

Trespass Case

(Continued from Page one)

argued from the very beginning that the Inupiat people have no rights," Lewis said.

Lewis listed six points which are the core of the Inupiat position that they have a right to sue for trespass damages. They are:

- That aboriginal title is a rule of American common law, not just government policy;
 - Under the doctrine of aboriginal title, Native people have exclusive right to the land;
 - That Native title is not dependant upon recognition;
 - That aboriginal title can only be terminated by a clear act of Congress;
 - That Native occupancy rights are fully protected by the U.S. Constitution;
 - That federal laws and federal court decisions involving Native land rights fully apply to Alaska.
- Attorney Gantz, in his rebuttal to the Inupiat position, said it is still unclear if aboriginal title has ever really existed. "It always seemed to me that the term aboriginal title was used too loosely," he said.

Gantz said the defendants agree with the first three of Lewis' six points, but reject the others.

Several times during the hearing, Judge Fitzgerald interrupted attorneys to clarify their statements and question the course they were following in argument. One issue repeatedly raised was whether claims for damages to individuals could or should be separated from damages to the Arctic Slope people as a whole. Defendants generally concede the validity of individual claims of property damage. The Inupiat contend however that as a group they have been harmed.

Fitzgerald commented that the crucial questions in the case would be whether aboriginal title ever existed and what the intent of Congress was in passing the Statehood Act and the Land Claims Act.

Parties accused of trespass include Alyeska Pipeline Service Co., Wien Air Alaska, Frontier Rock and Sand, Inc., Puget Sound Tug and Barge Co., Mukluk Freight Lines, Parker Drilling Co., and Shell Oil Co. The remainder of the list is virtually a business directory of major Alaskan companies involved in petroleum exploration, drilling, construction and transportation.

The State of Alaska is named as a defendant because it authorized some of the alleged trespass activities through such mechanisms as the 1969 Prudhoe Bay oil lease sale.

The complaint filed by the government on behalf of the Inupiat charges that trespassers killed significant numbers of game animals and damaged hunting camps, caches and Eskimo graveyards.

The complaint also charges that in addition to taking "significant quantities" of valuable materials from the land, the trespassers "polluted water supplies and permanently despoiled many acres of the Arctic tundra, removed vast quantities of sand and gravel, and took large quantities of valuable

geologic and geophysical data."

Since the original trespass complaint was filed on October 7, 1975, hundreds of pages of documents have been filed by plaintiffs and defendants. The case has a whole filing drawer to itself at the clerk's office of the U.S. District Court in Anchorage.

Among those many documents are answers to the trespass charges filed by the defendants. Although the answers differ slightly, they all express the same basic defenses:

- That the United States is not a trustee of the Eskimos and cannot bring suit for them;
- No attempt was made to stop the trespass at the time it occurred;
- That money from the land claims act was payment for any damage that might have been done;
- That the Inupiat cannot claim damages to wildlife because they do not own or have the exclusive use of that wildlife;
- That any Native claims for land or damages were terminated by the land claims act, the Statehood Act, and possibly even by terms of the treaty that governed the sale of Alaska to the United States.

Some of the defendants also state that any entry they made onto the land was made in good faith because they were allowed to do so by federal and state officials. In some cases, defendants specifically deny any knowledge of acts that are charged against them.

It is not known at this time when Fitzgerald will rule on the motion to dismiss the case.

Late news highlights:

The survival of Alaska's Caribou Herds will be discussed December 4, at the Wood Center University of Alaska, Fairbanks. The Fairbanks Environmental Center is sponsoring the free conference, which will began at 9.

A panel representing the scientist, Native, environmentalist, sportsman, Department of Fish and Game, and industry views will be presented. A question and answer period dialogue between the panel members and audience is scheduled.

Public comments on proposed changes in sport, commercial and subsistence fish regulations are being solicited by the Board of Fisheries. The proposed changes will be considered at the board's fall meeting December 7 in Soldotna.

Oral testimony on the proposed changes may be presented December 8 at the Chambers in Soldotna.

Written comments must be received by November 30. All written comments should be submitted to the Board of Fisheries, Support Building, Juneau, Alaska 99801.

SUBSCRIBE

ALASKANS

D & S Distribution now servicing fellow Alaskans in the bush. We have case lot groceries and no service charge. For more information call 274-6611 or write D & S Distribution, 301 W. 64th Street, Suite 104, Anchorage, Alaska 99502.

HELP WANTED

BRISTOL BAY NATIVE ASSOCIATION
BOX 179
DILLINGHAM, ALASKA 99576
PH: (907) 842-3322

ADMINISTRATION

EXECUTIVE DIRECTOR

Salary Range: \$18,000-\$21,000 annually. DOE

Duties: Maintains regular and systematic job classifications and internal ordering of BBNA personnel; works closely with field representatives to develop programs for villages; administers all programs indirectly; negotiates contracts, grants; oversees day to day operations of BBNA, Inc. Reports regularly to Executive Committee and Board of Directors of the corporation; assign duties and tasks to staff;

Responsibilities: Personnel policy enforcement; keeping BBNA, Inc. credible and accountable by working and managing accounting department; must be thoroughly familiar with federal contract requirement, grant requirements; establishes and maintains budget, keeps Board of Directors and Executive Committee informed of developments, solicits guidance on activities from said Board and/or Committee; travels regularly to villages, maintains position as Community Advocate; establishes agenda of meetings; calls for Board/Committee meetings; meets regularly with the Executive Committee; must report monthly to Committee on status of resolutions, grants, contracts; hold staff meetings.

Qualifications: Administrative background. Public administration preferred; knowledge and familiarity of non-profit corporations working capabilities; accounting/administrative experience preferred; hold regular staff meetings.

Reports to: Executive Committee, BBNA, Inc.; Board of Directors, BBNA, Inc.

HELP WANTED

PERSONNEL OFFICER WANTED- Duties & Responsibilities: Assists management in organizational development, i.e. training, job enrichment and career ladders. Specifics Duties: Employee recruitment and screening of candidates; orientation of new employees; maintenance of personnel files; assist departments in analyzing manpower need levels, classifying positions, and related duties. Qualifications: Minimum four years management experience. Knowledge of social and economic conditions of Alaska Natives preferred. Salary: \$1500/mo. DOE. Submit resumes to: Cook Inlet Native Association Attn: Paulette Charney P.O. Box 515 Anchorage, Alaska 99510

Deadline: Nov. 15, 1976

HELP WANTED

The Tanana Chiefs Conference has a secretarial position available in the Native Services Department. Must have high school or GED diploma with 2-3 years office experience. Must type 60 wpm; shorthand preferred. Must be able to work with little supervision; will assist supervisor with routine office procedures. Salary DOE. Apply to Ruth Okitkon, Tanana Chiefs Conference, Native Services, First and Hall Streets, Fairbanks, Alaska 99701. Telephone 452-8251.

EQUAL OPPORTUNITY EMPLOYER

HELP WANTED

POSITION VACANCY

The following position is available in the Tok Office of the Tanana Chiefs Conference:

TITLE: Employment and training specialist
REQUIREMENTS: Prefer someone with a background in employment recruiting or counseling. Person must be familiar with the Tanana Chiefs region. The incumbent will work under the general supervision of the Employment Assistance Officer, the CETA Director and the TCC College. DUTIES: Duties will include but are not limited to: planning, organizing and conducting the Employment Assistance, CETA Title III and TCC College programs within the Tok Subregion of the Tanana Chiefs conference.
SALARY: D.O.E.

To apply for the above position, call or write the Tanana Chiefs Conference, First and Hall Streets-Fairbanks, PH. 452-8251 ex. 62, or the Tok Subregional Office, Box 126, Tok, Alaska PH. 883-2762.

Equal opportunity employer

HELP WANTED

POSITION VACANCY

Tanana Chiefs Conference, Native Services Department, has two clerk-typist positions available. For application forms contact Virginia Marlow, Native Services Department, Tanana Chiefs Conference, First and Hall Streets, Fairbanks, Alaska Phone 452-8251.

HELP WANTED

ALASKA COURT SYSTEM EMPLOYMENT OPPORTUNITY

The Alaska Court System is currently recruiting for the position of Area Court Administrator for the fourth Judicial District, which is headquartered in Fairbanks. This position is responsible for administrative control of all non-judicial activities of the trial court and magistrate court in the fourth judicial district.

The area court administrator serves at the pleasure of the court and works under the supervision of the presiding judge.

The annual salary is \$40,836 per year.

Preferred minimum qualifications are an appropriate college degree plus four years of professional work experience of which two years were as a court administrator.

For further information contact the Personnel Office at 303 "K" Street, Anchorage, Alaska 99501.

Resumes must be received no later than December 31, 1976.

AN EQUAL OPPORTUNITY EMPLOYER

APPLICATIONS FROM MINORITIES ARE ENCOURAGED

HELP WANTED

The Tanana Chiefs Conference has a position available for a Secretary II position:

QUALIFICATIONS: type 60 wpm, MUST be able to transcribe from dictaphone, good filing skills, other office duties in general.

SALARY: DOE

CONTACT: Sharon Sunnyboy 452-8251, ext. 49

Applications available at Receptionist desk, 2nd floor Doyon Bldg., 1st & Hall streets.

HELP WANTED

CONTRACTS ADMINISTRATOR-Fairbanks Native Association. Salary \$30,000 annual DOE. Qualifications: BA in Accounting, Business Management or related field. Experience: five years in various functions of fiscal administration of grants and contracts. Two years in overhead proposal development and negotiation. Demonstrated experience supervising a technical staff. Responsible for the fiscal administration of sponsored program and service grants and contracts awarded to FNA. Responsible for contracting and granting system, proposal development and review for compliance, legal sufficiency, budget accuracy. Review of proffered terms of contracts and grants in the best interest of FNA. Direction of final negotiation, supervises technical administrative services to grants and contracts. Overhead rate development. Interested candidates please send resumes to: Executive Director, Fairbanks Native Association, 102 Lacey St. Fairbanks, Alaska 99701. Applications will be accepted until Nov. 12, 1976.

HELP WANTED

EXECUTIVE DIRECTOR-Fairbanks Native Association. Salary \$26,000 annual DOE. Qualifications: BA in Business Administration, Management, Public Administration preferred. Three years experience in management of small contract agency. Experience may be substituted on a year for year basis with education. Responsibility to FNA Board of Directors for planning, development and coordination of overall operations of FNA, directs interactions of administrative and program services; responsibility for contract compliance, budget operations, program operations through department heads; responsibility for all personnel matters, staff performance and evaluation. Executes all policy and statements of FNA policy. Prepares reports for FNA Board. Maintains relationships with federal, state and local agencies; establishes priorities and needs for urban Native population. Supervises all staff of FNA. Candidates with experience in Alaska Native affairs preferred. Information on position available from FNA. Please send resumes to: Executive Director Fairbanks Native Association, 102 Lacey St. Fairbanks, Alaska 99701. Applications accepted until Nov. 12, 1976.

HELP WANTED

POSITION VACANCY

The following position is available in the Fairbanks office of Tanana Chiefs Conference Native Services:

TITLE: Higher Education Specialist

DUTIES: Include counseling students, working with financial aid officers of colleges, advising management on higher education direction.

REQUIREMENTS: Person must have a B.A., preferably in counseling; experience in counseling or financial aids helpful.

SALARY: Negotiable D.O.E.

Applications will close on November 19, 1976. Please address inquiries to Virginia Marlow, Administrative Assistant, Native Services Department, Tanana Chiefs Conference, First and Hall Streets, Fairbanks, Alaska 99701.

HELP WANTED

COPPER RIVER SCHOOL DISTRICT
P.O. BOX 108
GLENNALLEN, ALASKA 99588

DATE: October 20, 1976

TITLE: Teacher - Junior-Senior High School Social Studies

RESPONSIBLE TO: Principal

QUALIFICATIONS: Certificated by the State of Alaska or qualified for certification, in secondary Social Studies.

EXPERIENCE DESIRED: An experienced teacher is desired, but all candidates will receive equal consideration.

SALARY: Base minimum \$13,400, benefits.

BEGINNING DATE OF EMPLOYMENT: November 22, 1976.

SUMMARY DESCRIPTION: This position is responsible to the principal for teaching five 50 minute periods of social studies as assigned for grades 7-12. The individual courses, and the content will be explained thoroughly to applicants selected for interview.

SEND LETTER OF APPLICATION AND PLACEMENT FILE TO:

Mr. Phil Barra, Principal
Glennallen School
P.O. Box 66
Glennallen, Alaska 99588

CLOSING DATE: Nov. 15, 1976

THE COPPER RIVER SCHOOL DISTRICT IS AN EQUAL OPPORTUNITY EMPLOYER.

Read the

Department of Education's

Emergency

Regulations

SEE LEGAL NOTICE, PAGE 9