

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILES 8672

831 SCOMM30: CONFERENCE ON ALASKA'S FUTURE FRONTIERS 1979

Read the opening paragraph of the Declaration of Independence and let it soak in, all of it, and tremble at the awesome truth of this noble document, lest it must be carried to its fearsome conclusion when the peoples, patience exhausted and tempers thinned beyond the breaking point, carry out their "duty"; to throw off such government and to provide new guards for their future security."

Let every elected official, every appointed hireling understand that the land belongs to individual people and not to the "Nation" so affectionately termed "the people" by all socialists.

Let every member of the news media realize that it is his or her duty to bring this understanding to fruition lest they be judged as partners in the conspiracy to deny land to the people.

Let every Alaskan become aware of this impending treachery so that he or she can prepare for any eventuality necessary to undo this revolution so brazenly announced in the policy clause of the B. L. M. Organic Act of October 21, 1976, wherein two centuries of magnificent demonstration of "land to the people" in the United States was terminated, 43 USC 701, Declaration of Policy, Sec 102: (a) The Congress declares that it is the policy of the United States that (1) the public land be retained in Federal Ownership.....

If America would trod the blood and tear soaked trail to socialism, it is a very sad day for history, but this should not sway Alaskans from the eternal truths of the Declaration of Independence and the exercise of all their unalienable rights among which are Life, Liberty and the Pursuit of Happiness.

The land of Alaska rightfully belongs to the peoples of Alaska and individuals! It is their right to grant such lands and powers to their government as they see fit! The government has no right to parcel out land and land use to the people! It is the peoples! How can one be granted or given something which one already owns?

The essence of slavery is the denial of land ownership. Only by thwarting the Territorial Imperative can a people be fully controlled, herded and harnessed to the will of an elitist minority enshrined in bureaucratic security, it is the Territorial Imperative against the Bureaucratic Imperative. If Alaskans would make slaves of themselves and their descendants, they need only submit to the tyranny of Federal Government by failing to demand their God-given right to land by failing to hold their unlawful masters bound by our contracts with the government.

Now for those who still have hopes that the United States will return to the principles which made her a shining example for all the downtrodden peoples of the world, it is only necessary to examine the course of nations through the pages of history. It will truly take a miracle of untold proportions to alter their course from seeking mass security, to once again seek individual opportunity. The ultimate security from birth to the grave is attained in the institution of slavery, the most degrading of all social systems.

The hope that 400,000 Alaskans can influence 228 million Americans is as if the last hair on the tip of a St. Bernards tail could bounce the rest of the dog up and down like a yo-yo.

As Abraham Lincoln said in his first inaugural address, March 4, 1861, "This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing government they can exercise their constitutional right of amending it, or their revolutionary right to dismember or overthrow it."

Alaskans inhabit Alaska - NOT the masses of the 48! It belongs to us! Let Alaskans determine our destiny. Let Alaskans control our land in individual

ownership with fee simple, surface and sub-surface rights, but if Alaskans disagree, let it be Alaskans and not outside special interests that determine our destiny. Push all government back in its cage, the limits of the Constitution, and subject to the will of Alaskans.

If America no longer esteems private ownership of land and espouses socialism, it is Alaskas destiny to preserve the original motivating force in Americanism, the private ownership of land and the only practical route to this end is Independence for Alaska with full and complete Sovereignty over the Great land!

Let all in the position of leadership in Native Organizations, business, government, education, the Church, labor, step forward in this righteous battle, as Alaskans seeking self determination for Alaska.

The urgency of 1776 is here today, but the route to its solution is a different path. A peaceful plebiscite, as man struggles upward from the day of the club in the relations between peoples of separated lands!

Colonialism is dying throughout the world; America born of the abuses of Colonialism must not be the last carrier of this malignancy of civilization.

Frederic O. Meyer

ALASKA'S FUTURE

INDEPENDENCE and DEFENSE

ONE OF THE MOST COMMON QUESTIONS POSED WHEN INDEPENDENCE FOR ALASKA IS DISCUSSED IS, "WHAT WILL WE DO FOR DEFENSE?" TO ANALYZE THIS QUESTION PROPERLY ONE MUST DETERMINE, WHAT IS OUR PRESENT DEFENSE?

NAVAL

TO THE BEST OF OUR KNOWLEDGE THERE ARE NO U.S. NAVAL VESSELS STATIONED IN ALASKA. EVIDENTLY SOME FEW NAVAL AIRCRAFT, MEANT FOR SUBMARINES SURVEILLANCE, COME AND GO IN THE ALEUTIAN AREA. FOR ALL PRACTICAL PURPOSES, ALASKA WITH A LONGER COASTLINE THAN THE ENTIRE LOWER 48, AND A CONTINENTAL SHELF LARGER THAN THAT OF ALL OF THE OTHER 49 STATES, HAS NO NAVAL DEFENSE WHATSOEVER. ACROSS THE BERING STRAITS, IN SOME PLACES A MERE 2 1/2 MILES FROM ALASKA'S SHORES WE ARE FACED WITH THE MOST POWERFUL MILITARY FORCE IN THE WORLD, THE UNION OF SOVIET SOCIALIST REPUBLIC.

THE SOVIET UNION HAS IN THE LAST 15 YEARS BEEN ENGAGED IN A BUILDING PROGRAM WHICH HAS RESULTED IN THE SOVIET NAVY BEING THE MOST MODERN NAVY, AND PERHAPS THE WORLD'S LARGEST. BUT THE UNITED STATES APPEARS TO HAVE OTHER AND MORE STRATEGIC PROBLEMS WITH WHICH IT WISHES TO AMUSE ITSELF, RATHER THAN THE DEFENSE OF CITIZENS OF ALASKA, THE FEDERAL UNIONS LARGEST STATE.

AIR DEFENSE BY THE UNITED STATES AIR FORCE IS WOEFULLY DEFICIENT. THE AIR DEFENSE OF ALASKA EVIDENTLY CONSISTS OF BETWEEN 18 AND 36 PHANTOM II JET AIRCRAFT. THESE AIRCRAFT WERE DESIGNED 21 OR MORE YEARS AGO. THIS SQUADRON OF PHANTOMS IS NOT EVEN PERMANENTLY STATIONED IN ALASKA. SINCE ALASKA STRETCHES OVER SUCH A VAST AREA (FROM ATLANTA TO SAN DIEGO AND NORTH AS FAR AS WISCONSIN) IT IS APPARENT THAT THE U.S.A. CANNOT DEFEND ALASKA WITH THESE PITIFULLY FEW, OLD AIRPLANES. BY CONTRAST, ISRAEL IS 180 MILES LONG BY ABOUT 50 MILES WIDE AND THE ISRAELI GOVERNMENT CONSIDERS 500 AIRCRAFT AS A BARE MINIMUM FOR AN ADEQUATE DEFENSE. AND WE MIGHT POINT OUT, ISRAEL IS NOT A MERE 2 1/2 MILES FROM THE SOVIET UNION. THE TRUTH OF THE MATTER IS THAT THE FEW AGED McDONNELL DOUGLAS PHANTOM IIs ARE PART OF THE EARLY WARNING NETWORK FOR THE LOWER 48 STATES, AND ARE NOT AND COULD NOT MUSTER A DEFENSE FOR ALASKA OR ALASKANS.

IN TERMS OF GROUND TROOPS, ALASKA IS DEFENDED BY A SINGLE INFANTRY BRIGADE WITH SOME SUPPORT UNITS. THAT IS SIGNIFICANTLY LESS THAN ONE DIVISION. FURTHER THE QUALITY OF THESE TROOPS ARE IN SERIOUS QUESTION, WHICH BECOMES EVEN MORE EVIDENT WHEN ONE VIEWS THEIR NUMEROUS WAR GAMES LOSSES TO THE ALASKA NATIONAL GUARD. THIS FORCE COULD NOT CONTAIN OR DELAY EVEN A MODEST SOVIET ATTACK, MUST LESS ONE THAT IS WELL ORGANIZED AND DETERMINED. WE MUST NOT FORGET THAT THE SOVIET UNION HAS A GREAT DEAL OF EXPERIENCE IN "FROZEN WARFARE".

FREQUENTLY IT IS MENTIONED THAT THE FUNCTION OF THE ARMY IN ALASKA IS TO HOLD THE AGGRESSORS OFF FOR A FEW HOURS OR DAYS, WHILE A RETREAT TO ALBERTA IS ORGANIZED. ALL VISIBLE EVIDENCE POINTS TO THAT AS BEING THE PROPER ANALYSIS. IT IS APPARENT THAT ALASKA'S PEOPLE, THEIR HOMES, CHILDREN AND BUSINESSES ARE NOT DEFENDED UNDER PRESENT U.S. DEFENSE POLICY. INDEED, NORTH AMERICA'S BACK DOOR IS WIDE OPEN. IT APPEARS THAT IT IS INTENDED TO BE THAT WAY, FOR ALASKA DOES NOT EVEN HAVE THE TACTICAL AIRCRAFT TO SUPPLY ADEQUATE GROUND SUPPORT FOR THE SMALL GROUND FORCES STATIONED HERE.

AN INDEPENDENT ALASKA WOULD HAVE A BETTER DEFENSE, FOR ALASKANS WOULD BE MORE WILLING TO PROTECT THEIR HOMES AND FAMILIES. THE PRESENT SITUATION OF BEING TREATED AS AN EARLY WARNING OUTPOST, A SACRIFICIAL LAMB FOR U.S. MILITARY POLICY IS INTOLERABLE.

ALASKANS FOR INDEPENDENCE
ORGANIZATION & PLANNING COMMITTEE

COOPERATIVE FIRE PROTECTION
IN RURAL AREAS

A Request for Consideration
by Ralph E. Crane

To qualify myself to the information submitted in this request, I offer you the following information on myself:

I am 29 years old and arrived in Alaska for the first time in 1959. Since my first arrival I have worked in and formally studied Fire Management as it applies to both wildland and structural fires. I have learned and taught at the college level. My major field of study has been in Public Administration with an emphasis on Fire Management. I have worked as a city fire department engineer in Alaska and a wildland/structure/rescue engineer and fire captain in California.

I can guarantee you I have no monetary interest in whether this concept ever materializes. My only interest in this is based on my own moral values and my ideas of governmental responsibilities to its citizens.

INTRODUCTION

With the current push to dispose land to private citizens, the State Forestry's ability to provide an acceptable level of wildland fire protection in these areas will be severely taxed.*

One obvious alternative to building up government forces to match the increased responsibility, is to recruit the assistance of interested groups of individuals in the more densely populated areas to provide initial attack on wildland fires in their local area.

The program I envision is one where the State Forestry would provide the assistance in organizing, equipping, and training these groups of people toward fire protection in their area. In return for this assistance, these people would agree to provide initial attack on all wildland fires in their area.

There are two primary advantages to this cooperative fire protection concept:

1. It assists the State in meeting its wildland fire protection responsibility in these areas without major increase in expenditures and government employees.
2. It gives the local people an organized, equipped, and trained fire protection unit for their local structures and improvements as well as providing our wildland fire initial attack force.

The other known advantages and disadvantages to this concept will be addressed further on in this report.

*By 1985 it is estimated that 12.4 fires annually will occur at a suppression cost of \$1,418,132 for each fire! These figures do not reflect the human impact on state lands resulting from the current land disposal program. This human impact will surely cause these figures to rise, however, to what degree they will rise is unknown.

INCREASE IN FIRE PROTECTION RESPONSIBILITY

As members of the State Legislature, you well know the land disposal task assigned the Department of Natural Resources. For the purposes of fire protection, this simply means that, not only are the values-at-risk increasing in these rural and wildland areas, but the man-caused fire risk is increasing at a rate with which the State Forestry is having problems keeping up.

These values-at-risk include homes, outbuildings, lodges, equipment, vehicles, planes, agricultural products, and most important - human lives! These values-at-risk are going to increase with the increase of land disposed. Indeed, in most cases, the condition of gaining title to the land is to provide improvements (values-at-risk) on it.

In turn, the man-caused fire risk increases sharply as these areas are cleared and burned. The fires on the Delta Barley Agricultural Project are examples of this which stick out like a 4 million dollar burnt thumb. This fire began because of land clearing operations in May of '79 and is still burning as I write this in December '79. It is fully expected to take off burning again in the Spring of '80. In 1980 however, the Southcentral District may not be blessed with the wet summer it had this year.

This summer, the Southcentral District could provide the majority of its firefighting forces to the Delta Fire because it was so wet here. This loss of forces in this District left less than the realistic amount of forces necessary to provide protection, should a large fire or a rapid series of smaller fires occur in the Southcentral District. What happens next year if both the Southcentral and Northcentral, possibly even the Southeastern districts experience extreme fire conditions? This state has extremely limited qualified firefighting manpower and equipment to protect its areas of responsibilities when compared to other state wildland fire protection agencies I am familiar with.

COOPERATIVE FIRE PROTECTION - AN ALTERNATIVE

What happens if two or all three Districts experience problem fire conditions? What happens when a wildland fire occurs in an area such as that

near Homer where the State Forestry has the responsibility for wildland fire suppression, but the closest fire control station is in Soldotna, 60 miles away? (By the time Soldotna forces arrive, the small fire has had at least 1½ hours to grow rather large!) These two questions both have an answer I believe warrants serious consideration; why not enlist the aid of local people to provide initial attack forces on those wildland fires in their local areas?

In my contacts with locals, they have certainly shown an extreme interest in providing fire protection for their own areas. Some have even shown an interest in firefighting outside their home area if an extreme need arises. These interested people range from a group of people unfamiliar with firefighting but interested in providing fire protection in their local area, all the way to a well equipped, incorporated fire department with a full roster of qualified firemen.

Thus, the people are there, and in some cases, the equipment is there -- why not use this to help meet the State responsibility for wildland fire protection? Section 41.15.030 of Title 41, Alaska Statutes authorizes the Commissioner of Natural Resources to "make contracts for forest protection."

There are two main reasons for not aggressively attempting to enlist this aid. First, they all need the training to safely and effectively attack wildland fires and most need organizing and equipping to be effective in initial attack. Second, the State Forestry is not currently funded to provide the necessary organization, equipment, and training services to these interested groups. These services are necessary prior to and during the cooperators assistance period to insure that the cooperators are being used in a safe, efficient, and cost effective manner.

The State Forestry is currently making a frustrating effort towards providing these services, without the necessary funding. A prime example of this frustration is the fact that, in an attempt to provide an area such as Chitina with a fire truck that is primarily for wildland use (although they will be using it for structure fires) the State Forestry was limited by cost to install ^{on the truck,} a small 12 gallon per minute pump. For a structure fire and any sizeable wildland fire, this truck could be compared to having a peashooter in an air raid! The hose used for a pump of this capacity is comparable to a garden hose. This water flow would barely produce a fog pattern through

a one inch combination nozzle -- substantially less in performance than the standard 1½ inch combination nozzle used by the effective firefighter.

THE COOPERATIVE CONCEPT - PROS AND CONS

I have endeavored to make a comprehensive list of the advantages and disadvantages to this concept. I realize it does not include every pro and con that special interest groups could identify. It does list the main points I feel important based on my background in fire management.

PROS:

Lower cost to provide both wildland and structural protection.

Provide structure and wildland protection in areas that currently have little or none.

Provide rapid initial attack on wildland fires in areas where quick response can be critical with the nearest State firefighters hours away.

Trains and equips locals in advance of major fires rather than being unskilled when the State needs them the most. An example of this is the Delta Barley and Browns Lake fires where there were many locals hired to fight fire, that had never even been on a wildland fire before. This not only limits productivity toward suppressing the fire (expensive), it creates an extremely unsafe condition with untrained people working around bulldozers, retardant planes, and the fire itself (lawsuits - very expensive).

Helps downplay the "Bureaucracy image" of State government by reducing the need for more State employees, new fire stations and more equipment that will be necessary to control wildland fires if the cooperative concept does not develop.

More cost effective. While the need for local initial attack forces is critical, full time State forces would be quite expensive when compared to using locals in the area when necessary.

Promotes a "self-help" attitude rather than a maternal "government will protect" attitude. With the current level of State Forestry forces, this "government will protect" attitude could prove fatal to the locals.

CONS:

Will not provide full time firefighters. This, however, must be weighed against the need for full time firefighters.

Will require close monitoring of local forces by the State Forestry to insure an acceptable level of fire protection forces.

Locals are less inclined to have State interests at heart which also

requires the State Forestry to closely monitor to avoid excessive fire "bills".

The State Forestry employees who monitor and manage this concept would have to be carefully selected individuals that are experts in the fields of fire management and public relations, among others, to insure the concept's smooth operation. These people must be dedicated to this concept to insure that any funds allocated to managing a cooperative fire program would not be misdirected into other programs within the DNR. The head of this program should be delegated the authority to prevent this "misdirection" from occurring. There is a past history of sympathetic legislators granting funds to the fire protection appeal with the administrators of these funds using them for other purposes.

SUMMARY

I know this concept, as I have covered it, still leaves some areas as yet uncovered. I do feel however, that the obvious benefits warrant this concept to be looked at very closely. With the current emphasis being placed on the big money (oil money, bottom fishing, pipelines, etc. - all important, I realize) projects, I certainly hope this idea is not placed on the back shelf "for future consideration." It is critical that something be done now to assist the State in wildland fire protection - before the next Delta Barley fire occurs on Anchorage's East side area, or Anchor Point, or Delta Junction. This concept not only serves this purpose; properly done, it allows a great number of Alaskans to put out a fire in their own house. This is what Alaskan Government is all about to me - helping Alaskans help themselves. Consider it seriously!

Rec'd 11/19/79

ELLIS, SUND & WHITTAKER, INC.

RICHARD WHITTAKER

ATTORNEY AT LAW

1285 TONGASS AVENUE

KETCHIKAN, ALASKA 99901

907-225-6174

TO

Future Frontiers
308 G St Suite 310
Anchorage, Alaska 99501

DATE 17 Nov 79

SUBJECT

Herewith, my paper.

Richard Whittaker

FUTURE FRONTIERS

POSITION PAPER ON THE
ALASKA OFF SHORE FISHING OPPORTUNITY

By

Richard Whittaker.
1285 Tongass Avenue
Ketchikan, Alaska

THE PROBLEM:

The writer of this paper believes the State of Alaska is at a great moment of decision; the issue is the off-shore fishery, protected by the Fisheries Management Act of 1976 - the 200-mile economic zone, and whether the resource can be made a part of the Alaskan economy.

Postulated are notions that the current efforts of the State are generally inconsequential as far as the off-shore fishery is concerned because of the enormity of the fishery, and that what will probably happen over the next four or five years is that there will be the development of a fishing industry using great processing and catcher vessels, such as the Koreans, Japanese and Russians are currently using, and which will homeport out of San Diego, Los Angeles, Astoria and Seattle. Alaska faces the strong possibility of no involvement or benefit, once this happens.

Current trends in the fishery indicate to the writer the major Alaskan fishing companies, which are either owned outside Alaska, or in Japan, are juggling for position, because of the enormity of the fishing and the take-over process, but that when it occurs there will be no significant number of Alaskans in the fishery as fishermen; there will be no shore-based processing except perhaps at Dutch Harbor; there will be little or no Alaska investment and, therefore, no Alaska profits; and there will be no Alaskan tax revenues. In fact there may be very severe economic loss if the modest efforts we do make are frozen out.

Our goal for Alaska should be a vertically and horizontally integrated fishery such as is found in the Faroe Islands, where local people fish the North Atlantic, bringing the fish home for processing to local plants, and the product is sold into world markets through combines and systems owned by the Faroese.

SO WHAT IS TO BE DONE?

The writer proposes a massive investment by the State of Alaska to capture this fishery. Such investment in shorebased processing facilities, in fishing vessels, and in marketing and management networks could control the volume of fish and its price to the point where returns from the fishery would make profits for the people of the State of Alaska and the State.

It is acknowledged that **current** prices for the off-shore fish are at a low level, but it is also generally understood that this is because of manipulation by the Japanese in the world markets, manipulation which, of course, is to their best interests. We must and can fight back. But we cannot do so within the current scheme of things!

The writer proposes a company called The Alaska Fishing Company incorporated and owned by the State of Alaska, and with directors, some of the best business talent in the State. The company would seek the immediate involvement of the University of Alaska and others in designing research necessary to understand and manage the control of markets as well as to design the research necessary to assure continued renewability of the fishery.

The Alaska Fishing Company would move, following the feasibility studies, to construct vessels and shore-based facilities in an integrated plan which would maximize the contact of every possible maritime Alaskan with the fishery, and which would have a management and marketing plan, totally integrated and leading toward the sound fiscal management of the company. The Alaska Fishing Company would have as its goal the utilization of the fishery only by Alaskans and for Alaskans to the exclusion of multi-nationals, agribusinesses and other outside interests as well as foreign interests. A two or three billion dollar investment

is probably necessary to have the impact on markets, and to produce the volume of product necessary to influence prices.

The Alaska Fishing Company would immediately contract with foreign fleet owners and their home countries to commence an integrated and long-term takeover of the fishery, guaranteeing supplies of fish to the companies, to meet their market commitments and the needs of their peoples, and to allow for reasonable phasing out and amortization of the foreign fishing investment.

The Alaska Fishing Company would seek to develop utilization of fish products in other markets besides the Orient, with emphasis on the American markets.

The Alaska Fishing Company has a potential of providing income to Alaskans far exceeding oil. The fishery is one which, if properly managed, would exist until the end of time, and would provide a high degree of stability to a large number of Alaskans.

The Alaska Fishing Company would provide jobs for the communities of maritime Alaska. The financial institutions, service and supply facilities of Anchorage would be heavily impacted as well.

Revenues from the profits of the company would increase the state coffers and, of course, taxes on the incomes of individuals

involved would provide a revenue base as needed in the future.

THE IMPORTANCE OF INVESTING ALASKAN STATE CAPITAL IN THE FISHERY

Alaska is faced with a budgetary surplus which has the potential of destroying Alaska as we now know it, due to avarice and greed.

The stability provided by a direction for the investment of a significant part of the oil surplus money into an industry which would rely on a sustained yield of products, would provide a focus for Alaskans for the near future and provide a proper forum as the company is developed and as the policies are debated by the people of Alaska, for discussing the future of Alaska. Jobs provided would be stable, long-term jobs, and although some considerable inflation and growth will be expected in every maritime community, this would soon be stabilized and probably would not change over a long period of time, witness the experience of the Faroe Islanders.

THE FUTURE, WHAT WILL IT BRING?

The Alaska Fish Company should have two goals: The first would be total utilization of every bit of fish the State could get its hands on; the catching, processing, and selling of same, at a profit. The second goal would be, once the industry was stabilized, to sell the component parts, except for the marketing umbrella, to the individuals and communities involved. The fishing ships should be sold to the local communities which provide the crews and to

the crews. The cold storage and processing facilities should be sold to the local communities and employees. The marketing umbrella and management probably should be maintained by the State, at least until such time as it could be purchased by the fishing and processing components, under a scheme which would guarantee unified and integrated management for the common good.

It is anticipated there would be considerable uproar by the fishing industry against such an idea. It is very important to watch where the uproar comes from. It is expected that those persons and companies which are nurtured by outside interests would be vocal in their opposition.

An important part of the development of the fishery would be the aspect and involvement of fishing companies wholly owned by Alaskans. There are a number of these companies which have great growth potential and which have management of high quality. They would be encouraged to expand and move into the fishing opportunity, supported with state funding. While they were developing their own opportunities in the fishery, their counsel and guidance would be of inestimable value to The Alaskan Fishing Company. New companies of Alaskans would also be encouraged.

It is an act of fate that the fish are available at the same time the capital is also available. Otherwise, we Alaskans

would be delegated to watching from the shore as our fish go elsewhere.

AN ACTION PLAN

The writer recommends funding and leadership by the State in marshalling on a crash basis of all resources in and of the State, including the purchase of services as necessary and the hiring of experts in fishing and market economics etc., to develop a feasibility study. The study would recommend the next steps toward the formulation of the plan. State policy could immediately then focus on the U. S. State Department and the Department of Commerce as well as the Congress in order to gain for the State the acceptance, by government, of the State plan. Such action should be well accepted by the Federal Government because of the recent removal from the Alaskan economy of massive amounts of land, and because nothing of great significance has yet happened in the 200-mile fishery by the people of any other state. This inter-regnum will soon expire, however.

A very well financed and staffed task force should be assembled involving the citizens who can work on the problem, if not full time, at least to a considerable amount of their time, in order to get the plan off the ground and rolling. Citizens' Committees from each of the maritime communities should be immediately formed, financed and staffed so that each Alaskan maritime community

or other community which feels it should have impact from the fishery could design and structure the involvement deemed necessary by those communities.

Areas where there is great economic distress should be given additional support to guarantee that the bountiful harvest will impact the remote and poverty stricken areas of Alaska.

A time table could well be as follows:

1. March 1, 1980. The Administration and Legislature agreeing on a working plan with time goals and budget for each phase.
2. March 15, 1980. Selection of the task force to head up endeavor. The financing and staffing of component parts, such as local community involvement.
- 3.0 April 1, 1980. Commitment of state funding for research in markets and supply, with a preliminary report of feasibility within 60 days.
- 4.0 June 1, 1980. State-wide discussion and evaluation of plan and decision by state leaders as to whether the State would move forward to implement the plan or not. Establishment of corporate machinery and funding package. Lobbying federal decision makers for support and such legislative change as is necessary. Commencement of negotiations with foreign fishing interests for the orderly takeover of the fishery.

A FINAL NOTE

The writer feels this opportunity is a challenge to the people of Alaska, and is one which could and should unify us. It can provide a focus, a platform, and a forum for the development of

the people of the state for years to come. The economic and social benefits from implementation of this proposal could well set the course for the future of Alaska.

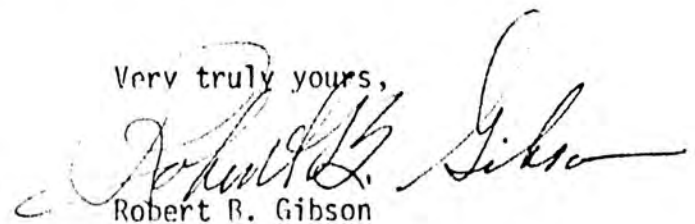
ROBERT B. GIBSON
P. O. Box 303
Bethel, Alaska 99559

FUTURE FRONTIERS
308 "G" Street
Anchorage, Alaska 99501

Gentlemen;

While I speak from the point of view of a resident of "Bush Alaska", and a particular segment of it at that, it is my hope that the needs addressed and proposed approaches to their solution, may have validity on a broader scale.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Robert B. Gibson", written over the typed name.

Robert B. Gibson

Alaska has, since its first "discovery" by Western European Civilization and its American representatives, been a valuable source of raw materials, much as were other Crown Colonies of the European countries in other parts of the "New World".

This situation has not substantially changed since the days of Vitus Bering and Captain Cook.

Outside capital has not been, and probably will not be, willing to invest in industry within Alaska which will contribute to Alaska's internal economy or control of its own economic destiny, let alone its entry into the world marketplace.

Because of this historic lack of resident venture capital, and the relative scarcity of a large resident labor pool, both the control of the sources of our wealth in renewable and non-renewable resources and their marketing have remained beyond the control of either the citizen of the state, or its government.

Our gold built the port of Seattle, and the gold is gone. Our Fish have sustained it, and to this day most of the fish market is controlled "outside". Our Timber goes out as logs and is sold back to us after outside processing. Our petroleum wealth goes out on ships, and returns after processing at elevated prices. That same petroleum provides the fertilizer and energy that grows the foodstuffs and meat we import. Added to the processing costs we must pay, are the high transport costs (petroleum based) for all of our imports.

Our sole significant source of taxable wealth for the foreseeable future is our mineral wealth.

This wealth must be utilized to foster and, as required, support the growth of an Alaskan Economy, diversified and self-sustaining, which will assure economic independence for Alaska.

Those of us who live here have found a way of life satisfying to our own needs and requirements, and need to be able to afford to live here. But as long as this State remains a Crown Colony, it may be a mootly affordable luxury. In this light I should like to propose the following policies be given consideration by the Legislature and the Administration of Alaska.

ALASKAN OIL AND ENERGY

No more immediate threat, or challenge, faces this state than the current world-wide energy crisis. Alaska may be a major oil producer now, but the oil is a finite resource of increasing scarcity world-wide. It may produce revenue in the form of taxes, and some employment for Alaskans, but to depend on it as either a continuing source of funds for the state, or on the continuation of oil based energy beyond for more than twenty years is unrealistic.

Alaska will have economic independence directly as it develops a realistic and sane approach to the energy crisis. It is uniquely in a position to do this with oil revenues financing the transition. There is no question that the transition must be made. It is only a question of when. Alaska can and should lead the nation in meeting this challenge. To wait for a Federal Energy Policy based on factual imperatives will be akin to awaiting the Millennium. To this challenge we propose:

AN ENERGY POLICY WHICH WILL HAVE THE FOLLOWING GOALS FOR REALIZATION WITHIN THE TIMETABLE(S) INDICATED.

- I. By 1985 Alaska will have reserved, for use within the state, sufficient Petroleum reserves from proven resources, to meet the projected needs of its population for 50 years.
- II. By 1990, the refining and distribution system required to distribute this resource to all parts of the state shall be on line and operating.
- III. By 1982, a plan shall be developed which will provide that all technologically and economically feasible public utility systems providing electrical power within the state shall be converted to the use of renewable resources by 1995 and - -
- IV. By 1985, legislation an appropriate financial incentive for such conversion, either in the form of seed monies, tax incentives, or other means, shall be provided by the state from oil revenues, and -
- V. By 1990, such a conversion shall have taken place. (see III & IV)
- VI. By 1982 a state-wide building code be enacted, for both the public and private sectors, which will comply, as an absolute minimum with the provision of ASHRAE #90-75A, and that means shall be provided for the enforcement of that code.
- VII. By 1980, waste heat recovery in public power generating utilities will be statutorily recognised as an acceptable expense for incorporating into the rate structure of such utilities, or shall be deregulated completely.
- VIII. By 1980, legislative action will have taken place which provides that alternative Energy resource research and development, appropriate to the regions involved, will be adequately funded, and regionally administered.

(2) CONTINUED

AN ENERGY POLICY WHICH WILL HAVE THE FOLLOWING GOALS FOR REALIZATION WITHIN THE TIMETABLE(S) INDICATED.

- IX. By 1980, legislative action will have taken place which provides that alternative Energy resource research and development, appropriate to the regions involved, will be adequately funded, and regionally administered.
- X. By 1980, legislation will be adopted which will provide for and fund regional Energy Planning Councils throughout the state, said councils directing and controlling the implementation of such of the above policies and legislation as are applicable and enforceable within the region.

FOOD AND AGRICULTURAL INDEPENDENCE FOR ALASKA

The Agricultural potential of Alaska is one of its least developed renewable resources. At least 95% of the food consumed within the state is imported. Yet, with its vast land area and extreme variations of climate and soil conditions, this state has the potential of not only feeding its own population within a decade, but entering the world market as an exporter of grains and protein.

Many agricultural techniques practiced elsewhere in the world in countries of lower latitudes may be directly transportable and applicable to Alaska. Northern European and Siberian agriculture is already developed far beyond anything we have considered for Alaska. It should be studied for application in our own situation.

Perhaps the most quickly realizable agricultural potential (ties in the state Animal Husbandry field. The Aleutian Islands have already proven to be rich cattle and sheep grazing resources, useable as locations for large-scale ranching operations. This is a basic industry which cannot fail, especially in light of the protein deficient conditions of most of the nations bordering the Pacific Ocean Rim to the east.

With the dwindling of petroleum resources that provide the base for many synthetic fibers, wool will experience a resurgence in popularity.

There are vast hundreds of thousands of acres of tundra lands suitable for reindeer grazing. This potential could help turn many rural areas into economically self-sufficient units, with an export potential unlimited.

Basic attitudes and some legislation about reindeer will have to be changed. Siberian reindeer husbandry is a major industry involving more than 8 million animals. Alaska has less than 50 thousand domestic animals in small, localized herds, the meat from which is nearly all consumed locally. Restrictive legislation at the Federal level, which limits reindeer ownership to selective ethnic groups, must be repealed, and venture capital must be encouraged, with state loan guarantees and technical support provided to potential reindeer industry development.

Farming methods which enhance the fertility and quality of the soil should be encouraged. Specifically, organic fertilizers, mulching, and the return to the soil of fibrous matter is a must. Agricultural homesteading provisions should be fostered which encourage both the small and large entrepreneurs with appropriate subsidies available to provision of foodstuff for the Alaskan Market.

Legislation and policy implementation to achieve the following goals should be enacted within the next two years.

By 1985 Alaska should be producing 20% of its dairy requirements.

By 1985 Alaska should be producing 15% of its root and garden vegetable requirements.

By 1990 Alaska should be producing 50% of its animal protein requirements.

By 1990 Alaska should be producing and processing, within the State, all of its requirements for ocean protein indigenous to Alaskan waters.

By 1990 Alaska should be producing all of its fertilizer, and be a potent force in the export market.

By 2000 Alaska should be, for foodstuffs economically feasible to produce within its boundaries, self-sufficient.

TRANSPORTATION

Alaskan economic growth and self-sufficiency is utterly dependent upon an internal transportation system. Interior Alaska has some highway and rail service along the rail belt. The remainder of the state is served by water and air, with some local highways activity.

The water transportation of the state is centered in and controlled from Seattle. Such intra-state movement of commodities as takes place, beyond the reach of the rail belt, is by air. The speed and convenience of air service is attractive, but it may be actually impeding the development of the state's overall economy. By way of illustration, consider that:

Air transport is the least economical in terms of ton-mile costs, per unit of energy expended.

In an era of increasing petroleum fuel costs, freight and passenger rates are bound to rise.

The commodities that can be shipped intrastate by air may soon, because of increased air freight costs, be luxury items.

The first potential for Alaskan economic development should be the marketing of Alaskan goods in Alaska. Yet if transport costs make such a prospect economically unfeasible, we shall continue to be frustrated in such development.

Development of the sustained-yield renewable resource potential of the Alaskan "Bush" will be directly proportional to the ease and economy of transport of its products to internal and external markets.

Most of the state north of the Aleutian Islands is only seasonally served by Seattle-Based water transport.

The legislature should address the feasibility of several possibilities with the object of linking various parts of the state together by other than air transport, even though immediate prospects for profitability may be moot. Where appropriate, state subsidies, loans, or tax incentives should be provided for private industry. Where such an approach cannot be effected, the State should consider direct involvement, the precedent for which has already been established with the State Ferry System.

Innovative alternatives in modes of transportation should be studied, fostered, and encouraged.

Extension of rail service from Alaska to the rest of the United States (except Hawaii) through Canada should be encouraged and financially supported to lower freight rates on materials coming into Alaska from the East Coast and Middle West, by eliminating transshipment costs at rail/waterheads. ✓

Rail transport within selected areas of the state could substantially lower living costs for the areas served.

Regional highway systems, perhaps seasonal, could lower costs of distribution from Western Alaska Seaports and major distribution centers to villages served by them. Kotzebue, Nome, Unalakleet, St. Michaels, Bethel, and Dillingham seem good prospects for such consideration.

TRANSPORTATION, (CONTINUED)

Enlarged, diversified, flexible transportation within the State of Alaska will create its own market for services and revenue, by opening up areas not now easily or economically accessible. It will promote tourist travel.

Public Transportation can survive as an economical alternative to the proliferation of urban automobile traffic. The economics of gasoline and diesel powered automobiles may well provide the incentive on the part of the Public that no amount of exhortation to conservation can accomplish. Such public transport should be adequate, not only for the urban core of our large community, Anchorage, but for the suburban areas as well. Monorail trunk systems, with local small or miniscale feeders, would relieve main highway feeder congestion, and reduce the present passenger-per-mile costs of the busses. Monorails are less subject to weather disruption than surface transport, are very fast, safe, and attractive alternatives to automobiles. Electrically powered, they are non-polluting, and most economical of resources.

Inland Waterways have great potential for inexpensive, albeit seasonal, transport into and from areas otherwise unserved. As it is now, only salt water systems get attention from the Coast Guard. Where other federal agencies cannot be involved, the State should take an active part in dredging, channel marking, dock construction and other enhancement of the internal waterways in rural Alaska. Water transport is, and always has been, the most cost efficient means of moving large amounts of heavy cargo.

The Alaska State Ferry System should interconnect, either through Seward or Anchorage, with that portion that terminates at Haines, permitting passengers from the rest of the United States to access not only Southeastern Alaska, but interior Alaska as well, without the necessity of travelling by either auto or bus or air between Haines and SouthCentral Alaska. It would also encourage and foster Intrastate use of the system.

(5)

FISHERIES

With its vast coastlines and intercontinental shelves, Alaskan fisheries have been and will continue to be a major renewable resource. However, and this is of prime importance for the economic future of Alaska and the welfare of its citizens, much more Alaskan participation in processing, distribution and marketing phases of the fisheries industry must be developed.

The historically rich salmon fisheries of the Gulf of Alaska and Southeastern Alaska are seriously depleted. While much of this depletion has its historic roots in foreign fishing, its condition is correctible by state action. Other factors have contributed to spawning stream degradation and subsequent run depletion, such as earthquakes, pollution, habitat destruction and the like. These producing areas must be rehabilitated.

While fisheries are renewable resources, the present practices are more exploitive than husbanding and developmental. Catch regulation is only a part of the most effective series of options that ought to be applied.

To the extent that bottom fisheries can be enhanced, rather than selectively fished to near extinction, such measures should be actively pursued.

Many countries throughout the world are successfully rearing fish in aquaculture programs. This method of production is vastly more efficient than the present methods of depending entirely on catching fish in their "natural" state. For the species amenable controlled rearing and harvest, such programs offer the possibility of sustained profits, unaffected by the uncertainties of fish behavior, and requiring minimal investment in harvest gear.

The return to the state's people of a larger share of the market price of its fisheries will increase private income and state revenues. State participation in the world-wide marketing of Alaskan-processed fish products is absolutely essential. Such a State agency could be supported directly from appropriate resource tax revenues.

The following specific recommendations are offered:

A concerted program of regional hatcheries construction for the restocking and restoration of depleted spawning grounds, the development of promising new spawning grounds and the enhancement of present rivers and streams with hatchery reared young should begin immediately.

Experimental aquaculture programs should be initiated throughout selected areas of the State.

A State Board of Fisheries Marketing, supported by appropriate fisheries-derived revenue, should be established, with representatives of the industry and the state represented thereon, to develop world-wide markets, including transportation involvement as required, for Alaskan fisheries products.

Tax incentives, subsidies, or guaranteed loan programs to Alaskan owned and operated fish processing plants should be implemented.

POST-SECONDARY EDUCATION

Alaskan Post-Secondary Education should be considered as falling into two major categories, "University" degree programs leading to Bachelor's and advanced degrees, and the Community College system. At present both systems are administered by the University of Alaska, through its Board of Regents and President.

While the roles of these two systems should be complementary, they are, in fact, administered competitively, to the detriment of the effectiveness of both, and to the disservice of the people of Alaska. Such a competitive system assumes, ultimately, that one must give way to the other, and that they cannot coexist. In this state, there has been a concerted effort to achieve such a destruction of the Community College System, as it has evolved, in favor of the University. This has resulted in a disservice to the people of the state, unnecessary expense to the State, and an atmosphere of distrust surrounding the University, The Legislature, The Administration and within the University itself.

Legislation has already been introduced to effect a complete separation of these two systems. This legislation should be enacted without delay, and a delineation of the proper spheres of each accompany such legislation.

An assessment of education in Alaska presents us with a complexity of major social trends, technological developments and accumulating evaluative and projective data that are profoundly challenging to the existing education structures and rationales. Not only in Alaska but nationally, significant questions as to role, purpose and methods of instruction are being raised. The quantity of significant concerns appears endless, ranging from record keeping to revenue sharing to "relevancy". It's impossible to devote even a paragraph to each, so in this report I'll attempt to limit discussion of national issues to those which should be of vital concern to Alaska learning programs, while at the same time including those major Alaskan factors that are unique to our particular situation.

An overview of the myriad questions and issues relative to our topic points to four basic areas of educational concern. For purposes of discussion and whim, let's refer to them as the FACE issues of Function, Approach, Control and Economics. These 4 areas are what education is all about...and probably what any social institution is about.

Since the last two FACE issues -control and economics- will be discussed in other reports, we will dispense with their consideration for the purposes of this article but for three major points which have had and will continue to have significant, and perhaps determining, roles in establishing direction for Alaskan educational programs. These will be mentioned only briefly, although their impact is profound, merits a great deal of attention and, when you're dealing with education will occupy much of your time.

1. Education is big business. Roughly \$200,000,000 was spent in Alaska last year on education from grades K-12.

If we include university and college expenditures, vocational and in-service training, and educational counseling. Alaska probably spent close to a quarter of a billion dollars on education this past year. Any business this big is bound to have vested interests, intensive lobbying, and individual and group struggles for power and control. This is especially true in rural Alaska, where the economic impact of education dollars has a significant effect on the local economy.

In many villages the only full-time jobs are with the schools.

2. Education is publicly supported by local, State and federal funds, and is acutely subject to political pressure from all these levels. In addition, federal funds are presently a crucial factor in Alaska Native education. What happens in Washington has a significant impact on what happens in rural Alaska.
3. Education is an emotionally laden issue, dealing as it does with the welfare of children. This is a growing concern in rural Alaska, with the problems inherent in providing quality education for the bush students. This has expressed itself in strong movements toward totally local programming and local educational self determination as opposed to the centralized administration of education in the past which required rural students to leave home in vast numbers.

As stated, these areas of Control and Economics indeed merit consideration, and will have a significant effect on the first two components of FACE, Function and Approach, which we will now examine.

FUNCTION: There is at present a great deal of discussion relative to proper functions of Alaskan and especially Alaska Native education, although all points of view seem to point toward the socialization roles as being of prime import. The question is, socialization to what?

At present we find a variety of opinions as to this role. Should prime emphasis be placed upon education for local socialization, or for socialization within a non-local situation? Is a segregated system preferable to an integrated system? Should school emphasize prevocational studies, precollege, "Life-Skills" - what ever that means?...

Present trends seem to indicate a consensus that schools are expected to provide for educational needs of individuals ranging from early childhood through adulthood, and from the physically or mentally handicapped to the college-bound.

MOM, APPLE PIE and EDUCATION, (Continued)

Interest in adult literacy and training is apparently increasing. Opinions solicited from local school boards indicate a feeling that career education is highly important. (Dropout studies also indicate that this is important along with the capability of adapting to the social environment of whatever the setting in which a given career might exist.) The themes of self-identity and cultural pride have also been strongly advanced over at least the past eight or ten years.

This may sound obvious, even trite - yet if we take one short, very brief step backward in Alaskan education - we see a one or two teacher school concerned only with teaching the average child the three R's - and feeling lucky to do that. In fact, though we don't often acknowledge it - that's still a major task in Alaskan education today - and rightly so.

That all these concepts are important seems to be at least generally accepted. However the degree to which they modify curriculum has created controversy in professional and lay circles. At one extreme are proponents of same-culture immersion, in which rural teachers, curriculum, language and academic approach would be totally Native Alaskan, based on three premises - or statements of philosophy defining Functions:

- a) Self and cultural identity and pride are necessary for success and the prime function of the academic experience is to instill these traits.
- b) The function of school is to develop thought processes and concepts. This can be done most readily when done within the framework in which the student habitually operates;
- c) The function of education being preparation for life, schools should offer only that which is relevant to the students' own culture.

This position limits severely both scope and clientele of the educational process.

The other extreme holds the position of majority culture immersion.

MOM, APPLE PIE and EDUCATION, (Continued)

This position is also based on functional premises:

- a) Teaching of skills is an essential function of the school.
Many of these skills are necessarily tied to an understanding of the majority culture which has a high degree of utilization of the skill.
- b) Career training as a proper school function demands the ability to deal successfully with the culture in which many career opportunities exist.
- c) Students know their own culture through living it; it is not a school function to teach it. It is the function of the school to acquaint them with that culture they don't know.

This position ignores advances in learning theory concerning process, and basic rights of self-determination and self-expression. However within both positions are points of validity, and several appropriate school functions can legitimately be drawn from them.

Positive aspects from each extreme identify the following as legitimate Alaskan school functions on which valid, result-producing programs could be built:

- 1) To determine community and individual educational interests and priorities and involve all components of the community in this determination.
- 2) To provide, or act as referral agent for, the educational needs, interests and aptitudes of the broad spectrum of individuals living in the local community from pre-school through adult.
- 3) To develop competence in the functional skills essential for individual and societal success.
- 4) To develop analytical processes relevant to situational recognition and problem resolution-the skills of the self-starting, continual learner and independent thinker.
- 5) To prepare students for the world of work, either through entry level training or pre-vocational and pre-college courses of study.

MOM, APPLE PIE and EDUCATION, (Continued)

- 6) To provide significant opportunities for the development of a positive self and cultural awareness.
- 7) To develop self-disciplined individuals with positive attitudes toward life and learning.

If these can be accepted as the major legitimate-though by no means exclusive-functions of an Alaskan basic educational program, we can proceed to an analysis of the means to making these functions operational-the Approach component of FACE.

APPROACHES:

The manner in which information is presented is currently known in the trade as a "delivery system." That doesn't fit my particular choice of acronym; therefore, the way the Iceman cometh in this paper is known as the Approach.

This is the action arena in education today-in terms of approaches we are in at least a reform-and probably a revolutionary-era. All aspects of traditional approaches to schooling are being challenged for a myriad of valid (and some less than valid) reasons. Among the more valid seem to be the following:

1. The Information Explosion: More data is being produced than can possibly be taught. The advent and development of computer science is causing quantum jumps in knowledge accumulation.
2. Learning Process Advancements: As other fields have advanced, so too has our understanding of ways in which learning occurs. This knowledge is being translated into functions and approaches.
3. Rapid Societal Changes: Changes in village society and its relation to larger communities over the past 20 or 25 years has been profound-and increased rates of change are in the offing. This is in part due to technological advances in transportation and communication, in part due to the Land Claims Bill and its economic and socio-political impact.

MOM, APPLE PIE and EDUCATION, (Continued)

Changes and growth in Alaskan urban areas has also been profound - indeed overwhelming - in the last ten years. In boom and in bust, for good and for evil - the growth and changes are here.

4. Recent Technological Innovations: These have vast possibilities for application to education, making such terms as relevancy, immediacy, and self-pacing fact rather than fancy for bush education, as well as for the cities.
5. Changes in the Learner: Today's youth enter the educational system with different sophistications, skills and experiences than their parents. In addition, the increase in formal educational opportunities has correspondingly increased the spectrum of learner needs and abilities.
6. The demand for accountability and relevance: It's a generally conceded fact-as evidenced by recommendations of various federal, state, and professional groups - that change in the schools has not kept pace with changes in need and opportunity, and much that occurs in school may not be relevant to-in fact, may even hinder-positive development. Educators are being challenged to justify their actions with more than rhetoric. This demand is coming from educators, society at large-and students themselves.
7. "The Movement": -for want of a better term, that began with the civil rights activists of the late fifties and has since encompassed women, the aged, all minorities, youth and environment and peace groups. This major social evolution has led to a re-awakening, reaffirming and recognition of the rights of individuals and groups to justice and identity. Alaska, the home of the independent - be he escapist, individualist or opportunist - exemplifies this spirit. This has had-and will continue to have-a profound effect on Alaska education.

In summary, when we speak of Alaskan Education, we are speaking of a societal function designed to provide a broad spectrum of individuals with a wide range of cognitive, affective and psychomotor skills; with positive attitudes about themselves, their society, life and learning -

MOM, APPLE PIE and EDUCATION, (Continued)

all this to be done in an arena of continual vast social upheaval, technological advancement, and increasing understanding of learning processes; under conditions which will vary profoundly according to the economic, political, emotional and rhetorical factors of the day. To say the least, a challenge!

It is through the approaches-or strategies-that we use to achieve these constantly evolving ends that our schools as instruments of society will rise or fall. Obviously, several tasks need addressing before this can be accomplished. To develop strategies competent to meeting this challenge successfully over the next several years requires an analysis of variables that includes the following:

1. Examination of those major trends and directions in Alaskan education which we can expect, with some degree of certainty, to expand and develop.
2. Familiarization and continual updating with developments in understanding the learning processes, and with those technological advances that can be used in education activities that stimulate those learning processes and/or increase knowledge and skills.
3. Ongoing determination of relevance between existing and desired educational functions and activities.

1. Examination of Trends:

Although often times education seems to be heading in more directions than there are students, I think we can identify a few major, significant long term trends which we can feel fairly certain will continue.

Again I hasten to point out that these are not all-inclusive and that there will be exceptions to each direction mentioned. However, as overall indicators, I think the following appear adequate:

- a) Continued decentralization of control
- b) Continued expansion of local village high school programs
- c) Reducation in non-local secondary options
- d) Expansion in scope of all education programs

MOM, APPIE PIE and EDUCATION, (Continued)

- e) School population stabilization in villages. Growth in urban areas.
- f) Increased emphasis on career education and educational accountability
- g) Continued rural school facility development.
- h) Increased use of regionalized technical assistance support systems.
- i) Increased use of self instructional units - or multi-sensory programmed approaches to learning.
- j) Increased use of computerization and standardization of support functions.
- k) Increased use of satellite video and computer assisted instruction.
- L) Spread of community college programs into rural areas, and an accompanying growth in community interest courses in both rural and urban districts.
- a) Decentralization of control:

Present trends indicate that both rural and Federal BIA schools will be subject to increasing local control through school boards of the REAA's through local input into Federal funding for schools and through self-determination policies for Federal Native schools.

Along with this decentralization of control will come a corresponding need for local development of educational priorities and projects for federal grants. This will be necessitated by Public Law 89-10 guidelines as well as Indian Education Act regulation, [Public Laws 93-638 and 95-561], which call for local involvement in project development. As these funds play a major role in **Native** education programs, this will be a significant factor in the development of quality village school systems.

In addition, there has been a definite pro-localization movement in the technical assistance and administrative control policies of the Department of Education and the Federal Government. Vivid examples include the talent bank approach vis-a vis state "Specialists", the flexibility of graduation requirements, and the formation of REAA's.

- b) Expansion of local bush high school programs:

In the past 4 years, there has been a significant increase in the number of local high school programs. Recently more than a dozen new high schools have been constructed or are in the process of being constructed. This spurt, - based upon the legal implications of the now settled *Molly Hootch v. State Board of Education* case has caused this to become a dominant mode of secondary education for role high school students within the past two or three years.

MOM, APPLE PIE and EDUCATION , (Continued)

Although this is the direction in which most educators and Natives seem to wish to move, there is more than a little apprehension about the educational dangers and difficulties inherent in this shift. [In some quarters this is viewed as a potentially hazardous neo-isolationism!] These will be discussed in the section relating to strategy development.

c) Reduction in non-local bush secondary options:

In the recent past, over 1500 Native high school students were required to leave home for secondary school opportunities. This was accomplished through a system of boarding schools, "URBAN" dormitories in Bethel, Nome Kodiak and Kenai and boarding homes in Anchorage and other cities. If we relate bush enrollment projections indicating a short-term growth and a long-term stability or shrinking in secondary student populations to the above mentioned development of village secondary facilities, it became obvious that the non-local options as they have existed were underenrolled, and therefore too inefficient to continue operation. Indeed, this has become glaringly obvious. As this happened, several options for such boarding programs presented themselves:

- 1) Change to a functional secondary specialization for a selected bush student body attending on a full-time basis.
- 2) Change to a functional secondary specialization for a general bush student body attending on an intermittent basis.
- 3) Remain open for those students not reached by local secondary programs.
- 4) Develop programs related to educational needs other than secondary.
- 5) Shut down, or change to noneducational uses.

At present option #5 seems to be the only option taken under consideration.

[It would seem that, with thought, other education-related uses for multi-million dollar educational facilities might be developed.

MOM, APPLE PIE and EDUCATION, (Continued)

However, these too can be discussed in strategy development.]

- d) Expansion of educational opportunities in terms of population and programs offered:

In a village which, twenty years ago, may have had only a single teacher, we today find a variety of programs for kindergarten, special education, bilingual education, and adult basic education. In addition, there are correspondence courses for State diplomas or for community college credit, numerous visits by education consultants in various fields, and in-service training sessions-all of which are designed to provide learning opportunities for those previously untouched by the educational system. Although these programs are far from perfect, they appear to be growing in number and quality. It is not likely that this trend would be reversed.

- e) Village Population Stabilization:

Statistical data indicates that village populations are, with few exceptions, in a state of relative stability, or in some cases, decline. The effects this will have upon the total education dollars entering a community and how these dollars will be used has yet to be determined.

- f) Increased emphasis on career education and educational accountability:

As the needs of Alaska and the regional corporations expand and become more visible, the school systems will be pressed to ^{as}assist in meeting these needs. In addition, as the urgency of meeting these needs run headlong into the apparently inevitable time lag in the establishment of programs in this direction, we will be seeing an increased demand for educational accountability. Movement in this direction will most likely be furthered as local control and awareness of school programs increases.

- g) Educational facility development:

Over the past five years that has been a burst of village school

MOM, APPLE PIE and EDUCATION, (Continued)

facility construction. Most of these projects are for the provision of local secondary options.

It is likely that this trend will continue, it also is likely that as local school districts are formed, the replacement rate of older, existing facilities will increase. Possible, though by no means certain, beneficial outcomes for programs could develop from this construction activity. Regardless such projects also provide temporary construction employment as well as future school jobs. These are important and valid economic considerations.

h) Regionalization of technical assistance:

This has become manifest in Alaska in two unique and apparently effective systems:

- 1) The Talent bank - Most state departments of education hire and maintain individuals as "specialists" in curriculum areas. Their job is to provide technical assistance statewide in their "specialty" - which is usually far too broad to be a specialty. A rhetorical question: Can one individual reading specialist for example, be an expert in phonetics, in adult reading, in oral reading evaluation, in identification and diagnosis of reading disabilities, in nutritional aspects of reading handicaps, in transitional reading programs in developmental reading programs, in basal reading series, in interpretation skill analysis etc.---and make all these skills available for workshop, teaching program evaluation, project writing, while at the same time keeping current in the field and fulfilling administrative chores - Well, it's difficult but most states try.

However, the talent bank approach catalogs skills and interests of individual professionals around the state recognized by their peers for expertise in specific functions. When a specific skill is needed for a training session, project design or program evaluation, the names of individuals best suited for such activities are pulled, contacted and if free made available by D.O.E. money. And are again evaluated by their peers- the accountability factor mentioned earlier. Simple, but brilliant - and apparently effective.

- 2) Regional Resource Centers. With the establishment of REAA's came regional resource centers as supplemental support for those essential but expensive school services not affordable by a single small district alone. With minimal D.O.E. funding and dependent upon the school districts they serve for fiscal support, they represent an opportunity for an excellent symbioses not present in most educational systems - the user of the requested service deciding whether or not the service is valid enough to continue paying for. Again - accountability. So far 4 of the 5 originally established RRC's are still functioning- so they must be doing something right. The hand-to-mouth nature of the Resource Center funding can generate conditions such as frantic searches for external support, essential political compromise with varying district demands etc - but these are not necessarily unhealthy realities but just realities. So far things are apparently functioning to the relative satisfaction of the concerned school districts.

MOM, APPLE PIE and EDUCATION, (Continued)

i) Individualized Self instructional Units: There exists today the possibility of a machine-student "relationship" in tutorial learning situations that in many ways can be more "intimate" than the average teacher-student relationship. Some of the equipment making this possible includes:

1. The packaged unit:

Today, there are commercially available packaged learning "kits" complete with reading materials, filmstrips, cassettes, relevant "objects" to see, touch, and manipulate, lesson plans, objectives and evaluation tools. These are available for all levels and for nearly all subject areas. These range from elementary math tools such as quisenaire rods, to complete motorcycle repair and maintenance studies.

2. The 8mm film loop:

Short (1-5 minute) films on nearly any subject or "mini-subject" are packaged in a quick, slide-tape cartridge for use by individual students-or groups of two or three-in a small quiet projector.

The films are usually in series, with each film showing one step in a series. For example, the method for dissection of a frog may be shown in various stages on 8 or 10 film loops. The films keep revolving on the loops in a continuous cycle for constant reference.

3. Programmed Learning Units:

First developed by the Armed Forces, these units consist of lock-step individual instruction in which a small amount of information and explanation is given. A question is asked and answered, and the answer checked by the learner. If he is correct, he proceeds to the next step. If incorrect, he is referred back to a pertinent section for review and retest.

MOM, APPLE PIE and EDUCATION, (Continued)

j) Computer Support Systems:

At present we have just begun to tap this resource for educational support. Its significant in time and money savings potential is astounding. For instance school district offices are now plugged into an "EMS" - electronic mail system - whereby sameday, simultaneous two-way information transfer can be accomplished between Juneau and any or all of the remote school districts, and individuals in those districts. Anyone ever dealing with multi-community bush communications, will realize the enormous time and energy savings involved here.

In addition, by March 1st, several Southeast school systems will tie their budgets into the same computer capability. This will put instant budget data in the various funding categories in their possession when they need it - eliminating enormously time-consuming local data collection and retrieval functions.

k) Video and Computer assisted Instruction:

Adult Education programs and the now notorious t.v. town meetings are only two examples of recent use of televised or computer assisted instruction or information programs utilizing satellite link-ups. Still in the experimental stage, live two-way communications in Alaska will be a day-to-day fact of life in education. Tutorial type, programmable computers already exist in homes and in schools. As training in their operation and experimentation in their utility continue, we can expect to see computers taking an ever increasing role in educational delivery to individual students.

1. Community College and Community Interest Courses.

A notable event over the past few years has been the sudden deployment of community colleges around Alaska. The University of Alaska has 2 such facilities in operation around the State with 3 community college campuses here in Southeast alone.

With the simultaneous growth of small bush high school programs, the opportunity now exists for rural Alaskans to get the "basic +" of public education without leaving home - or at least without going far.

In urban areas as well, the community colleges and community schools concepts have added a new dimension to those long dark winter evenings.

More important perhaps, they are keeping alive the concept that everyone is a teacher - everyone is a learner. Thus a fly-tying course is taught by a fly fisherman, a mining course by a prospector, a lifeboat course by Marine Highways employee. Simple? Certainly - but the idea of not requiring a piece of paper to prove you are "qualified" to do something in a school is unique [though even the community college approve, no credit is given unless the program is signed off on by a "qualified" instructor of record.]

There is a bonus inherent with the community colleges in rural areas - they provide a center of intellectual fermentation - a catalyst for idea exchange and planning of community development. As with any new program, there are adoptions to be made and problems to be dealt with. However, the existing and potential for further successes is a cause for celebration in the rural areas.

2. Developments in Learning Process Theory and Educational Technology:

A great deal of research has been published over the past several years relating to the way we learn; i.e. the learning process.

MOM, APPLE PIE and EDUCATION, (Continued)

Rather than reiterate all that has been said, copies of several pertinent books are available for your review. These include HOW CHILDREN LEARN by Holt, the PROCESS OF EDUCATION by Bruner, EDUCATION AND ECSTASY by Leonard, and TOWARD A THEORY OF LEARNING by Bruner (ch. 2&3)

To summarize in a few sentences the divergent points of view represented would not be fair, but a few of the significant findings by these and other researchers appear to include the following:

1. Pertinent and frequent evaluation is an essential element of curriculum design from the point of view of the learner and the instructor.
2. A major goal of education should be to create in the learner a predisposition to learning.
3. Skill development is essential to growth in learning.
4. Accomplishment and gaining of understanding are internal rewards that can lead to further learning development.
5. Experimentation and experience are two essential elements of learning.
6. The curriculum must be relevant to the goals, needs, environment and experiences of the learner and the growth must be measurable.
7. Learning of the concrete must come before learning of the abstract.
8. Learning can be defined in terms of behavior changes to be developed, and therefore the learning and the effectiveness of the instructional strategies can be measured and evaluated.

MOM, APPLE PIE and EDUCATION , (Continued)

9. The cognitive skills have been classified and learning experiences prepared to assist in their development.
10. The cognitive skills of thinking are more crucial in today's world than the cognitive skills of remembering.
11. Individual learners have individual needs and interests, and individual rates of physical, emotional and intellectual development.
12. Immediacy of feedback from the appropriate external sources is a positive asset to growth in learning.

Although this is by no means an all-inclusive list, it does include some of the more relevant findings and development of educational theory, and should be reflected in the curriculum and strategies of the practitioners in our school systems.

CONCLUSIONS:

Using the information from preceeding sections, the true tasks of a concerned citizenry and their professionals would seem to be the evaluation of existing and planned educational approaches in the light of

- a) what is desirable - and should be striven for;
- b) what is possible - and should be achieved;
- c) what is probable or certain - and must be accounted for in planning.

How then, is this to be done? Well that, Gentle Reader, is the rub. It doesn't seem there can exist an answer only questions, data, processes and conclusions that must change with time, people and circumstances. And perhaps this is what judicial bodies, legislative committees and administrative agencies are all about - dealing with change. As alwasy we are the yin and yang, the problem and solution, the beginning and.....THE END.

Rec'd 11/28/79

November 27, 1979

Future Frontiers
308 G St. Ste. 301
Anchorage, Ak., 99501

Honorable Legislators:

ISSUE:

The state creates valuable permits, certificates or licenses by deciding to regulate entry into certain industries. Because entry becomes limited the licenses, etc., become valuable and salable on the private market. These permits become valuable regardless of the value of the business "owning" the permit. There are many cases where a business person sells his equipment for one price, the goodwill of the business for another, and the state license or permit for still another price. Even where a business is bankrupt the permit or certificate is salable.

The value of the permit is created by the state by limiting entry into the industry. If it were not true that the state allowed only a certain number of businesses in the industry (e.g., fisheries, air transportation, etc.) only the equipment, real property and good will of the business would be salable. The state creates the value in the permit or certificate; the value does not result from anything the company does or produces.

Although the Transportation Commission has tried to reduce the occurrences, the permittee now sells his permit and retains the revenue for himself. To me this procedure is an unconscionable transfer of income from the taxpayer to the individual selling the certificate. This windfall was created by the state for state purposes in the public interest. The vendor of the permit has not earned the revenue received from the sale of the permit; his gain is from the sale of his company's goodwill, if any and from the sale of property. In my opinion, the revenue from the sale of the permit or certificate belongs to the state.

RECOMMENDATION:

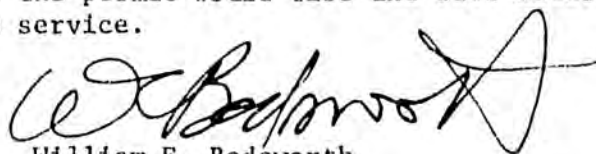
Where the state wishes to limit entry to an industry the permit should be placed at auction before qualified potential buyers. The auction could be held before the buyers were qualified, or afterwards. In either event the money from the auction would belong to the state.

Existing permittees and licensees in limited industries would merely turn in their permits to the state without selling them to private individuals. This permit would then be auctioned, if in the public interest.

Merely taxing away the gain from the sale of a permit would stimulate the growth of measures to avoid the tax. Vendors of permits would conceal the sale in the price of equipment, value of goodwill or assorted schemes such as "consulting agreements" after the sale. The right of the state to auction the permit would be clouded unless statutory.

CONCLUSION:

The windfall should be removed to the state where it belongs. With the auction there would be no need for public convenience and necessity hearings. The prospective buyer should make such a thorough investigation that he knows that owning the permit would be valuable. The public interest would still require that the buyer be a qualified person or company, but such matters would be determined without large scale hearings. The value of the permit would rise and fall determined by the profitability (public need) of the service.



William E. Bedsworth
3943 Deborah Lane
Anchorage, Ak., 99504

P.S.

The writer is a nonpracticing attorney who teaches part time for UAA (regulation of industry) and is a hearing officer for the Transportation Commission. Although speaking as a private citizen only herein, I would be happy to provide more information if desired.

Rec'd 11/28/79

FRONTIER CHILDREN, 1979

Margaret Fischer, Ph.D.
Alaska Psychiatric Institute
Anchorage, Alaska

(907) 277-6551 x 327

Paper presented at the 37th International Council of Psychologists Convention, Princeton, New Jersey, August 1979

Alaska is a vast expanse, one-fifth the size of continental United States with a population less than that of the state of Nevada. It is the largest and least inhabited per square mile of all the states. The weather varies from mild 50° to 70° temperatures in the long days of summer to frigid subfreezing temperatures in winter which drop as low as 60 below zero in the Interior. Coastal winters are comparatively mild. In such year-round ports as Valdez, as much as 26 feet of snow may fall during a season but the temperature rarely falls below freezing. The population of approximately 400,000 is comprised of Eskimos, Caucasians, and the Indian tribes, primarily the Aleuts, the Tlingits, and the Athabascans. The Native settlements are located on inland rivers or along the 26,000 miles of coastline of the Arctic Ocean and Bering Sea. The Caucasians typically live in urban settlements such as Anchorage, Fairbanks, and Juneau. Russian, French, Norwegian, and English ancestries predominate, however, because of its close proximity to Russia (55 miles at the nearest point) the United States military forces account for a sizeable number of the Non-Native populace. The remainder are private entrepreneurs, government employees, oil pipeline workers, and Sourdoughs of various persuasions. Salmon, halibut, and crab fishing, lumbering, gold and copper mining, and tourism are the leading industries. One of the most striking aspects of Alaska's population is its relative youth. The average age for Alaskan citizens is about 26. Nearly 50 percent of the population consists of persons under age 18. Nineteen-year-old citizens have the right to vote.

The styles of life, the standards of living, and the social systems

which prevail among Alaskans differ measurably. The modern and the primitive coexist within comparatively short geographical distances. In the Native villages an ancient social system prevails.

A common misconception is that people in the Polar regions live in igloos which are dome-shaped shelters made from blocks of ice. The igloo is only used as a temporary shelter during travels or by Eskimos on hunting trips. In areas where timber is available homes are made of wood and turf. As no trees grow in the northern Arctic, houses are made of flat stones, driftwood, and peat. Windows are made from the intestines of seals if glass is not available. The house consists of one large room seldom more than 15 feet in diameter by 9 feet high. A wide platform is the family's sleeping bunk. At times as many as 12 persons may live in such a dwelling. The impossibilities of washing clothes in the low temperatures of the north along with the fact that Eskimos may rarely have a second set of clothes, make it necessary to go naked inside their houses while their clothes are being dried or cleaned of lice. It also allows them to get fresh air for their bodies. Therefore, from their childhood Eskimos are used to seeing men and women in the nude, and no shame is connected with the human body and its needs.

A hunter may have more than one wife or may borrow a friend's wife to help with the cleaning of skins or with homemaking chores while on a hunting expedition. Eskimo and Arctic Indian women as a group demonstrate a striking fecundity with a birth rate more

than double that for the United States as a whole (53 per 1,000 pop.). The high birth rate is more than offset, however, by the fetal and infant wastage evidenced by the high fetal, neonatal, and post neonatal death rates of the infants which is more than four times the United States average. Prematurity is the single most important factor associated with mortality in the neonatal period, which may in part result from widespread anemia and iron deficiency in the maternal group. Postnatal infectious diseases play a major role in contributing to the infant mortality rate. Tuberculosis, otitis media, and meningitis are epidemic, however, there has been close to a 75 percent reduction in the Alaska Native infant death rate over the last twenty years. In 1976 the expectation of life at birth was 62 percent. Compared to the United States total population the life expectancy for Alaska Natives is about ten years behind at birth and nine years behind at age one. At age 65, however, they show the same life expectancy as for the total population. The median age at death is 62.5 for males and 73.9 for females.

Native women who breast feed their babies do not wean them until the child is three or four years old, often later. While Alaskan Natives generally cherish their offspring, male babies are considered more desirable than female babies. A physically or psychologically handicapped child may be viewed as an embarrassment to relatives. The baby is seen as "broken" and rejected by the mother. The rule of survival of the fittest has unfortunate connotations for the handicapped child. Because of the high incidence of consanguinity

and incest in the small villages, hereditary defects transmitted genetically should be greater than the norm yet only a few are identified. For example, there are less than 100 severely/profoundly retarded children who are institutionalized in the state facility for the developmentally disabled when ordinarily that group represents about one percent of the population. The dearth of media may account for the low rate of referrals as many Native parents may be unaware that help is available. It also appears possible that an unwritten law of the Arctic that everyone should contribute to the struggle for food and clothing is an important factor. Those who do not or cannot are despised by all, and feel themselves beyond the pale of the community... the most terrible punishment to any Indian or Eskimo. People who are handicapped are not looked upon favorably and are apt to meet with "accidents."

Health services for the Bush communities are delivered presently by 100 public health nurses who schedule visits four times a year. There are ten native hospitals in Alaska with satellite health stations and village-built clinics throughout the state. Primary health care is provided by Community Health Aides. Hospital and dental care and medicines are free to all Natives. The leading health problems are ranked as alcohol abuse, accidents and injuries, chronic otitis media, and influenza and pneumonia. Epidemics of meningitis and tuberculosis have disastrous consequences on the young. Alcoholism, rampant among Native youth and adults, is a problem of immense magnitude. Alaska ranks fourth among 50 states in per capita alcohol consumption and first in the nation in

alcohol-related deaths. Among Alaska Natives, the alcohol-related death rate is approximately five times as great as that for non-Natives.

For the child in the Alaskan Native village, the school is a focal point of his life. To counteract poverty and malnutrition schools provide breakfast, lunch, and a snack. The schools are often open in the evening to allow children to take showers or they may serve as a refuge in case of heavy drinking or battering by one or both parents.

Since 1972 the schools have attempted to enhance the abilities of the Native children in both English and their native tongue. The lack of materials for the 23 native languages with their many dialectical variations causes English to be the main vehicle of instruction. While many Alaskan Natives speak both best and most often in their native tongue they write in English because they have never been taught to write in the native language. Non-English speaking Alaskans are limited in learning as the media (newspapers, radio, and television broadcasts, when they are available) are in English. The National Bilingual Materials Development Center of the University of Alaska under a Title VII grant develops materials in Native languages in a variety of subjects from music through literature. Finding trained teachers is a problem. In some villages no one can write.

Welfare programs seem to have created as many liabilities as they have benefits. It has given the Alaskan Native time for leisure activities and yet he does not have the options for recreation available to him that people in large communities have. If he cannot read or understand English broadcasts the long hours of dark and cold of winter are often spent drinking, and a vicious cycle ensues.

A comprehensive services network has been developed by the Department of Health and Social Services and by private Native associations to help the children of the Last Frontier and their families to develop to their highest potentials and to function effectively by making needed improvements in community support services on an ongoing basis. The primary objectives are to foster pride in the heritage and traditions of the Native cultures, to preserve their customs, folklore, and art and to promote physical, economic, and social well-being of the Alaskan Natives. It may take a prodigious effort but it is worth that effort to make the dream a reality.

Recommendations:

An Epidemiological Survey is proposed to assess the incidence of developmental disabilities including mental retardation and mental illness among the Native and Non Native populace in the State of Alaska.

Purpose:

1. to obtain accurate data on prevalence.
2. to ascertain the etiological makeup of the disabled.
3. to identify high risk populations.
4. to assist in ameliorative and preventative planning.

Margaret G. Lischer, Ph.D

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Rec'd 11/28/79

November 26, 1979

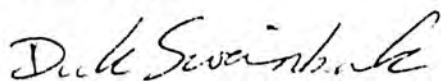
Future Frontiers
308 G Street, Suite 301
Anchorage, Alaska 99501

Gentlemen:

Enclosed is a rather hastily prepared summary of mining in Alaska as seen by me in a global context.

I believe that stagnation will set in unless some positive actions are taken by the State in the near future, and hope that the suggestions offered might serve as a seed to that end.

Sincerely,



Dick Swainbank

DS/nh

INTRODUDUCTION - HISTORICAL PERSPECTIVE

By 2000 B.C. a flourishing trade existed across the Mediteranean between the Phoenicians and the Britons. The back-haul was tin. In Cornwall, the early Britons dug shallow pits into placer accumulations of cassiterite and with little capital investment produced the commodity so much prized by the traders. In the Middle Ages, the Cornishmen were digging shallow pits on the vein sources of the placers, and by the late 18th century and early 19th century, the scattered landholdings were being consolidated into well-managed mining ventures which followed the tin veins to depth. Today some of these veins are still worked, using modern mining methods at greater depths than was formerly possible. Metals such as molybdenum and tungsten for which there was formerly no use are also extracted.

The Cornwall area has a recorded history of some 4000 years of mining, and during the heyday (about 1800-1914), in excess of 2 million tons of metallic tin was produced, worth about 32+ billion dollars at today's prices. Thus tin mining in Cornwall was no boom and bust operation. Today, Cornwall is still one of the most scenic areas of the British Isles.

Similar histories can be documented for most of the world-renowned mining camps such as Central Sweden, Central Europe, Mexico, and the Andean Region.

At the beginning of the 20th century, mining was already in progress at many camps in the Rocky Mountains, such as at Leadville and Urad (Colorado), Bingham (Utah), Butte (Montana), and many others. The mining was small scale, for high-grade veins and replacement bodies of ore, with a high value for small volumes. In 1899, a young mining engineer, Daniel C. Jacklin, proposed to mine the low-grade copper ore at Bingham and almost the whole of the mining and financial world thought him insane. In 1904, the first year of operation, the mine, now the Bingham open-pit, made \$200,000 profit. In the 75 years of operation the mine has produced more than 22 billion pounds of copper, 10.5 million ounces of gold, 525 million pounds of molybdenum and 95 million ounces of silver. At today's prices, the market value of this bonanza would be \$32 billion.

Within a year or two of the start-up of the Bingham Pit, numerous other open-pit copper mines were started and many are still being mined 75 years later. Major mines now exist near the sites of some of the old vein-mining concerns--the Anaconda Mine at Butte, Montana; the Climax molybdenum mine near Leadville; the Henderson Mine at Urad. A recent discovery of high-grade ore near the Bingham open-pit--the Carr Fork deposit--promises to extend the mining life of the area considerably.

As in Cornwall, the history of these mining districts progressed from one or two-man operations, to consolidated holdings of a minor company, to large operations with each step requiring greater amounts of up-front financing, and each able to work progressively lower grades of ore.

MINING IN ALASKA - HISTORICAL PERSPECTIVE

Around the turn of the century an overflow from the Yukon goldrush crept over the border into Alaska. These prospectors had arrived in the Yukon to find most of the placer ground staked, and they sought their fortune elsewhere down the Yukon. The gold placer camps in the Fortymile and Circle-Central were founded, and the operations began with one or two men, with little or no capital, working their chosen creek. Some walked over to the Ophir Creek diggings, and then on down to the site of Fairbanks to seek provisions. The great Fairbanks mining district was discovered. As the best ground was taken, the residue moved on. New mining districts were found and new "rushes" to these areas occurred. Most of the placer mining districts had been discovered by 1920, and by then the consolidation of the holdings had begun, though even today family operations feed possibly six hundred families in Alaska.

The consolidation of the placer ground led to dredging of the lower-grade gravels by companies such as the "F.E." in the mid-1920s. These operations, under the names USSR&M, UV and Alaska Gold continue today with an almost continuous 50 year history, hardly "boom or bust."

Lode gold was mined near Juneau from about 1880 to 1942, with about 7 million ounces production and a direct employment of more than 1000 persons. Except for government, few operations employ as many people today!

Thus, gold has, by and large, been the mainstay of mining in Alaska, though the great copper bonanza at Kennicott, which produced 1.2 billion pounds of copper and 9 million ounces of silver between 1907 and 1938, and the ongoing coal mining at Healy cannot be ignored. Minor production of antimony, mercury, lead, zinc, tin, platinum, silver and barite have in the past contributed to the Alaska economy, but the operations have all been characterized by relatively little capital investment, and should still be considered in the pre-consolidation phase of the historical development of a mining district in a world-wide context.

In the early 1960's, a new phase of mining began with the general availability of air transport, particularly helicopters, and the perception by major mining companies that only in frontier areas could ore deposits still be discovered near the earth's surface. The new impetus was helped by the interpolation of mineral zones in Alaska between known deposits in the Yukon Territory and Siberia, and with the discovery of interesting copper mineralization at Bornite. Exploration monies began to flow to Alaska, which was perceived as relatively stable in a political sense, and a good bet for the expenditures. Since then the type of commodity sought and the type of deposit (e.g., porphyry or massive sulphide) have changed in response to price fluctuations in the commodities market, but today exploration produces seasonal work for about 2000 persons and introduces about \$70 million in new capital to Alaska.

MINING TODAY, A COMPARISON

In the Yukon Territory, the Cyprus Anvil Mine, 350 miles from tidewater is as remote as anything in Alaska. The deposit was discovered in 1953, and mining began in 1969. It has a projected 15-20 year life and presently contributes 40 percent to the economy of the Yukon. Some 350 families derive their livelihood from the operation.

A review of the Yukon and Northwest Territories shows that the annual per capita income from mining is \$8,000 and \$6,300 respectively, and that the average number of people employed in the mines is 160 and 190 respectively. Canada-wide, the number of people employed in 50 open-pit and underground mines ranges from 10 to 670 persons, with an average of close to 200.

The geology of Alaska indicates that it has the same potential for mineral occurrence and mining as does the Yukon Territory and the Siberian area of the U.S.S.R. In both the U.S.S.R. and the Yukon Territory, the U.S. Bureau of Mines has indicated 31 or 32 prospects of merit. In the Yukon Territory, 8 mines are presently working. Within Alaska, some 236 significant mineral deposits have been identified, and a map was compiled by the Northwest Miner's Association with significant help from all portions of the industry in an unprecedented cooperative effort.

It is important that Alaska take the next step in the historical development of a mineralized area if mining is to be considered anything other than a scenic nuisance.

MINING IN ALASKA--THE FUTURE?

It is vitally important that a decision be made at the highest levels of State Government in the near future as to whether or not mining will be accepted as a welcome neighbor in the State.

Alaska is only a small part of the world, and exploration monies scheduled for Alaska are being diverted because of two major factors. The first is land withdrawals. It is obvious that without considerably less compromise on the part of the State, the Federal Government is going to withdraw from mineral development (i.e. appropriate) some 80 percent of the "significant mineral deposits" mentioned above. More worrisome to investors is the perception that if the State itself is apathetic towards mineral development, as evidenced by land classifications barring mineral location, by selection of mining districts for land disposals, by numerous overlapping restrictive regulations, by leasing proposals, and by the proposed creation of parks in former mining districts.

The second disincentive to expend exploration dollars in Alaska falls under the general heading of "taxation." Why would a company expend several million dollars in exploration for a deposit when the stated Administration philosophy is that "Minerals belong to all the people." The general attitude to that Marxist philosophy is to explore elsewhere.

It is of interest, in this regard, that the proposed leasing bills, HB's 410 and 420, were drafted by a highly regarded advisor to the State Administration, who is now considered to be a "most valued member" of the Alaska Coalition.

The experience of the oil companies in Alaska, whose successful efforts are penalized by ever-increasing taxation, is also viewed with alarm in mining circles. Only if the numerous failures can be recompensed by a successful venture will exploration capital continue to flow. Monies scheduled for British Columbia were diverted to Alaska in 1973-76 until their Marxist government, with their punitive taxation, ^{was} ~~was~~ finally ousted.

The Stanford Research Institute Report has been widely quoted, and the seven mines identified as being most likely to produce in the next ten years--Lik, Arctic, Eagle, Green's Creek, Quartz Hill, Picnic Creek, Bohemia Basin--are well known. If these deposits were to be mined, they could produce 9,500 new jobs in Alaska and add new monies to the amount of \$1 billion annually to the economy.

More important would be the momentum generated, and the incentive to further explore whichever of the 240 "significant mineral deposits" remained at that time outside of the National Parks and Monuments. It

is therefore extremely important that the State of Alaska and the Congressional Delegation begin to recognize that there are not only seven mineral deposits, but maybe as many as fifty or even one hundred.

The Quartz Hill deposit appears to be "World-Class," and as such, is likely to have a mining life of 40+ years, and perhaps, like Bingham, up to 100 years. Several hundred people will be employed, lifelong, if they wish. It is this kind of stability in areas other than tax-funded government which Alaska so desperately needs. Once Alaskans are trained for the jobs, it is unlikely that an influx of workers will arrive to work a 40-hour week, and so the boom-and-bust cycle could be dented, if not broken.

The S.R.I. report also notes that less than 0.2 percent of Alaska would be disturbed by mining, and the historical perspective of mining would support that contention. What higher use, even if no revenue were to derive to the State, would one-fifth of 1 percent of the land have above a stable future for 10,000 Alaskans? This future could be ours with little or no impact, except on one or two of the 5,000+ anadromous fish streams in Alaska.

If these dreams are to be realized, then the State must begin to look upon mining as a desirable co-equal partner in the economic framework of the State. There must be a cessation of the attitude that taxes derived

from oil and mining should be used to subsidize only forestry, farming and fishing. Finally there must be a realization that profits from oil and mining are different by orders of magnitude, and that the production cycles of the two are incomparable.

INCENTIVES TO MINING IN ALASKA

The most important incentive at this time is a solid statement that mining is viewed by the Administration of the State of Alaska as a desirable industry.

Several other incentives can be offered--a reduction in the mining license tax in return for concessions from the mining companies would be viewed positively. Such concessions might ~~be~~ be agreements to produce in a timely manner, to train and hire local persons, to return a portion of "windfall" profits to exploration in Alaska, to add "custom" treatment facilities to standard plant, or to provide infrastructure to operations other than their own.

A definite incentive would be to restructure, with little or no additional hiring, the Department of Natural Resources. A full Department of Minerals and Energy Resources could be split out from the D.N.R., and by use of people presently employed in other sections, would form a knowledgeable nucleus with the welfare of the industry at heart, rather than a tolerant attitude as at present. The Division of Lands would have their fundamentally important function reassigned to an Alaskan Lands Commission. A suggested organization chart is attached.

Though unpopular at present, consideration should be given to infrastructure, particularly transportation, subsidy by the State. Such investments have, by tariff charges, paid for themselves with dividends in Canada.

Basic data generation by such bodies as the Division of Geological and Geophysical Surveys, and the timely publication of the same, should be encouraged by the State, either by mandate or increased funding.

Consideration should be given to prospector and drilling or transport aid through some form of loan or assistance, since many mineral deposits later developed by major companies are discovered by the individual prospector.

Adoption of some of these suggestions would indicate to the mining companies that Alaska looks towards them as responsible and welcome partners in the future, and would help offset the decline in exploration activities which is certain in response to the present taxation policies and land withdrawals.

Rec'd 11/28/79

November 22, 1979

Chalkyitsik, Alaska 99788

The Honorable George Homan
State Senator
The Honorable Russ Meekins
State Representative
Co-Chairman
Future Frontiers
308 G Street, Suite 301
Anchorage, Alaska 99501

Dear Senator Homan and Representative Meekins;

Enclosed is a paper expressing my thoughts on the Permanent Fund. I have kept it short and rather to the point since the message it contains is rather simple in it's context, however, I would hope that the basic idea behind this message would not be precluded.

Very Truly Yours,

William B. Fredson

William B. Fredson
Chief
Chalkyitsik, Alaska 99788.

WBF/ef

Chalkyitsik, Alaska 99788

November 22, 1979

A PAPER
ON AND FOR THE PERMANENT FUND.

The Alaska State Legislators and many of the people of Alaska are aware of the Permanent Fund, the basic idea behind the establishment of this fund, and the growth of this fund through the royalties of the State's share of gas and oil and the interest the fund draws from the banks.

Many ideas, schemes and proposals have been put forth by many people on and for the use of the Permanent Fund, some good, some bad and others down-right unrealistic.

Whatever the final decision on the use of the Permanent Fund may be, it will be made by the State Legislature in Juneau, by those legislators, elected officials all, who should be aware of this and understand that they are mandated by law to serve the people as a whole and not any few special interests which would violate the oath of office.

The spending of the 900 million that the State received from the sale of gas and oil leases is a case in point, and can only be hoped that this is a lesson learned, and will serve as such.

Whatever the recommendations are for the best possible use of the Permanent Fund, it cannot and should not be used for bigger government. To provide for better government efficiency and services, perhaps, but not to support a huge bureaucracy which would encumber itself through sheer size.

The very state of the economy of the State of Alaska and the Nation addresses itself to this. The economic forecasts for this country is not good and the effects will surely be felt by all of the industries here in Alaska in the near future.

My one firm recommendation on the use of the Permanent Fund is not to expend the funds to the point where it ceases to be for what it was intended.

Towards this end, I tend to favor the idea of a separate corporation to be set up by the legislature to be outside of the influence of State Government officials with the citizens of the State of Alaska to be stockholders who elect the Board of Directors, much as has been proposed by Senator Mike Gravel.

Should this idea not be favorable to a majority of the people, I suggest that a close watch be kept on the major expenditure proposals through propositions on the ballot, instead of the legislature having overall control of the use of the Permanent Fund.

Why? Because it has been proven through the ages that even our elected officials are sometimes wrong and do the wrong things which exceeds the authority of their office.

Take the recent televised town meetings which was an exercise in futility as evidenced by the reaction of a majority of the people.

But, more than that, take the actions of the President and the Secretary of the Interior in locking up vast acres of lands in Alaska in establishing national monuments, wildlife refuges, and study areas for (sic) the future generations of Americans. These actions will have a diverse effect which portends to be ill advised for the future of this country, and the State of Alaska.

For this reason alone, the Permanent Fund is highly important, and that dictates its wise use and investment for the future generations of Alaskans.

Perhaps this is already known. I can only hope that it is understood by all concerned, and that is why this is;

Respectfully submitted,

FOR MYSELF AND OTHERS.

William B. Fredson.

William B. Fredson

Chief

Chalkyitsik, Alaska 99788.

Rec'd 11/28/79

November 22, 1979

Senator George Hohman
Future Frontiers
308 G Street Suite 301
Anchorage, Alaska

Dear Senator Hohman:

Dr. John Angell, Director of the Center for Criminal Justice, has written you about my investigation of the Alaska Bar Examination and has suggested that I write a paper for your Committee.

My study of the Alaska Bar Examination began for personal reasons but continued when the findings would no longer be of value to my son. He has been admitted, on the first attempt, to another states bar. A series of events and my own research have prompted me to continue and broaden my study.

Events which have prompted my search are:

1. Jury duty in the summer of 1976.
2. Attendance at a court session presided over by Judge Rowland.
3. A conversation with Mr. Gary Thurlow, former bar examiner.
4. A letter from former Supreme Court Justice Robert Erwin.
5. Conversation with a candidate for the Winter 1979 exam.
6. Inability to secure an appeals attorney.
7. Articles in the Anchorage Times and News concerning minority sentencing.
8. A discovery that a large number of repeat candidates are cultural minorities, particularly Alaska Natives.
9. Conversation with Mr. Neal Thomas, Human Rights Commission.
10. A feeling among citizens of my acquaintance that the legal profession is not open and responsive to the needs of the public. In fact that they are self serving.
11. Research which gives credence to my initial assumption The Alaska Bar Admissions is antiquated, and does not guarantee quality but limits quantity of legal practitioners.
12. No provisions for professional renewal for members.

I welcome the opportunity to appear before your Committee.

Verda Marie Jones
Circulation Supervisor
University of Alaska Library
Anchorage, Alaska
263 1827

SRA 31 J
Anchorage, Alaska
99507
349-4062

ADMISSION TO THE ALASKA BAR ASSOCIATION

LIMITED ENTRY

Professor Charles L. Black of Yale Law School, tells the following story of a Pawnee Indian brave named Peshwataro.

The law of the Pawnee commanded that on the summer solstice there take place the sacrifice of the star maiden. A girl was each year captured from a neighboring tribe and bound to a stake. At dawn, the Pawnee braves would ride in a circle about her. This was not done for sport, but because, like so much that seems cruel in so many societies, it was thought to be a cruelty necessary to the maintenance of the moral and religious order. Many Pawnees, through what process or influence I cannot say, came to disapprove of it and talked of doing away with it, but it was the law, and conservatism was too strong. Then one summer solstice at dawn this Peshwataro, a young man of high repute with the tribe, broke from the circle before an arrow was shot, rode furiously to the stake, freed the girl of that year, slung her in front of him, and escaped with her. He left her with her people and then rode back, much as Gandhi might have done, to submit himself to his fellows. As it happens, they did nothing. It was time, really, to stop this business and they had only needed an act of such courage to make that clear.

The second and seventh month of each year a similar practice takes place in the sovereign state of Alaska. It is also thought to be a necessary cruelty. Many have come to disapprove, but no young man of high repute has come forth to stop the practice. What is needed is a single act of courage. It is time, really, to stop this business. The Alaska Bar Admissions is in truth a limited entry program. Your Committee has the obligation to investigate, debate and legislate.

Alaska Constitution, Article I Section I: "This constitution is dedicated to the principles that all persons have a natural right to life, liberty, the pursuit of happiness, and the enjoyment of the rewards of their own industry;..."

Alaska Constitution, Article I, Section 7: "No person shall be deprived of life, liberty, or property, without due process of law,"

United States Constitution, Fourteenth Amendment: Provides for due process of law and equal protection of the laws.

This paper deals with what the Alaska Constitution calls, and is dedicated to, a persons "natural right to...the enjoyment of the rewards of their own industry." The right to make a living is among the greatest of human rights.

Protection of the public is the only justification for prohibiting an individual from practicing his profession. A state may not, under the guise of protecting the public, arbitrarily interfere with private business or prohibit lawful occupations or impose unreasonable and unnecessary restrictions upon them.

The Alaska Bar examination is an imperfect instrument for measuring an individual's qualifications for practicing law. It does not protect the public. It does interfere with lawful occupation and impose an unreasonable and unnecessary restriction upon candidates.

Because the examination is such an imperfect instrument for determining an individual's qualifications for practicing law there should be a keen awareness of those imperfections on the part of the Board of Governors. The procedures followed by the Board do not evidence the careful use of awareness essential to an individual's right to practice his profession. The examination itself, the grading system, and the appeal handling do not satisfy the requirements of due process. The decisions of the Board are arbitrary and unreasonable and bear no relationship to the end sought (protection of the public), and is therefore a violation of due process.

Because the bar examination is such an imperfect instrument for measuring an individual's qualification it is especially important that due process be accorded to the examinee. It may be helpful to review the examination process and a few of its defects:

The Alaska State Bar Examination is a two and one half day examination given twice a year. One day is devoted to the multi-state bar examination, which is prepared by the National Conference of Bar Examiners and administered by the Educational Testing Service of Princeton, New Jersey. One day is devoted to essay questions prepared and graded by the California Board of Bar Examiners. One half day is devoted to Alaska questions prepared and graded by the Alaska Board of Bar Examiners.

The multi-state examination consists of two hundred multiple choice questions covering six areas of law. A fact situation

is presented and a series of multiple choice questions are presented for the applicant to indicate the "best" answer. The examination is machine graded.

The California essay questions present a factual situation and request the applicant to write an essay analyzing the legal issues applying the rules of law to the facts presented. The California questions are written by the California Board of Bar Examiners and graded with California applicants.

The Alaska essay questions present a factual situation and request the applicant to write an essay analyzing the legal issues applying the rules of law to the facts presented. The Alaska questions are prepared and graded by the Alaska Board of Bar Examiners.

DEFECTS OF THE MULTI STATE BAR EXAMINATION

The Multi State Bar Examination is not a Valid Examination

1. There is no single correct answer to multi-state bar examination questions.
2. There is no provision for an applicant to challenge the examination.
3. No provisions are made to review the examination as a learning aid for subsequent examinations.
4. Pool questions have been leaked compromising the examination.
5. The examination is culturally biased.
6. The multi-state examination has no relevancy as to future performance.

In preparing the multi-state bar examination the examiners make more than one of the four choices offered very close to correct and students are told to choose the "best" answer. Joe Covington, Director of Testing explained "There may be more than one possible correct answer, but the committees drafted each item with what was regarded as one "best" answer."

The Bar Admissions Study Commission for the State of Oregon examined the multi-state questions and several took the exam. The Committee concluded that in some cases at least two of the choices were sufficiently close to correct that there might be a substantial difference of opinion as to which one could properly be chosen. For such questions applicants with equal knowledge and analytical abilities could choose different responses, and the student who chose the committee's "best" answer would receive points while the other candidate, with equal knowledge and skill would have no way of demonstrating that knowledge.

The Washington Bar Association eliminated the multi-state portion of the bar examination in 1977, in part, because there is no single correct answer to the multi-state questions. The Oregon Bar Commission appointed by the Oregon Supreme Court to study bar admissions has recommended that the multi-state portion of the examination be eliminated for the same reason. The study was completed in 1979 but has not been acted upon.

There are no provisions for the applicant to challenge the multi state examination. The examinations are brought to Alaska by Educational Testing Service and administered. No copies remain, or can be secured, for the applicant to use in challenging the examination. An examination that cannot be challenged is not a valid examination.

The State of New York passed a "sunshine" law in 1979 guaranteeing that everyone in the state who takes a test can receive a copy of his test and the correct answers. It requires the testmakers to explain on the record how they constructed the examination. Ohio legislators are discussing a similar bill and California enacted a weaker bill after educators lobbied frantically to dilute it. Theodore Weiss is cosponsoring a "truth in testing" bill in the House of Representatives. The New York Congressman argues that it will lead to fairer tests if the "testmakers" rationale becomes public.

There are no provisions for the applicant to review the multi-state examination as a learning aid for subsequent exams. No copies of the examination are allowed to remain in the state or to be reviewed. In subsequent exams the applicant may very well continue to make the same error. Failing to select the answer the committee has designated "best".

Pool questions have been leaked compromising the examination. The reuse of questions on the multi-state examination raises the problem of security. At the present time the National Conference of Bar Examiners have filed suit against Multi State Legal Studies in Federal District Court in Chicago for an injunction and other relief. Advertisements of Multi State Legal Studies of Philadelphia regarding a seminar it offered included the statement, "of the 200 questions, approximately 120 questions were reconstructed from questions which appeared in the 1978 multi-state bar examination."

The multi-state bar examination is culturally biased.

A number of papers have been prepared on the topic of bar examinations and cultural bias. Since trustworthy statistics are difficult to come by none of them can be considered conclusive. Because no questions on race or ethnic status are asked it is not possible to identify minority candidates. Partial statistics have been compiled by the Oregon State Bar Affirmative Action Committee and they verify a lower pass rate for minority candidates. Similar reports have come from studies made by Washington and California .

It is possible to identify more than a dozen Alaska Native applicants that have applied for admission to the Alaska Bar. Most of them within the past four years. Only four had been admitted by July of 1979. At that time a majority of the candidates had taken the examination more than once. One young woman had been examined three times. Black applicants are experiencing difficulties.

It is important to note that two hundred questions must be answered in 360 minutes. With little more than a minute and one half per question reading speed appears to be a requirement in the successful completion of the examination. Thus, performance will be enhanced among students who are able to read fast. Since reading speed is to some degree related to familiarity with the language of the test it orients the test in favor of middle class Anglo students.

The multi-state examination has no relevancy as to future performance. It is an examination which tests ability to remember rules of law and analysis of fact situations. It fails to measure abilities in legal research, negotiation, interviewing, oral advocacy, trial practice and any of the other skills which a lawyer might be called upon to exercise. There has been no attempt to show that the bar examination has any relevancy to the subsequent practice of law.

The multi-state bar examination is stressful, expensive and defective. It cannot be considered a valid examination.

DEFECTS OF THE ESSAY EXAMINATION

The Essay Examination is an Imperfect Instrument for Measuring an Individuals Qualifications

1. It "tests" three or four years of study in one and one half days.
2. There is no single correct answer for essay questions.
3. There is insufficient time to prepare an answer.
4. There are too many issues.
5. The quality of the question is frequently poor.

6. The essay portion of the examination covers too many subjects.
7. The essay examination requires a type of study which is often repugnant to a good analytical mind.
8. The essay portion and the multi-state portion do not select as competent or incompetent the same candidate. The degree of correlation between the two examinations is not consistent.
9. Issue spotting is a very limited form of testing for legal knowledge.
10. There is a lack of agreement among competent readers as to what the score for an essay paper should be.

The essay examination is expected to reveal the abilities of a candidate in a one shot qualification. It fails to take into consideration the physical, mental or emotional conditions of the examinee on the three days of his life that he takes the examination. Law school performance, and work related activities are not considered. The examinee must be able to cover all possible detailed questions. Three years of academic training are tested in three days.

There is no single correct answer for essay questions. Law is not an exact science, legal issues produce widely varying interpretations and arguments. A student who knows a subject well may view with extreme complexity what the board views as fairly simple issues.

As presently structured the essay examination emphasizes speed and endurance. Forty minutes is an insufficient time to read, analyze, and write a difficult essay. All issues must be spotted, all rules of law applied etc. The average answer prepared by my son was seven single space typewritten pages. The time factor discriminates against cultural minorities. Reading and writing speed are related to familiarity with the language of the test it orients the test in favor of middle class Anglo candidates. A single essay question may have as many as forty issues to spot and analyze.

Essay questions on the bar examination present too many issues to permit full discussion within the time allotted. The essay questions frequently contain so many issues that applicants cannot physically and mentally deal with the analysis or the physical necessity of transmitting the analysis into a written answer. The number of issues goes beyond any reasonable expectation for a response in the time allotted.

Questions are frequently poorly worded and confusing. Names used are similar, facts ambiguously stated, the call line misleading. Questions frequently deal with obscure areas of the law which are not usually covered in law school courses. Questions are designed to require discussions of phantom issues or an explanation of why an issue did not exist. Issue spotting is too limited and results in an examination that is too restrictive in methodology. Questions are phrased using the inductive method. Culturally different examinees do better when questions are phrased using the deductive method. An examination which tests ability to remember rules of law and analyze fact situations in light of those rules is too limited. The essay examination does not measure other important qualities necessary to the practice of law.

The essay portion of the examination covers too many subjects. A two day period is long enough for an effective bar examination. The code of recommended standards recommends twelve subjects. The Alaska applicant must prepare for the California subjects, the Alaska subjects and the Multi-state subjects. The examination is two and one half days. Oregon recommends two, down one half day from the present examination period.

The essay examination requires a certain type of study and writing, not just good legal knowledge, analysis and logic, but the "black letter law" approach. A good legal mind frequently finds this approach repugnant.

If the multi-state examination and the essay examination were correlated they would select the candidate as competent or incompetent in both areas. This is not so. Candidates frequently pass one section of the examination only to fail the other section.

The essay portion of the examination is concerned with issue spotting. Some applicants may not be able to demonstrate their knowledge under the standard essay format but could do so if faced with a different type of question. Some of the suggested question formats are more closely approximated to the way lawyers are required to apply legal rules than the standard issue spotting.

There is a lack of agreement among competent readers as to what the score for an essay paper should be. A series of studies has shown that answers to essay questions are scored differently by different readers and that even the same reader scores the answers differently at different times.

The Ashburn study of grading essay exams is acknowledged as one of the finest works in the field of testing and measurements. After an in depth study and experiment Dr. Ashburn

found a lack of agreement among the professors on each reading and inconsistency between the two readings for a given professor. He concluded that the passing or failing of about forty percent of the students depended, not on what they know or don't know, but upon who reads their papers. The passing or failing of ten percent of the papers depends upon when the papers are read.

Graders for the essay portion of the Alaska Bar Examination are failing candidates with scores of 69.4, 69.6 and even 69.9 on a scale where seventy is passing. It is not possible to grade essay questions to such a specificity.

Given the defects of the essay examination one must consider that it is an imperfect instrument for measuring the ability of a candidate.

DEFECTS IN THE GRADING PROCESS

The grading Process is Inappropriate and Unfair

1. The present grading process is a form of colonialism.
2. The grading process is not annonyomous.
3. Grading Personnel are not professional examiners.
4. There is a predetermined passage rate.
5. A standardized score of seventy is not consistent with scores of neighboring states.

The present grading process is a form of colonialism. Four fifth of the examination are graded outside the State. The California essay portion is graded with the California candidates. The multi-state portion is graded in Princeton New Jersey. The only part of the examination that is graded in Alaska is the Alaska essay section. This is a one half day session. The other two days are devoted to areas that are graded outside the State.

There is considerable discussion and assurance that the grading process is annonymous. Each candidate being given a number with the key to the numbers held by the Supreme Court. The candidate knows his number and can easily communicate it to members of the examining committee. In the 1979 exam a bar examiner worked in a large legal office. Members of that office were assured by her that they would pass the Alaska questions. There is no such thing as annonymity in grading.

Grading personnel are not trained in testing and measurements. They are frequently new attorneys themselves. They are rendering decisions that are of extreme importance without the training to do so. There are no model answers provided for the graders to follow. The result is that unqualified individuals are admitted to practice and qualified candidates are excluded.

The Board of Governors of the Alaska Bar Association deny that there is a predetermined pass rate. However, in the past sixteen examinations the pass percent has only twice been above seventy nine percent. That was the year when candidates filed a group appeal against the Board of Examiners protesting grading procedures. The winter 1979 pass rate was 69 percent. Almost 40 percent of the candidates failed.

The decision to set the score at seventy is not consistent with neighboring states. Washington is 65, Oregon is the same, Utah is 60 etc. By setting the multi state exam score at seventy percent many candidates are excluded. By moving the passing score from seventy down to sixty five Pennsylvania changed the pass rate from sixty two percent to ninety eight percent. The majority of the failed candidates do not fail by a large number of points. The total points by which my son failed three examinations is less than four. The third examination by six tenths of a point.

THE APPEALS PROCESS IS DEFECTIVE

Applicants who wish to appeal their failure of the bar examination must do so on the limited grounds of fraud, improper conduct or arbitrary use of discretion on the part of the Board. This does not afford a meaningful review for unsuccessful applicants who contend that mistakes were made in the grading of their examinations.

Appeals to the Board of Governors are usually met with a refusal to hear the applicants appeal. The appeal can then be filed with the Supreme Court. This is a lengthy and costly method of attacking the problem. Douglas Luna a black candidate who failed the examination in 1975 finally received the word that his appeal was turned down in the fall of 1977. I was unable to find an appeal that was found in favor of the applicant. If an applicant is to have any chance at all he must have a very good appeals attorney. A really good appeals attorney will not take cases of this nature. The fees are not as lucrative and they have little hope of winning the case.

Vesta Marie Jones