

STATEMENT OF BARRY W. JACKSON

Mr. Chairman, my name is Barry W. Jackson. I am a partner in the law firm of Jackson & Fenton, 527 4th Avenue, Fairbanks, Alaska. I appear as an attorney for the Alaska Federation of Natives and as attorney for a number of Indian organizations in the Interior of Alaska, including the Tanana Chiefs Conference, the Native Village of Minto, the Native Village of Tanacross, the Nenana Native Council, and the Fairbanks Native Association. My testimony will be directed generally at legal matters, although I will have to discuss policy also.

Generally, I will discuss the following:

1. State of Alaska vs. Udall, the test case on the land freeze.
2. The Task Force Proposal, S. 2906/H.R. 15049 and C.S. HB 672 (Finance).

3. Then I will present the Alaska Federation of Natives Proposal, which are the amendments proposed by the AFN to Secretary Udall's proposal of April 30, 1968, together with a Commentary on the Amendments.

As to my qualifications, I have been a resident of Fairbanks since February 10, 1958, following my graduation from Stanford Law School. Following my admission to the Alaska Bar in early 1959, I terminated my clerkship under U.S. District Judge Vernon D. Forbes and opened an office for the private practice of law.

Except for three and one-half years as City Attorney for Fairbanks, I have been engaged in private practice ever since. I am admitted to practice before the usual state and federal courts including the U.S. Supreme Court and I am a member of the usual number of bar associations.

In 1965 and 1966 I served as a member of the Alaska House of Representatives, where I was a member of the House Finance Committee.

In the winter of 1965 I became involved with the Minto land claim, which was the cause celebre, originating almost five years ago and which has led to these hearings here today. Although the Village of Minto came to me as an attorney, I declined to accept the engagement in order to avoid conflict of interest problems, and Mrs. Mary Alice Miller, now a state district judge in Fairbanks, was retained. In 1966, after I decided not to file for re-election to the Alaska Legislature, Minto again requested my services and Mrs. Miller graciously agreed to the substitution.

I claim no particular expertise in Indian Law, except that which is gained from my experience to date. However, as I have had some experience in drafting ordinances and legislation, I drafted the AFN Proposal, also, much of S. 2906/H.R. 15049, and the state bill as proposed by Governor Hickel's Task Force on Native Land Claims, is, for good or ill, my translation into statutory language of the policy decisions reached by the Task Force. However, I have relied as much as possible on the work of other draftsmen, including the Statehood Act and S. 1964, among others.

At this point I would like to note that I have attached to my statement (after the AFN Proposal and the Commentary thereon):

(A) Commentary to Federal Alaska Native Claims Act of 1968, Draft of January 24, 1968 (now introduced as S. 2906/H.R. 15049),

(B) Task Force Commentary on State Alaska Native Claims Act, Draft of January 24, 1968.

(C) Proposed State Bill.

(D) The state bill as adopted, CSHB 672 (Finance), Chap. —, S.L.A. 1968.

(E) Native Lands Claims, *Alaska Review of Business and Economic Conditions*, University of Alaska, Institute of Social, Economic and Government Research, Volume IV, No. 6.

(F) Extract of Testimony of State Representative John Sackett, President, Tanana Chiefs Conference, and Ruby Tansy, Secretary, Tanana Chiefs Conference, to Senate Committee on Interior and Insular Affairs, Anchorage, February 8-10, 1968.

(G) Democratic Platform Plank on Native Land Claims, Central District Democratic Convention, December 9 and 10, 1967, and

(H) Republican State Convention Resolution No. 19, September 16-18, 1966.

These documents are self-explanatory and I will not comment further on them. However, as a principal draftsman of the AFN Proposal, of S. 2906/H.R. 15049 and the state bill and the commentaries thereon. I am prepared to answer questions on these documents or to review with you these proposals generally or in detail.