

# ANCSA a Positive Action



**Senator Frank Ferguson**

*(Editors Note: The following is a guest editorial on 1991 from Senator Frank Ferguson.)*

I presented this testimony to the Alaska Native Review Commission when they were in Kotzebue on November 6, 1984. And I believe still pertinent to the 1991 question to be addressed by the Native community and the Alaska Federation of Natives.

I am currently a senator in the Alaska State Legislature, having been in the Alaska Legislature 14 years and a board member of the NANA regional corporation since its inception. I am a former president of the Alaska Federation of Natives from 1980 to 1983.

I am presenting this testimony as a private citizen with the experience of my participation in the state legislature and a so called Native leader.

It is my belief that the Native Claims Act was a positive action

at the time in 1971 when there was little or no recognition of Native rights to land and the deplorable economic position of Native's in general.

There is to be expected flaws in negotiation which effect such a settlement, some of the flaws I see now, were anticipated by some, but those flaws were not in a higher priority position at the time of negotiations between the Native community and the congress of the United States. This was a political solution to a needed resolution and the art of politics is compromise, of which the Alaska Native community had an up hill battle and the compromises reached were naturally in favor of the dominant society.

The Native community, as I recall, was after a land settlement because the Native community saw land and the natural resources as their only way of survival. They were close to the land, birds and animals which had provided survival of the species since time immemorial. Since land is a economic commodity which the state and federal government wasn't about to give up without a fight, a compromise was set. Some form of economic settlement with a smaller portion of land sought was the expedient complex solution.

Since the Native community as a whole didn't have a recognized sovereignty and didn't have the economic resources to pursue this matter on a equal footing as did the state and federal government. The Native community ended up with the lessor in real terms.

The economic and land pay-

ment to the Native community was set forth in the corporate structure of the American system, although alien to most Alaska Natives.

Because of the nature of the economic infrastructure set up, too few Native people were ready for such an undertaking. Most regional and village corporations have had minimal economic benefits to sustain economic growth that will in the near future generate enough clout to hold on to their holdings.

The land and natural resources so close to the Native people will

eventually get tied up by outside interest through the economic infrastructure of the corporate world.

For the Native people to retain their legitimate legal status to their land under the Native Land Claims Settlement Act. The majority of lands selected must be clear of political and economic pressure and a land patent given to the Native people of Alaska in perpetuity. Anything else will eventually lead to assimilation of these lands into something the

Native people were fighting to prevent with the request for a land settlement.

There are other flaws in the Settlement Act of course, such as stock alienation, new/born, distribution of economic benefits to elders, etc, which will be addressed before 1991. But the most important issue I believe is the non-interference of land and natural resources use for Alaska Native people to survive as Inupuits, Aleuts, Indians of Alaska.