

88-49-45

Don Young, Claude Demientieff

Jeff Kennedy, moderator

Series: Potlatch series

1975?

Don Young is interviewed by Jeff Kennedy about the progress of the Omnibus Bill in January. Young said that the bill is the omnibus bill to the Alaska Native Claims Settlement Act. He talked about some of the aspects of the bill. It extends enrollment date for one full year. The money in escrow will earn interest. It exchanges land in the Cook Inlet with state and federal lands with Cook Inlet Corporation. It allows Sealaska to obtain land in southeast Alaska where there was no land available. It allow the Klukwan Corporation to solidify their holdings. It gives some organizational money to Juneau, Kenai and Sitka, Elim, Venetie, Arctic Village, Northway and Tetlin. It would also disallow the inclusion of monies received by Native peoples in the state for income for the purposes of welfare and food stamp determination. The bill would also exempt corporations from the supervision of the SCC. The bill has strong support of the AFN, the Native corporations, and the state of Alaska. He has been pleased with the president signing the bill. There were objections from the Agriculture Department, Office of Management and Budget and the Dept. of the Interior. Under the Act it was stated that lands could be chosen by the Native Corporations within the areas, adjacent to and as near the type of land they originally inhabited. In the southeast all of the land is owned by the Tongass National Forest. Jeff Kennedy asked about the interest of the money in escrow. Young said there was originally 900 million dollars and it would gain about one million dollars a year. By law the percentages have to be about four and a half percent. Jeff asked about taxable income. Young said this is not considered income. The Natives settled for the Act as the extinguishment of all aboriginal rights. They received in exchange a certain amount of money and land that is not taxable. There have been a lot of court cases dealing with this issue. Jeff Kennedy asked about the new enrollment deadline. Young said it would be January 2, 1977. Jeff asked about the OMB complaint. Young said OMB argued that land exchanges in Cook Inlet and Sealaska provisions were worth three million dollars. Young said this was a matter of exchanges. There was not dollar loss to the public.

Jeff Kennedy talked about claims of trespass in arctic Alaska. According to Jay Hammond the Act settled all rights that Natives had to their land including the right to sue for trespass. Young said the Arctic Slope Corporation filed suit prior to the Settlement. Trespass was claimed. Mr. Edwardson filed suit against Secretary Morton. The Act said all aboriginal rights will be extinguished. The difficulty is that it does not state that all trespass lawsuits would be extinguished. Young said he had some strong feelings and reservations about legislating this type of action out of the courts. After being won in the courts. As a citizen of the United States we each have the right to file trespass lawsuits. Anyone who has abused by trespass has the right of reimbursement if they can prove it. There was not the ability in Congress to see fit to circumvent the constitutional right of citizens.

Jeff Kennedy asked about Governor Hammond's comment about the matter. Sam Itto says that Congress should not act because it would be a conflict of interest. Young said he doesn't think anyone has the rights to take away constitutional rights of lawsuits through trespass. He talked about an example of trespass. You cannot deny a citizen their day in court. The act of trespass must be proven. Jeff Kennedy asked about conflict of interest. Young said there is a real question about conflict of interest.

#### Song

Jeff Kennedy asked about the status of the Indian Health Care Improvement Act. Don Young said this bill is H.R. 2525. It has passed subcommittee. It is a bill that is long overdue. It is a very expensive bill. It will include construction of health care units, education programs, the training of doctors and establishment of care centers. He is working for the passage of this legislation. The Alaska Natives and American Indians are the most impoverished when it comes to health in the United States. He said there are some real assets for the state of Alaska. If the bill passes there will be improvements in Bethel, Anchorage, Tanana, Mount Edgecumbe, Saint Mary's, Fort Yukon, and Unalakleet. He expects objections by different people. Jeff Kennedy asked about the chances for getting the bill passed. Don Young said he thinks the chances are excellent. He said they have already trimmed the legislation. Jeff Kennedy asked about the chances of getting it funded. Don Young said there will be more money spend on this area than there had been in the past. Funding for other areas will be less.

#### Song by the Yukon Stars

Jeff Kennedy said the Indian Self-Determination Act according to Commissioner of Indian Affairs Morris Thompson the most important piece of legislation affecting Native Americans to come in years. The bill allows Native Americans to decide what services if any their tribal organizations wish to control for themselves. Some critics of the act claim the act is a fraud because the Bureau of Indian Affairs doesn't intend to fund it. Kennedy asked Claude Demientieff, the Director of Health Authority of the Tanana Chiefs, how the act has affected his work in the Tanana Chiefs. Claude Demientieff said there's not going to be that much of a change. The only change he sees that is very constructive is the change within the attitude of the U.S. government in arranging contracts with local organizations. Before it was not a requirement. Today at the request of an Indian tribe it is a requirement. It is a major change. As to the organization itself they have been doing that for quite some time. Jeff Kennedy asked what the effect of a new umbrella agency for health care on northern Alaska would have on the health service of the Tanana Chiefs Conference. Demientieff said there's a new organization being formed right now called the Northern Alaska Health Resources Association. It covers all of the area in the North Slope, Kotzebue area and the Tanana Chiefs region. That organization by law has approval and disapproval powers over all federal health dollars going to private or local government organizations. Regional or health corporations are exempted. The only powers this new corporation has over Tanana Chiefs health authority would be reviewing comment on the federal dollars they would be receiving. And whether the federal dollars would be appropriate to the health needs of Interior Alaska. They would advise the federal government that these funds may or may not be beneficial to health care in Interior Alaska. The federal government in turn would have the option to approve or disapprove of their proposal to receive

federal funds. Unlike a private corporation or local government here in Alaska the Indian tribes would be subject to review and comment. Local governments and other private organizations are subject to approval or disapproval by this group. Jeff Kennedy said Claude Demientieff has created a comic book to try to interest young Native Alaskans in careers in the health services. Demientieff said the books are being distributed. He said the comic book was just one form of media and designed for high school students. He hopes they will be successful in having a few students showing an interest in health careers. He said if Indian self-determination was really going to happen it is going to require expertise among Native peoples themselves.