

Lawyer Says Bill Should Count People, Not Acres

The Fairbanks earthquake last Wednesday was matched by rumbling reactions to the Alaska native land claims legislation.

"50,000 acres is not enough," Emil Notti, president of the Alaska Federation of Natives, said in Anchorage. In many of the western and north slope acres, where natives were dependent on subsistence, 50,000 acres could not support a village.

They are counting acres

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BILL SHOULD COUNT PEOPLE . . .

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instead of human beings, Barry Jackson, Fairbanks attorney said. Some villages have more people and need more land. "Fifty thousand acres is not nearly enough to support most villages if they are living on hunting and fishing." Jackson estimated that Minto village, which he represents, needs between 300,000 and 500,000 acres to continue their present way of life. "It's difficult to determine an ecological base," he said. "Animals may roam over a wide area."

Jackson conceded that 50,000 acres might be acceptable if exclusive hunting and fishing rights were granted for a wider area.

Notti felt 50,000 acres might be adequate if mineral and petroleum rights were included.

Both men objected to the 25 year time limit on lands held in trust and on hunting and fishing rights.

Fifty years would be much better, they said. Many persons need more time to change their way of life. Some don't know how to read yet, Notti pointed out.

A third major objection was that the state should not be in a position to act as trustee on behalf of the native. "Clearly a conflict of interest," Jackson commented.

They also objected to setting the value of land at 1867 prices about two cents an acre. "It's like the state taking your house today because it wants to build a highway and paying you on the basis on the land value of 1867," Jackson said. "If natives had been paid in 1867, some justice would have been served. Today such an action would be oppressive." Both men felt a compromise law would be better than no law.

Notti said, "We are not entirely happy over the bill, but at least it is a starting point."

"I think it can be amended," Jackson said. "It's more important to get less perfect justice, but to get it done."

"If we don't buy some bill right now, there could be a break in the development in Alaska."

Villages suffer from unsettled land claims, he pointed out. For instance, if an oil company wants to drill on land where no clear title exists, the village loses any benefits that might come to them if they clearly owned the land.

Notti expressed the hope that internal differences within the Alaska Federation of Natives could be resolved so that "we can settle down to making a good presentation

on the land bill. The bill calls for one settlement. We must take part in discussions. If we don't the state will file for the natives. We need a federation, perfect or not," he asserted.

Jackson urged that every village review the bill in light of its own problems and prepare careful presentations for senate committee hearings expected in late summer or early fall.

Native organizations can assist, he said, by helping villages to study the bill.

Though many persons will have an opportunity to give oral testimony, letters and other written opinions should be prepared whenever possible, Jackson advised.

Jackson expressed the hope that senate committee hearings would take place all over Alaska. A few of the villages he thought should be included were Copper Center, Fort Yukon, Barrow, Kotzebue, Nome, Unalakleet, Bethel, Tanana, Bristol Bay