Senate is a monstrosity. It contains a number of provisions not related to Native land claims, provisions designed to spell the demise of the land claims bill itself. One provision calls for another five year land freeze, a provision certainly opposed by the great majority of Alaskans. A second provision calls for competitive leasing only, a provision hotly opposed by independent oil men. And a third provision calls for termination of Bureau of Indian Affairs services within five years. The latter provision is designed to pressure the Indians in the lower states, who fear BIA termination, to oppose the land claims measure. But most important it provides for only 12 million acres of land for the Natives and the Natives

consider this unacceptable.

What Alaska Natives must decide is which candidate for governor, Keith Miller or William A. Egan, will join with them in presenting a united front in Washington, D.C. on the land claims issue. And non-Native Alaskans should also ponder this question, a significant one involving the future of Alaska.

-The Pioneer...ALL ALASKA WEEKLY