

**LDIR#147**  
**NATIVE LAND**  
**CLAIMS**

INDIAN AND ESKIMO ORGANIZATIONS OF ALASKA

Ahtna-Tha-Neh-Nen-Neh Copper River Tribe Assn (South Central)	Mr. Oscar Craig President Copper Center, Alaska 99573
Alaska Native Brotherhood (Southeast)	Rev Walter Soboleff Grand President 1003-B Street Juneau, Alaska 99801
Alaska Native Sisterhood (Southeast)	Mrs. Lottie Nannauck Grand President Kake, Alaska 99830
Arctic Native Brotherhood (Northwest)	Jerome Trigg President Nome, Alaska 99762
Arctis Slope Native Assn (Northwest)	Mr. Sam Taalak President Barrow, Alaska 99762
Association of Village Council Presidents of the Bethel Area (Southwest)	Mr. Axel Johnson President Emmonak, Alaska 99581
Chugack Native Association (South Central)	Mr. George Olsen President General Delivery Cordova, Alaska 99574
Cook Inlet Native Association (South Central)	Mr. Don Wright President Box 515 Anchorage, Alaska 99501
Dena Nena Menash (Interior)	Mr. Ralph Perdue President Box 1653 Fairbanks, Alaska 99701
Fairbanks Native Association (Interior)	Mr. Jules Wright President Fairbanks, Alaska 99701
Gwitchya Gwitchin Ginkhye (Interior)	Mr. Mardow Solomon President Fort Yukon, Alaska 99740

Introduced: 1/26/67  
Referred: State Affairs

1 IN THE HOUSE

BY ALL MEMBERS OF THE HOUSE

2 HOUSE CONCURRENT RESOLUTION NO. 3

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - FIRST SESSION

5 Directing the Legislative Council  
6 to study the matter of problems of  
7 the Alaska Native.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 WHEREAS there has been considerable interest and discussion regarding  
10 proposals for treating with the problems of the Alaskan Native; and

11 WHEREAS one of the proposals involved the creation of a Department of  
12 Native Affairs to act as a clearing house for all matters relating to  
13 Alaskan Natives; and

14 WHEREAS a number of questions have arisen as to the need for giving  
15 separate attention to the apparent problems, the wishes of the individuals  
16 and groups involved, and to methods of approach to the various problems  
17 attendant on dealing with the needs and hopes of Alaska's Native people; and

18 WHEREAS it is the wish of the Legislature to proceed with dispatch  
19 and deliberation in examining the effective role of its Native citizens  
20 because of their importance to the growth and prosperity of the state;

21 BE IT RESOLVED that the Legislative Council is directed to thoroughly  
22 explore the needs and wishes of Alaskan Natives regarding their effective  
23 role in the economic and social structure of the state, hold such public  
24 hearings as it may find necessary, call upon all state agencies for  
25 appropriate assistance, request the cooperation of Federal and private  
26 individuals and agencies, and report its findings and recommendations to  
27 the Legislature at the earliest possible time.

*Also. see whether Dept. should be set up  
& what its duties should be*

30.7  
1115

# ALASKA

## REVIEW OF BUSINESS AND ECONOMIC CONDITIONS

UNIVERSITY OF ALASKA, INSTITUTE OF SOCIAL, ECONOMIC AND GOVERNMENT RESEARCH

VOL. IV NO. 6

### NATIVE LAND CLAIMS

Two of the most important issues in Alaska today are the Native land claims and the resulting "land freeze" imposed by the Secretary of the Interior. The question of land ownership has an obvious impact on the economic growth of the state. Since most of the natural resources in Alaska have yet to be developed, the decision as to who has title may affect the overall pace and direction of economic development.

Native groups, asserting their "right" to own, develop and manage lands their ancestors have "used and occupied since time immemorial," have submitted claims covering approximately 290 million of Alaska's 375 million acres. The Natives are asking both for full title to the lands they claim and for compensation in the form of monetary settlements for lands already taken from their claim areas. In filing these claims, Native groups have stressed the importance of owning ecological areas supporting their villages and have been adamant in their belief that, in the long run, the state will enjoy a greater prosperity if the Natives, rather than a public agency, develop these areas.

While some of the Native claims were first filed over 30 years ago, the majority were recorded in a snowballing action that saw large areas claimed in the latter part of 1966 and in the early months of 1967. In December of 1966, Secretary of the Interior Stewart Udall halted action on the disposal of all public lands in the state to which Natives claimed "aboriginal possession" based on use and occupancy. Since the claims cover much of the most valuable unappropriated land in Alaska, most land disposal in the state was affected. Some state officials predicted serious losses in oil and gas revenues would result from the freeze and charged that natural resource development in the state would be slowed to a standstill.

Secretary Udall told state officials he was legally bound to impose the freeze because of a congressional guarantee (made in 1884) that Alaska Natives would not be disturbed in their use and occupancy of lands. The secretary said he would lift the freeze when Congress passes a bill defining the rights of the Native claimants, a process Alaska's congressional delegates estimate would take from two to five years. Two bills concerning land claims were introduced in Congress by October of 1967, one prepared by the Interior Department and the other by the Alaska Federation of Native Associations (now the Alaska Federation of Natives).

The Native claims and the freeze are highly controversial and have both political and moral overtones. Almost any statement made about either issue could justifiably be followed by . . . "however, the opposing viewpoint is . . ." There is heated disagreement over definition of terms; impact of previous court decisions; why the land freeze was imposed; what compromise, if any, can be reached, etc. So far there has been little "middle ground" on which all parties involved can agree.

The possibility of a compromise arose during the October 1967 meeting of the Alaska Federation of Natives. The state and the Natives agreed to make an attempt to work together on a mutually acceptable bill to present to Congress. Hearings on the two land claims bills already before Congress are scheduled to be held throughout Alaska during the winter of 1967-68. Discussion during these hearings may further clear the way to agreement and compromise.

### NATIVE PROPERTY RIGHTS

Aboriginal possession (sometimes called Indian Title) is the historic first source of Indian property rights. The right of Natives to use and occupy land their ancestors held dates to the discovery of the American

How would this be...

HOUSE OF COMMONS

First Session—Twenty-eighth Parliament

1968

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STANDING COMMITTEE

ON

INDIAN AFFAIRS  
and NORTHERN DEVELOPMENT

*Chairman:* Mr. IAN WATSON

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MINUTES OF PROCEEDINGS AND EVIDENCE

No. 10

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FRIDAY, DECEMBER 6, 1968

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Revised Main Estimates (1968-1969)

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*Including*

- a) List of Witnesses,
- b) Appendices printed,
- c) Exhibit filed.

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WITNESSES:

Dr. A. Thompson, Professor of Law, University of Alberta (Edmonton).  
*From the Department of Indian Affairs and Northern Development:*  
Mr. J.-B. Bergevin, Assistant Deputy Minister (Economic Development);  
Dr. H. Woodward, Chief, Oil and Gas Division, Development Branch (Economic Development).

ROGER DUHAMEL, F.R.S.C.  
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY  
OTTAWA, 1968

U. S. Dept. of the Interior  
Bureau of Indian Affairs  
Juneau, Alaska  
November 1964

## THE ESKIMOS, INDIANS AND ALEUTS OF ALASKA

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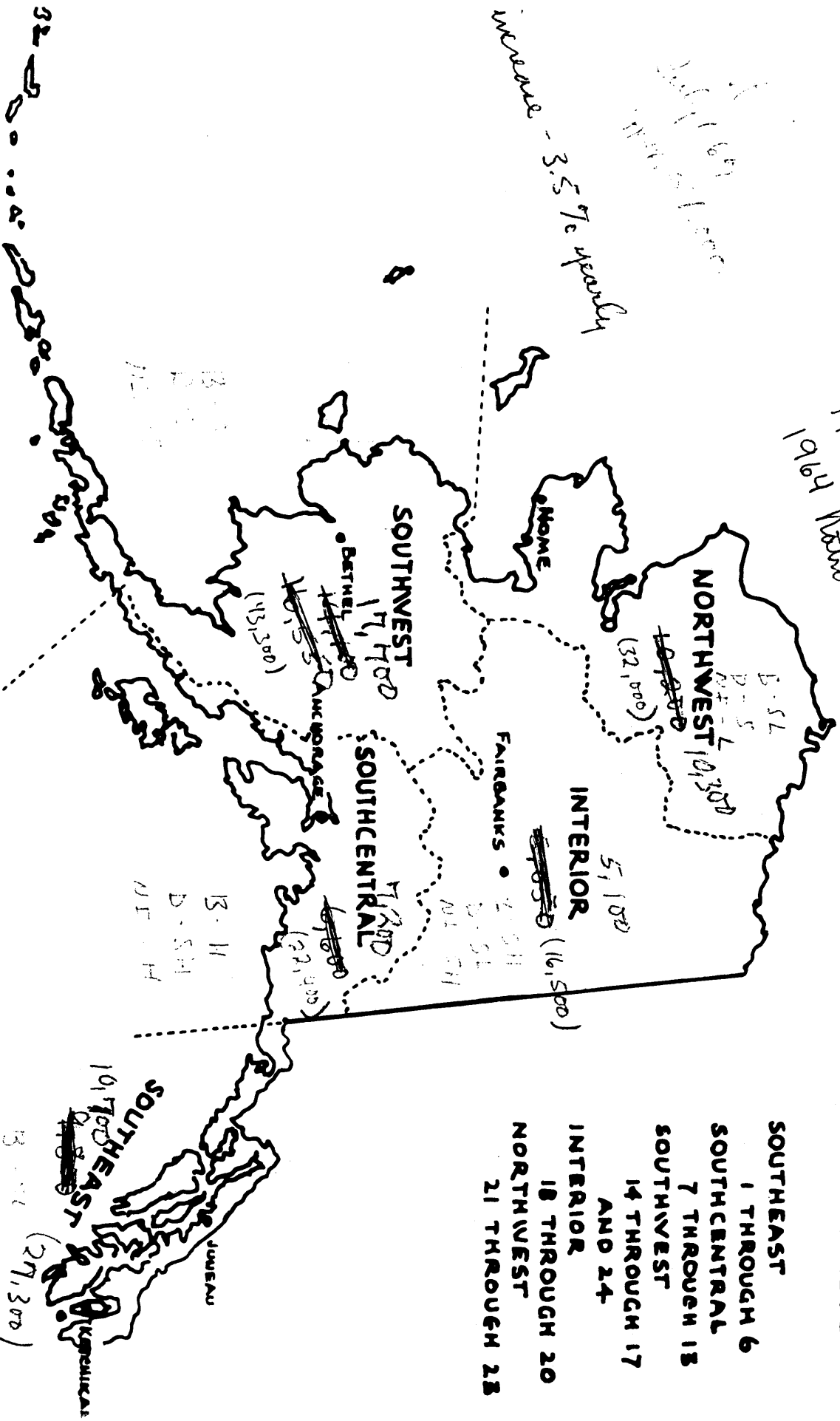
Alaska is still the last frontier in the minds of many Americans. Interest in the "Great Land" has increased sharply since Alaska became a full fledged state in 1958. In spite of this great interest many Americans know very little about the people of the largest state in the Union. This is especially true of the Eskimos, Indians and Aleuts who live in the remote regions. This pamphlet has been prepared in an effort to help others know and understand the original settlers of Alaska.

At the time of the discovery of Alaska in 1741 by Vitus Bering, the Indians, Eskimos and Aleuts were well distributed throughout the area. Although there is still some disagreement among anthropologists concerning the origin of the American Indians and Eskimos, the great majority believe that these people migrated across the Bering Strait from Asia. Apparently this migration occurred in successive waves over thousands of years. The northern Eskimo group appears to be the most recent emigrants and have settled along the coast of the Arctic Ocean from Little Diomed Island to Greenland.

In Alaska the Eskimo, Indian and Aleut people lived within well defined regions and there was little mixing of ethnic groups. As in any culture the way of life was dictated by the abundance of food. In Southeastern Alaska the salmon, deer and other plentiful foods permitted the Thlingits, Tsimpshians and Haidas to settle in permanent villages and develop a culture rich in art. The Athapaskan Indians of the Alaskan Interior, on the other hand, became wanderers following the migrating caribou herds and taking advantage of seasonal abundance of fish, waterfowl and other game. The Eskimo people, like the Thlingits, depended upon the sea for life. However a more hostile climate and fewer resources required a far different way of living.

There are fundamental differences between the Native or Eskimo and Indian way of life and the non-Native way. A person born in the Native culture is oriented to the present. He learns to live in harmony with nature and economically survives by consuming the products of the land and the sea. A person born in the non-Native culture is usually in better economic circumstances. He survives by making the land and the sea work and produce, and the culture is pointed to the future. The impact of 20th Century culture has brought great changes among all of the Native peoples, some good and some unfortunate. As a result, some Eskimo and Indian people still live much as their ancestors lived while others have adjusted to the non-Native culture. To understand some of the problems faced by present day Indian and Eskimo people it is necessary to know something of their past.

# MAJOR ALASKA REGIONS



ESTIMATED JULY 1st POPULATION by RACE and ELECTION DISTRICT: ALL RACES

ELECTION DISTRICT	Census 4/1/60	1960	1961	1962	1963	1964	1965	1966	1967
STATE TOTAL	226,167	228,200	235,500	242,800	250,000	255,800	264,600	272,000	279,000
1 Prince of Wales and 2 Ketchikan	11,842	12,000	12,300	12,600	12,900	13,200	13,500	13,800	14,000
3 Wrangell & Petersburg	4,181	4,200	4,300	4,500	4,700	4,900	5,100	5,300	5,600
4 Sitka	6,690	6,900	7,000	7,100	7,100	7,300	7,400	7,500	7,600
5 Juneau	9,745	9,800	10,300	10,900	11,500	12,000	12,500	13,200	13,700
6 Lynn Canal, Icy Straits	2,945	2,900	3,000	3,000	3,100	3,100	3,100	3,200	3,200
7 Cordova, McCarthy	1,739	1,800	1,800	1,800	1,900	1,900	2,000	2,000	2,000
8 Valdez, Chitina, Whittier	2,844	2,800	2,300	2,300	2,400	2,200	2,300	2,400	2,400
9 Palmer, Wasilla, Talkeetna	5,188	5,200	5,400	5,700	5,900	6,100	6,300	6,500	6,700
10 Anchorage	82,833	84,200	88,400	91,900	95,100	97,800	102,600	105,900	109,700
11 Seward	2,956	2,900	2,900	2,900	2,900	2,500	2,300	2,200	2,100
12 Kenai, Cook Inlet	6,097	6,200	6,600	7,100	7,600	8,100	8,600	9,000	9,500
13 Kodiak	7,174	7,200	7,400	7,600	7,800	8,000	8,300	8,500	8,800
14 Aleutian Islands	6,011	6,000	6,200	6,600	6,800	7,200	7,600	8,100	8,500
15 Bristol Bay	4,024	4,000	4,200	4,200	4,400	4,500	4,500	4,600	4,700
16 Bethel	5,537	5,500	5,800	6,100	6,400	6,700	7,100	7,500	7,800
17 Kuskokwim	2,301	2,300	2,400	2,500	2,600	2,700	2,800	2,900	2,900
18 Yukon, Koyukuk	4,097	4,200	4,200	4,200	4,200	4,200	4,300	4,300	4,300
19 Fairbanks	43,412	43,500	43,800	44,100	44,500	44,800	45,200	45,500	45,700
20 Upper Yukon	1,619	1,600	1,700	1,700	1,500	1,400	1,400	1,300	1,300
21 Barrow	2,133	2,100	2,200	2,300	2,400	2,500	2,600	2,700	2,700
22 Kotlik	3,560	3,600	3,600	3,700	3,800	3,800	3,900	4,100	4,100
23 Norton	6,091	6,100	6,200	6,200	6,400	6,400	6,400	6,500	6,500
24 Wade Hampton	3,128	3,200	3,500	3,800	4,100	4,500	4,800	5,000	5,200

\*less than 50; estimates rounded to nearest hundred.

Revised 4/67

HEALTH & WELFARE  
Statistical Services

Juneau, Alaska 99901

## INTEGRATION DIFFICULTIES

The impact of 20th century culture has brought about great changes among all of the Alaska Indians and Eskimos. Some of the changes have been good, some unfortunate. All over Alaska people are undergoing cultural transition to varying degrees. As a result, some Eskimo and Indian people still live much as their ancestors lived while others have become skillful pilots, artists, mechanics and carpenters.

Many of those in the villages are in distressed circumstances because of the inadequacy of the land and water to provide products for the dollars needed to meet the desires and modern needs of the people and a lack of jobs near at hand which they can fill. The consequence of this situation is one in which the more aggressive and less conservative members tend to leave the villages. Those who remain behind are more inclined to retain their cultural values and look with apprehension on change or life away from the village.

The Natives who moved to cities to find jobs and a better life, in many instances may be less well-off than those who have remained in the villages. While some have been unable to adjust to a time clock and dollar economy or find regular jobs that pay well, others have made the change without apparent difficulty and are responsible employees and citizens by urban standards.

It is in the state and national interest, and particularly in the interest of those in Alaska involved in rural development, or the welfare of Natives, to develop and harvest renewable resources - timber, fur, fish, reindeer, game, berries and recreation. The Natives, many of whom have few if any other alternatives, are best fitted by birth,

U  
Comments on particular sections of House Bill No. 672

(1) Section 113 which provides for judicial review of commission actions does not appear to restrict the superior court. The section sets out the basic guidelines which would be followed by any appellate court. Although the language on line 11, p. 7 "shall be limited to" would seem to limit the court, the actual scope of review is quite broad.

(2) Section 201(c), lines 12 - 17 provides that temporary withdrawals to protect priority selections by native groups are not considered within the definition of land freeze. Under the pending federal bill (S. 2906) each native group shall, within 120 days after the act becomes law, file with the Secretary of the Interior a nomination of lands it desires to be withdrawn temporarily from state selection or selection by others pending selection of lands by the native group.

When the federal bill becomes law, therefore, the native groups withdraw, for a period of six months, lands (up to 40,000,000 acres) from state selection.

(3) Section 203, lines 26 - 28 -- 5 per cent of all monetary revenues received after law goes into effect, from sale, lease, exchange, or other disposal of lands which are acquired after the law goes into effect. This includes (Statehood Act, Sec. 6(a) & (b));

(1) 102,550,000 acres of vacant, unappropriated, unreserved public lands

(2) 400,000 acres within National Forests (community purposes)

(3) 400,000 acres within public domain (community purposes).

Total: 103,350,000 minus what has already been selected.

(prior to federal bill effective date)

*From Doug Gray*

REPORT OF JUNEAU BAR ASSOCIATION COMMITTEE  
STUDY ON SB 2906

A committee consisting of Avrum Gross, Bill Ruddy, Bob Price and Douglas Gregg, discussed a number of sections of the so-called "Native Land Claims Bill"--SB 2906. Present during the discussions as observers were Justin Ripley and Dick Bradley.

The following report discusses particular sections which the committee thought to be of general interest.

1. Section 101 creating an Alaska Native Commission sets up a commission of 7 members and provides that "at least four of the members shall be Alaska natives." The committee unanimously agreed that the wording should be changed. The consensus was that "qualified" people should be appointed and that "fair ethnic representation" would be preferable to the mandatory domination of the committee by natives as presently required.

2. Section 201 is the section which gives the natives the right to select <sup>upto</sup> forty million acres of land. All four members of the committee had reservations as to Section 201. The breakdown is as follows:

- rrp*
- a. Two members were flatly opposed to any land grant other than as to village sites and areas actually lived on and occupied preferring to compensate aboriginal rights by means of monetary compensation rather than through grants of public land.
  - b. One member felt that a land grant of forty million acres was not objectionable in principle so long as the selection rights of the State of Alaska, as conferred in the Statehood Act, were not infringed

Introduced: 3/6/68  
Referred: Resources and  
Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE  
BY REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 672

3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FIFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act to provide for state contribution and action  
7 to encourage and facilitate final settlement of  
8 Alaska native land claims by the federal government,  
9 and providing for an effective date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 PREAMBLE

12 It is hereby declared to be the policy of the State of Alaska to  
13 join with the federal government in a legislative effort to recognize,  
14 validate and confirm the just land claims of Alaska natives and to pro-  
15 vide a fair, speedy and equitable method for their determination, set-  
16 tlement and satisfaction. It is the position of the State that in ac-  
17 complishing this purpose it is in the public interest to minimize pro-  
18 cedural delays, remove technical obstacles, to create a public body  
19 composed of residents of Alaska with power to process, determine, and  
20 expedite such claims and to perform other functions to carry out the  
21 provisions of this Act. In order to facilitate and encourage a fair  
22 settlement of these land claims between the Alaska natives and the federal  
23 government, it is deemed in the best interest of the State to make a  
24 reasonable contribution to such settlement on the part of the State,  
25 by providing that certain royalties or shares of the proceeds de-  
26 rived from state and federal lands be made available to native groups  
27 in Alaska as compensation for relinquishment of part of their claims  
28 based on aboriginal use and occupancy of lands in Alaska, and thereby  
29 to settle with finality all such land claims of Alaska natives insofar

COMMENTARY TO  
FEDERAL ALASKA NATIVE CLAIMS ACT OF 1968

Draft of January 24, 1968

1     General.

2             This commentary to the January 24, 1968 draft of the proposed  
3     Federal Alaska Native Claims Act of 1968, proposed by the Governor's  
4     Task Force on Native Land Claims should be read in conjunction with  
5     the report of the Task Force to Governor Hickel from its meeting of  
6     January 12 - 18, 1968.

7             The draft is still subject to revision, but the draft incorporates  
8     the policy decisions of the Task Force and can at least be furnished  
9     "as is" to the Senate Committee on Interior and Insular Affairs at its  
10    hearing in Anchorage on February 8 - 10, 1968.

11            The draft should also be read in conjunction with the proposed  
12    state act and commentary thereto.

13    Section 100. Purpose.

14            This is the preamble or purpose clause. It is based upon the  
15    preamble to the draft federal bill prepared by Attorney General Boyko  
16    of Alaska (hereafter the "Boyko Federal Draft"). The term "needed by"  
17    should be replaced by "to and by".

18    Section 101. Creation of Commission.

19            The commission has administrative and limited adjudicatory  
20    functions. Hopefully, it will function fairly but informally. Its primary  
21    function is to administer, over a long term, the legislative settlement  
22    of the land claims.

23            The requirement that members be Alaska residents for five (5)

24    years is very important to the purpose of the Act.

Handwritten notes and stamps in the top left corner, including a circular stamp with illegible text.

90TH CONGRESS  
2D SESSION

# S. 2906

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 1, 1968

Mr. GRUENING (by request) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

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## A BILL

To authorize the Secretary of the Interior to grant certain lands to Alaska natives, settle Alaska native land claims, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That this Act, with the following table of contents, may be
- 4 cited as the "Federal Alaska Native Claims Act of 1968".

### TABLE OF CONTENTS

Sec. 100. Purposes.

#### TITLE I—ALASKA NATIVE COMMISSION

- Sec. 101. Creation of Commission.
- Sec. 102. Terms of office.
- Sec. 103. Compensation.
- Sec. 104. Nominations.
- Sec. 105. Location.
- Sec. 106. Employees and expenses.
- Sec. 107. Procedure.