

We, the natives of Alaska, have trust and confidence that Congress will adhere to the same honorable national policy and just principles which have uniformly guided it in dealing with aboriginal occupancy rights in all other parts of the country, ever since the founding of our Nation.

The keynotes of our Federal policy from the beginning have been honor and protection of the aboriginal occupancy rights of the native groups.

The underlying principles have been that native-occupied lands should be acquired by the United States only with the voluntary consent of the native groups and for a fairly negotiated price.

These keynotes and principles are embodied in a consistent course of legislative acts of Congress, treaties made with the Indian tribes, executive agreements made with Indian tribes and approved by both Houses of Congress, executive proclamations, and in a long series of decisions of the Supreme Court.

The Federal policy to respect and protect native occupancy rights, indeed, antedated the Constitution.

In 1783, the Congress of the Confederation prohibited all persons from making settlements on lands "inhabited or claimed by Indians." Again, in the Ordinance for the Northwest Territory the Congress for the Confederation directed that the land and property of the Indians:

* * * shall never be taken from them without their consent; and in their property, rights and liberty, they shall never be invaded or disturbed * * *.

The first session of Congress to meet under the Constitution enacted a law, approved by President Washington, which prohibited trespass upon Indian lands. The protections of aboriginal occupancy rights in this law were amplified in a series of later statutes which are in force today as fundamental principles of Federal Indian law.

It is not suggested that our country's dealings with native groups are without blots. However, the record shows that when Congress has been apprised of mistakes or unfair or inequitable transactions, it has sought to provide appropriate restitution or other remedies, including the vesting of jurisdiction in tribunals, such as the U.S. Court of Claims and the Indian Claims Commission, to hear and determine the claims of injured native tribes or groups.

In considering the current legislative proposals to deal with the land occupancy rights of the Alaska native groups, it is worth while to remind ourselves of certain basic historical facts.

During our early history, the rapid population growth gave impetus to drives to acquire additional lands for purpose of increasing the resources and wealth of our Nation and for the use of our pioneering settlers, who, in ever-rising numbers, were migrating westward. Conflicts broke out between the settlers and the Indians. These were period of great stress.

The Federal Government was denounced for trying to protect Indian lands.

Complaints were made that Indian occupancy of lands was hindering the progress of the Nation.

It was asserted that a policy of honoring tribal occupancy rights and purchasing Indian lands would impose vast liabilities on the Federal Government.