

# 1991 is abiding issue in AFN, UTA meetings

By Bill Hess

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The issues of 1991, tribal sovereignty and state-federal-tribal relationships were hot in delegates' minds as the first General Assembly of the United Tribes of Alaska opened Monday with a workshop on the Indian Tribal Governmental Tax Status Act.

The annual convention of the Alaska Federation of Natives, Inc. was scheduled to begin Thursday, October 20, with delegates set to discuss the convention theme of "1991."

On December 18 of that year, stocks, and therefore lands, are scheduled to become alienable and taxable under the Alaska Native Claims Settlement Act of 1971. This would mean that what now can be owned only by Alaska Natives could fall into non-Native hands.

The realization that 1991 is rapidly approaching Alaska has sparked a major investigation within AFN over the past year and a half to see what alternatives could possibly be adopted to insure that what is now owned by Natives will remain in Native hands. The findings and alternatives examined in that investigation will dominate the discussions of AFN.

Fears of 1991 as well as discontent with other provisions of ANCSA were largely responsible for the move among tribal governments, there are many who argue that the act was intended to terminate the inherent sovereignty of tribes.

In dividing up Alaska largely between the federal and state governments, leaving 44 million acres and close to \$1 billion dollars to the 13 regional and approximately 200 village Native corporations, the tribal governments were left largely without any land base.

The tribal village governments who have joined UTA, both those formed under the Indian Reorganization Act of 1934 and "traditional" tribal governments, are hoping to reassert the sovereign rights of their tribes, and are calling upon state and federal entities to deal with them on a government-to-government basis.

Some have suggested that one way to get around the

problem of no land base and to protect Native land from alienation would be to have some of the corporate lands, most likely those controlled by the village corporations, turned over to the tribes.

They believe this land would then be inalienable, and could be held in trust for the tribes by the Secretary of the Interior, as are reservation lands in the Lower 48, or would in other ways be protected from alienation.

A major irritant among many UTA leaders is what they perceive as a deliberate attempt by Governor Sheffield to ignore them. Citing other commitments, the governor has declined to address UTA. He will be addressing AFN and on Monday was scheduled to meet with the AFN Human resources board.

UTA delegates want the governor to tell them how the state plans to deal with the tribes, but Sheffield has asked for comment from a wide variety of Alaskans before he makes any statement on state-tribal policy.

Sill, two state representatives, Al Adams, Inupiaq from Kotzebue, and Jerry Ward, Athabascan from Anchorage, will address the subject in a special panel discussion to be held Wednesday afternoon.

Ward, who was reached at his Anchorage office, said state and federal entities should not be afraid to recognize governments that "are 2,000 years old." Although he noted many potential conflicts between ANCSA corporations and tribal governments, Ward stressed the need for them to work together, and also to have a good federal governments.

Otherwise, said Ward, who described 1991 as a "great hoax" being played on Native people, the 44 million acres of land — an area the size of New Jersey — left to Alaska Natives under ANCSA could well be lost to the forces whom he said ANCSA was really set up to benefit — the oil companies responsible for the Trans-Alaska Pipeline.

Although many villagers will be coming to UTA with great expectations, Andy Hope, the manager of the Sitka Community Association, the IRA government in that community,

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# AFN seeks to do the will of the people on 1991

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said that before UTA can accomplish anything, it must further organize itself.

Hope, who has been instrumental in the planning and carrying out of UTA activities to date, also stressed that UTA is primarily a tool for education, an organization to present different ideas.

The real authority rests with the local governments, Hope stressed.

In a television interview, AFN Chairman Sam Kito said that the major purpose of this convention would be to see which of the possible directions outlined by AFN's 1991

study the shareholders would prefer to follow. Until this could be determined, Kito said, AFN would not take any positions.

If the shareholders wanted to sell their stock, then AFN would comply. If, however, they sought a device to protect lands or stock, AFN would seek the necessary changes, Kito said, either through options available within the current structure, or by going back to Congress.

Some of the possible options mentioned by Kito would be stock which was alienable only to Natives, or setting up a trust to hold the

land for the Natives and making only the economic interests available for sale to non-Natives, establishing a right of first refusal where a corporation would have the first opportunity to buy stocks put up for sale by a shareholder, or writing the by-laws in such a way that non-Natives buying into the corporation would not have voting rights with their stock.

The young and the elderly are also topics of concern. Native children born after 1971 were left out of ANCSA benefits. Many elders have already died and many more will die before 1991.

Kito said one option for the elders may be to establish a separate class of stock which would begin paying them dividends immediately.

Kito also acknowledged the

struggles that rip through Native groups, including potential struggles between UTA and AFN, although shareholders and members of tribal governments are basically the same people.

The struggles so often faced by Natives, Kito said, are largely the result of government stepping in and creating troubles where there were none before, even if it did so with good intentions.