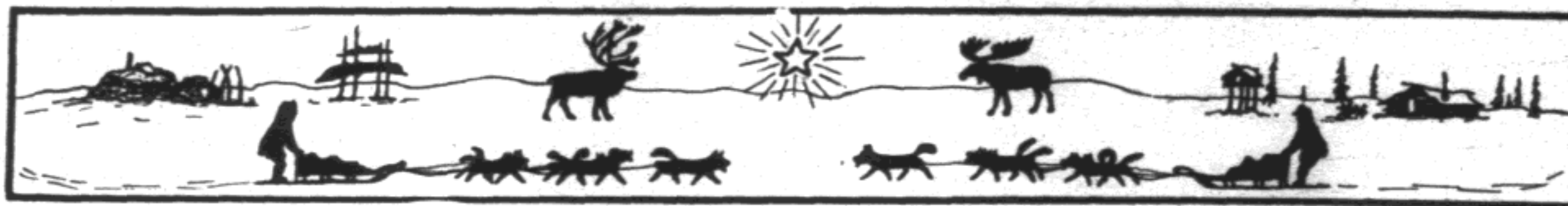


A HAPPY NEW YEAR TO ALL!

Tundra Times

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Inupiat Paitot People's Heritage

Den Nena Henash Our Land Speaks

Unanguq Tunuktauq The Aleuts Speak

Vol. 7, No. 240

Friday, December 26, 1969

Fairbanks, Alaska

Tlingit
Ut kah neek Informing and Reporting
HAIDA
Yaunk yawn sue
Speak the absolute truth

HEARINGS PAVED BY RULING

Appeals Court Decision Gives Natives Right to Contest State Selections

Natives objecting to state selection of their lands will now have the right to a court hearing on the extent of use and occupancy before a determination is made, according to Barry Jackson, attorney for the Alaska Federation of Natives.

This right has come about as the decision of the Ninth Circuit Court of Appeals published this week. The ruling overturned a decision of the U.S. District Court in Anchorage and ordered the case back to the district court for a rehearing.

The district court had ruled in favor of the State of Alaska which brought action against the U.S. Secretary of the Interior to compel him to issue a patent and grant tentative approval to certain lands selected by the state.

AFN Board to Meet Jan. 8-9

The Alaska Federation of Natives (AFN) board of directors will meet in Anchorage on January 8-9.

The main point of discussion will be the current status of the native land claims. Several other topics will also be in line for discussion.

President of the AFN, Emil Notti, is returning from Washington with his family to take charge of the meeting. He is expected to arrive this week.

The processing of applications for patent on these lands had been stopped due to the land freeze instituted by the Secretary of the Interior.

In this particular case, the lands in question were those of the village of Nenana. So the attorneys for the village had joined with the U.S. attorneys in opposing the State.

The village asserted its claim to the lands on the basis of aboriginal use, occupancy, and continued possession.

The district court in Anchorage disposed of the case in a summary trial as requested by the state. Thus the issue was not argued on any factual evidence.

And, the natives and the U.S. appealed the decision.

As stated in the opinion of the Court of Appeals, the native village argued that the district court erred in disposing of the case on motion for summary judgment because there were genuine issues of material fact.

The village had filed in the district court the affidavits of two members attesting to past and present use of the selected land "for trapping, hunting, and camp sites."

The district court, Jackson explained, effectively ruled that the facts relating to the extent

(Continued on page 6)



'HMM, GOT HIM TO AGREE'—A convincing wink from tiny Geraldine Sakeagak, two, seems to say that she got Santa to agree to give her a toy for Christmas. The little tot is the daughter of Morgan and Cora Sakeagak. Morgan is from

Barrow and Cora is from Kotzebue. Cora is a secretary-receptionist at the Fairbanks Native Welcome Center.

—Fairbanks Daily News-Miner Photo
By GARY MILLER

Let Us Cherish— State Chief Executive Sends Holiday Message

Governor Keith H. Miller's Christmas Message:

Diana and I wish to take this means of extending our best wishes to all Alaskans during this holiday season. We join people everywhere in reflecting once again on the quiet beauty of that night in Bethlehem when Christ was born.

The simple, peaceful story of that night in Bethlehem offers evernew hope for a world weary of hatred, strife and war. Let us cherish the story of God's love for mankind as we go about our

daily lives making the decisions that will influence generations to come.

We are grateful for the opportunity to live in Alaska at this exciting time and thankful that we are able to serve the people of the Great Land. We are looking forward with confidence to the dawn of the Seventies, a decade in which Alaska promises to attain its fulfillment.

We hope this holiday season may be one of the most joyous ever for our many friends and fellow Alaskans.

Stevens Seeks Vets Benefits for ANG Native Scout Battalions

Alaska Senator Ted Stevens has introduced legislation to make persons who perform 6 years of creditable service in the Alaska National Guard eligible for veterans benefits.

The bill, S.3224, provides that members of either the Territorial or National Guard who have completed 6 years of Reserve service be accorded the same benefits as those who have served 2 years of active duty in the Armed Forces.

"Guard units in Alaska, particularly the Eskimo Guard of remote Northern and Western Alaska, are designated for the defense of the state and are, in a sense, on active duty all the time," said Senator Stevens.

The Alaska Republican pointed out to his Senate colleagues that during World War II, Lt. Col. Marvin (Muktuk) Marston, retired, organized Territorial Guard units throughout Western Alaska.

"Even though the 'Tundra Army' companies were not federalized at that time, Marston built them into a local defense system in a period when Japanese invasion was a danger and then a reality," said Senator Stevens.

Stevens stated that following the Dutch Harbor bombing in the Aleutians in 1942, the Japanese began to make coastal defenses and to develop submarine bases on another Aleutian island.

They were undoubtedly totally familiar with every village in Alaska. The Guard units had thousands of miles of coastline to patrol.

Marston's troops proved so efficient during the war that he succeeded in having them included in the Alaska National Guard System as "Scout Battalions."

"These and other Alaskan men who have loyally patrolled and guarded the tremendous expanse of Alaska during territorial and statehood days for 6 years deserve the same status as those men who have served 2 years of active duty," said Senator Stevens.