

88-49-37

John Schaible talks about implementing the Alaska Native Claims Settlement Act

Jeff Kennedy, moderator

Series: Potlatch series

1975?

Song by Mason Williams

John Schaible, Alaska Federation of Natives (AFN) Executive Vice President for Lands, talked about his job. He said he had been the executive director of the Rural Alaska Community Action Program and Willie Hensley had just taken over the AFN. The AFN was going through major changes and there were major financial problems. Willie Hensley asked him to work at AFN to help straighten out management problems in late 1972. His responsibilities include overseeing the accounting department and the accounting audit functions of AFN. They run about ten million dollars of federal, state and private funds through AFN each year. He acts as the staff member to the president of AFN in land claims issues. They deal with a number of land claims issues. There is another executive vice president, Gordon Jackson, who oversees all the human resources programs like Johnson-O'Malley, health and education programs.

Song by Bonnie Dodson

John Schaible talks about the Land Claims Act not fulfilling its promise. If Natives in the long run are given a choice of lifestyle it may allow for that. It is not expected by this time to be fulfilling its promise. A lot of things have been done. There are unexpected problems. Jeff Kennedy asked if the power of AFN has grown or diminished with the passage of the Land Claims Act. Jeff said that is a difficult question. He said AFN power declined within the Native community as a result of the passage. AFN wasn't in the Land Claims Act. The real power and money as he sees it lies within the twelve regional corporations. He thinks that the regional corporations recognize that. AFN had been a leader before the act and they had taken the lead. AFN has changed to respond to that. Their Board of Directors is made up of one representative from each of the regional corporations that wish to belong to AFN. Arctic Slope isn't in this group. In late 1972 and almost all of 1973 the AFN almost disbanded for a number of reasons. They failed to recognize that the regional corporations would become the power after the Act. AFN got into some severe financial problems. It was almost bankrupt when he joined AFN. Willie Hensley went without pay for the better part of the year. AFN was put back together. The Department of the Interior attempted to force land selections which would have substantially undercut the settlement. It gave the regional corporations a reason to band together again. AFN once again has regained a great deal of power and respect. In Washington and Juneau it is more powerful than it has ever been. Within the Native community it has less power, but it is a very influential institution.

Jeff Kennedy asked where the Land Claims money comes from. Schaible said there are several factors. The first is who belongs. Any Native who has one quarter or more Native blood and was alive on December 18, 1971 are enrolled. People born after that date are not in the act. People that have been

enrolled are put into corporate structures. Each person gets 100 shares of their regional corporation and those enrolled in a village corporation get another 100 shares in their village corporation. As people die people born after 1971 can inherit stock from parents or grandparents. After 1991 the stock can be sold so an individual Native can buy stock in a Native corporation. A couple of other features are land and money. There are 962.5 million dollars. About half of that will remain in the regional corporations depending on the size of the corporations. Corporations vary quite a bit. Ahtna has just over 1,000 people. Sealaska has 17,000. The land is 40 million acres. Half of that will go to villages. Some will go to regions and there are special cases for groups of people that have less than 25 Natives. Sitka, Kenai, Juneau and Kodiak get some land. About 462.2 million dollars comes from Congress over an eleven year period. About 200 million dollars has already been distributed. The other 500 million dollars comes from a 2% royalty from oil and gas. Only a few million dollars have come from that so far. Once the pipeline is running it will increase. It will take 10-15 years to get the 500 million dollars from the royalties. The money goes into the Alaska Native Fund which is in the treasury. It is distributed quarterly to the regional corporations. The regional corporations through 1976 distributes 10% to individuals, 45% to villages, and 45% to the regional corporations. If the individual is not in a village they get a share of the 45%. So far for the first three years an individual in the village got about 180 dollars and then 90 dollars the next year. An individual not living in a village got an additional 820 dollars the first combined years and 450 dollars the fourth year. After 1976 the regions will keep 50% and they will give 50% to individuals. There is not mandatory distribution to individuals. He said it is felt that the regional corporations will be distributing dividends as they make a profit. He thinks not all regional corporations will be making a profit within five years. Jeff asked who decides how much money will be paid each time payment is made. Schaible said it is in the law at this point. The board of directors of a regional corporation could decide to pay more. After 1976 then it will be up to each board of directors. There are no requirements for village corporations to distribute anything. Jeff asked how often payments are made. Schaible said it has been annual. Jeff asked when people can expect land claims payments. Schaible said it is different because at this point it depends on Congress. The only way they can find out is to write their region or write to AFN. Jeff asked how AFN gets land claims information to the public. Schaible said that is the responsibility of the individual regions. They put a page in the Tundra Times every two weeks explaining human resource and land claims issues. They do have a land managers association. Villages occasionally write them on individual problems and they respond. Because of different regional problems it is hard for AFN to say what is right for all regions. Land selection problems are different for each region. He thinks one of the great criticisms is there are real problems with communication. It is difficult to communicate with rural areas. Radio stations and television will help. Often people rely on people that attend meetings. Information may or may not be shared. He said there are a couple of things to think about when assessing the whole act. Some people think there will be failure with the act. He says they are always fighting the government. When there is a decision about Native land rights it is generally against the Natives. They either have to change it in court or administratively or through Congress. There is major legislation in Congress right now. He talked about issues such as allowing people to enroll who have missed the deadline and not counting payments against food stamps. He talked about setting up escrow accounts for money generated on land that will be conveyed to Natives. There are problems between regions. Revenue sharing is a provision in the Act. When there is mineral development or timber development by region the corporations developing the

revenues retain 30% of the revenues and they share 70% of the revenues. There is controversy over this including court suits. He suspects unless the Natives can find ways to stay together the Land Claims Act will not fulfill its potential. Different regions will proceed at different rates of progress. Those kinds of problems can be solvable if the Natives stick together. There is a lot of potential. The land involved is 11% of all the land in Alaska. The money isn't worth the land that was given up. The money combined with the land base and other kinds of assistance can allow the Natives to participate in the economic system and at the same time protecting lands and subsistence lifestyle. Without the Alaska Native Claims Settlement Act all the decisions would be in the hands of the government. The Act gives Natives an opportunity.

Song by Gordon Lightfoot