

supplant. The Association further asserts that an appropriation of money, no matter how much, as a substitute for land, is a sop which cannot vindicate the national conscience. A rape is a rape, and the mere fact that money is supposed to relieve the national conscience does not change its true character; it is still a rape.

The Association, as a member of the Alaska Federation of Natives, has agreed to modify its respective claim to a lesser amount of land than it owns. If the Congress were to be completely intellectually honest, the Congress would not permit such a modification; but the Association recognizes that powerful interests are at play, that civilization is moving in, that in the continental United States, it has been the history of our government to reduce Indian claims to a lesser amount, and so for these reasons of policy, the Association has agreed to a lesser amount. As to the area occupied by the Eskimos, a couple of million acres of icebergs is not very much and, therefore, a compromise further than the recommendation by the Alaska Federation of Natives changes the form from a compromise to an out and out expropriation.

Attached to the within memorandum is a letter of answers to a questionnaire submitted to the undersigned by the University of Alaska with the request that it be included as a part of this memorandum. Your attention is respectfully directed to the Tlingit and Haida case, and to that portion of it which held that even the barren and inaccessible mountain peaks were within the dominion of those Indians, and that the only reason why, on an expropriation of them, the Indians would not be paid for such barren and inaccessible places was because such had no value. Now that oil has been discovered, and remembering the Alcea Band of Tillamook case included discovered mineral rights, i.e., discovered prior to the expropriation, the icebergs in the Eskimo country can provide the metamorphosis from surfaces sustenance for the modern Eskimo to industrial sustenance for centuries to come.

The Arctic Slope Native Association respectfully petitions the Congress to adopt the bill sponsored by the Alaska Federation of Natives.

Respectfully yours,

FREDERICK PAUL.

SEATTLE, WASH., April 13, 1967.

UNIVERSITY OF ALASKA,
Alaska Review of Business and Economic Conditions,
College, Alaska.

(Attention Mr. Victor Fischer, Director).

DEAR MR. FISCHER: In response to your inquiry of April 3, 1967, I submit the following. I am literally following the format you have suggested in your series of questions. I suspect, however, that the full impact of my answers will be less meaningful than an article organized according to the natural conditions of the subject. I am not going to succumb to the temptation of submitting such because the University of Alaska has sufficient prestige for me literally to follow your outline.

Questions 1. Have you taken any definite steps to deal with lessees on state-selected lands in the north slope area?

Answer. Yes. We have written to each of the successful bidders and offered to enter into covenants not to sue so that their title from the State would be secure. We have had no responses from any of them of sufficient importance to be called answers.

In order to give a complete answer, however, we must tell you of the experience we have had in the Yakutat area. The Colorado Oil and Gas Company was anxious to secure oil rights near the Indian village of Yakutat, but there, too, the Indians had a blanket claim, and such was of sufficient dignity to prevent the Bureau of Land Management in issuing a federal lease for oil rights. Through a series of negotiations, the five chiefs of Yakutat entered into an agreement not to sue the Colorado Company on payment to the five chiefs, acting in their tribal capacity, of some \$65,000.00. The money was paid, and the Colorado Company got their federal lease. A substantial sum of money still remains of this fund.

The Department of the Interior is aware of this fund. I am not sure if formal approval was given to its creation, but I do know that informal approval was. This is important because 25 U.S. Code 177 prohibits conveyances of land by Indian tribes to anyone. Therefore, with Department approval of the Yakutat formula, we have consistently advocated that such a formula is legal and effective, at least for a temporary solution.