

• Stevens Road Measure Threatens Native Lands

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have taken the position that the law allows them to claim numerous old roadways and trails - even if they're no longer used - for future highway development. Such a position is a potential land management nightmare, which Babbitt has been trying to address.

Governor Tony Knowles has joined Stevens and the rest of the state's Congressional delegation in stiff opposition to Babbitt on the RS2477 issue, and state of-

ficials were crowing after last weeks vote.

However, while Stevens could claim victory, it was far from resounding. With a 51-49 tally, the Senate turned down an effort by Dale Bumpers (D-Arkansas) to remove the Stevens rider.

There were some indications at week's end that President Bill Clinton might veto the spending bill because lawmakers had attached several objectionable riders opposed by the White House. The most serious of these was a measure that would

keep the federal government operating even if Congress and the president can't reach final agreement on an FY 98 budget. Republicans want to avoid a repeat of the last shutdown in the winter of 1996-96, for which they were largely blamed. The president would prefer to retain this leverage, especially since Republicans control both houses.

On the other hand, it's difficult to veto a bill to aid flood victims.

The question for Alaska Native villages,

tribes and corporations, is: if Republicans buckle on the budget provision but hold firm on RS2477, would the president still veto the measure?

Given the nature of Stevens rider it will not be voted on in the House. However, a House-Senate conference committee will meet to reconcile their spending bills. Thus, House conferees - probably this week or next-will have a chance to speak against the RS2477 measure.

• Q&A: Indian Country and tribal status

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government to determine. In those particular cases the Alaska Supreme Court did not think the federal government had yet made its intentions clear. Now that the federal government has its intentions clear, there is every reason to expect the Alaska Supreme Court to respect that decision.

44. What could the Alaska court system do to develop a better working relationship with tribal court systems?

First, the two court systems could convene an annual conference to educate one another on their respective operations, to engage in joint training sessions, and to open and improve channels of communication. The two court systems could explore a means of standardization in a variety of areas that would facilitate a smoother working relationship. They could also discuss ways in which tribal court decisions could be officially recorded so that they could be more accessible to state court judges. All of this is already underway between the Alaska tribal court systems and the federal court system.

Second, the state court system could explore ways in which questions of tribal law that occasionally arise in state court could be referred to

tribal court systems for resolution of those questions. Such cases could then be returned to the state court system for final resolution.

On the future well-being of Native Villages
45. What did the congressionally-established Joint Federal-State Commission on Policies and Programs Affecting Alaska Natives conclude about the best means to improve the future of Alaska Native villages?

The Commission was established by Pub. L. No. 101-379, 12, 104 Stat. 478 (1990), reprinted at 42 U.S.C. 2991a note. The Commission was charged principally to study "the social and economic status of Alaska Natives," Section (c) (1) (A), and, in part, to "recommend specific actions...that address, among other things, the need of Alaska Natives for self-determination," Section (c) (3) (B).

The Commission was comprised of seven Presidential appointees, seven gubernatorial appointees, the leadership of the Alaska Legislature, the three-member Alaska Congressional delegation, and the three chairmen and ranking minority members U.S. Senate Indian Affairs Committee, the U.S. Senate Energy and Natural Resources Committee and the

U.S. House Natural Resources Committee. The Commission published a three-volume report entitled ALASKA NATIVE COMMISSION FINAL REPORT (1994) ("FINAL REPORT").

After an exhaustive two-year review of tribal, federal and state activities, the Commission found the strengthening of the governmental role of Alaska Native tribes to be crucial to the future success of Alaska Native communities.

The Commission recommended that (1) federal and state governments implement policies "that give maximum local powers and jurisdiction to tribes and tribal courts in the areas of alcohol...control, community and domestic relations, and law enforcement." Final Report at 26; (2) "federal and state regulations...be changed to allow for tribal design and management of government income support and maintenance programs," *id.* at 39; (3) village tribes be encouraged to develop their "dispute resolution bodies (including tribal courts)" with federal and state training and technical assistance, *id.* at 42; (4) the State enter into formal criminal jurisdictional agreements with tribes to coordinate their respective

efforts, *id.* at 43; (5) Congress and the State create an Alaska Native Heritage Trust to fund certain tribal programs in village schools, *id.* at 51; (6) Congress repeal the isolated "disclaimers" that have occasionally accompanied certain federal Indian statutes (such as 26 U.S.C. 7701 (a)(40)(B), *id.* at 73; (7) the Secretary appear in pending litigation to support the "Indian country" status of village lands, *id.* at 74; and (8) tribes be supported in their efforts to consolidate local land ownership, to have their local lands taken into trust status by the United States, and to develop "tribal land use plans and comanagement agreements with federal and state land use and resource managers," *id.* at 75. See also III FINAL REPORT 45-91 (containing the complete report of the Commission's Alaska Native Tribal Government Study).

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