

**DRAMA, POIGNANCY IN LAND TESTIMONIES**

# Testimonies for, Against at Hearing

*(Editor's Note: During the three-day land claims hearing in Anchorage on February 8-10 before the Committee on Interior and Insular Affairs conducted by its chairman, Senator Henry M. Jackson and acting chairman, Senator Lee Metcalf, many moving and eloquent testimonies were given by the native leaders, their counsels, and their friends in favor of the latest land bill, S.2906, a compromise bill drawn up by Gov. Walter Hickel's Land Claims Task Force, the State, and the Department of the Interior.*

*There were also dissenting testimonies and these came from Alaska Miners Association and geologists. There were also testimonies in which humor was injected whether purposely or not purposely.*

*The following are excerpts from some of the testimonies and due to space limitations, we are forced to leave out many equally dramatic presentations and we are sorry.)*

**RICHARD FRANK**, former Chief of Minto and member of the Governor's Task Force:

"...It has taken 84 years for us to sit down across the table from each other and talk about land claims. In the old days, and even today, a lot of the old people cannot understand what it is all about.

"We know what it is all about. We know that this is our father's land. We know that for our children to be part of the new America we have to live in villages or in the city for them to go to school.

"But that doesn't mean that we have forgotten about our land. We want to sit

down and talk about what the government promised over 80 years ago. We have a right to our ancient land..."

**BETZI WOODMAN**, free lance writer and correspondent for Reuters News Service:

"...I have come to know scores of people in these places and have observed and listened to many more. It is the sum of these experiences which prompts my testimony in favor of S.2906.

"The committee has heard the affecting testimony of the people. I'm certain that never before in Alaska has there been such a personal chronicling of great loss and deep trouble.

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"Yet, though they spoke of sad and tragic things, they are not possessed by despair or bitterness. There is dignity, reasonableness and strength. Through it all we hear the constant insistence: 'Give us this chance. We can do it—we want to do it.'"

"I believe these people should not be asking alone. I believe you—and they—should know that others recognize their strength and urgency of their desire to choose their lives; to change in their own good time; to make and learn from their own mistakes.

"...I believe this bill, however imperfect, is the answer to the needs of now. Now with its help the Native people can move into changing patterns according to their regional—and even village—demands. The bill permits traditional ways and yet sets the foundation for changing the undesirable.

"By enacting this legislation soon, the old ways which so many of us treasure can be saved. This sounds

paradoxical, but it is not.

"Now, to escape the evils of their poverty, the people must move or depart from the old ways. Under the bill's provisions I believe they can combine the cultures, taking according to their own view the best of each..."

CHARLES FRANZ of Port Moller in his testimony said that back in 1908, a trader convinced the U.S. government that it would be a humanitarian move to bring destitute Eskimos from northern part of Alaska to the Port Moller area.

There was coal and plenty of fish and the trader thought that these could be utilized and subsequently established a couple trading posts. Franz testified in part:

"...Then fate took a hand. Tragedy struck in 1918 and 1919. This was the influenza epidemic that followed World War I. Whole families and villages were wiped out completely and when it was finally over, there remained only parts of four families.

"By 1930, these people

had either died or moved away. There was only one Eskimo of all those heroic people who had put so much faith in our government. That Eskimo was me, for my mother was one of those who made that historic trip.

"You may ask how this affects the native claims bill that we are trying so hard to resolve, for so many of these people are gone. I would submit that it is the moral duty of every Aleut, Indian and Eskimo in the State of Alaska to fight for legislation that would guarantee our children and their children an opportunity to become strong enough in the future so that what has happened in the past will never again be possible.

"I believe that the great legacy that we can leave our children is an opportunity to seek higher education. Therefore, our first obligation in using any monies that we would receive through this legislation should go to the development of high schools near the areas that the children are familiar with. Scholarships should go to those who desire education of a higher level..."

LUM LOVELY, a geologist testified in part in the following manner:

"...It is a well documented and accepted fact that none of the currently pending Native land claims has any legal basis in fact, and that Congress is obligated in no way whatsoever either to recognize title to any of the lands now being claimed by Alaska's Natives, or to pay any compensation for extinguishment of title in the event title to said lands is indeed recognized.

"...At first blush, a vote for S.2906 may seem like a vote for Motherhood. On close examination of the facts, however, one must conclude that this bill stands to be biggest threat to Alaska's economic well being to come along since Statehood..."

GOVERNOR WALTER J. HICKEL of Alaska:

"...We are unanimously agreed, among Federal, State and native leaders, that a fair, equitable and generous settlement of native land claims in Alaska is long overdue. And we concur in the concept that such a settlement must partake of two essential major parts:

"A generous grant of title to lands on which native communities may prosper and grow, and develop their economic resources for the good of all Alaskans, and, indeed, of all Americans; and, a fair monetary settlement of claims to lands which are irretrievably gone..."

"...The bill which is before you is the result of many minds blending and accommodating their respective viewpoints. It represents a wholesome convergence of what were considered as possible irreconcilable positions just one year ago. Further compromise is still possible and should be encouraged, but let us remember the 'positive approach.'"

"Fair and equitable legislation to settle native land claims in Alaska must be enacted, and enacted soon,

if we are to redeem the pledge made to the forebearers of our native citizens..."

WILLIAM ZAEGLER, a geologist, said in part:

"...The claims presented in this bill have absolutely no legal basis. These claims are based on 'aboriginal use and occupancy of lands in Alaska.' Aboriginal rights don't exist. The courts have ruled that walking over the land does not constitute use and occupancy..."

JEROME TRIGG of Nome testified in part:

"...We love our lands and we will sacrifice to protect them. That is why we have such strong feeling that THIS IS OUR LAND we are talking about here. Sometimes I think that the wrong people are running this hearing and taking our testimony. It seems that we should be on the bench and you people should be the ones giving the testimony..."

GEORGE KING of Nunivak Island:

"...We have, according to the government, absolutely no rights in Nunivak Island because it was declared a national wild life refuge in the 1930's. The Island has apparently been set aside for ducks, musk ox and reindeer.

"We have not even been able to get a townsite on the island and, according to the executive order establishing the reservation, we are not even there.

"There are approximately ten thousand reindeer and six hundred musk ox on the Island. Those animals have eaten up most of the vegetation on the Island and deprived our people.

"We are allowed to take five reindeer per year per family. It is hard for us to understand why the government reserves all of Nunivak Island for the animals and left none of it for the people. In other words, the birds, reindeer and musk ox have preference rights.

"The government has said time and again that they will not disturb the native people of Alaska in the use of their lands. In our case they have completely deprived us of our land..."

WARING BRADLEY, geologist:

"Your committee is considering legislation to solve a problem which has been created by the collusion of a small group of greedy attorneys representing the Alaskan natives and the Department of the Interior which has imposed upon Alaska an illegal freeze on land patent leases and claims of all kinds.

"The Alaska natives have no legal right to the public land in Alaska. Any moral claim was more than satisfied long ago; they have been supported and educated by the government for a hundred years. This is a factor which should be considered in whatever settlement is finally arrived at..."

ROGER G. CONNOR, one of the land claims attorneys and an attorney for the Aleuts:

"...It would be more just to provide a settlement which compensates for the total impact of our modern life

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**AGAINST LAND CLAIMS**—George A. Moerlein, chairman of the Land Use Comm-

ittee of the Alaska Miners Association, is testifying against native land claims.

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on the native cultures of Alaska. It is for these reasons that the Aleuts urge the enactment of S.2906 in the present session of Congress.

"The natives of Alaska are potentially a source of great strength in Alaska's future. If a just settlement is made by Congress, the State and the nation as a whole will be rewarded by the rapid advancement of Alaska natives in American life.

"They have a great contribution to make if they are given a chance to participate fully in the forward progress of our society."

**MOSES NOUMOFF**, Cape Douglas, 85 years old:

"...They tell me Russians sold our land to the government. There were no Russians on our land. There were no white people. White people never came there. They never saw it. They never ask us.

"I think government buy stolen property maybe. Tough luck government. Can buy whole world that way. I don't believe that the people should have their land taken away from them by people from the states who haven't ever lived there.

"...We should keep enough land to live on. We could take care of a nice piece of it. We don't need it all anymore. White man took most of game anyway. They now shoot game for fun. No more game pretty soon. No more fish. Land not worth much without game and fish.

"Land now aahsetuck. All used up. When we have land it is good. It is all we got. White man takes everything.

"Maybe we sell piece of Russia to government. We never see it, government never see it. Maybe Russia and government don't like it either."

**GEORGE A. MOERLEIN**, chairman, Land Use Committee, Alaska Miners Association:

"...In summary, we believe that the native groups have no legal or moral right to any of the demands they have set forth.

"As citizens of the United States and residents of Alaska they enjoy the same rights under law as I to vote, to obtain land, to hold office, to voice their opinions to government.

"We believe that to grant

these claims will do little more than create a gulf between the native and non-native peoples of Alaska, to prolong the existence of the as a ward of the state, and to discourage his becoming a responsible citizen willing to accept the obligations and rewards of our society...

"Upon your shoulders, gentlemen, and upon those of your peers in Congress rests the future of this state. The present land freeze, if continued will slowly strangle us—the native land claims, if granted, may have the same effect. Both native and non-native alike will suffer.

"We urge you to do your utmost to quickly legislate against these native land claims and to prevent them from recurring again in the future. And to direct the Secretary of the Interior to immediately recommence the management and disposal of lands in Alaska according to the laws of our nation..."

**ELMER RASMUSON**, former Mayor of Anchorage:

"...The greatest undeveloped resource we have in Alaska today is our native population...

"...Alaska may be the last laboratory to test whether the material gains of an emerging state can be joined with the preservation of the finest human values for all. A resolution of our native needs can show the way to the rest of the nation in its groping for solutions to our urban problems.

"Settlement of our native land claims will enable statehood to be realized for all our people and presents a fresh and positive meaning to our hopes and inspirations. This is not special interest legislation; every one gains!"

**JOE ROTHSTEIN**, executive editor, Anchorage Daily News:

"...On this northern frontier in an aboriginal people who have accepted the presence of the western world, who have quietly submitted to the utilization of land they considered theirs, the depletion of fish and game resources they needed for subsistence, the development of sites and towns and camps that provided jobs and wealth from which they received no share.

"They are people whose

personal resources have permitted them to survive in one of the most inhospitable climates on earth. They are strong, resourceful, and immensely capable people..."

**JOHN RADER**, State of Alaska's first Attorney General:

"...In summary then, Mr. Chairman, let me repeat:

"I urge an early legislative settlement of the issue. First, time will not permit a 30-year judicial delay. Second, the courts have difficulty making adequate settlements and truly evaluating such things as fishing and hunting rights.

"Third, the solution to the problem will require local, state and federal cooperation with a continuing examination of results and necessary adjustment as the future unfolds.

"Fourth, the granting of assets, money, land, royalties to the native groups should be considered private capital to be used by them for necessary matching funds for extensive federal and state programs adopted specifically to the unique conditions of the Alaska village, but based upon the same humanitarian principle which demanded the attention of our nation to poverty, Appalachian style."

**ALFRED KETZLER**, Nenana, first chairman of the Tanana Chiefs:

"...But what is probably one of the most important things to us is that we have a deep instinctive feeling of helplessness as a people as long as we are cut off from the land. We are essentially a people to whom land comes first.

"We are its children; we have emotional ties to it that we can never forget, even down into generations that no longer live in the old way.

"It is a basic part of our identity—it makes us feel who we are, and without it, we have been cut off and bewildered..."

"...We have no desire to put anybody else at the same disadvantage; all we want is to be put in a position of equal rights and opportunity with the rest of the people of Alaska in the right to own and use our land."