

been made in the past. They have, however, met considerable opposition from the various interested parties.

While H.R. 11213 and H.R. 15049 generally adhere to the principles set out by the President, we believe that they have some basic shortcomings. Upon further consideration, we now believe that the proposal (H.R. 11213) to grant jurisdiction to the United States Court of Claims to adjudicate a general claim on behalf of all Natives of Alaska and to render judgment based on the market value of the Natives' aboriginal title as of March 30, 1867, the date of purchase of Alaska by the United States, does not now offer the best approach to the problem. Moreover, because of the length of time involved in judicial proceedings to determine the extent of Indian title and its value, and the difficulties attendant to obtaining the detailed factual information upon which to base such a determination with respect to the vast area of the State of Alaska, we no longer recommend judicial determination of Native claims. It is our position that after weighing the equities involved and the data available, the Congress can arrive at a just solution to this complex problem.

H.R. 15049, on the other hand, while providing for a more generous settlement, is objectionable in three major aspects.

First, in our opinion the grant of 40 million acres to the Natives is much greater than is required to give them title to the lands they need for village expansion. The purpose of a land settlement of this magnitude is clearly to allow the Natives to select land primarily for investment purposes. While we recognize the need of the Natives for resources that will provide continuing income to facilitate their transition to a wage-oriented society, we believe this need can be met far more equitably by providing ready cash.

Second, we believe that the land selection provisions of H.R. 15049 are far too cumbersome and complicated. The legislation should provide a workable, speedy, and simple mechanism for granting to each Native group a sufficient amount of land to meet its needs.

H.R. 15049 would not be speedy. On the contrary, it would let the selection process drag on for 25 years.

Also, we continue to advocate the basic land grant provisions contained in H.R. 11213. They would grant to the various groups the village sites they occupy, and additional lands within the environs of those sites that will contribute significantly to the livelihood of the Natives. The maximum acreage for any group would be 50,000 acres, which should be adequate to meet the Natives' needs, both present and future.

In addition, we do not believe that there is any need for an adjudication of Native claims by a Commission. While we support the need for a Commission, its role should be directed to monitoring the use of the funds available to the villages and Native corporation. Native representation on such a Commission would clearly be desirable, but we do not believe that the legislation should provide for its control by the Natives as in H.R. 15049. The President should be free to choose the best people available.

Further, we are opposed to the provision in H.R. 15049 which would require a Federal agency to justify to the Commission that its lands are needed for public purposes, and to any provisions authorizing a grant of various wildlife and recreational reservations. We also oppose the provision related to National forests. The needs of the Native groups bounded by National forest lands can be met from the 400,000 acres of such lands allowed the State under section 6(a) of the Alaska Statehood Act.

Third, we believe that an open-ended provision for utilizing Outer Continental Shelf revenues would not be in the best interest of the Natives or the Nation. If Alaskan OCS receipts do not live up to expectations, such a mechanism as outlined in H.R. 15049 might result in the Natives obtaining less than adequate compensation, leaving Congress with the possibility of facing the issue again in the future. On the other hand, if the Shelf proves to be a bountiful producer, the revenues to the Natives might far exceed any reasonable relationship to the Natives' claims. It is our opinion that a more definite and more equitable solution would be to grant the Natives a fixed cash settlement, based on the value of the lands taken from them as recommended in the President's message on Indians.

In the absence of lengthy and costly litigation it is impossible to determine the precise value of the Natives' claims.

The economic needs of Alaska's Natives are unquestioned. Native housing is generally considered to be the most primitive and dilapidated of any occupied by native people in the United States. Income is lower and unemployment higher