

Mr. ASPINALL. Reserving the right to object, I notice in your statement you ask unanimous consent that some document prepared by Miss Julia Sayles be included as part of this hearing record.

Mr. POLLOCK. Yes, sir.

Mr. ASPINALL. How big is that document?

Mr. POLLOCK. It is quite a heavy document.

Mr. ASPINALL. I would suggest to my friend that he make it a part of the file and not clutter up the record.

Mr. POLLOCK. Whatever you suggest, Mr. Chairman.

(The prepared statement submitted by Mr. Pollock follows:)

STATEMENT OF HON. HOWARD W. POLLOCK, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF ALASKA

Mr. Chairman and fellow members of the Interior and Insular Affairs Committee, I want to express my sincere appreciation for all your efforts to hold this special hearing so that Alaskans may express their views on the pending bills to resolve the complex Alaska native land claims issue.

With your permission, I would like to only briefly highlight the genesis of the Alaskan natives land ownership problem we are considering today and then file for the record at a later date a detailed statement. Some time ago I asked the Library of Congress to review the history of Alaska with specific reference to the nature of the Alaskan natives claims. I ask unanimous consent that this research compilation prepared by Miss Julia Sayles of the Library of Congress be included as part of this hearing record.

The original issue of native land ownership can be traced back to documents as early as 1766, relating to the Russian administration of what is now Alaska. In general, early occupation by the Russians was limited only to the extent necessary to carry on trade with the natives. Most of this activity was concentrated in the Aleutian chain and some of the coastal areas of North American settlement. Land ownership was never recognized as a problem at that time, since occupation by the traders was considered to be of a temporary nature.

In the Treaty of Cession of Russian America, now Alaska, to the United States, ratified by the U.S. Senate on May 20, 1867, the question of the status and rights of the Alaskan native was handled in the following manner:

"The inhabitants of the ceded territory, according to their choice, reserving their natural allegiance, may return to Russia within 3 years; but if they should prefer to remain in the ceded territory, they, with the exception of uncivilized native tribes, shall be admitted to the employment of all the rights, advantages, and immunities of the citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, property, and religion. The uncivilized tribes will be subject to such laws and regulations as the United States may, from time to time, adopt in regard to aboriginal tribes of that country".

The next point in which native land ownership was considered is found in the act of 1884 which created a civil government for Alaska (23 Stat. 24). That law stated in part:

"The Indians or other persons in said district shall not be disturbed in the possession of any lands actually in their use or occupation or now claimed by them, but the terms under which such persons may acquire title to such is reserved for future legislation by Congress."

Congress has never come any closer to identifying or solving the question than this brief and totally unsatisfactory sentence. The next real opportunity was also lost at the time the statehood enabling legislation was enacted. The Alaska Statehood Act of 1958 provided that the new State and its people:

"Agreed and declared that they forever disclaimed all right and title to any lands or other property—the right or title to which may be held by any Indians, Eskimos, or Aleuts, or is held by the United States in trust for said natives; That all such lands or other property belonging to the United States or which may belong to said natives, shall be and remain under the absolute jurisdiction and control of the United States until disposed of under its authority, except to such extent as the Congress has prescribed, or may hereafter prescribe, and except when held by individual natives in fee without restrictions on alienation."