

CLAIMS OPPOSITION ATTACKED

Stevens and Borbridge Lays it on the Line At Anchorage Meeting

"As all, but the most stoneheaded, now seem to acknowledge that aboriginal title is a thing of great value and dignity in law as well as in equity and conscience," John Borbridge told the packed audience of the Anchorage Chamber of Commerce meeting this week.

The Anchorage chamber set up the meeting to hear Sen. Ted Stevens and Gov. Miller's executive assistant Henry Pratt who also talked along with Stevens and Borbridge.

While Pratt doggedly stuck with Miller's line of reasoning on the native land claims at the meeting, Sen. Stevens castigated those people who would persist in taking opposition to the claims with the likelihood of large award revenues when the claims solution is implemented by Congress.

"If you want to assume the \$50 million annually," Stevens declared, "the burden of education, welfare, and health services, then be intractable. Don't listen to any compromise suggestion

that might lead us out of this problem.

"But if you feel as I do, that the 2 per cent concept is a difficult one to swallow but one that we're going to have to find some way to accomodate, then listen to what Sen. Gravel and I are trying to work out."

In a surprising move in the very recent times, Sen. Stevens and Sen. Mike Gravel, Republican and Democrat respectively, have merged their working plans on the land claims during the course of the bill through Congress.

The two senators have agreed that they would work for 2 per cent concept for a duration of ten years.

Borbridge told the Anchorage chamber:

"Almost to a man, the senators and representatives on the Interior Committees of the Houses of Congress understand and are impressed by the fact that settlement of the land rights of the Alaska natives presents the Nation with what will probably be its last opportunity to deal justly with the aboriginal owners of the land."

"Perhaps," Borbridge contin-

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ued, "the most encouraging development I have witnessed in recent weeks is that the principle issue now being discussed by those who are interested in the settlement is no longer:

" 'Do the natives have legal rights of sufficient dignity to warrant the payment of significant compensation for their taking?' "

"Nor even:

" 'What is the nature of the native rights?' "

"But rather:

" 'What are the elements of a fair settlement and what is just compensation for the rights that the natives will be called upon to surrender?' "

Borbridge pointed out that the Nixon administration has proposed to confirm native title to between 10 and 12 million acres of land and to pay the natives a total of \$500 million as compensation for the taking of their aboriginal title to the remainder of Alaska.

"This proposal is attributable to the administration's understanding that the rights of the natives are founded upon something a great deal more solid than an appeal to conscience," Borbridge stated.

"The Alaska Field Committee concluded: 'The Alaska natives have a substantial claim upon all the lands of Alaska by virtue of their aboriginal occupancy.'"

Borbridge reviewed the history of Lower 48 Indians and that they were extinguished between the 18th and 19th centuries; that they were extinguished under bilateral treaties between the United States and the Indian groups.

He said these treaties were concluded in accordance with a national policy which stipulated that the natives should be paid full value for the lands they ceded to the nation.

Later, Borbridge said, when it was discovered that the tribes had not in all cases been com-

pensated in accord with this standard, the United States provided forums where the tribes could establish and collect the difference between the fair market value of the land at the time of cession and what they had been paid.

"In these ways," he stated, "the Indian tribes of the Lower 48 have received upwards of \$1 billion to date for the land acquired from them by the Nation. And remember, this land was largely acquired from the Indian tribes before the beginning of the last quarter of the 19th century and the accounts are not yet fully settled."

"By and large," he continued, "the aboriginal land rights of the natives of Alaska have not been extinguished. They have been carefully preserved by Congress in virtually every important statute dealing with Alaska, including the Statehood Act, and exist today.

"If they are in part now to be surrendered, the natives are entitled under the established law and policy of the United States to be paid their present fair market value."

Borbridge said that the settlement being sought by Alaska's natives is set forth in three identical bills which have been introduced in Congress by each of the members of the Alaska delegation.

He said substantively the native proposal calls for the formalization of native title to approximately 40 million acres of land; for native retention of a 2 per cent royalty on the production of resources from all lands presently in federal ownership; and for the payment to the natives of \$500 million.

"Let me say here," he added, "contrary to some speculation that has appeared in the Alaska press, that the elements of compensation provided by the native bill were conceived by the elected

representatives of the native people assembled as the Alaska Federation of Natives.

"They were not suggested, let alone dictated, by anyone outside of the federation. The substantive provisions of the native bill reflect decisions taken by the natives and the settlement which they have determined to seek."

In concluding, John Borbridge stated:

"Finally, I would observe that, whatever form it ultimately takes, the settlement legislation will almost certainly result in the natives becoming an important economic force in the state.

"I regret that this fact has to now seemingly been better understood in the business and financial communities outside of the state than it has been by those within Alaska.

"I believe it is no secret that native leaders have been approached by responsible business and financial concerns in the 'Lower 48' interested in exploring a variety of development possibilities.

"More keenly perhaps than any other group of Alaskans, the natives appreciate that they are a part of the state and that their destiny and that of Alaska are inextricably bound together.

"They are agreed that they will now surrender their historic title to most of the land in the state. They seek to retain some of their land and to be justly compensated for the rest.

"They have proposed a settlement which they regard as fair and reasonable. They believe that, once informed of the dignity and standing of their rights before the law, men of good will will agree that what they ask is eminently fair and reasonable.

"They solicit your support in obtaining what they seek because they are convinced, not principally as natives, but as Alaskans, that the best hopes for the future of Alaska will be realized thereby."