

'I may not agree with what you say but I will defend unto death your right to say it' —VOLTAIRE

1991: A complex issue

We must applaud the recent decision by the leadership of the Alaska Federation of Natives to withdraw the proposed 1991 legislation from the U.S. Senate.

AFN President Janie Leask and Co-chairmen Oliver Leavitt and Glenn Fredericks made the decision because they were unable to ensure that if the bill were passed this year it could be withdrawn if it were to be turned down at the AFN convention Oct. 16-18.

Congress is scheduled to adjourn this week or shortly thereafter, and Alaska's congressional delegation said their procedural options were severely limited.

Sen. Frank Murkowski said there was no way to accommodate a complete review of the 1991 bill at the annual convention and still enact a bill this year.

~~But the~~ delegation has made a commitment, which we hope they will honor, to "work hard to get the new Congress to consider it in an expeditious manner next year."

Surely in the heat of the moment there is intense pressure to get the bill passed as soon as possible. AFN leaders feel strongly that the bill must be passed in order to protect Native lands from non-Native takeover.

On the other hand, a commitment was made by the leadership to get a review of the bill by the delegates to the AFN Convention. This commitment must be honored because the whole point of the bill is to get changes in the Alaska Native Claims Settlement Act that Alaska Natives themselves want.

Although the entire point of the bill is relatively simple and can be summed up by saying it is aimed at protecting Native lands and Native corporations from non-Native takeover, unfortunately the bill itself is extremely complex. Besides special language requested by a number of individual corporations, the delegation as well as the Department of Interior have added other complex provisions.

Sadly, one appears to need a law degree to decipher some of these complexities. That puts a great burden on individual Native people and their corporations' leadership to study this bill and determine whether in the end it truly does meet Native goals. Only Alaska Native people can make this determination.

Here are some of the key points of the Senate version of the bill. It would:

- Extend tax protection for undeveloped Native lands beyond 1991.
- Automatically extend stock alienation restrictions on village corporation stock beyond 1991.
- Require regional corporations to extend restrictions on the alienability of stock only by a mandatory vote of the shareholders.
- Authorize Native corporations to include Natives born after 1971 in the claims settlement and provide special benefits to Native elders.
- Authorize Native corporations to transfer assets to non-corporate entities.

But that's not all. There is much complex language in the bill concerning many other areas. And that is where difficulties enter the picture.

We urge Alaska Natives to study this bill during the convention and to confer among themselves, making a determination whether the bill does meet their needs.

If it doesn't, Alaska Natives should turn it down.

But we must remember that in the meantime the 1991 clock is ticking. Non-Native takeover of Native assets would be a tragedy. Alaska Natives may not like or agree with everything their corporations are doing. At the same time, they must remember that for now they still are truly Native corporations, whatever their faults.