

AFN, IRA advocates foresee cooperation

By Bill Hess
Tundra Times

The Alaska Federation of Natives sponsored last month's conference on IRA governments, yet some hard feelings toward the group were expressed at the meeting. Although a large majority of the village representatives and other interested parties in attendance voted by the raising of hands to follow the agenda of speakers presented by AFN, there were complaints that there were no practical workshops organized to help tribal government leaders establish specific programs.

Complaints were also heard

that AFN, which represents the corporations established under ANCSA, had different interests than those of the tribal governments.

Yet, leaders in both AFN and the Interim organization planning the May 5-6 meeting in Anchorage at which a new statewide IRA group is expected to become officially organized, say that AFN and the new organization can live together.

"I think IRA and AFN can get along," said Andy Hope, a member of the Interim committee. "There is a lot of room for cooperation between AFN, Inc., and this group. It is very

difficult for AFN to represent the tribes when they have to attend to the profit-making corporations."

AFN president Janie Leask said that the organization is keeping a neutral stance in the IRA issue, and in staging the meeting sought only to provide information to interested parties.

"I don't view us as competing organizations," said Leask of AFN and the statewide IRA group being formed. "It is not an 'either-or' situation."

There are many questions surrounding IRA governmental roles in Alaska, said Leask, which will only be answered by

the courts. Perhaps AFN is not the organization to deal with the mechanics of tribal governments, she said, as its primary commitment is to the profit-making corporations, particularly the regional corporations. None-the-less, AFN represents the same people that make up the tribal governments, Leask said, and there is room for cooperation. AFN can provide valuable information to those interested in forming IRAs, she said.

"We're all in this together, no matter at what level," Leask stressed. "We're all Alaska Natives. Although AFN is an arm of the corpora-

tions, it is a political and advocacy tool of all Alaska Natives," both locally and in Washington, D.C., Leask said.

She admitted that in the past, AFN may not have had much of a presence in the villages, but said that situation is changing. The organization is being represented in rural areas as much as is possible, Leask said, noting her recent attendance at a potlatch in Tyonek and an elders' conference in Nome.

Both Leask and Hope agree that there is a great deal of emotion and misunderstanding surrounding IRAs and that parties having opinions on all sides of the issue have many questions.

Therefore, Leask said the anger expressed at the convention came as no surprise. "We knew there would be a lot of emotion involved. We were prepared for it . . . yet we feel the need was there. We feel this was voiced by the people attending. Should enough interest be fed back to AFN, the organization would consider sponsoring a second conference, said Leask.

Meanwhile, the Interim group is busy making plans for its own conference. It will be held at the University of Alaska-Anchorage Consortium Library from 9:00 a.m. to 10:00 p.m. each day. Although many prominent speakers from throughout the U.S. are scheduled to attend, Hope said they will serve mainly as resource people.

Very little time will be spent in general session, according to Hope. Instead, workshops will be held to help tribal government representatives deal with the questions and issues of interest to them; such as establishing tribal courts, exercising taxation powers and performing other governmental services; including the transfer of corporation lands to tribal governments.

Hope expects the conference to be most valuable to village

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IRA conference to feature workshops

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leaders wanting to take various actions on tribal government issues.

Leask said that legally there are countless questions concerning those issues. Do IRAs in Alaska truly have the ability to tax, Leask asks? If village corporate lands were to be turned over to IRA governments, what would happen to the subsurface rights, which are owned by the regional corporations?

Would such action exclude participation in the land bank which extends protection of undeveloped corporate lands provided by ANCSA through the year 1991 indefinitely, asks Leask? What impact would it have on 7i provisions, which require regional corporations to share 70 percent of profits made on their lands among

each other? What if one shareholder objected to the tribal takeover of corporate lands?

"There are lots of questions," said Leask. "We don't know the answers."

These questions have created much frustration among the Native people of Alaska, Leask said, coupled by frustration that ANCSA was not living up to their expectations.

"ANCSA was a very unique kind of experiment," she added, "setting up business corporations in order to pursue long term benefits to future generations of Alaskans. It is a new kind of animal that many Alaskans were not and are not prepared to deal with. You see a lot of frustrations as they try to deal with it. A lot of those frustrations are directed at AFN."

Don Mitchell, the attorney for AFN, agreed that virtually every question concerning IRA governments in Alaska and their powers and authorities in the wake of ANCSA are unanswered in Alaska in legal terms. The courts will determine the answers, Mitchell said.

Tribal leaders attending last month's meeting were advised by some speakers to exercise the powers they believe to be theirs. Some tribes have, and more seem to be preparing to do so. Such actions, said Mitchell, will lead to the court decisions.

He pointed to Venetie, where villagers acted early to turn fee-simple title of their land over to their IRA government. A Venetie man has since been charged by the state with taking caribou out of season. He

has taken the matter to court, arguing that the game was taken on tribal lands, Indian country, and state law does not apply.

Two questions are likely to be answered by the courts in this case, said Mitchell. Is there Indian country in Alaska? If so, has the federal government assigned fish and game jurisdiction within it to the state, or does such authority lie in the hands of tribal governments?

The Native village of Tyonek, home of IRA Interim President Don Standifer, is also in court over its efforts to evict two non-tribal member families living in the village in violation of tribal laws. Both cases will be closely watched by tribal governments determined to assert their authority.