

PROPOSAL FOR SETTLEMENT OF THE ALASKA NATIVE LAND CLAIMS

A REPORT OF THE GOVERNOR'S TASK FORCE ON NATIVE LAND CLAIMS,
JUNEAU, JANUARY 10-16, 1968

Hon. WALTER J. HICKEL,
Governor of Alaska:

Your Task Force proposes a four part settlement of the Native land claim question, consisting of—

(a) A grant of 40 million acres of land in fee, or in trust, to village groups (compared to the 102.5 million acres given the State of Alaska under the Statehood Act, or the much larger area encompassed in the Native claims) allocated among the villages in proportion to the number of persons on their rolls.

(b) A grant of a 10% royalty interest in outer continental shelf revenues, along the lines proposed by Secretary Udall, in lieu of the right to compensation for lands reserved or disposed of to third parties, with an immediate advance payment of \$20,000,000 by the Federal Government.

(c) A grant by the State of a 5% royalty interest in state selected lands, tidelands, and submerged lands, but excluding current revenue sources from the state lands (in order to avoid direct impact on the general fund) and commencing only upon lifting the land freeze and resumption of state selection.

(d) A terminable license to use the surface of lands under occupancy and used by Natives.

Principal objectives of the Task Force in developing our proposal include the avoidance of courts and litigation, the simplification of the administrative process, the early accomplishment of the settlement, the grant of present property interests, the avoidance of state and federal control, the need to avoid "freezing the villages in history", the spreading of the benefits from royalties widely, but recognizing private property concepts, and utilizing modern corporate forms for engaging in business enterprises by Native groups.

For convenience, the four parts will be called (a) township land grants, (b) offshore royalties, (c) state-granted royalties, and (d) surface rights.

The details of the proposal, as worked out by the Task Force, are as follows:

Township land grants

1. Each village (of 25 persons or more) may select land from within the claim area (or area in which it has aboriginal occupancy). The amount of land is determined by the number of Natives on the village roll.

2. The selection process would be similar to that provided the state in the Statehood Act, and the time to select would be 25 years.

3. In order to accelerate the selection, the Secretary is to take a temporary roll, including on the roll those residents in the village and others who can be quickly included, such as those resident in other towns and cities. The roll should be as complete as possible, given the limited time it will be open for enrollment.

Upon completion of the temporary roll the village makes its initial selection, which shall be given priority against any state selection not patented or tentatively approved, in the reserved area. As to patented or temporarily approved lands, an exchange of lands procedure should be provided for. The state is then free to select any other land in the reserved area.

Upon completion of the permanent roll the village may select additional land for the net additions to its roll (or may reconvey some of its selection to the United States in the event the permanent roll totals less than the temporary roll).

In order to provide for early lifting of the land freeze, the villages will nominate areas for preferential selection, based upon their estimated entitlement, and these areas will be withdrawn by the Secretary of the Interior. The areas withdrawn shall not exceed 40 million acres. The "land freeze" is then lifted as to other areas in the state, within six months of the passage of the Federal Act.

Your Task Force favors the continuation of the land freeze at this time, but we recognize the public interest in early resumption of state selections. We have spent many hours attempting to reconcile the opposing positions in a manner that would be fair to all. We have been unable to work out a method that could result in freeze lifting before the passage of the Federal Act, but we remain prepared to consider any such possible method. We have requested the Interior Department and your Attorney General to review this problem in hopes of working out a solu-