

**Barry Jackson—****Corporate structure was voluntary choice of Natives****By  
Geoff Kennedy**

The idea of corporate structure was not imposed on Alaska Natives; they proposed the idea to Congress, according to Fairbanks attorney Barry Jackson.

"Actually, it was my idea and I presented various alternatives to Native leaders, and they chose corporate structure. Then we had to convince Congress," he said in a recent interview in Fairbanks.

Jackson, one of several attorneys, who represented the Alaska Federation of Natives in its campaign to settle land claims, predicts Natives will adjust to the corporation concept without major problems. "Many Natives have become fine pilots and airplane mechanics. Many have adapted well to the state legislature and have become astute politicians. They have proven themselves as intelligent persons who adjust rapidly to new conditions."

The former state legislator pointed out that corporations are organized in some ways much like tribes and Indian Reorganization Act councils. In both corporations and tribes and councils he said, groups own land, not individuals and decisions affecting the group are made by the group.

Jackson said Natives decided to form corporations because other methods had not worked in settling Native land claims in the lower 48 states. Putting land in the control of the federal government in trust for Natives prevented them from managing their own affairs.

Government attempts to allot individual shares of land or money also failed, according to Jackson. Individuals simply lost their land or spent their money rapidly, he said.

At one time the federal government attempted to turn Indians into farmers and made their land taxable, he said. Natives could not afford to pay their taxes, and within 30 years Natives lost 40 million acres, and so "there was no real change in circumstances."

Jackson said the act would have been simpler if Congress had simply turned the money

over to the Natives, but they wanted to avoid previous mistakes. Jackson said the claims act was a "complex solution to a complex problem."

Jackson admitted the relationship between village corporations and regional corporations was complex. But, he said, the complexity, in part came from members of Congress who did not understand the complexity of the situation.

The attorney who represents several Native groups, said complexity of some parts of the act was necessary to allow Natives to control their own land instead of the federal government. Jackson said a provision giving regional corporations supervision over village corporations insured that villages would not be controlled by Secretary of the Interior.

According to Jackson, the claims act allows plenty of flexibility he pointed out that village corporations can develop any kind of relationship they wish with regional corporations.

For example, village corporations in the Interior have joined to form the Interior Village Association, which contracts with Doyon Ltd., the regional profit corporation for assistance in business matters. Doyon provides the advice and other assistance, but the villages are in control.

In other regions, village corporations want to dissolve themselves or are merging with each other or with regional corpora-

tions or investing in businesses jointly.

Jackson said if Native corporations want to dissolve themselves, they can do so without interference from Congress. He said they can distribute land to individual Native shareholders if they want to. Further, the claims act does not prevent Natives from developing other organizations to accomplish what they want to, Jackson said.

Jackson suggested the act is too flexible in some ways. He would prefer a period of 100 years before Natives would be allowed to sell their stock or their land. "It will require a bit of time to develop an ethic of ownership, the idea that property is a responsibility to pass to future generations, not something you have a right to sell just to build a house."

Jackson would also prefer to keep undeveloped Native land free from taxes forever, not just for 20 years as the act now provides. He said taxing Native lands starting in 1991 is "patently unfair" undeveloped federal land is not taxed.

He said keeping undeveloped Native lands from taxes would not only free Natives from an "unreasonable burden," but also would be good for the state and society as a whole, he said.

Jackson explained the removal of the tax burden would prevent "premature development, premature leasing or even

selling land to pay taxes. Society needs Native lands to remain as a wilderness bank for centuries to come."

Jackson admits the claims settlement will cause problems. "There will be ripoffs. There is evil in the world. People sin."

But he predicts Native corporations will succeed because the leaders have to account for their actions to their stockholders, many of whom they are related to. In contrast, "Where you have a Lockheed Corporation or a Pennsylvania Railroad, you do not have people caring about interests of the stockholders."

In those corporations the president selects the board of directors who will protect his interests, not necessarily the interests of the stockholders, Jackson said.

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