

Reference Book for Northern Claims

November 1977

Marion Brown.



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 - (a) breakdown of elements
 - (b) Summary of recent issues, relating to the Alaska Native Claims Act (Nov. 1975)
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(a) breakdown

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ALASKA NATIVE CLAIMS SETTLEMENT

Format	Legislated Act
Parties	United States Government and Natives and Native groups of Alaska
Process and Timing	Act legislated on December 18, 1971.
Ratification	not mentioned.
Rights	to provide a fair and just settlement of all claims by Natives and Native groups of Alaska, based on aboriginal land claims.
Treaties	no
Nation	not mentioned
Special Status	not contemplated - no provision of the Act will replace or diminish any right, privilege, or obligation of Natives as citizens of the United States or of Alaska, or relieve, replace, or diminish any obligation of the United States or of the State of Alaska to protect and promote the rights or welfare of Natives as citizens of the U.S. or of Alaska.
Approximate Population	
Total	300,382 (1970 census) 1975 approx - 404,634.
Native	75,000
Size of Territory	586,412 square miles
Density per sq. mile	about .6 person per square mile (1970)
Number of Native Communities	205 (set out in Act) - may be more or less

Eligibility

- a) a citizen of the United States and
- b) one fourth degree or more Alaska Indian, including Tsimshian Indians not enrolled in the Metlakatla Indian Community), Eskimo or Aleut blood or combination thereof; (includes natives so defined either or both or whose adoptive parents are not native); or
- c) in the absence of proof of blood quantum, who is regarded as an Alaska Native by the native village or group to which he claims membership and whose mother or father is or was so regarded; and
- d) was born on or before December 18, 1971 and was alive as at the date of enactment.

The Decision of the Secretary of the Interior on eligibility is final.

Enrollment

- a) Secretary of the Interior responsible to prepare Alaska Native Roll; to be completed within two years of enactment;
- b) All eligible natives, members of a regional corporation (including those out of state and urban)
- c) eligible natives who were permanent residents of a native village as of April 1970 (census date), members of both a regional corporation and a village corporation.
- d) natives not permanent residents of one of the 12 regions may vote for creation of a 13th corporation or will be assigned to one of the 12 in-state regions by the Secretary, according to the following priorities:
 - 1) the region where the Native resided on the 1970 census date if he had resided there without substantial interruption for two or more years;
 - 2) the region where the Native previously resided for an aggregate of 10 years or more;

3) the region where the Native was born

4) the region from which an ancestor of the Native came.

The Secretary may enroll a native in a different region where necessary to avoid enrolling members of the same family in different regions or otherwise avoid hardship.

Land

Total	62,500 sq. miles	40,000,000 acres
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Acres per person	530 acres
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Village Corporations	22,000,000 acres
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Regional Corporations	16,000,000 acres
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Historic sites, Cemeteries, Native allotments	2,000,000 acres
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Title	Regional Corporations - All subsurface rights on the 40,000,000 acres; - surface and subsurface to 18,000,000 (as included in total) Village Corporations - surface estate to 22,000,000 acres.
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Mineral Ownership	Yes
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% of Territory	11.03%
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Time	In perpetuity (can be alienated after 20 years)
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Hunting, Fishing and Trapping Rights	Any aboriginal hunting and fishing rights extinguished.
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Monetary Compensation

Cash	\$462,500,000 from the United States
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	Treasury to be deposited in an Alaska Native Fund over 11 years.
Revenue Sharing	Maximum \$500,000,000.
Government Programs	No regular government programs for natives either as citizens of the U.S. or Alaska or as Natives to be affected. (Secretary to review Federal programs primarily designed to benefit natives and to report to Congress within 3 years of enactment, recommendations for the future management and operation of these programs)
Programs to non-status	n/a
\$ per person	\$12,832
Taxation	
Monetary Compensation	No taxation on cash payment or revenue sharing as received. Investment income to be taxed.
Land	Land received under settlement which remains undeveloped not to be taxable by any level of government for twenty years; if income accrues to owners as result of development or involvement of third party, land taxable as if held by non-native; All lands taxable after twenty years. In general, no special tax concessions for natives, apart from initial proceeds of settlement.
Land Selection	
Lands withdrawn for selection	a) Lands in each township that enclose all or part of any native village (as defined) b) Lands in each township that is contiguous to or corners on the township that encloses all or part of such native village; c) Lands in each township that is contiguous to or corners on a township containing lands withdrawn by paragraph b) above.

Lands in the National Parks System and lands withdrawn or reserved for national defence purposes other than Naval Petroleum Reserve #4 excepted from withdrawal.

- d) Lands described in a) b) and c) above which have been selected by or tentatively approved to, but not patented by the State of Alaska.

(All above lands are withdrawn subject to valid existing rights)

Deficiency - if the Secretary determines that the lands withdrawn are insufficient to enable villages and/or regional selections, the Secretary shall withdraw three times the deficiency from the nearest unreserved, vacant and unappropriated public lands.

Withdrawal to be provided for within 60 days of the enactment of the Act or so soon thereafter as practicable.

Eligible Villages

Villages eligible for land benefits:

- a) 205 listed in Act;
- b) provision for addition or deletion on following criteria:
 - 1) 25 or more natives residents of an established village as of the 1970 census enumeration date;
 - 2) Village not of a modern and urban character and a majority of the residents native.

Village Selection

Each village shall select lands from lands withdrawn as above, according to the following schedule:

natives (1970 Census)	acres
25-90	69,120
100-399	92,160
400-599	115,200
600 or more	161,280

up to a total maximum of 22,000,000 acres

The difference between the area selected and 22,000,000 acres to be allocated by the Secretary among eleven corporations (excluding regional corporation of southeastern Alaska - Tlingit-Haida Settlement), according to number of natives enrolled in each region. Regional Corporations to allocate acreage among villages, which shall choose lands from lands withdrawn.

(No more than 69,200 acres may be selected by a village from lands tentatively selected by the State, in National Wildlife Refuge or in National Forests)

Regional Selection

Entitlement based on

- a) percentage of land in each of 11 regions (excluding Regional Corporation for southeastern Alaska) of all land in Alaska;
- b) above percentage applied to 38,000,000 acres;
- c) village selections deducted from acreage for each region.

Regional selection to be made within four years of enactment of Act.

Regional Corporations to have subsurface estate to all lands selected by Village or Regional Corporations (and 2,000,000 to be conveyed as noted below); if villages select lands within the National Wildlife Refuge System or Naval Petroleum Reserve #4, Regional Corporation to select subsurface estate to equal acreage from land withdrawal.

General

Selected lands to be contiguous and in relatively compact tracts except as separated by bodies of water of lands unavailable for selection; shall be in whole selections and where feasible parcels of not less than 2 square miles.

Regional Corporations may select only even-

numbered ranges and odd-numbered townships in odd-numbered ranges.

Conveyance

Lands shall be patented to village corporations immediately after selection. Upon receipt of patent, Village Corporation must:

- 1) convey without consideration to a native or non-native, title to surface estate for primary place of business, residence, subsistence campsite or headquarters for reindeer husbandry.
- 2) convey without consideration or for an amount not exceeding the fair market value, title to surface estate of tracts occupied by non-profit organizations.
- 3) convey to any municipal corporation or to the State in trust for any future municipal corporation in the village land on which the village is located and sufficient land for community expansion (not less than 2 square miles).
- 4) convey to the Federal Government, the State or the appropriate municipality surface estate for existing airports and appropriate easement.

Lands shall be patented to Regional Corporations immediately after selection, as well as subsurface estate to all native lands. The right to exploit subsurface estate to lands within the bounds of any native village subject to consent of village corporation.

All conveyances subject to valid existing rights. Patentee shall succeed and become entitled to interest of the State or the Federal Government.

Other Conveyances

2,000,000 acres to

- a) Regional Corporations for existing cemetary sites and historic places;
- b) to native groups that do not qualify as native villages, if they incorporate, not more than 23,040 each, surrounding the group's locality.
- c) to natives residing in Sitka, Kenai, Juneau or Kodiak, if they incorporate, not more than 23,040 each.
- d) to individual natives within two years of enactment not more than 160 acres surface estate as primary place of residence.

Any portion of 2,000,000 acres not conveyed as above to be conveyed to regional corporations on basis of population.

Tlingit-Haida
Indians

Villages of Tlingit and Haida Indians (southeastern Alaska) entitled to 23,040 acres each. Funds provided under Tlingit-Haida Settlement of 1970 in lieu of additional acreage

Resource Revenue
Sharing

- maximum of \$500,000,000.

- a) conditional leases and sales of minerals (State) - 2% of gross value.
- b) patents issued to the State under the Alaska Statehood Act - 2% of gross value (for royalty purposes under any disposition by the State)
- c) disposition of minerals on public lands (Federal) - 2% of gross value before calculating shares of State and Federal Governments.

Revenues for drainage of oil and gas to be regarded as royalties for disposition of oil and gas.

Commissions, Deve-
lopment Corporations,
etc.

- a) Joint Federal-State Land Use Planning Commission for Alaska

Membership - Govenor of the State and four members appointed by the Govenor (at least one Native);

- one member appointed by the President of the U.S. and four by the Secretary of the Interior.

Duties

- both land use planning in general (including recommendations for State land selection) and special recommendations re. native lands.
- recommendations on coordination of State and Federal resources allocation and land use decisions.

To cease to exist on December 31, 1976.

Village Corporations

Incorporation

To receive funds and land, must incorporate as either a profit or non-profit entity under the laws of the State of Alaska.

Articles of Incorporation must be approved by the appropriate regional corporation and for five years, amendments to articles of incorporation and annual budgets shall be subject to approval of the Regional Corporation.

General

- Provisions re. stock alienation, annual audit, and transfer of stock ownership as for Regional Corporations (see below) except that audits need not be transmitted to Senate and House Committee on Interior and Insular Affairs.

Regional Corporations

Incorporation

To be incorporated as profit corporations under the laws of Alaska.

Structure

To provide 100 shares of stock to each native enrolled in the region (voting stock);

Stock may not be alienated for 20 years; if stocks are bequeathed to a non-native,

such stock shall not carry voting rights for 21 years after date of enactment.

Stocks to be cancelled after 20 years and each holder to receive share for share negotiable stock.

Board of Directors - shareholders of the corporation over 18 years of age.

Distribution of Income

Income of regional corporations must be shared among all regions; owning region 30% and 1/12 of remaining 70% 1/12 of 70% received by each of the other 11 corporations.

For first 5 years, 10% of net income of a regional corporation must be distributed directly to stockholders and 45% to village corporations.

After 5 years, at least 50% of net income to villages.

Thirteenth corporation (if formed) must distribute at least 50% of net income to shareholders.

Audits - annual audits of Regional corporation to Secretary of the Interior and also to House and Senate Committees on Interior and Insular Affairs.

ALASKA NATIVE CLAIMS

SETTLEMENT ACT

Summary --

of Recent Issues Relating --
to the Alaska Native Claims Act

November, 1975

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Alaska Native Claims Settlement Act

Summary of Recent Issues Relating to the Alaska Native Claims Act.

1. Introduction

This summary report of recent issues in Alaska relating to the Settlement Act is prepared as a periodic update and succeeds the previous update and the report entitled "Annotated Summary of the Alaskan Native Claims Settlement and The James Bay Agreement in Principle".

This particular update is divided into four major sections; these include Activities of Regional Corporations, The Omnibus Bill, Land Selection Issues and Miscellaneous Issues. A number of topics and issues are discussed under each section.

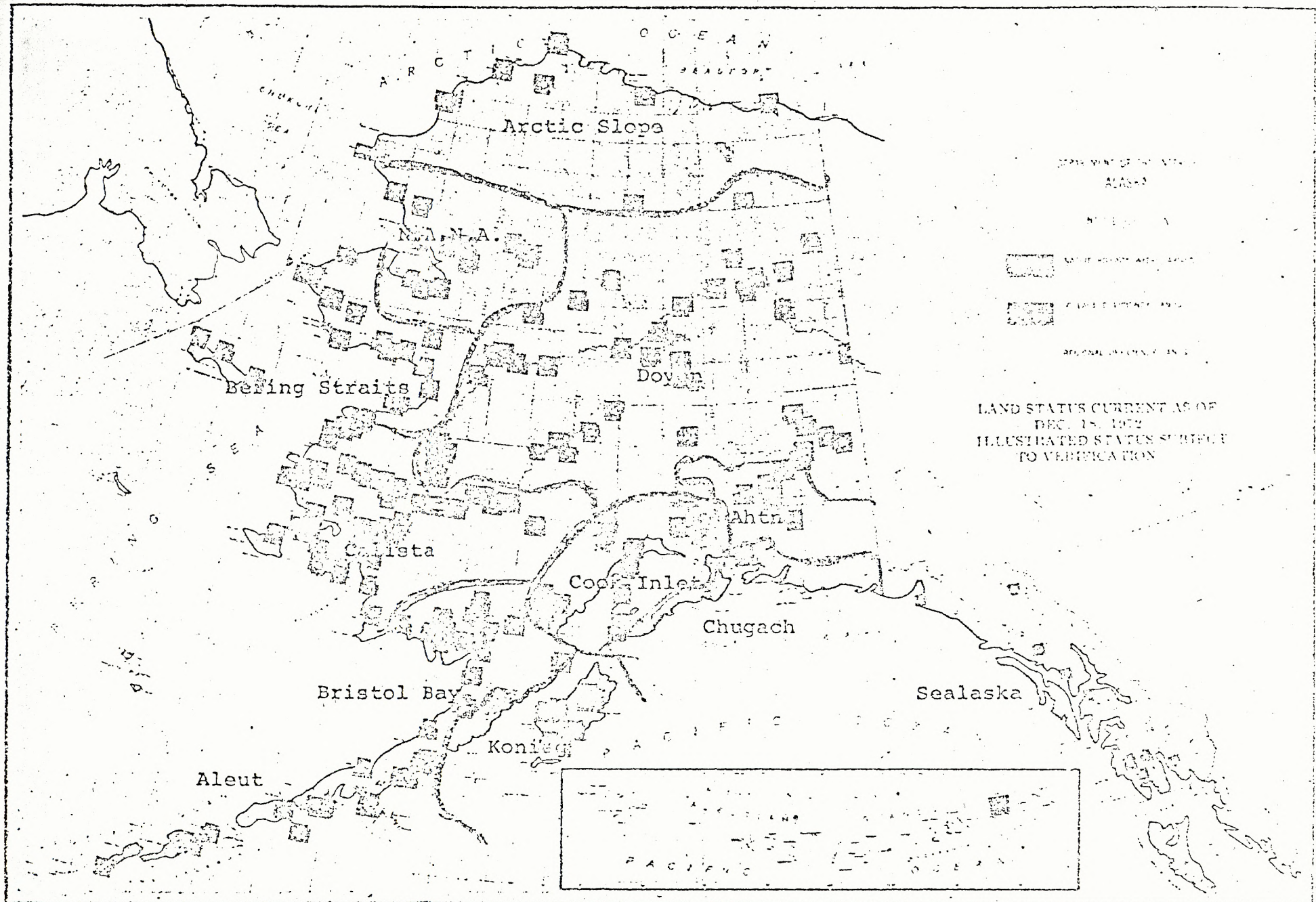
Once again it must be emphasized that the issues, events and information that is summarized here have been drawn from a few sources. Consequently, due to the lack of data, that is of reliable and available as well as accurate data, information tends to be sketchy. Therefore, it is difficult to consider as well as to draw from the information any implications of the issues at hand; thus the report is intended to be only a source of current information.

2. Activities of Regional Corporations

A map is included below and shows the regional corporations in Alaska.

In addition, the graph that is given below was extracted from the Alaska Native Management Report and gives the most up to date information on the status of stockholdings in the 12 regional corporations.

REGIONAL CORPORATIONS IN ALASKA



REGIONAL STOCKHOLDER STATUS (December, 1974)

Corporation	Number of stockholders (thousands)									
	0	2	4	6	8	10	12	14	16	18
ANNA	1									
ALUT	1	1								
ARCTIC SLOPE	1	1								
BERING STRAITS	1	1	1	1	1	1	1	1	1	1
BRISTOL BAY	1	1	1	1	1	1	1	1	1	1
CALISTA	1	1	1	1	1	1	1	1	1	1
CHUGACH	1	1	1	1	1	1	1	1	1	1
COOK INLET	1	1	1	1	1	1	1	1	1	1
DOYON	1	1	1	1	1	1	1	1	1	1
KONIG	1	1	1	1	1	1	1	1	1	1
NANA	1	1	1	1	1	1	1	1	1	1
SEALASKA	1	1	1	1	1	1	1	1	1	1

1234 Total number of stockholders

5678 Number of stockholders residing in the region

9012 Regional corporation stockholders at large

Calista Corporation

Native Corporation and Tipton Development, Inc. plan to develop a 1550 acre community development. Development is called Settler's Bay and will be located near Anchorage on Krik Road.

The corporation invested several million dollars of its Alaska Native Claims Settlement funds into the venture.

Tipton Development, Inc. owns the property and will market and manage the land with the financial backing of Calista's subsidiary, Settler's Bay, Inc.

The development will be a planned community for 200 residents with planned paved streets, water system, utilities and sports facilities.

The corporation is attempting to establish a tax-exempt investment fund which would allow shareholders to receive social benefits such as pension and medical insurance through interest earnings.

The corporation has purchased the Rockwell subsidiary, Geo-Science, which developed and set-up the computerized land resource centre for Calista village selections. It was purchased for \$350,000. The new corporation is going after world-wide contracts for any kind of science research relating to land use and development.

Bering Straits Corporation

The Bering Straits Corporation has been involved in some major multi-million dollar contracts.

Corporation is involved in the following ventures:

- a) building the nine storey 165 room Fairbanks Plaza Hotel;
- b) it is beginning a tug and barge operation on the Yukon River near where the bridge is being built and the air transporters are being built. For the operation, pontoons were transported from Washington State;
- c) the firm owns 2/3 of the stock of Alaska Truck Transport, Inc. a trucking firm with terminals in Fairbanks, Valdez and Anchorage and interstate authority to operate between Montana-Idaho and Alaska. The firm has commitments to transport commodities and heavy freight to Prudhoe Bay;
- d) Corporation has a 42% interest in Life Systems, Inc., the only indoor concrete products firm in the Interior;
- e) it has 60% interest in Mobat Alaska, Inc. a firm which sells new tires and retreads heavy truck and road truck tires.

With respect to the tug and barge operation, the Bering Strait Leasing Corp. which will operate the Yukon River tug and barge service is a wholly owned subsidiary of a regional corporation;

- f) the corporation also has a construction business which

has been successful in obtaining a number of contracts.

It is involved in a joint 50-50 venture with Central Construction Co. of Seattle in a \$11 million road construction project building the Alaska portion of the Skagway to Carcross highway. It has a \$1,805,000 construction job for the Corps. of Engineers at Galena, asphaltting the runway at Galena.

Also has a \$1.9 million road job in Nome - reconstructing the Nome-Solomon road and putting the ferry system back into operation at Safety Lagoon.

Construction division is also planning to build a four storey office building in Nome.

Bering Straits Native Corp. and Lost River Mining Corp. have agreed to work together in the development of Lost River (west of Teller) and Seward Peninsula area resources.

NANA Corporation

NANA Regional Corp. busy with big developments - pipeline - related contracts.

NANA - Corporation has a hotel division, 53 room hotel - \$2½ million and is also in the process of opening 2 smaller hotels in Noorvik and Kiana. The Bureau of Indian Affairs is involved along with the village and regional corps. in these ventures.

On a regional basis, the NANA corporation took on the problem of assuring adequate fuel supply. In four instances, the regional corporation assisted the village corps. to become retail fuel distributorships. One of the most lucrative divisions of NANA is its security division which has a \$15 million plus contract with Alyeska Pipeline Service Co. for camps north of the Yukon.

The corporation also has a Jade Mountain division which has jade claims in the Brooks Range and is slated to manufacture jade items locally.

The Tupik Building Supply Division has begun operations. The corporation is building a store and a warehouse and at first will sell building supplies and camping equipment - later it hopes to go into the manufacture of homes.

NANA has joined with the commercial catering of Anchorage in a joint venture with a subcontract from Greyhound Support Services, Inc. for one camp only at Sheep Creek on the southern portion of the pipeline route.

Recently NANA has received a contract from Fluor to provide labor services to all the pump stations (for the Alyeska pipeline) during their construction. The NANA Construction Division has a number of jobs -

- \$95,000 in construction work for the regional corporation
- \$1.8 million - state school project at Kwalina
- \$2.5 million - job in Anchorage for FAA
- \$280,000 - renovation job for Alaska Psychiatric Institute in Anchorage.

The last of NANA Corporations three exploratory test wells will be drilled by Standard of California, under an exploration contract with NANA near the Kobuk River some 30 miles east of Kotzebue. The first two test wells were dry.

NANA regional corporation has signed an agreement with the North Slope Borough to operate utility services in the Prudhoe Bay area. A new company NANA environmental systems, has been formed. The Borough with NANA as operator will operate an area-wide solid waste disposal system and a sewage system in the immediate Deadhorse Industrial area. The utility would alleviate serious problems in waste disposal in Prudhoe.

On a local level, NANA has set up NANA Reindeer, Inc. as a non-profit corp. with the villages of Kotzebue, Noatak and Kivalina to stimulate commercial reindeer herding.

NANA is also negotiating again for the purchase of Burton Atwoods' Enterprises camp and shop facility at Deadhorse state airport near Prudhoe Bay. The purchase would involve the commercial hotel Atwood now operates as well as vehicle warm storage and warehouse facilities and an electrical generation service. NANA looked at the Atwood property once before but declined because the amount of capital it would have taken to buy in. New talks underway involve less of a cash requirement. The purchase appears a good long-term investment, NANA figures, because of the continued role the state's Deadhorse airport will play in future North Slope petroleum development.

KONIAG Corporation

Koniag Inc. is putting together a far-reaching development program. It is researching various industrial and business possibilities open to it. Resources available to Koniag and to the villages within the region include timber, fisheries, oil, gas and hard rock minerals.

As a region Koniag will acquire little or no surface estate but will obtain ownership to subsurface rights. Since much of the land is wildlife reserve, these subsurface rights

will come, in most part, from in-lieu and deficiency lands located on the Alaska Peninsula mainland.

The Koniag board of directors recently approved the expenditure of \$250,000 for hard rock mineral exploration to aid the corporation in determining the best possible regional selection lands on the Alaska Peninsula. Koniag has contracted with Research Associates of Fairbanks to do this exploration work. The region has had a contract with Standard Oil Co. of California for oil and gas exploration. In addition, the region has just concluded negotiations with Evergreen Helicopters which will give the region the capability of servicing its exploration contractors and for other purposes.

Koniag also is exploring the possibility in several joint ventures with construction and service firms working on the Alyeska pipeline project. The region's service-oriented projects include the acquisition of business properties and enterprises and the formation of various organizations.

A subsidiary development and holding corporation, first of several such anticipated in the future, has been set up.

Properties recently acquired by Koniag or in the process of being acquired include:

Sheilikof Net Co., a marine supply and hardware business.
Kodiak Kwik Kopy, a new firm with a complete new offset printing shop. This joint venture is being managed by the co-owners.

Construction of a business and apartment building in downtown Kodiak is planned.

An Aleutian Homes Building has been acquired as a corporate facility.

A new commercial television cable and broadcast capability for Kodiak and its island villages is under study.

Another major move by Koniag involves its affiliation with the Fedalaska Federal Credit Union.

Three new organizations have come into being. They are:

the Kodiak Islands Regional Village Planning Council, a new planning group that will seek to co-ordinate village and regional investments and provide input into planning efforts, the Kodiak Islands Villages Chamber of Commerce and; the Kodiak Islands Environmental Society.

Bristol Bay Native Corporation

Bristol Bay Native Corporation will be drilling a test well on land selected by the regional corporation by the end of the 1975 season or early next year. Bristol Bay has an

exploration agreement with Phillips Petroleum. That agreement is different than other arrangements worked out between petroleum companies and native corporations, in that Bristol Bay will be participating in the development of any discoveries on a 50% participation basis. Other agreements covering Arctic Slope, WANA, Koniag and Ahtna are believed to be standard royalty type contracts with a net profit participation and advance payments of front-end money by the oil companies involved.

Arctic Slope regional corporation already has land selections in the Kemik unit area which has a known small gas field.

The Koniag native corporation plans to drill a test well next year (1976) on acreage selected by Koniag on the Alaska Peninsula. Koniag, Inc. has an exploration agreement with Standard of California.

Kennecott Copper, through its Alaska exploration company Bear Creek Mining has negotiated a Bristol Bay regional corporation for mineral exploration on lands along the Alaska Peninsula, within Bristol Bay region. Mineral industry sources say that Kennecott is particularly interested in a large deposit of low grade copper that is believed to exist near Chignik, the Co. wants to test the grade and extent of any commercial ore reserves.

Cook Inlet Region, Inc.

Cook Inlet regional native corporation has purchased five hotels and motels in the Anchorage area in a 13 year multi-million dollar transaction. The corporation has also purchased buildings to be used for the native regional corporation, the Alaska Federation of Natives and the Cook Inlet Native Association.

Cook Inlet Region Inc. has purchased the Anchorage Distribution Centre - a newly constructed warehouse complex. The purchase includes an option to purchase three other buildings within the same complex.

Doyon Regional Corporation.

Doyon native corporation was awarded a \$14 million contract for road maintenance by Alyeska Pipeline Co. The contract is to Doyon and Alaska International Construction Inc. a subsidiary of Alaska International Industries of Fairbanks who also operates Hercules C-130 aircraft to the North Slope. The maintenance contract will cover 230 miles of road between Coldfoot and Prudhoe Bay.

Doyon has entered into an agreement with six mineral companies to explore Doyon regional corporation lands. The mineral

consortium includes British Petroleum, Union Carbide, General Crude, Ethyl Corp. and McIntyre Mines. WGM, Inc. (formerly Watts, Griffis and McQuat) will be the operator for the group. Four Geological parties are in the field now. Doyon will hold mineral title to 4 million acres of Interior village lands and will have regional selections of 8 million acres more.

Sealaska Corp.

Alaska's Southeastern regional native corp. Sealaska, Inc. has agreed to buy approximately 35,000 feet of downtown Juneau land on which they plan a \$3.5 million building to house their corporate headquarters. Construction is expected to begin in summer 1976 and is due for completion in late 1977. The building will also house a number of retail shops.

Co-ordinated Corporate Ventures

An unlisted number of regional corporations have purchased a fish plant - Alaska Packers, Co. a subsidiary of Del Monte Corp. The Japanese firm of Yukon Institute, Inc. helped to form the fish co-operative - Emoonak and to move into the salmon fisheries profitably.

Native Bank

Five regional corporations have joined together to form a commercial bank. The United Bank of Alaska, as it will be called, was formerly presented with its charter from the State of Alaska. The only remaining steps now are Federal Deposit Insurance Corp. approval and Federal Reserve Board approval of the holding company.

The bank is owned equally by five Native regional corporations: Nana, Doyon, Bristol Bay, Cook Inlet and Calista. Each corporation owns 20,000 shares in the holding co., Unicorp, Inc., at a price of \$30 each. This gives the bank capitalization of \$3 million. Other regional corporations have expressed an interest in buying shares in the bank, and may be able to buy in at a later date.

Timber Operation

Nine of the 12 village and urban corporations in Southeast Alaska have joined together to create a new joint timber management corporation. The corporation is under the leadership of Sealaska Corp, the southeastern regional corporation. The corporations will select more than 400,000 acres of timber land under provisions of the Alaska Native Claims Act. The action will put Sealaska into the timber development business and create the new corporation as a viable economic influence in southeastern Asia (Japan). The new joint

venture will help finance logging equipment and camps, chipping facilities and might participate in major manufacturing facilities. At present, the Alaska Southeastern Timber Industry has been suffering production shutdowns and slowdowns. The industry is presently holding a large inventory and additionally the price of wood products sold to Japan has fallen markedly.

Proposals

A proposal for financial participation by native regional corporations in offshore oil and gas development has been advanced by Lehman Bros., New York based financial advisors to many of the corporations. (10 regional corporations are said to be considering the proposal). The proposal states that regional corporations would pool assets and advance \$100 million or more to companies engaged in offshore oil and gas development at a low interest rate in return for an overriding royalty on any production found. The regional corporations would not participate in the sale itself but would come in after a successful bidder had put a partial payment on successful tracts. Native corporation money would be used to pay off the balance of the bid or to finance exploration and development on a loan basis.

One further proposal which has been considered and endorsed by nine of the 12 regional corporations is the formation of an inter-regional development corp. The new inter-regional group would be designed to pool the resources and expertise of all its members and go into the business of developing their resources. The Japanese firm of Yukon Institute, Inc. has expressed a desire to work with the Natives in co-operation efforts using Japanese markets.

3. The Omnibus Bill

The Omnibus Bill was introduced to resolve a number of issues relating to the Native Claims Act. Legislative hearing on the bill have been held. It deals with the following issues:

- 1) One of the incorporated bills would extend the deadline for enrollment under the Act so that about a 1,000 Native people who are eligible for enrollment, but missed the March, 1973 deadline can still apply for benefits.
- 2) The Bill would direct the Secretary of the Interior to establish an escrow fund for revenues received by the Department for activities on Federal lands later given to natives. In this way, natives would receive these revenues when given final title to their land. Payment under the claims act could not be considered when determining eligibility of any household for food stamps, under the provisions. It would also exempt native

corporations could be traded, which will not be until December 31, 1991. The bill specifies that any distribution of funds already made from the Alaska Native Funds or by a native corporation will not be disturbed. A provision in the bill would allow the Federal Government to pay interest on the Alaska Native Fund while monies are being held each quarter.

- 3) Another provision would extend the joint Federal-State land use planning commission until June 30, 1979 so it could continue its duties of making recommendations on the use of lands covered by the Settlement Act.
- 4) Another provision would allow for village corporations formed within the same region to merge with their regional corporations or with other village corporations for efficiency. Additional provision in the merger section of the bill would allow the issuance of stock in any merger or consolidation to be exempt from the registration requirement of the Securities Act of 1933 until December 31, 1991.
- 5) Furthermore, the Bill provides for a grant of \$250,000 to each of four Native corporations - Juneau, Kodiak, Kenai and Sitka - to help them carry out their land selection.
- 6) The bill gives village which elected not to receive benefits of Settlement Act the right to conduct another election within a year of enactment of the Omnibus Bill to decide if they wish in the future to benefit from the provisions of the Act. This was done to help some villages who believe that at the time of the first election, they did not have all the facts which would enable them to make the best decision. At the time of enactment of the Native Claims Settlement Act, seven villages chose to retain their former reserves but do not receive any money under the Settlement Act. The map enclosed shows the villages not participating in the Settlement Act.

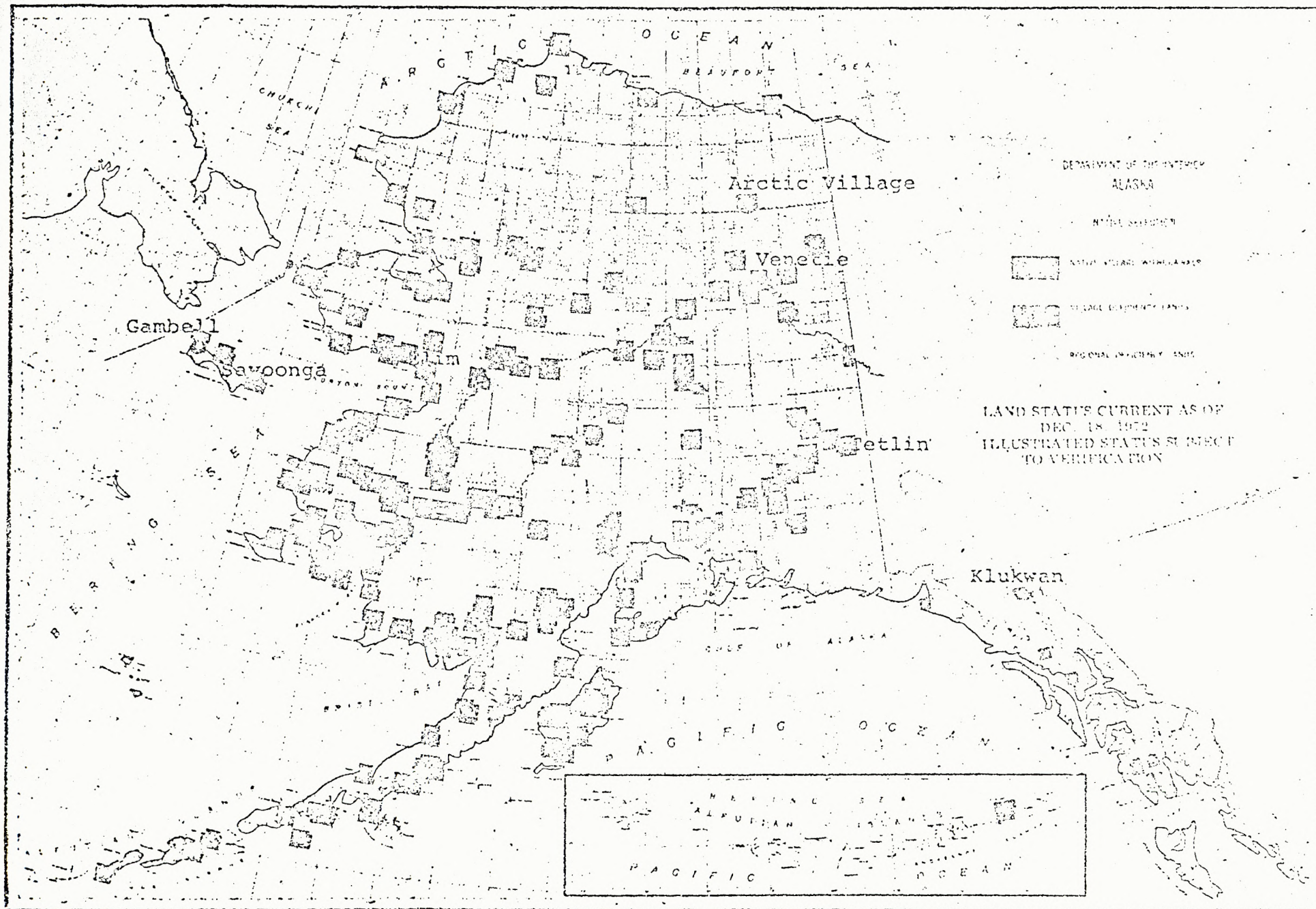
The amendments are likely to resolve very difficult problems in land selections faced by Cook Inlet Region, Inc. This is due to the fact that the corporation claims that all but 11% of the land offered it by the Department of the Interior was above the 1,500 foot level and unsuitable for development.

The corporation has demanded land in Federal withdrawals within the Anchorage Borough (and Kenai Moose Range) and has requested Federal legislation to authorize the selection. The Federal Government has already agreed to offer five townships of surface land and 18 townships of subsurface estate in the Kenai National Moose Range. In return, Cook Inlet Region would withdraw claims near urban parts of Anchorage.

Another provision would be that Sealaska would be able to choose 200,000 acres of land in the Tongass National Forest as part of their selection because there is very little good land available for selection in other parts of the Sealaska area.

VILLAGES NOT PARTICIPATING IN THE NATIVE LAND

CLAIMS SETTLEMENT ACT OF 1971



- 8) The question of a 13th regional corporation composed of out-of-state Alaska natives would be clarified. The Act now authorizes 12 regional corporations to handle money investments and land development with the option for a 13th region outside the state which would have no land and only money. When formed, this corporation would be the largest in terms of people and would therefore receive larger amounts of money in payment through the claims act.

A court decision in December 1975 decided that the creation of a 13th regional corporation as under the Claims Act should be fulfilled.

However, controversy regarding the 13th corporation has once again arisen. Some of those who are eligible for the Region have asked that an election be held allowing all eligible to decide whether or not they wish to join the new corporation. On the other hand, those in favour of the creation of the region have felt that an election would strip the region of members and place it at an unfair disadvantage with the other regional corporations.

- 9) The Bill has a clarifying paragraph which will avoid disputes and litigation of claims based on aboriginal title. This results from concern over the effects of the *Edwardsen vs. Morton* decision. The questions of tort liability brought up by the *Edwardsen V Morton* lawsuit will be addressed by Congress. *Edwardsen V Morton* is basically a suit for trespass that occurred on Native claimed lands before enactment of the claims act in 1971. A U.S. district court in Washington upheld the section of the suit which claimed damage for trespass. It had been thought that Congress intended to extinguish all claims by enacting the act, but the district court ruling that actions for trespass prior to 1971 would be heard and could embroil the state in prolonged litigation for years. While *Edwardsen V Morton* is directed at oil companies operating on the North Slope, the precedent could bring litigation over mining claims and mining activities and other kinds of development activity in Alaska. Any trespass litigation would be handled by the Justice Department on behalf of native associations and the basis of any action would be the trespass on lands used for aboriginal hunting and fishing rather than actual tort liability for damages. The Omnibus Bill will clarify the intent of Congress in this matter to prevent these cases arising in the future.

All of the above issues have been considered in the Bill and the most recent sources (Alaska Economic Report) have stated that the Senate Interior Committee has

approved the Omnibus Bill and further action is expected to be forthcoming.

4. Land Selection Issues

a) Extension of Time

Many of Alaska's native regional corporations will be able to get another season or two for natural resource evaluation beyond the December, 1975 deadline for regional land selections under the settlement act. By deliberately overselecting their acreage entitlements, regional corporations will be able to make broad selections, narrowing later to precise tracts after more detailed exploration. One of the major problems, the corporations face in the claims act are the short deadlines for land selections on huge acreage blocks about which little is known. By liberalizing the boundary adjustment procedures, the Interior Department has been able to build some flexibility into the December 18, 1975 selection deadline for regional corporation lands.

b) D-2 Lands

The issue at hand is the mandate in the 1971 Native Settlement Act which under Section d-2 called for some 80 million acres to be set aside for future Federal lands designation for parks, forests, wild rivers and other such land designations. These withdrawal designations have come to be called d-2 lands. The location of these d-2 lands could have serious impact on lands of regional corporations and village lands. Such lands could be put in a position where they were isolated by d-2 lands from possibility of direct access. Likewise state lands and remaining federal lands could be heavily impacted by exactly where and what the d-2 designations are.

The original claims legislation also established the Federal State Land Use Planning Commission - charging the commission with d-2 recommendations responsibility. The land use planning commission and d-2 section was a basic compromise in the claims fight to gain environmental support. It is expected that the State will be seeking to develop a position and take the position to Congress in the form of a bill. The State position may consist of three parts - the first part would consist of Federal land withdrawals assigned to the four regular land systems (parks, wildlife refuges, forest, ecological area classifications) while the second part may consist of excess Federal lands not assigned to the regular Federal land classification. The State would then thirdly propose a permanent land use planning commission to have limited jurisdiction over the second category

(excess) Federal lands and State and other public lands (but not private lands and regional corporation lands). At some point, the State position will be put in the form of a Federal legislative bill. Another issue submerged in the d-2 federal bills may be who has jurisdiction over hunting on both state and federal lands in Alaska. The state position will likely be that the state should have the basic authority to manage wildlife on all lands with the exception of some federal designations. Likewise the federal withdrawals will probably mean the lands are withdrawn from mining entry for all practical purpose.

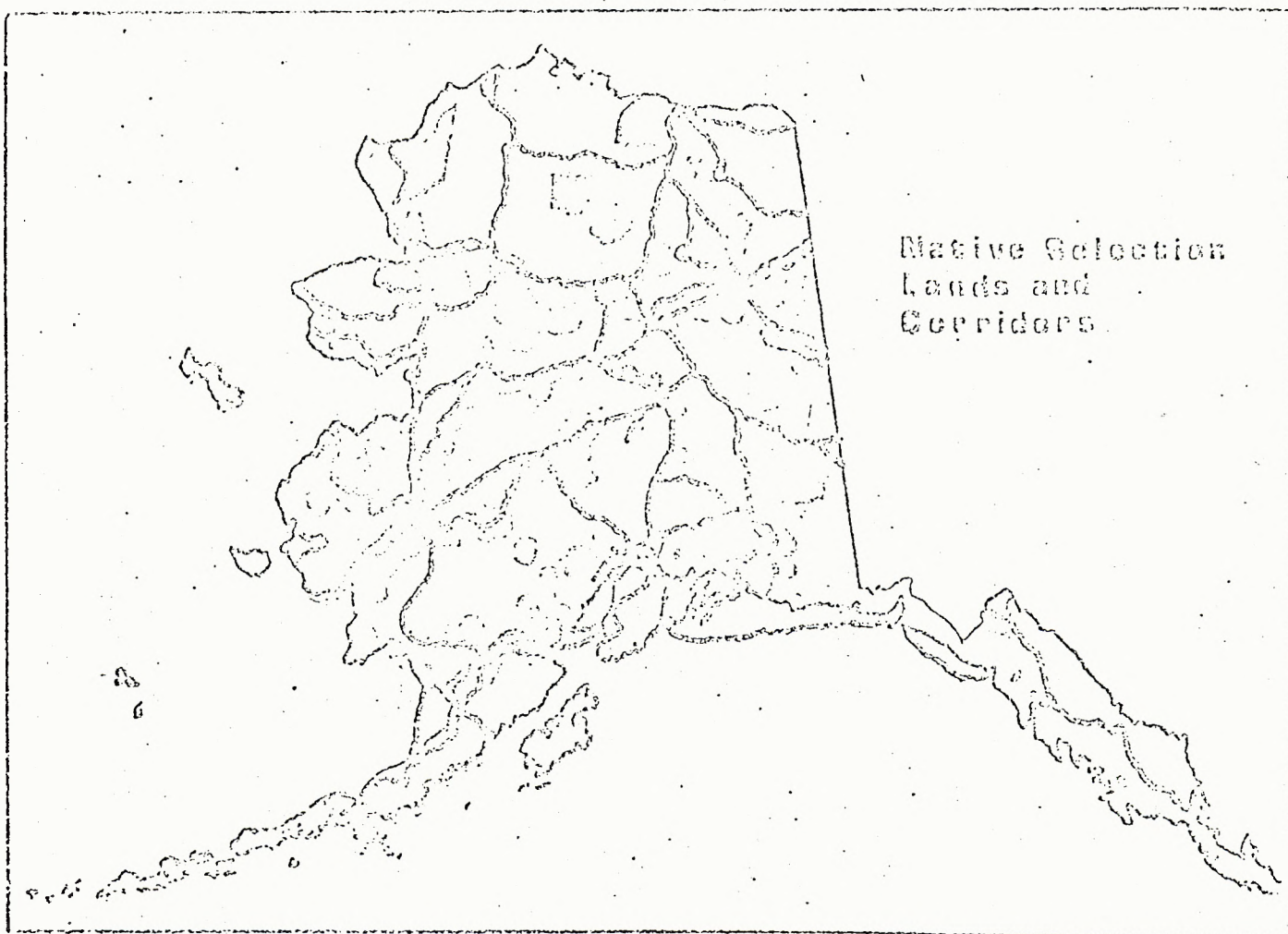
In the interim the Bureau of Land Management has been given the responsibility for managing these lands. However, it will be up to Congress to give the d-2 section of the land claims bill its final meaning by actually giving the lands permanent designations. At present, public hearings on d-2 lands and designations are being held.

One further complication which has arisen and adds to the d-2 lands controversy has been the Brooks Range mineral finds in Northern Alaska. Deposits of copper, zinc, lead and silver have been found. Mining companies have reportedly stated that the find is probably commercial, but a serious problem of transportation is involved. In building a road or railway, there are large land withdrawals around the discovery areas that are designated for national park - ecological area classification and d-2 lands. Consequently it is believed that the Brooks Range Copper discovery will likely be embroiled in congressional controversy.

c) Easements, Rights-of-Way and the Corridor Concept

The Bureau of Land Management has recently studied the corridor concept in the state of Alaska. The Multimodal Transportation and Utility Corridor System presented and studied rests largely on the assumption that vast areas of land with at least traces of resources are developable; another premise of the study is the national need for fossil fuels. The study proposes building more roads, pipelines and utilities for dealing with energy needs, and is basically an easement plan directed to land use planning for transportation corridors through State, Federal, Native and d-2 lands. The map below shows the proposed plan.

The Corridor Web



At present both the wilderness society and the land use planning commission have opposed the corridor plan. The wilderness society has informed the Secretary of the Interior that they oppose the BLM (Bureau of Land Management) corridor plan for easements through native and wilderness land withdrawals under the claims act. The joint Federal land use planning commission has also formally declared its opposition to transportation corridors across native lands. The formal declaration of disapproval cites the following reasons - pre-emption of state controls, lack of oil and gas resource, location information, unfairness to native land owners and possible future avoidance of environmental protection law.

d) Lower Cook Inlet Offshore Dispute

A 3-way controversy has been continuing until recently

between Cook Inlet Region, the State of Alaska and the U.S. Government. The dispute arose over the issue of offshore oil and gas lease sales in submerged land areas in Lower Cook Inlet. The case was taken to court and rulings from the courts decided in favor of the State of Alaska regulating the offshore oil and gas lease sales. The Federal Government continued litigation because it owned the leasing rights. Recently the U.S. appeals court ruled that Alaska has no historic rights to the submerged lands and the Federal Government was given the right to lease Lower Cook Inlet. This ruling is significant since estimated reserves of oil and gas in the area are very high (between 0.5 - 2.4 billion bbl. of oil and 14.5 trillion cubic feet of natural gas) and any lease sales in the area will bring very high levels of revenues; these revenues will now revert to the Federal Government.

5. Miscellaneous Issues

a) Division of Revenues

Recently five of Alaska's Regional corporations have gone to court against the other seven over the division of revenues from resource development. At issue is a section of the Native Claims Act which states that 70% of all revenues received by each corporation from timber and subsurface minerals must be divided annually among all 12 regional corporations. The suits involve when and how revenues will be divided and whether monies received by some corporations for oil exploration rights should be divided. An earlier suit was filed in federal court by Doyon, Ltd. against NANA asking division of monies that NANA had received for oil exploration be split. The case in part is directed at the Arctic Slope Native Corp. whom the plaintiffs charge has not kept 70% of its revenues in liquid assets to pay the other regions. Final distribution of monies between regional corps. will have to be made according to court ruling in the case.

b) Taxation

The Alaska legislature enacted a 20 mill tax on oil reserves in the ground, a tax to be applied against the non-producing reserves of Prudhoe Bay. The tax is a temporary two year tax on Prudhoe Bay Cos. designed to generate just over \$500 million in fiscal years 1976 and 1977. The tax is now written to terminate in 1977, but faced with added revenue needs, legislators may push for an extension.

Under the reserve tax, the Arctic Slope regional corp. is subject to a heavy tax liability to the state -

approximately \$2 million on the Kemik gas fields south of Prudhoe Bay. Producers, however have contract stipulations permitting them to pass on added taxes to consumers, in this case, Anchorage Natural Gas, Co.

c) Inflationary Impact

A recent article in the Alaska Native Management Report has estimates to the effects of inflation on monies received under the Native Claims Settlement Act. The article states that over the past three years, the purchasing power of Alaskan Native personal income has declined and that the real value of the Land Claims Settlement has eroded by \$160 million, with further losses projected. Furthermore, it states that the high interest rates received on short-term investments and the increasing price of petroleum and other minerals from which Natives benefit are popularly assumed to be offsetting the adverse effects of inflation; but to date this has not been the case and it is unlikely to be so, even in the near future. The form of the claims act cash settlement - fixed payments over time - makes it highly subjective to shrinkage.

Consequently, it is concluded that the Alaska Natives never did have \$960 million cash from the settlements and in terms of 1971 dollars values, never will have that amount; in fact, more than one third of that value, an estimated 337 million dollars has already evaporated or is likely to in the near future. The article recommends that measures to protect Alaskan Natives from the extraordinary inflationary losses are available and includes the following measures:

- 1) that Congress could speed up the schedule of remaining payments so that the funds could be invested
- and 2) that the state of Alaska could be required to continue paying 10% of its oil royalties into the Alaska Native Fund for the same period of time, 15 years, as it would have expected to do in 1971, rather than discontinuing the payments once \$500 million is paid.

d) Resolution of Disputes

A new method of resolving conflicts, grievances and problems on the village level will be tried experimentally in six villages in Alaska. The system will use conciliation boards of local residents to attempt to resolve disputes before they become serious enough to go to court. The idea is to bring the system closer to the traditional methods formerly used in the villages; no serious felonies or misdemeanors will be heard by the boards, but an effort to solve local problems will be made.

The ad hoc appeals board was established in 1974 as a body to determine the eligibility of villages to receive benefits as provided under the settlement act. At the time of creation, all appeals and decisions by the board were subject to review by the Secretary of the Interior. This is now no longer the case. As well, under new regulations, matters of unlawful entries and mining entries will be heard by the Washington-based Board of Land Appeal leaving the ad hoc board's responsibilities more limited than previously.

e) Village Assistance

A number of issues have arisen since the enactment of the settlement act and as well confusion has resulted. A series of booklets highlighting certain immediate problems of concern to most Alaska Native Village Corps have been developed by the Alaska Native Foundation. These booklets are meant to be used as tactical guides to legal-technical issues in the present transitional period. The subjects considered include the following: Budgeting Guidelines, Region Village Relations, Land and Resources, The Future of Subsistence Living, Problems of Property Law, Water Rights, Non-Profit Corporations and Easement Control.

As well, the University of Alaska has recently recommended and approved a series of courses on the provisions of the settlement act; these courses are now offered and open to interested parties. In addition, the Alaska Federation of Natives and Native Foundation have also become involved in providing seminars, information and advice in managerial skills, technical aspects of the settlement act and implementation of the provisions of the act by individual natives, villages and corporate entities.

Mary Pavich
Northern Program
Planning Division
October 28, 1975

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A SUMMARY OF RECENT ACTIVITIES
OF THE
ALASKA REGIONAL NATIVE CORPORATIONS

September 3, 1976.
Judy Welland.

INTRODUCTORY NOTE

This summary of the recent activities of Alaska Regional Native Corporations is intended to succeed, in part, a report entitled, 'Alaska Native Claims Settlement Act, Summary of Recent Issues Relating to the Alaska Native Claims Act, November 1975'. Unlike the previous summary it does not deal with other issues related to the Settlement Act.

In using this information it will be useful to note that the time frame is the past year, that is, roughly from the summer of 1975 to the summer of 1976. New activities embarked upon are reported in this manner:

- 'Has acquired a new crabber-trawler.'

Activities embarked upon prior to the summer of 1975 are not usually repeated. If, however, they were not reported in the previous summary or are continuing, they are noted in this manner:

- 'Had been awarded a \$2 million contract.'

It should be understood that the information in this summary is only as complete as the readily available sources. The source used most often is the Alaska Economic Report in which the corporations' activities are covered regularly but briefly. Also used are Tundra Times and Alaska Construction and Oil which periodically publish relevant editorials and feature articles. A table on enrolment figures and revenue from the Native Fund is taken from the Alaska Native Management Report. Further research, perhaps using annual reports solicited directly from the Native Corporations, is necessary in order to adequately summarize the subject. However incomplete, this summary does provide a considerable amount of information about the numerous activities of the thirteen regional Native Corporations in Alaska.

ALASKA REGIONAL CORPORATIONS
DISTRIBUTION FROM ALASKA NATIVE FUND AND ENROLMENT







<u>Regional Corporation</u>	<u>Enrolment</u>	<u>Total Payments To Regional Corporations</u> <u>From</u> <u>Alaska Native Fund</u>
	<u>6/22/76</u>	<u>6/22/76</u>
1. Ahtna	1,059	\$ 3,903,920.22
2. Aleut	3,064	11,823,062.32
3. Arctic Slope	3,797	14,128,156.86
4. Bering Straits	6,346	24,367,279.87
5. Bristol Bay	5,281	19,802,874.12
6. Calista	13,253	49,019,735.64
7. Chugach	1,874	7,314,506.99
8. Cook Inlet	5,993	22,538,144.49
9. Doyon	8,805	33,141,182.99
10. Koniag	3,121	11,932,690.56
11. Nana	4,762	17,734,115.08
12. Sealaska	15,116	58,888,797.02
13. Thirteenth	<u>4,537</u>	<u>8,099,145.73</u>
TOTALS	77,008	\$ 282,693,611.89

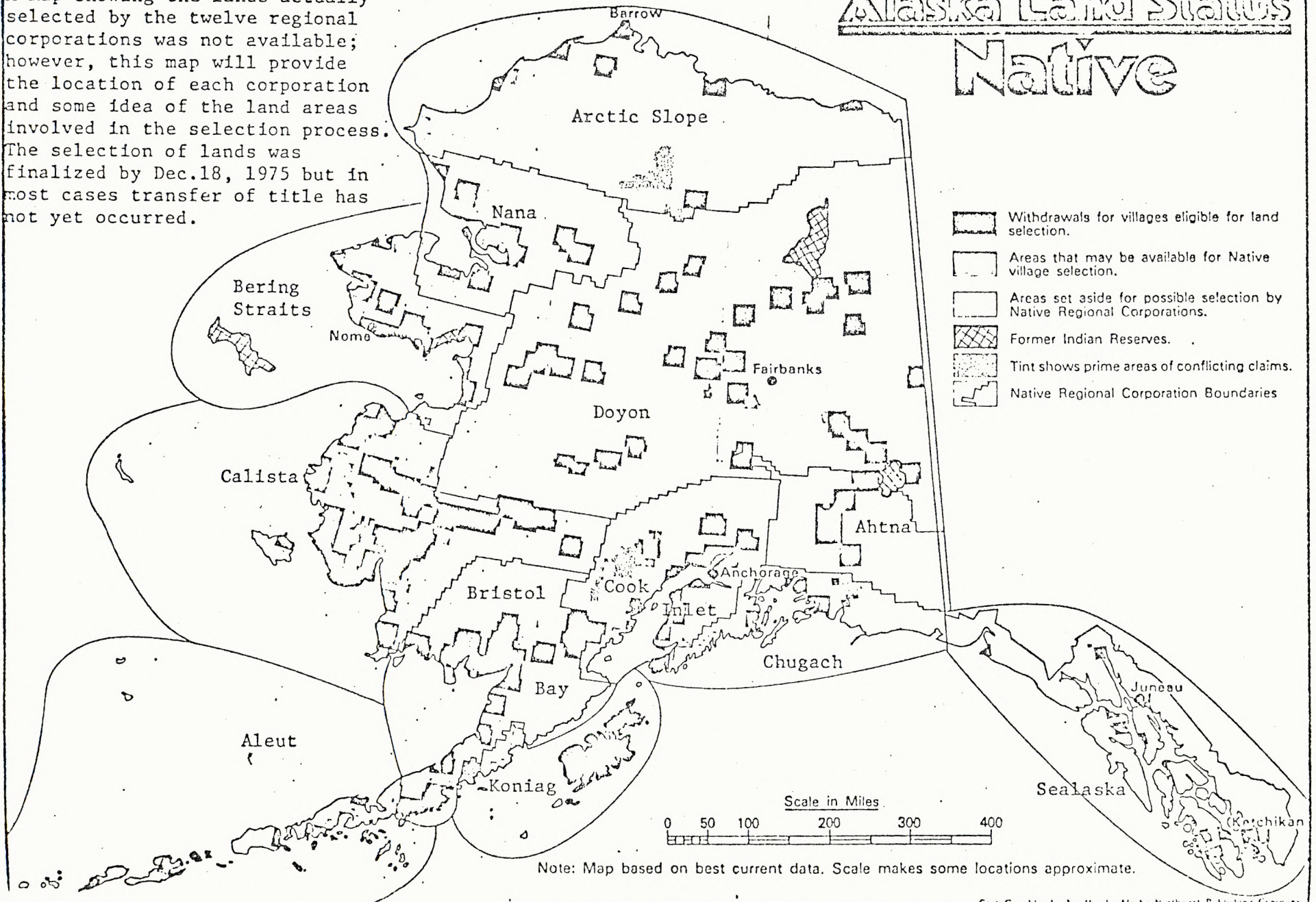
The above figures are taken from the Alaska Native Management Report,
August 1, 1976.

Alaska Land Status

Native

A map showing the lands actually selected by the twelve regional corporations was not available; however, this map will provide the location of each corporation and some idea of the land areas involved in the selection process. The selection of lands was finalized by Dec. 18, 1975 but in most cases transfer of title has not yet occurred.

-  Withdrawals for villages eligible for land selection.
-  Areas that may be available for Native village selection.
-  Areas set aside for possible selection by Native Regional Corporations.
-  Former Indian Reserves.
-  Tint shows prime areas of conflicting claims.
-  Native Regional Corporation Boundaries



1. AHTNA, INC.

- Has formed a development company which is building a \$1.3 million motel, restaurant, bar complex and campground in Glenallen.
- Has an agreement with Alyeska Pipeline Service Co. under which Alyeska leases the pipeline corridor and buys gravel from Ahtna.
- Has a joint venture with Rogers and Babler for \$20 million in pipeline contracts.
- Has two other joint ventures subject to announcement.
- Has applied for government funding for a \$1.5 million study of the geothermal potential centred on three large mud volcanoes and hot springs in the Wrangell Mountains. Projects could include generation of electricity, agricultural projects and fish hatcheries.

2. ALEUT CORPORATION

- Has formed a subsidiary - Aleut Transportation Company which has purchased three ships. The largest is a 222 foot cargo vessel, the MV Pribilof, which has three refrigerated holds and general freight capacity. One of its functions will be to supply villages on the Pribilof and Aleutian Islands. Also purchased were two new 120 foot crab boats to be available for charter during slack periods.
- Along with Koniag Inc., Aleut Corporation has agreed to participate in Bristol Bay Regional Corporation's expansion of Peter Pan Seafoods, Inc. which was recently acquired for \$9 million. Additional stock will be issued from Peter Pan to permit the other two corporations to come in.
- With five other corporations, Aleut Corporation is involved in a joint venture with Seatrain to bid on oil shipping contracts out of Valdez.

3. ARCTIC SLOPE REGIONAL CORPORATION

- Has engaged in heavy construction, catering and fuel distribution.
- Has formed a subsidiary, Eskimos, Inc., which has joined an Anchorage contractor to build commercial buildings and a heavy equipment garage and maintenance centre in Barrow.
- Eskimos, Inc., has also entered into a pipeline sub-contract in a joint venture with National Mechanical Contractors.
- Lands have been selected southwest of Prudhoe Bay in the Kurupa area where Texaco has two exploratory wells active. Royalties from any.

discoveries on native lands would be shared with all the regional corporations.

- Other exploration deals hinge on the transfer of title to lands selected by the Corporation. This process is subject to considerable delay, primarily due to the question of easements.

4. BERING STRAITS REGIONAL CORPORATION

- Has purchased 110,000 shares, 22% of the stock, in the Alaska National Bank of the North which is based in Fairbanks.
- Its subsidiary, Bering Straits Construction Co. has acquired Central Construction Co. of Seattle. The two companies were jointly involved (50-50) in the \$11 million Skagway-Carcross highway project (Alaska portion).
- The Bering Straits Investment Company has bought a controlling interest in Pacific Alaska Airlines of Fairbanks. The airline owns six DC-6 and three DC-3 aircraft.
- Other recent acquisitions include:

Coastal Barge Lines based in Seattle
Anchorage Trailer Sales
Fairbanks Mobile Homes
Alaska Truck Transport

- At the corporation's annual meeting this spring it was reported that Alaska Truck Transport had suffered losses because of non-affiliation with Teamster's Union drivers. Life Systems Inc., a huge concrete supplier, also lost money. These losses, though considered severe, will be offset by earnings from the other investments of this major corporation.

5. BRISTOL BAY REGIONAL CORPORATION

- Has purchased Peter Pan Seafoods Company for \$9 million - the largest single investment for any native corporation. Gross sales for Peter Pan are from \$30 to \$35 million a year. The company has canneries in Dillingham, King Cove and Bellingham, Washington, two shrimp processing plants, 60 large vessels, 120 small vessels and 980 acres of land. Shortly after acquisition of Peter Pan there was a movement among corporation shareholders to investigate the operation. Causes for concern included outmoded canning equipment, fishermen suing the company for price-fixing and the news that the former owner was outfitting a competitive modern floater fleet. The dissidence seems to have subsided now and two more corporations, Aleut and Koniag have bought into the company. The expanded operation now includes the MV Pribilof, 2 crab

vessels, 26 fishing vessels, a marine supply firm, and two more canneries.

- An exploration agreement has been reached with Bear Creek Mining, the exploration arm of Kennecott Copper. Last year exploration in the area resulted in encouraging copper shows. This summer exploration activity was to be intensified in the Chignik area of the Alaska Peninsula where there are promising deposits of copper, molybdenum and precious metals. The corporation is said to be investigating forming a mineral venture.
- Has an agreement with Phillips Petroleum to explore for oil - with an exploratory well planned for August, 1976. However, drilling has been postponed due to the delays by the Bureau of Land Management to grant interim conveyance for corporation land selections.
- Has a 20% option with Phillips should the company succeed in its bid for an offshore drilling OCS lease next year.
- Has almost completed a deal to buy the Anchorage Westward Hotel from Western International Hotels for \$18 million. Management of the hotel would be turned over to Hilton Hotel Corporation.
- Is one of five corporations to have purchased 20% or 20,000 shares for \$600,000 in the United Bank of Alaska which is now open for business.
- Is one of six corporations to join in forming Alaska Consolidated Shipping, Inc. as a joint venture with Seatrain Lines of New York. 51% of stock shares are held by the native corporations with 49% being held by Seatrain. The shipping company hopes to carry crude oil from Valdez to Western U.S. ports.

6. CALISTA CORPORATION

- Has extensive real estate investments, particularly the Settler's Bay development project where 2,000 half-acre building lots are for sale for \$13,500 each. A golf course, lodge, stables and other facilities are being constructed. Interest in the project was recently acquired from former partner - Mel Tipton as an out-of-court settlement for litigation filed by Calista for alleged mismanagement.
- Is constructing a \$20 million, 400-room hotel complex near downtown Anchorage to be managed by the Sheraton Corporation.
- Has acquired a 108 foot crabber-trawler for commercial fishing operations in Western Alaska.
- Is in partnership with Penco of Anchorage, to develop a 211-space mobile home park in Valdez.

- Is involved in land purchases in Bethel.
- Owns ESCA-Tech, an earth science consulting firm that has been used extensively in Calista's land selection process, and has succeeded in obtaining contracts from its Long Beach and Anchorage Offices for work around the world.
- Has an exploration contract with Shell Oil Company.
- Is a one-fifth partner, with four other corporations in the \$3 million United Bank of Alaska.
- Has joined with five other corporations to form Alaska Consolidated Shipping Inc. which is in joint venture with Seatrain Lines and hopes to carry crude oil from Valdez to Western U.S. ports.

7. CHUGACH NATIVES, INC.

- Has made an application to build an offshore oil logistics centre at Icy Bay on the Gulf of Alaska. The centre would consist of a steel pile supply dock, a wooden fuel supply dock and a floating wood float-plane and small boat dock. However, the corporation's proposal is in competition with a similar scheme put forward by Yakutat Natives. Apparently the State of Alaska may oppose the Chugach application for environmental reasons.
- Chugach Development Corporation has formed a partnership with Kotzebue's village corporation and Al Courtney, an Anchorage businessman. The two corporations each hold 45% while Courtney holds 10%. The partners will finance a new Anchorage shopping mall to be built by George Easley Construction.
- Has formed a building division, Chugach Alaska General, a joint venture with Alaska General Contractors which won a contract at the terminal in Valdez.
- Has had several pipeline contracts, three in the Valdez area.
- Has purchased land in Seward and owns its own building in Anchorage.
- Has gone to Federal Court in a boundary dispute with Sealaska Corporation.
- Has selected land at Gravina Point, where El Paso Alaska plans a gas liquifaction plant. However, if the Interior Department's proposal to grant "floating" easements on Native lands is approved, then El Paso could gain access to the Gravina Point site without having to lease or buy it from Chugach.
- Is one of six native corporations to have joined to form Alaska Consolidated Shipping Inc. which has a joint venture arrangement with Seatrain Lines to bid on crude oil transport contracts out of Valdez.

8. COOK INLET REGION, INC.

- Has purchased five hotels and motels in the Anchorage area and a large warehouse and office building in a 13-year multi-million dollar transaction.
- Is in joint venture with M. André Rambaud, pre-selling houses from blueprints to be built in the Anchorage area.
- Has participated in two joint ventures with contracts on the pipeline project.
- Has been involved for three years in mineral studies in the Cook Inlet Region, through an agreement with Resource Associates of Alaska.
- Is a one-fifth partner in the \$3 million United Bank of Alaska.
- With six other corporations is participating in Alaska Consolidated Shipping Inc. which has a joint venture with Seatrain Lines of New York. The native corporations hold 51% with Seatrain holding 49%. The new shipping company hopes to carry crude oil from Valdez to Western U.S. ports.
- Continues to be embroiled in the controversial land swap dispute which has gone to the State Supreme Court. The case involves an arrangement to substitute state land for alienated land in the corporation's entitlement area. The uncertain situation is preventing the corporation to a large degree from going ahead with investment plans.

9. DOYON LTD.

- Has reported its first profits for the year 1975 after three years of losses due to expenses in the land selection process. (Doyon is the largest private landholder in Alaska with 12 million acres or almost one third of the native entitlement under the settlement Act.)
- Has a joint venture with Alaska International Construction which reported \$14.7 million in construction contract awards in 1975. The joint venture ranked 12th on the 1975 list of top construction contractors in Alaska. (The partnership won a \$14 million contract to maintain several hundred miles of pipeline haul road.)
- Has an agreement with Louisiana Land and Exploration Co. for two years of seismic tests and four exploratory wells in the Kandik Basin. The first of the wells, Doyon No.1, was begun in February but plugged and abandoned in August. The Parker drill rig being used is capable of depths to 20,000 feet and the Kandik oil bearing structures may prove to be very deep. The rig is being moved to the second drilling

site. The Kandik Basin is a virtually unexplored area north of the Yukon River and west of the Yukon border. Although no actual exploration had previously been done, the area's speculative recoverable petroleum reserves are estimated at 1.5 billion barrels of oil and 7.3 trillion cubic feet of natural gas.

- Last year Doyon entered into a mineral exploration agreement with a consortium of five major companies (British Petroleum, Union Carbide, General Crude, Ethyl Corp. and McIntyre Mines). As a recent outgrowth of the program, Doyon recently negotiated an option for participation in mineral development in the Yukon Territory. This summer a helicopter-supported field party worked in the Yukon on mineralized lands adjoining Doyon lands.
- Doyon Ltd. has negotiated an arrangement with ASARCO to create Tanana Asbestos Corp. as a Doyon subsidiary to develop, with ASARCO, a known asbestos deposit near the Yukon River. A ten-man crew was on site this summer and a drilling program was expected to start.
- Doyon, with undisclosed partners, is exploring for uranium in the Purcell Mountain area.
- Owns its \$2.3 million headquarters building in Fairbanks.
- Holds 20,000 shares, 20% of the stock in the United Bank of Alaska which was created by five native corporations.

10. KONIAG, INC.

- Has joined Aleut Corporation in participating in Bristol Bay Regional Corporation's expansion of Peter Pan Seafoods, Inc. To the operation, Koniag, Inc. brings its own Shelikof Net Co., a Marine supply firm and also two canneries and 26 fishing vessels owned by Koniag village corporations.
- Is participating in another inter-regional joint venture, Alaska Consolidated Shipping, Inc. which will team up with Seatrain Lines in bidding on shipping contracts out of Valdez.
- In 1974 Koniag began looking for oil and gas in a contract with Standard Oil of California. Koniag has a 20% option on Standard Oil's bid for an offshore drilling lease in the Gulf of Alaska. The invitation for bids on the 1.1 million acre drilling lease-sale was postponed until the summer of 1977 due to problems with environmental impact.
- Another scheme, the Cape Chinook offshore drilling support facility also hinges on the lease-sale. The corporation and 19 native groups formed a joint venture corporation to manage the facility which was formerly an Air France tracking station.

11. NANA REGIONAL CORPORATION, INC.

- Purchased NANA Oilfield Services which operates a support facility at Deadhorse on the north slope. The complex includes a 230-bed hotel and a power generating plant. An application has been made to the State Royalty Oil and Gas Advisory Board for north slope gas to fire the generating plant at Deadhorse.
- Purchased NANA Environmental Systems which has a \$12.5 million construction contract to build and operate a waste disposal system in Deadhorse.
- Continues to operate a catering service on the pipeline and a security division with pipeline contracts. The latter is particularly lucrative - last year a contract for camps north of the Yukon River amounted to over \$15 million.
- Tupik Building Supply which opened for operations in 1975 had grossed a quarter of a million dollars by January 1976.
- The Jade Mountain Products subsidiary plans to develop a jade deposit of 15,000 tons. A plant to manufacture jade products will employ and train local craftsmen.
- Another subsidiary, NANA Reindeer Enterprises is geared to local development. While operating on a non-profit basis at the moment, it will provide meat in the future. At the annual dehorning round-up in July, over 2,000 pounds of reindeer horn were harvested. The horn is greatly demanded by oriental buyers as an aphrodisiac.
- Holds 20% of the stock in the \$3 million United Bank of Alaska in Anchorage.
- Is the first regional corporation to have merged with the village corporations in its region. Eleven villages voted for the merger while one remains independent. Unification objectives were economic strength and better land management. This endorsement could be an indication that NANA has successfully combined meeting employment and community needs with profit-making. In 1975 shareholders' stocks had yielded 68¢ per share and a number of jobs had been created.

12. SEALASKA CORPORATION

- In 1975, the regional corporation joined with eleven village and urban corporations to form a new corporation for timber industry development on Native lands. Each corporation committed an initial \$50,000 to the combine. It is not known how much timber will be available to the combine, although estimates range from 70 to 90 million board feet per year. Land selections made by the corporation in December, 1975 have not yet been confirmed. One particularly controversial allocation area was Admiralty Island where environmental concern led to a law suit being

filed by the Sierra Club. Eventually, when land selections are confirmed and the timber industry gets underway, the corporation plans to log, mill and market their own lumber.

- A Corporation subsidiary, Alaska Building Products Company has required Alaska Brick Company, Inc., a major building products supplier in Anchorage. Consolidated sales last year were approximately \$15 million. Alaska Brick has three subsidiaries which were included in the deal:

- Alagco is one of Alaska's largest manufacturers of redi-mix concrete and is building a concrete batch plant in Anchorage.
- Pacific Western Lines operates barges between Seattle and Anchorage.
- Alaska National Corporation engages in the import-export business.

13. THIRTEENTH REGIONAL CORPORATION

A regional corporation has been established for Alaska Natives who reside outside the state. This was a provision of the Alaska Native Claims Settlement Act, Section 7-c. The members of the Thirteenth Corporation receive a share of the cash settlement but do not receive any benefit from land selection. As of June, 1976 the enrolment had reached 4,537 and the total payment from the Alaska Native Fund was \$8,099,145. In order to provide funds to the Thirteenth, transfers were made from the corporations in which non-resident members had previously been enroled.

The first leadership election was held in January, 1976 but the results were declared invalid due to the lack of a quorum. A second convention was held in Seattle in June. With its newly chosen leaders the corporation will start making investments soon.

SOURCES OF INFORMATION

ALASKA ECONOMIC REPORT (BI-WEEKLY)

<u>1975</u>	<u>1976</u>	<u>1976</u>
		April 20
Sep. 22	Jan. 12	May 5
Oct. 8	Jan. 27	May 19
Oct. 22	Feb. 10	June 3
Nov. 20	Mar. 2	June 15
Nov. 20	Mar. 18	July 2
Dec. 1	April 5	Aug. 20

TUNDRA TIMES (WEEKLY)

1976

March 17, 24

April 14, 28

May 5, 12, 19, 26

June 2 9, 16, 23

July 7, 14, 21, 28

Aug. 18.

SOURCES OF INFORMATION/Cont.

ALASKA CONSTRUCTION AND OIL (MONTHLY)

1975

August

October

November

December

1976

January

February

March

April

May

June

ALASKA NATIVE MANAGEMENT REPORT (BI-WEEKLY)

1976

May 1

May 15

June 1

June 15

July 1

Aug. 1

ALASKA MAGAZINE - MONTHLY

1975

October

November

December

1976

January

February

March

May

June

July

JAMES BAY AGREEMENT

Format	Legislated Act
Parties	Gov't. of Province of Quebec, Federal Government, Cree and Inuit of Quebec.
Process and Timing	<ul style="list-style-type: none">- AIP - November 15, 1974- Final Agreement - November 11, 1975- Act proclaimed October 31, 1977
Ratification	by communities
Representation	On behalf of Cree and Inuit of Quebec
Rights	traditional use and occupancy
Treaties	not mentioned
Nation	not mentioned
Special Status	<ul style="list-style-type: none">- not contemplated- the Act does not prejudice the rights of Inuit and Cree as Canadian citizens and they shall continue to be entitled to all of the rights and benefits of all other citizens as well as those resulting from the Indian Act, where applicable, and from other legislation applicable to them from time to time.

	<u>Cree</u>	<u>Inuit</u>
Approximate population	6,000	4,000
Size of territory	145,600 square miles	233,800 square miles
Density per sq. mile	24.3 sq. mi. per person	58.4 sq. mi. per person
Number of Native Communities	8	14
Eligibility	Indians registered under the Indian Act; persons of Cree ancestry ordinarily resident in the Territory; persons of Indian ancestry accepted by the communities; children of all of the above, adopted, legitimate or illegitimate	Inuit born in Quebec; Inuit ordinarily resident in the Territory; persons of Inuit ancestry accepted by the communities; children of all of the above, legitimate or illegitimate.
Enrollment	Initial enrollment by local enrollment committees under an enrollment commission representing each of the Grand Council of Crees of Quebec, the Northern Quebec Inuit Association, the Province of Quebec and the Government of Canada. - Ongoing enrollment by the Secretary-General of the Quebec Population Register - Right of appeal, with right of intervention by the Minister of the Federal Department of Indian and Northern Affairs - Federal Indian Registrar to maintain registration of Cree Indians for purposes of the tax exemption provisions of the Indian Act.	
<u>Category I Lands</u>		
Total Square Miles	1,274 (Category 1a) <u>821 (Category 1b)</u> 2,095 Total	3,130
Acres per person	128 (Category 1a) <u>87 (Category 1b)</u> 215 Total	500

	<u>Cree</u>	<u>Inuit</u>
Title	Similar to Indian reserve	Conditional ownership
Mineral Ownership	NO	NO
% of Territory	1.44%	1.34%
<u>Category II Lands</u>		
Total square miles	25,130	33,400
Sq. Miles per person	4.1	8.3
Title	Remains with Crown	Remains with Crown
% of Territory	17.2%	13.4%
Time	Perpetuity	Perpetuity
Use	Exclusive Hunting, Fishing and Trapping only	Exclusive Hunting, Fishing and Trapping only
Control over other uses	No control but replacement provision in case of development	No control but replacement provision in case of development
Description and Use	<p>Category I</p> <ul style="list-style-type: none"> - mineral resources belong to Quebec, but may not be exploited without consent of native people. - Soapstone for traditional arts and crafts purposes will belong to native people. - Province must give permits without fee for extraction of gravel and similar materials for personal and community use on Category I lands <p>Category II</p> <ul style="list-style-type: none"> - to be selected in areas mutually acceptable to Natives, Quebec, and Canada 	<p>Category I</p> <ul style="list-style-type: none"> - NQIA and local communities supported by land use data Most selection in vicinity of communities. Lands to be divided equally amongst all settlements. - Limit of 45% of shoreline and two year limit for completion of selection. - Some restrictions on continuity of land area. - No third party participation, such as arbitration. - Cost of selection part of negotiation of final agreement.

Cree

- to take into account the wildlife productivity of the land and existing known development projects.
- Title remains with Crown - native people will have exclusive hunting, fishing and trapping rights (may consent to use by non-natives)
- Quebec may take away Cat. II lands at any time, subject to monetary compensation or replacement of lands
- Mining exploration, technical surveys, scientific studies, administration, exploration and pre-development activities may be carried out over Cat. II lands if they do not unreasonably interfere with native H.T.F. activities.
- Valid subsisting rights within boundaries of Cat. II shall be Cat. III lands. When rights revert to Crown shall be Cat. II.
- Existing roads, landing strips, airport installations, etc. shall be Cat. III lands.
- Mineral resources (see above re: exploration and development)
- Soapstone - special permits to be acquired from the Quebec Dept. of Natural Resources through local governments. (Soapstone to be used for traditional arts and craft purposes only, and may not prevent development of other minerals).
- Lands selected shall be in areas mutually agreeable to the Native people, Quebec and Canada.

Inuit

- non-transferable, reverts to the Province.
 - Communities receive any revenue from lease or rental.
 - Subsurface resources retained by Province. Access for exploration on consent of community.
 - Existing alienations to be excluded from grant and rights continue.
 - Expropriation is under existing expropriation legislation and compensation.
 - Lands to be taxed on improvements.
 - Lands include offshore islands within 10 miles of community under separate agreement. This includes Port Burwell, N.W.T. Provincial islands excluded.
- Category II for Exclusive Hunting, Fishing and Trapping
-
- NQIA and communities with guidelines on procedure and location.
 - Based on land use and surface resource studies with hunting, fishing and trapping as the only criterion.
 - Provincial land but for exclusive hunting, fishing and trapping use of Inuit
 - Resource exploitation to continue under guidelines such as replacement of developed areas and observance of environmental regime.
 - Any land deleted for other use to be replaced.

Cree

- Category I lands shall be selected in the areas of existing communities.

- Ia) Federal jurisdiction:

The Crown in right of Quebec will retain bare ownership of lands (and mineral and subsurface rights) but natives will control. Lands are inalienable.

- Ib) Owned by Provincial corporations controlled by natives; lands may not be alienated other than to Quebec.

- Category I lands may be taken away by Quebec, only if compensation in money or land is given, unless expropriations are for public servitudes of direct benefit to the natives.

- Special Ib lands
- parcels of 20-25 square miles on the north banks of the Rupert, Eastmain and Fort George River and on the south bank of the Great Whale River. On these lands Quebec will have greater power to establish servitudes and will at all times have access to these lands.

- Lands adjacent surrounded by Cat. I lands, owned by third parties prior to the execution of the agreement, shall be subject to the by-laws of the local Cree authority and shall benefit in the same way as native residents.

- leases, occupation permits,

Inuit

- NQ1A control of hunting and fishing outfitting.

- Surface and subsurface resources except wildlife owned and controlled by province, exclusive native use of wildlife on land. Only preferential use of marine mammals and fish offshore.

Category III - Provincial Lands

- Category III includes all lands and water not taken by Inuit as Categories I and II lands and all provincial islands.

- Amount of land is made up of greater part of land in the James Bay territory in Northern Quebec.

- These lands are provincially owned and administered

- There will be some native influence through environmental regime and regional governmental

- All provincially owned game under provincial law for general use.

Cree

Inuit

etc. shall be Cat. I lands; may continue to be exercised as if Cat. III lands until termination of such rights (Quebec may renew)

- Mineral claims, development permits etc. (as defined in Quebec Mining Act) shall be Cat. III lands. Upon expiration or renewal, Quebec shall transfer administration of such rights to Canada (Cat. Ia) or to Cree corporations (Cat. Ib)

- Forests - Commercial cutting may be undertaken in compliance with Quebec standards and general regime for forest protection (non-natives).

Native people must pay stumpage for commercial forests operations on Cat. II and III lands. (Certain provision of wood rights for specific needs without payment).

Category III Lands

- the remaining land in the James Bay Territory will be "public" land and subject to all laws of general application in the province.

- The Crees have the same rights on these lands as other citizens of Quebec.

Hunting, Fishing and
Trapping

Native people will have exclusive hunting, fishing and trapping rights on Category I and II lands. On Category III lands, native people will not be subject to closed seasons and will have exclusive rights to certain species except for migratory birds and marine mammals, but non-natives may hunt, fish or trap all other species subject to closed seasons.

Cree

Inuit

Native people will have the exclusive right to own outfitting operations on Category I and II lands, and will have the right of first refusal on Category III lands for 30 years.

A Hunting, Fishing and Trapping Co-ordinating Committee, to be composed of six native and six Government members, will advise both levels of Government on the legislation and its administration, and will oversee research done on native harvesting during the 1973-79 period.

Monetary Compensation	(Estimate of division)	
Cash	\$45,000,000 (over 10 years)	\$30,000,000 (over 10 years)
Royalties	\$45,000,000 (over 5 years) \$45,000,000 (over 20 years)	\$30,000,000 (over 5 years) \$30,000,000 (over 20 years)
Special Government Program	Guaranteed income supplement for hunters and trappers	Harvesting assistance program
Programs to Non-Status	N/A	N/A
Total	\$135,000,000	\$90,000,000
\$ per person	\$22,500	\$22,500
Taxation	Principal: exempted Same as other Indian bands	Principal: exempted No exemption
Health Services	A Cree Regional Board to be established under Quebec jurisdiction, and will administer health and related social services on Category I and II lands. The Department of National Health and Welfare will transfer its facilities to the Board during a transitional period ending in 1981.	A council composed of representatives of the regional governments in the area north of 55° will serve as the Kativik Health and Social Services Council. This Council will be under Provincial jurisdiction to provide health and related social services north of 55°. The Department of National Health and Welfare will transfer its facilities to the Council during a transitional period ending 1981.

	<u>Cree</u>	<u>Inuit</u>
Education	<p>A Cree School Board, representing the eight Cree communities in the Territory and the Grand Council of the Crees will be established for Category I areas and for Crees in Category II areas.</p> <p>School Board to be subject to the Quebec Education Act.</p> <p>Cree and English or French to be the languages of instruction</p> <p>Canada and Quebec to transfer education facilities to the Board over a three-year transition period. Staff to be transferred during 1978-79. Canada and Quebec to pay operating and capital costs in a 75-25 ratio.</p>	<p>A Kativik School Board, representing each municipality and the regional government in the area north of 55', will be established for that area. To be subject to the Quebec Education Act.</p> <p>Inuttituu't and English or French to be the languages of instruction.</p> <p>Canada to transfer education facilities to the Board over a three-year transition period. Staff to be transferred during 1978-79. Canada and Quebec to pay operating and capital costs in a 25-75 ratio.</p>
Local Government	<p>On the Cree Category Ia lands, the Federal Department of Indian and Northern Affairs will be negotiating the terms and conditions of local government, and will be preparing legislation specifically for this purpose. This legislation will provide for such items as incorporation for local government purposes; increased powers for Band Councils, including those described in Section 28 (2) and all or most of Section 73 of the Indian Act; all other powers as may be incidental to the effective exercise of local government.</p> <p>Each local government authority shall be deemed to be a public corporation under Quebec law for the purpose of</p>	<p>Local and regional municipal governments will be established under Provincial jurisdiction and by special acts for the area north of the 55 parallel. They will not be ethnic in character. Each will have powers at least equal to those of non-chartered municipalities in Quebec.</p> <p>The Department of Indian and Northern Affairs will continue to bear responsibility for some program costs at existing or lower levels</p>

Cree

Inuit

ownership, management and administration of Category Ib lands. Each corporation will have the powers of a municipality under the Quebec Cities and Town Act.

There will be a Cree Regional Authority, composed of all corporations with jurisdiction of Cree Category Ib lands. This Authority will be a corporation with full powers within the meaning of the Quebec Civil Code, and may co-ordinate and administer all programs on Category I lands if the Bands so delegate.

There will be a Cree Zone Council composed equally of representatives appointed by the Regional Authority and the James Bay Municipality. It will exercise the powers of the James Bay Municipality over all Cree Category II lands within the area covered by Bill - 50.

Administration of
Justice

Special provisions for the administration of justice provide that:

- courts and tribunals may sit in Cree communities;
- the Judicial District of Abitibi be expanded and modified;
- the rules of procedure established by the Justices of the District are to be set in consultation with the Crees;
- there be written and oral translation of all proceedings into Cree on request;

Special provisions for the administration of justice provide that:

- courts and tribunals may sit in Inuit communities;
- a circuit court be established;
- Judicial District of Abitibi be expanded and modified;
- rules of procedure established by the Justices of the area take into account Inuit customs and lifestyles;

	<u>Cree</u>	<u>Inuit</u>
	<ul style="list-style-type: none">- training programs for court functions be established;- places of detention be established north of the 49th parallel.	<ul style="list-style-type: none">- there be written and oral translation of all proceedings into Inuttituuq on request- training programs for court functions be established;- places of detention be established north of the 49th parallel
Police	<ul style="list-style-type: none">- Cree units of the Quebec Police Force to be composed of special constables, to be established;- Cree communities may also establish the operate their own police forces;- Canada and Quebec to enter into a cost-sharing agreement to provide the direct costs of policing services provided by the Cree special constables.	<ul style="list-style-type: none">- Kativik Regional Government authorized to establish and maintain a police force within its area of jurisdiction;- Constables to be hired and placed in Inuit communities on a 1 to 500 population basis. Inuit not normally qualifying may be appointed as special constables.
Legal Entities	<p>Cree and Inuit corporations (to be incorporated by Quebec) to receive and administer compensation. Canada and Quebec to have minority positions on the boards of directors for eight years for Inuit, ten years for Crees.</p> <p>Administration of compensation to be subject to a 20 year period of control on investments and expenditures, including a 25 per cent limit on investments in native business ventures, education, community and charitable purposes, with the remainder to be placed in specified types of investments. No per capita distribution to be permitted.</p>	
	<u>Cree</u>	<u>Inuit</u> (North of 55')
Environment and Future Development	<p>A James Bay Advisory Committee on the environment will be established which will advise on the need for new and revised legislation and other protective measures. It will con-</p>	<p>An Environmental Quality Commission (EQC), to be composed of four Regional Government representatives with an alternating chairman, will provide impact</p>

Cree

Inuit

sist of four federal representatives from the Grand Council of the Crees, and the chairman of the Hunting, Fishing and Trapping Co-ordinating Committee.

In addition, the Environmental and Social Impact Review Committee (Provincial) and the Environmental and Social Impact Panel (Federal) will carry out impact assessments on all capital projects in the Territory.

Economic and Social
Development

- A James Bay Native Development Corporation to be established with Quebec funding to promote native business ventures. Trapping, tourism and crafts to be encouraged.

- A Federal-Provincial-Cree Economic and Community Development Committee to be established with assessment and advisory roles vis à vis the Corporation.

assessment for all projects proposed by Quebec in the area.

An Environmental and Social Impact Review Panel, to be composed of two Inuit and three Federal representatives, will provide impact assessments for all development projects sponsored by Canada in the area.

An Environmental Advisory Committee, to be composed of three Regional Government representatives, three Federal representatives and three Quebec representatives will be a consultative body for all environmental matters affecting the Territory.

- Quebec to pay \$9000 to Inuit hunters to provide food for the aged and handicapped.

- There is to be one hunter per community plus one per cent of the total population.

- Quebec to provide hunting, fishing and trapping equipment.

- There is to be two Federal-Provincial-Inuit Committees on Economic and Social Development and Manpower and Training.

THE JAMES BAY SETTLEMENT - STATISTICAL FACT SHEET

	<u>Cree</u>	<u>Inuit</u>
● Approximate population:	6,500	4,200
● Approximate size of "the Territory"	379,400 sq. mi.	
● Number of Communities:	8	14
<hr/>		
● Date of Signing of the Agreement in Principle:	November 14, 1974, Montreal	
● Date of signing of the James Bay Agreement:	November 11, 1975, Quebec City	
● Signatories:	Grand Council of the Crees (of Québec)	
	Northern Quebec Inuit Association	
	Government of Canada	
	Government of Quebec	
	Hydro-Electric Commission of Quebec	
	James Bay Energy Corporation	
	James Bay Development Corporation	
● Provincial legislation to implement the Agreement (Bill No. 32, "An Act Approving the Agreement Concerning James Bay and Northern Quebec") - adopted June 30, 1976.		
● Federal legislation to implement the Agreement (Bill C-9, the "James Bay and Northern Quebec Native Claims Settlement Act") - adopted by the House of Commons May 4, 1977 and by the Senate July 6, 1977. Received Royal assent on July 14, 1977.		
<hr/>		
● Federal funding to Crees and Inuit to support research and court costs: \$981,000 by the end of 1973		
	<u>Cree</u>	<u>Inuit</u>
● Federal funding to support subsequent negotiations with Quebec by native groups 1974-1977:	\$3,220,701 in loans - \$550,000 in loans to the Naskapi of Schefferville	\$1,676,000 in loans 80,000 in contributions

	<u>Cree</u>	<u>Inuit</u>
● Community ratification vote (carried out separately for Crees and Inuit; all community members over 18 eligible: affirmative vote by a simple majority of those voting required):	December 15-18, 1975 *24% voting 99.8% in favour	February-March, 1976 **66.5% voting 95.8% in favour

* The Crees had been extensively consulted on a weekly basis during the course of the negotiations, and many saw no need to ratify what they had already agreed to

** In the communities of Povungnituk, Sugluk and Ivujivik, 15% of those eligible voted.

-
- Monetary compensation: - \$225 million to be paid to Crees and Inuit
 - first \$75 million direct cash compensation to be paid over 10-year period from March 31, 1976 - January 1, 1985.
 - Canada to pay \$32,750,000 (43.667%) and Quebec \$42,250,000 (56.333%).
 - First payment made March 31, 1975 (Canada = \$8,733,400; Quebec = \$11,266,600).
 - Second payment made January 1, 1977 (Canada = \$6,986,720; Quebec = \$9,013,280).
 - Third payment to be made January 1, 1978 (Canada = \$6,113,380; Quebec = \$7,886,620).
 - second \$75 million to be paid by Quebec over 20-year period in form of royalties from hydro-electric projects in the Territory
 - third \$75 million to be paid by Quebec over five-year period in form of debentures in lieu of royalties from future resource development in the Territory

JAMES BAY AGREEMENT

IMPLEMENTATION RESPONSIBILITIES

<u>Federal</u>	<u>Provincial</u>	<u>Native</u>
Maintenance of list of registered Cree Indians	Maintenance of list of eligible beneficiaries	
Representation on boards of directors of native corporations administering cash compensation	Representation on boards of directors of native corporations administering cash compensation	Administration of cash compensation
Provision of usual programs and funds for native people	Provision of usual programs and funds for native people	
Participation in joint studies and committees	Participation in joint studies and committees	Participation in joint studies and committees
Jurisdiction over Category Ia lands and powers of Cree Band Councils	Jurisdiction over Cree Category Ib lands, Inuit Category I lands and all Category II and III lands	Increased participation in all aspects of administration in the Territory
Provision of basic community services	Provision of basic community services	Administration of affairs of native communities through greater powers than provided under Indian Act
Continuation of existing responsibilities for environmental protection and hunting, fishing and trapping	Continuation of existing responsibilities for environmental protection and hunting, fishing and trapping	Participation in administration of environmental and hunting, fishing and trapping matters
Approval of and financial contribution to school boards' budgets Provision of special native education services as requested	Jurisdiction over education and financial contribution to school boards' budgets	Participation in administration of education
	Provision and funding of all health services	Participation in administration of health services
	Jurisdiction over administration of Justice	Participation in administration of justice
Training of native police	Training of native police	Participation in policing services
Establishment of native economic development, training and employment programs	Establishment of native economic development, training and employment programs	Establishment of native economic development, training and employment programs
	Control over future development	Control over future development
	Provision of an income security program for Cree hunters, trappers and fishermen and a program to guarantee produce to disadvantaged Inuit	Participation in administration of social programs to support traditional way of life

Annotated Summary of the Alaskan Native
Land Claims Settlement and
The James Bay Agreement in Principle

M. Pavick,
Northern Program
Planning Division.

February 20, 1975.

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A. Comparison of Alaskan Native Claims Settlement
and James Bay Agreement In Principle

Overview:

Alaskan Settlement

1. Natives never came under the jurisdiction of the federal government, since they made their treaty with the colonists. Alaskan natives had no reservations.
2. Act is written in legal terminology. Natives uncertain about their rights and responsibilities. Alaskan settlement is a termination settlement.
3. Alaskan Indians and Eskimos obtained a land freeze in 1968.

James Bay Agreement

1. Agreement covers both natives under the Indian Act as well as Inuit and non-status natives some 10,000 people covered.
2. Agreement is only one in principle. Negotiations are forthcoming - no act written - number of sub-committees and study groups organized to deal with particular matters. Indians and/or natives are represented on these committees.
3. Agreement only applies to those who were born on or before Nov. 15/74 or those of at least 1/2 Inuit blood or those considered Inuit by

Alaskan Settlement

4. Act applies to residents and non-residents of Alaska. Non-residents can obtain benefits.
5. Alaskan settlement did not provide provisions for hunting fishing and trapping.
6. Requires complicated organizational structure.

James Bay Agreement

their community, as well as status Indian and non-status Indians who have yet to be defined.

4. Natives have specific hunting trapping and fishing provisions outlined.
5. James Bay agreement doesn't require the complications of setting up various corporate entities. Generally, Chief and Band Councils prevail.
6. Natives in the region will be paid \$150 million plus a 25% royalty on any development begun in the next 50 years. This royalty would last for the first 20 years of any such development.

Alaskan Settlement

7. Alaska settlement gave the natives a total of \$962,500,000. \$462,500,000 is given in cash payments over an 11 year period plus a 2% royalty from mineral revenues up to \$500 million.

8. Alaskan settlement allotted 40 million acres to the natives and both surface and subsurface rights.

James Bay Agreement

7. James Bay agreement in principle allotted land in terms of 3 categories or classes.

Category I - Lands - a total of 5250 sq. mi. was agreed upon.

Category II - Lands - 60,030 sq. mi. was allocated to the Crees and Inuit.

Category III - have yet to be negotiated.

Agreement only allocated the surface rights to the natives. Quebec holds the subsurface rights.

B. Summary of the James Bay Agreement in Principle

1. General

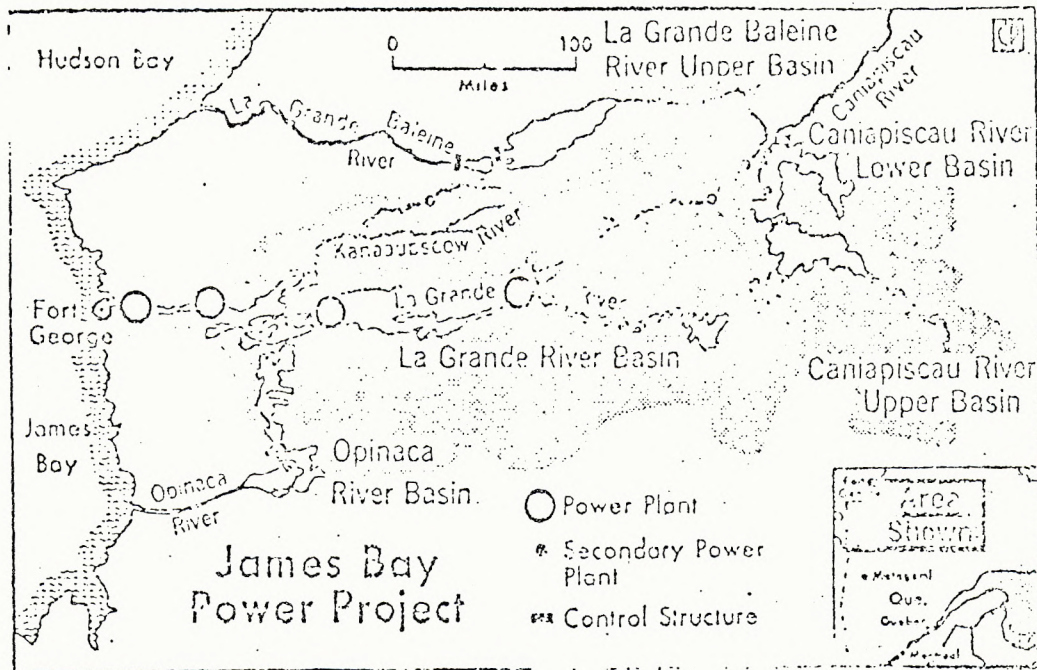
- Some 10,000 Inuit and Crees of Northern Quebec surrendered that interest of approximately 400,000 square miles of land on November 15, 1975. (Roughly all of Quebec - north of the 2nd parallel plus a portion lying between the 49th and 52nd parallels). Refer to attached map showing the areas covered by the power project.
- Indians negotiated with the government on two points:
 - 1) Changing the project to make it less destructive and,
 - 2) Land Settlement.

2. Land Settlement

- Agreement divided the area (James Bay and New Quebec area) into three categories or classes.

Category I - Lands to be selected in areas of existing communities. Includes reserve areas in the region of existing communities.

- Quebec owns the mineral and subsurface rights to these lands.
- Natives cannot sell this land, except to Quebec.
- Under the agreement, no minerals or subsurface resources can be extracted without the permission of the particular band or Inuit community. If minerals



Source: News clipping from The Toronto Globe and Mail, November 16, 1974.

Map shows the area covered by the James Bay Power Project.

are extracted, natives receive 25 per cent of royalty from development.

- Province can expropriate some of the Category I lands for the purposes of highways or pipelines. If the services are not beneficial to the people, the province will compensate them with alternate land or money.

Category II
Lands

- Are to be determined in the final agreement.
- Will take into account wildlife of the area and location of existing development projects.
- Mineral rights owned by the province.
- Final agreement will specify restrictions to be placed on white people.
- Some of these lands can be expropriated for the purpose of services, without any compensation to the natives.
- Can be taken away by Quebec for development purposes provided they are replaced or the natives compensated.

Category III
Lands

- Area of northern Quebec which will be subject to joint use by natives and white people. (Quebec has the right to utilize these lands) (not included in Category I and II lands) including for development purposes.)

- Lands over which the natives have won special rights total more than 65,000 square miles involving the Crees mostly south of the 55th parallel (with the exception of Crees at Great Whale River) and Inuit mostly north of the 55th parallel. Agreement only applies to James Bay and Nouveau Quebec area.

The agreement in principle allotted the following amounts of land:

Category I Lands -

I. The Crees will be allocated 2,000 square miles of Category I land.

- 1,274 sq. mi. will be under the Indian Act.

726 sq. mi. will be provincial reserves.

- Total reserve lands below the 55th parallel approximate 1,880 sq. mi. These will be divided around the 7 Cree communities below the 55th parallel on a basis proportionate to population.
- Great Whale River Band has the option of having a reserve of 120 sq. mi. (This 120 sq. mi. will be included in Category I lands north of the 55th parallel).

The Inuit will be given 3,250 sq. mi. of Category I lands.

- will be divided equally with respect to Inuit communities north of the 55th parallel. (13 Inuit communities are involved).

II. Category II Lands -

Crees - 25,030 sq. mi. South of the 55th parallel.

Inuit - 35,000 sq. mi. North of the 55th parallel.

- to be chosen in the Ungava Peninsula area. (Refer to attached map showing approximate areas to be chosen and location of James Bay project).

As yet, none of the lands mentioned in the agreement have been selected.

III. Category III Lands - are yet to be negotiated.

3. Hunting, Fishing and Trapping Provisions

- Natives will have exclusive rights to harvest several species throughout the territory, and to control the the entry of non-indians to Category I and II lands.
- Category II lands allocated to the Cree - exclusive use for hunting, fishing and trapping.
- Category II lands allocated for Inuit - exclusive use for hunting, fishing and trapping.
- Only the Inuit and Cree will be able to trap in Category I, II and III lands for themselves or commerical purposes, and conduct commercial fisheries in Category I and II lands.
- Non-native outfitters can remain in business in Category I and II lands only if the natives agree.

Scale- 1" = 100 Statute Miles

Category I Lands

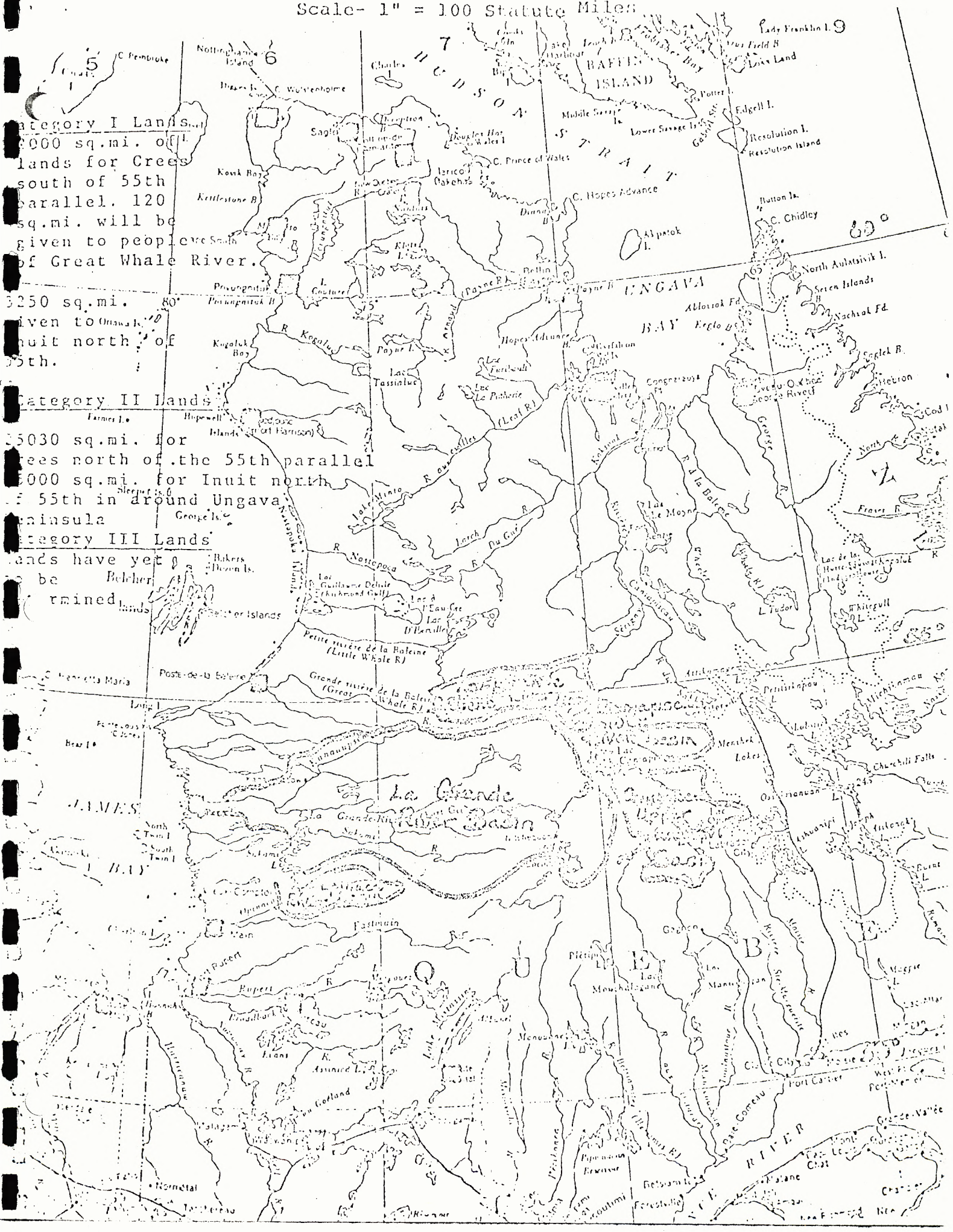
3000 sq.mi. of lands for Cree south of 55th parallel. 120 sq.mi. will be given to people of Great Whale River.

Category II Lands

3250 sq.mi. given to Inuit north of 55th.

Category III Lands

35030 sq.mi. for Cree north of the 55th parallel. 3000 sq.mi. for Inuit north of 55th in around Ungava Peninsula. Lands have yet to be determined.



- Category II lands - Quebec has the right to take away up to 5,000 square miles of Inuit hunting, fishing and trapping grounds without either replacement or compensation.
- In addition to exclusive use of certain species and certain lands, native people will participate on an equal basis with government representatives in administering and controlling a hunting, fishing and trapping regime. Committee will have the authority to recommend regulations to the government.
 - Co-ordinating committee has power to draft regulations on hunting, fishing and trapping in Category II and III lands, and for conservation in Category III lands.
 - Committee will also control a number of non-native hunters or fishermen in Category III lands.
- Government will guarantee the same harvest of animals and fish as the Cree and Inuit could count on before the project started. (Guarantee will be worked out on the basis of the average catch over the last 5 years).
- Provincial government is committed to providing a minimum income for native people who hunt, trap and fish for their livelihood.
 - Band councils will probably be charged with the responsibility of working out quotas that trappers will have to meet in order to qualify for the guaranteed annual income scheme.

4. Money

- Natives will be paid \$150 million - tax free in compensation for the lands lost. Money will be divided between the Inuit and Cree according to their native populations. Money will not be paid to individuals, but rather to some type of legal native entity yet to be decided and negotiated.
- Natives have proposed that the money will be divided on a 60-40 basis between Cree and Inuit.
 - \$90 million for Cree - Cree will distribute their share to each of the 8 Cree Band Councils on a per capita basis.
 - \$60 million for Inuit - Inuit will put it into Inuit Development Corporation.
- \$150 million will be paid as follows:
 - First \$75 million to be paid in annual installments over the next 10 years (when the final agreement is reached).
 - Canada (Federal Government) is contributing \$32,750,000 out of the total cash settlement of \$75 million on the basis that it is in part responsible for the compensation of the extinguishment of native interests.
 - Second \$75 million - is to be paid in royalties from the sale of electricity produced by the final James Bay project.

- Natives will receive 25 per cent of royalties or equivalent benefits (i.e., mining duties) on any development begun in the next 50 years. This latter royalty would continue only for the first 20 years of such development.

5. Organization

- The agreement contemplates native controlled local and regional government in their areas and natives will be given additional responsibilities for programs.
- Agreement also proposes a regional government for the entire area norther of the 55th parallel. It will be made up of representatives elected from the communities of the area and from any new community which may be established and which meets certain criteria yet to be established.
- Regional government will be under provincial government jurisdiction.
 - Precise functions of the regional government have yet to be established, although it will have some administrative and/or regulatory and/or policy making powers over certain subject matters. However, in certain cases these powers are only advisory.
- Each Inuit community will have a community government elected by the Inuit of the area, with powers similar to those of a municipal corporation.

- Inuit propose a structure formed by one regional corporation (N.Q.I.A.) - to be in charge of the money and municipal services.
- Cree propose structure comprised of three entities (1) Grand Council, (2) Band Councils, and (3) Investment Corporation.
- Negotiations will continue to establish native policy forces, school boards, and community health clinics.

6. Programs

- Federal and provincial programs and funding and obligations of the federal and provincial government will continue to apply to natives.
- Province will also finance programs of job training, placement services, economic development of the trapping industry and tourist facilities.

7. Economic Development

- Natives will have priority in respect to certain projects.
- All development is subject to environmental and social impact studies.
- Inuit and Cree will be represented on the environment committee of the James Bay energy corporation.

8. Changes to the Project

Modifications to the project.

- Agreement in principle provided that the LG-1 dam, originally to be built 23 miles from the Fort George Indian Village, will be moved and built further upstream on the La Grande River at Mile 54.

- Government agreed to flood less of the Eastmain and Paint Hills traplines and to help in the reorganization of flooded trapping areas.
- Flow of the Eastmain river - will not be totally cut off as originally planned.

9. Future

As yet the James Bay agreement, is only an agreement in principle. It hinges on the working out of final details within one year - before November 1, 1975. A number of issues are left to be negotiated:

- 1) Since the agreement is based on the Indian Act, it differentiates between status and non-status peoples. Criteria of non-status natives and those considered Inuit by their communities are yet to be established - for the agreement to apply to these people.
 - Non-status natives (and their descendants) as of November 15, 1974 will have hunting and fishing rights as well as other benefits to be negotiated.
- 2) Have yet to settle on timetables for payments of the settlement money and the precise lands which the people are to retain.
 - Selection of Category II and III lands are yet to be determined.
 - Terms of Forestry concessions on Category II lands have to be determined.

- Final agreement will also specify restrictions to be placed on the access of white people to these lands for development or scientific purposes.

- 3) Must determine the minimum guaranteed income for those who hunt, fish and trap for their livelihood.

10. Role of Department of Indian Affairs and Northern Development

According to sources in the Indian and Eskimo Affairs Program, Indian Affairs is providing general assistance to the negotiations such as providing a land use survey for native land selections. As well, they are represents and involved in the eight sub-committees that have been designated to study the major provisions of the agreement in principle. These sub-committees overlook the various constituent parts of the agreement (i.e., Land Selection Committee, Organizational sub-committee for the creation of the Regional Government etc.).

C. Summary of Alaskan Native Land Claims Settlement

1. General

States more than 55,000 Eskimos, Indians and Aluets are involved and approximately 5,000 non-resident natives (once were residents) of Alaska are entitled to provisions under the December 18, 1971 Alaska Native Claims Act.

The Land Claims Settlement covers the entire State of Alaska.

2. Provisions

Land

- 1) Natives received title to a total of 40 million acres of land, both surface and subsurface rights, divided among the some 220 villages and 12 regional corporations.
- 2) Villages receive surface estate in approximately 18½ million acres in the 25 township areas surrounding each village.
 - This is divided among the villages according to population.

In addition, villages will receive the surface estate in an additional 3½ million acres, making a total of 22 million acres. This 3½ million acres will be divided among the villages by the regional corporation on equitable principle.

- 3) Regional corporations will receive the subsurface estate in 22 million acres patented to the villages, and full title to 16 million acres selected within the 25 township areas surrounding the villages. This land will be

divided among the 12 regional corporations on the basis of total area in the region.

- Subsurface estate titles will be held by the 12 regional corporations in trust for one another and for the corporate stockholders.

4) Additional 2 million acres will be allocated as follows:

a) Burial grounds and historic sites in existence will be given to the regional corporations.

b) 2 million acres of land could be selected by villages that might be ineligible to participate because they do not meet general population requirements.

This two million "hardship selection" might also be used by native regions for economic development purposes. Subsurface estate will go to regional corporation.

To date none of the 40 million acres allocated to the natives have been surveyed. All land must be surveyed before title is given.

3. Land Selection

- 273 million acres of federally owned land in the State has been designated to be set aside for State, native, and federal selections. (Alaska's total area is approximately 375 million acres).

- the 40 million acres could be chosen from a possible 99 million acres which were set aside for native selections.
- 99 million acres was withdrawn due to the fact that not all of the 40 million acres could have been selected from the 25 township areas surrounding the villages (due to topography or restrictions on acreages from within the Wildlife Refuge System).
- Village corporations select (for each native village identified in the Act) the area in which the village is located plus an area that will make the total selection equal to the acreage to which the village is entitled. (This is done on a population basis - as follows:)

If the village had on the 1970
census enumeration date a native
population between

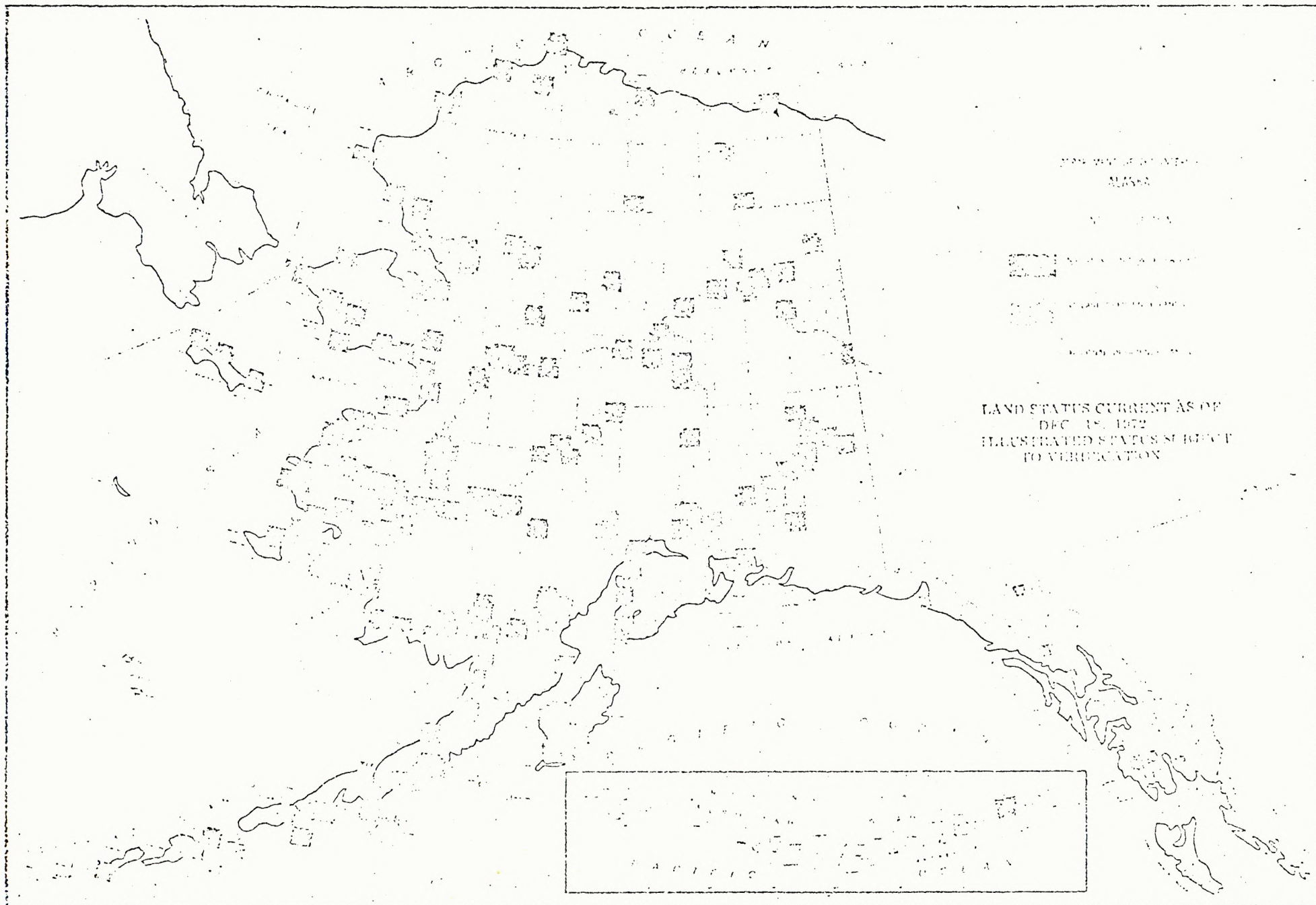
It shall be entitled
to a patent to an area
of public lands equal
to

25 and 99	69,120 acres
100 and 199	92,160 acres
200 and 399	115,200 acres
400 and 599	138,240 acres
600 or more	161,280 acres.
	(Radius of 9 miles approx.).

- Land selection must be contiguous to villages and limited to 25 township withdrawals surrounding the villages.

The 220 black areas around native villages were set aside for villages to select land within; each square is 30 miles on a side. The white dot shows approximate location of a village.

The darker areas are Village Deficiency lands, to be used by villages which do not have enough land to select from in the black squares. The lighter areas are Native regional corporation deficiency lands, to be used by regional corporations which cannot select sufficient land from black squares or darker areas. (See map page 19(A)).



- The difference between the 22 million acres which the village corporations are entitled to and the actual total acreage selected by them, will be allocated among the regional corporations on the basis of population within the region. Such land will, as the region sees fit be redistributed to the villages equally.

4. State Lands

- 35 million acres has been designated for immediate State selection. (State has approximately 103½ million acres under the statehood Act).
- State selected lands are not open to selection by villages.
- To date, the State has not completed its selections.
- State does not make its selections before all of the native lands have been selected. But the States interest are recognized in the following manner.
 - 1) The State keeps selections made before the land freeze. (Approximately 26 million acres).
 - 2) In addition, regional corporations can select lands within the 25 township areas only on a checkerboard pattern of odd and even numbers (pattern coincides with the numbering system used by the U.S. Land Survey System). Under the Act, Regional Corporations can select only even numbered townships in even-numbered ranges, and odd-numbered townships in odd-numbered ranges.
- State may select those checkerboarded townships not available to the regional corporation.

5. Money

- Natives will be paid \$462,500,000 over an 11 year period (Alaska Native fund) plus a 2% mineral royalty from mineral revenues (except Naval Petroleum Reserve No. 4) up to \$500 million.
- With respect to conditional leases and sales of mineral the state will pay into the Alaska Native Fund from the royalties, rentals and bonuses received by the state.
 - 1) Royalty of 2% upon the gross value (determined for royalty purposes under leases or sales) of minerals produced or removed from lands and,
 - 2) 2% of all rentals and bonuses under such leases or sales.
- Regional corporations are to administer mineral rights and funds.
- Federal funds and revenues from the royalty are not subject to taxation when distributed to Regional or Village corporations or individual natives.

Furthermore,

- 1) All eligible natives must be enrolled before a deadline has passed before any of the Alaska Native Fund may be distributed. The amount of money given is based on the number of natives per region.
- 2) Formal regional corporations must be formed before any money will be distributed.

6. Corporate Organization

Two corporation types are permitted by the Act.

- a) Set of 12 regional corporations roughly paralleling the boundaries of the old native associations with an optional 13th region for non-residents.
- b) Village Corporations - which will let individual towns share the wealth.

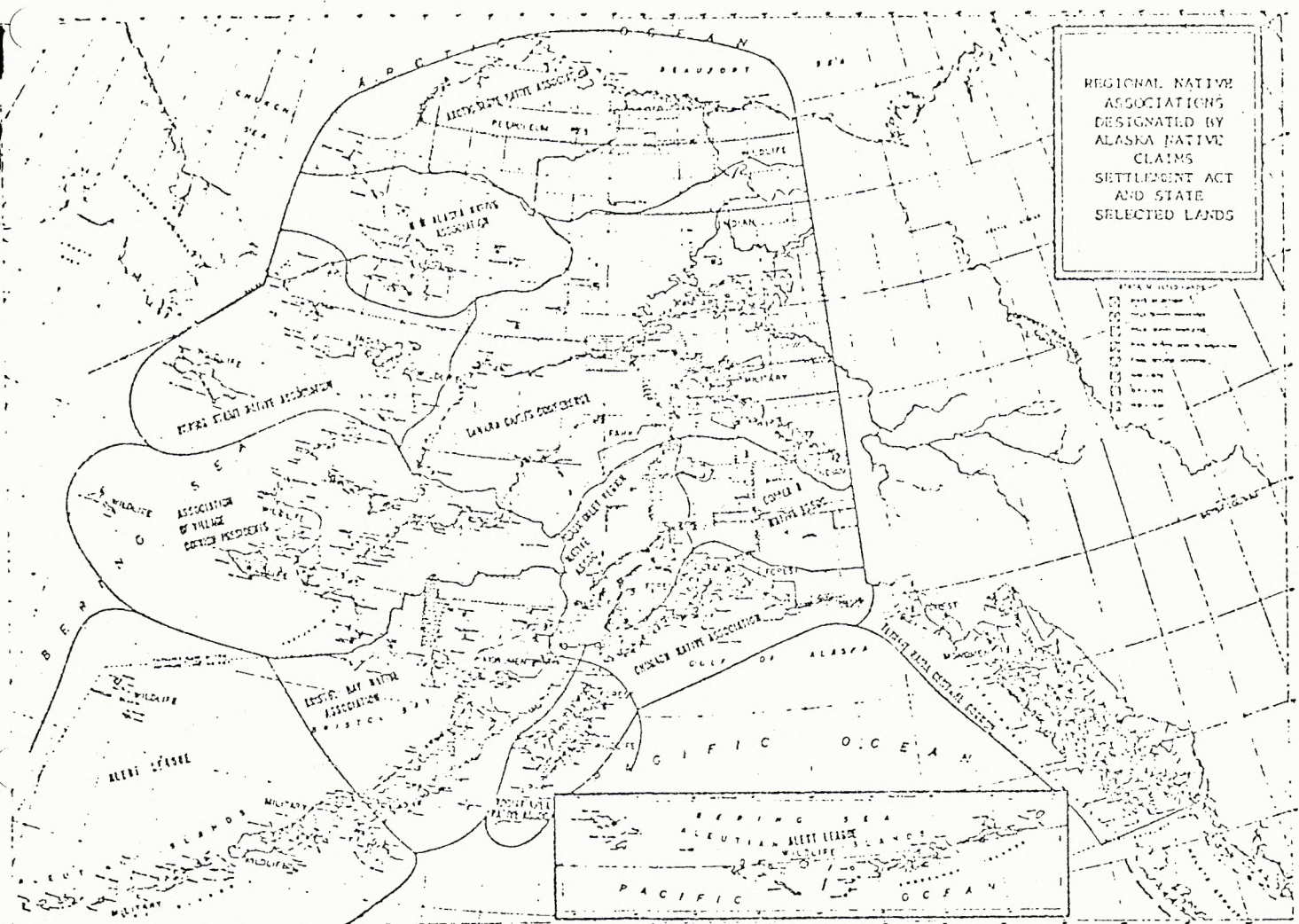
a) Regional Corporations

- 12 native associations are identified in the Act. The regions approximate the areas covered by the operations of the native associations - Refer to Map showing areas covered by the 12 regional corporations.
- Each regional corporation is set up as follows:
 - 5 Incorporators within each region are named (nominated) by the Native association in each region. The incorporators only duty is to write out the Articles of Incorporation (must list the names of Initial directors).
 - The Management of the Regional Corporation shall be visited in a Board of Directors.
 - Duties include helping the villages prepare their incorporating articles and other required documents.
 - Also may provide professional guidance to the villages.
- 12 regional corporations organized to take title to sub-surface estate conveyed to villages. 13th region will received no land and will not share in the mineral revenues of other regional corporations.

- The remaining 45% of the Funds are held by the Regional corporations for investment, business and social welfare purposes. After 5 years, the division will be on a 50-50 basis. Regional and Village corporations can elect at any time to distribute money directly to stockholders.
- With respect to the 13th region, no less than 50% of all corporate funds will be distributed to the stockholders. (The above 2 provisions do not apply to revenues received by the regional corporation from their investment in business activities).
- Stocks in the regional corporation go to each native in the regions (to oversee the exercise of rights to the mineral wealth of the land).
 - Every man, woman and child enrolled is entitled to be a stockholder in the village and regional corporation.
- Regional corporations are authorized to issue the number of shares of common stock.
 - Shares of stock are registered on the books of the regional corporation.
 - Stocks are not transferrable from region to region.
- b) Village Corporations -
 - are subsidiaries of their region.
 - Have their own income-although subject to some control by the regional corporation.
 - Hold only surface estate to their lands.

- Recently a U.S. judge has ruled the creation of the 13th corporation. This came after a Congressional vote defeated such a corporation.
- Under this ruling, those who voted to be in the region on or before August 15, 1973 are members of the new region.
- Acting as a parent corporation for the village, regional corporation may exercise control in several ways:
 - a) By withholding money from a village until a suitable plan for its use is submitted.
 - b) Ordering the village to go along with joint ventures and financing of projects started for the benefit of the whole region.
- Regional corporations must organize as a profit organization.
- No restrictions, except legal ones bind the regions as to what business they may pick to earn their money.
- 70 per cent of revenues received by the regional corporation from timber and subsurface minerals would be divided on a population basis among all 12 regional corporations. 30 per cent of funds would stay in the region of origin.
- In addition for the first 5 years, regional corporations must distribute no less than 10% of the revenues from the Federal fund and mineral revenues among the individual native stockholders of the corporation.
- No less than 45% of the Funds (Federal and royalty) during the first 5 years, and 50% thereafter, will be distributed among the Village corporations in the region, or stockholders not residents of those villages - These funds are distributed according to the number of shares held by the residents.

- Village corporations have a choice as to whether to organize as a profit or non-profit organization. Must organize before any land benefits are received.
- Organized as a business corporation, village may engage in any legitimate business. If business makes a profit, stockholders are paid dividends. While they pay taxes only on the dividends, the corporation pays federal and state taxes on the income derived from its investment.
- Non-profit corporation is allowed to make more income than it spends for expenses. Main difference is that it cannot issue stock or distribute income or dividends directly to members, directors or officers and earnings are tax-exempt.



Above are the areas covered by the 12 Native regional corporations to be formed.

Source: Alaska Magazine - The Magazine of the Land Frontier
March, 1972. Map showing the areas covered by the
12 regional corporations to be formed.

7. Other Major Provisions

a) Land Use Planning

- Joint federal-state land use planning commission is established under the Act. Planning commission has no regulatory or enforcement functions, but has important advisory responsibilities.
- Settlement calls for the commission to identify public easements across lands selected by village corporations and regional corporations at periodic points along the courses of major waterways which are reasonably necessary to guarantee international treaty obligations (must also consider a full right of public use and access for recreation, hunting, transportation, utilities, docks and such other public uses as the planning commission determines to be important).

Other responsibilities include:

- advise upon and assist in the development and review of land-use plans for lands selected by the native village and regional corporations.
- Undertake a process of land-use planning, including the identification of and the making of recommendations concerning areas planned and best suited for permanent reservation in Federal ownership as parks, game refuges, and other public uses.

- Make recommendations with respect to land selections by the State and by Native and Village Corporations.
- Make recommendations to improve co-ordination and consultation between State and Federal governments in making resource allocation and land-use decisions.

b) National Interest Areas -

- Secretary of the Interior is authorized to withdraw from selection by state and regional corporations (not village corporations) up to but not in excess of 80 million acres which may be suitable for inclusion in the National Parks, Forest Wildlife refuge, and Wild and Scenic River Systems. In addition 45 million acres have been withdrawn to protect public interest values.

c) Interim Operation of Public Land Laws -

- Secretary of the Interior can withdraw public lands and to classify and reclassify such lands and open them for entry, location and leasing.
- 1.2 million acres have been withdrawn as an addition to the existing transportation and utility corridor. (Long narrow strip runs from Prudhoe Bay area along the edge of the Arctic National Wildlife Refuge range to the Canadian border - could be used for future oil and gas pipeline rights of way. - (Refer to map showing the approximate location of the transportation and utility corridor.

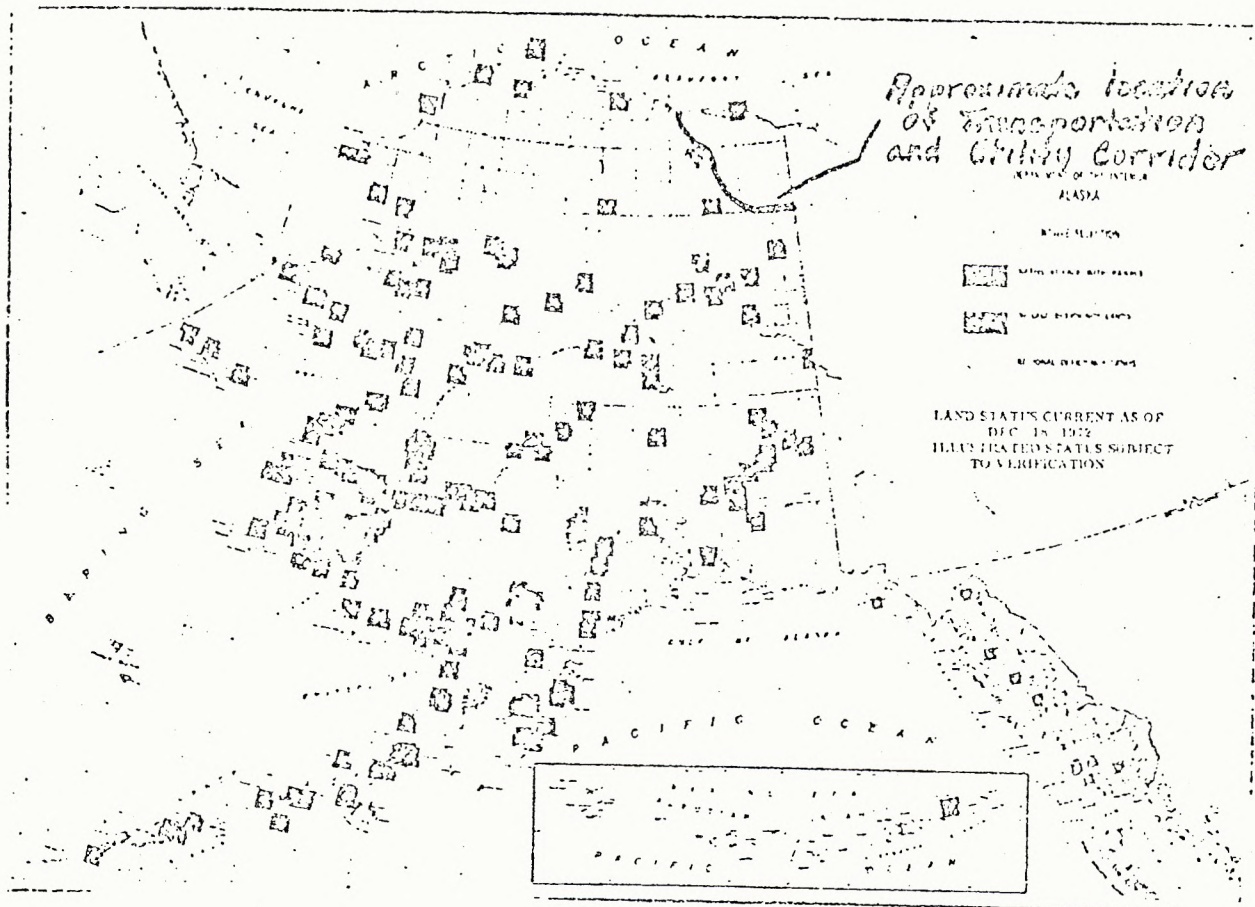
- Federal government also withdrew some 1.8 million acres for "in lieu" replacements of wildlife refuge lands which may be chosen by Alaska natives or for an addition to the transportation and utility corridor. Villages and Regional Corporations are not permitted to select areas from the lands withdrawn - except where specified i.e., National Forests and Wildlife areas.

d) National Forests -

- Appropriate limitations are placed on the amounts of land which may be granted from national forests to native villages located in the National forests. (Regional corporations may not select lands within Wildlife refuges and national forests).

e) National Petroleum Reserve No. 4 and Wildlife Regues -

- No subsurface estates are granted in reserve no. 4 or in wildlife refuges, but an in lieu selection - (in place of) to subsurface estate in an equal amount of acreage is provided for the regional corporations.



Source: Whitehorse Star: April 13, 1973.

Map: showing the approximate location of the land withdrawn for the transportation and utility corridor.

COUNCIL FOR YUKON INDIANS
SETTLEMENT PROPOSAL

Format	Statement of Grievances: "Together Today for Our Children Tomorrow" and response to Federal Government Working Paper - March 3, 1975.
Parties	Yukon Native Brotherhood, Yukon Association of Non-Status Indians (Council for Yukon Indians) and Government of Canada
Process and Timing	Co-operative Planning Approach <ul style="list-style-type: none">- statement of grievances submitted, January 1973;- agreement in principle by end of January 1978- incorporating legislation to Parliament
Ratification	Final agreement to be approved by all communities
Representation	On behalf of all Yukon Indian people
Rights	Wish to maintain their right to be dealt with as "a special group of people" until social and economic equality is achieved
Treaties	Not mentioned
Nation	Not mentioned
Special Status	Not contemplated <ul style="list-style-type: none">- the settlement will not affect or do away with the right of the Yukon Indian people to all programs, benefits and responsibilities which they are entitled to as Canadian citizens
Approximate Population	6,000
Size of Territory	207,000 square miles

Density of Indian Population	34.5 square miles per person
Number of Native Communities	12
Eligibility	<p>a. A person shall be eligible to be enrolled as a beneficiary under the Final Agreement if that person:</p> <ul style="list-style-type: none">(1) has 25% or more Yukon Indian blood and was ordinarily resident in the area now comprising the Yukon Territory on or before January 1st, 1841; or(2) is a descendent of a person entitled to be enrolled under (1) above; or(3) is an adopted child of a person who meets the requirements in (1) or (2) above; or(4) is a ward of the state; or(5) is a person not otherwise qualified but who is recognized by the community as a member thereof.
Settlement Participation	<ul style="list-style-type: none">- Canadian Citizen- ordinarily resident of Yukon Territory
Accreditation and Appeal Procedures	<ul style="list-style-type: none">- a credential committee will be formed in each community to assemble and validate enrollment lists to a Central Registrar for inclusion in a consolidated eligibility list.- a Central Registrar shall be appointed to prepare a consolidated eligibility list for enrollment purposes, and to maintain an on-going eligibility list.- an appeal board formed by 2 CYI appointees, 2 federal appointees and 1 member appointed by the other 4.- will be a final appeal of the Board's ruling to the courts.- right of federal review of eligibility list,

however, Minister may not add to list those who do not meet criteria.

LANDS

Category I Lands:

Total Square Miles	not specified
Acres Per Person	not specified
Title	Fee Simple surface and sub-surface
Mineral Ownership	Yes
% of Territory	not specified

Category II Lands:

Total Square Miles	not specified
Square Miles per Person	not specified
Title	Special Surface Rights
% of Territory	not specified
Time	Perpetuity
Description and Use	<p>Cat. I - fee simple, not taxable. Indians would have complete control</p> <p>Cat. IIA - exclusive rights to carry on traditional pursuits, including hunting, fishing and trapping.</p> <ul style="list-style-type: none">- title to remain with Crown;- no other activity may be carried out without consent of Indian people. <p>Cat. III - certain subdivided lots in cities, towns and villages in Yukon for use and benefit of Indians for homes, businesses, commercial buildings.</p> <ul style="list-style-type: none">- no tax payable on undeveloped lots. <p>Cat. IV - Cabin sites (leased to CYI for 99</p>

year renewable lease)

Cat. V - historic sites, campsites and burial grounds (99 year renewable lease to CYI)

Water and Timber

Water and Timber Tribunal with full native participation

- decisions to be binding upon responsible Minister
- lands with good timber to be set aside for Indians for domestic and commercial purposes
- other timber under control of Tribunal

Hunting, Trapping
and Fishing

Full native participation on a 'Natural Resources Management Tribunal' recommending conditions and regulations for hunting, trapping and fishing; the Tribunal shall recommend legislation to the Minister in charge, who may not legislate without approval of the Tribunal.

Prior to the Tribunal being set up, the right of Indian people to hunt, trap and fish in any area of the Yukon year-round without restriction; and animals, birds and fish may be traded and bartered in the traditional manner.

Category I

Same as SGR essentially, though no mention of 'principles of conservation', except that Indians shall hunt in accordance with the conditions and restrictions placed upon them by the 'Natural Resources Management Tribunal'.

Category II

Exclusive hunting, trapping and fishing rights subject to Tribunal constraints.

Category VI

Hunting

Indian people shall hunt in accordance with Tribunal regulations; with priority to hunt for food and clothing over and above those

	hunting for sport; this shall include right to trade and barter food and hides between communities.
Trapping	Trapping areas to be transferred to Indians, except for non-Indian "grandfather rights", and future vacant trap lines shall be exclusively for Indians.
Fishing	<p>Commercial fishing restricted to Indians, except for certain non-Indian "grandfather rights", which will expire when the non-Indian stops fishing.</p> <p>Sport and domestic fishing to be carried out year round without restrictions or licence except as specified by the Tribunal.</p> <p>A proposal for trapping and fishing rights in B.C. and Yukon will be presented to Federal Government shortly.</p>
Monetary Compensation	
Cash	<ul style="list-style-type: none">- substantial portion of cash payment made immediately upon signing of Final Agreement - remainder over a period of no longer than 10 years- prime banking interest rate plus 2% to be calculated to payment.- inflation rate to be calculated each year.
Royalties	not specified
Total	not specified
\$ per Person	not specified
Programs	All ongoing programs under Indian Act and other government departments to be extended to all persons eligible under the settlement.
Transfer of Programs	<p>Programs presently administered by DINA could be gradually transferred to:</p> <ul style="list-style-type: none">(a) Municipalities(b) Yukon Indian General Council(c) Yukon Territorial Council

(d) Federal Government agencies

Health Services

Government of Canada to continue to pay all costs of Health Services (Medicare included) for all persons eligible under the Agreement for a period of 25 years after settlement.

Education

Recommendations for making education more meaningful for natives, reviving and preserving language and culture, more involvement of natives in education system, curriculum planning etc.

Local Government

Natives will have control of all matters similar to Band Councils under Indian Act and other rights and controls agreed upon.

Federal and YTG government enriched programs to Indian municipalities will continue.

Federal government shall continue funding services until mutual agreement to end programs.

YTG cost-sharing programs for municipal and social services will be available to native governments.

Land Selection

Cat. I and II - 50% prior to final agreement; 40% within first year after Final Agreement and 10% within second year.

Lands unoccupied as of February 1, 1973 shall be eligible for selection. If lands subsequently alienated, Canada will expropriate. Payment for expropriation to be agreed upon (Natives will not pay for historic or traditional lands).

Within first 10 years, natives may purchase unoccupied Crown land at a fixed price per acre.

Lands
General

Special settlement of land for Old Crow area.

The Old Crow flats and those areas set out on the map attached and marked as Appendix II (not given) hereto shall be considered Category

I and II land. These areas designated as Category I land shall be lands held in fee simple for the benefit of the Old Crow people."

Land
Withdrawal

No mention

Resource Revenue
Sharing

Cat. I - Natives share in all resource revenues

- natives will have right to assess own royalties (Government will collect all royalties).

Cat. II - Natives will receive 50% or all resource revenues in perpetuity.

Cat. VI - (Public lands) - 25% of all resource revenues in perpetuity.

Legal Entities

Central Organization (Yukon Indian General Council for up to 5 years)

- Cultural Development Unit;
- Staff Training Unit;
- Financial Unit;
- Economic Development Unit;
- Social Program Unit; (all above accountable to central body)
- Municipalities

Objectives

Long range objective or organization:

- economic integration of Indian and white societies.
- flexible structure to permit authority to be transferred to local bodies as soon as experienced and qualified people are available.

Central Organization - political and administrative purposes; to have several units to provide central services to Yukon Indians and organizations.

Municipalities:

- to administer land and have other normal municipal functions (to be funded by Central Indian fund and per capita subsidies

from Senior Governments)

- program administration (eventually).

Structures

Membership: "The right to vote and hold stock in any organization or corporation set up under this settlement can be handed down from generation to generation regardless of the degree of Indian blood" (Together Today...)

Central Organization - control body to be elected from all participants in the settlement:

- various units to be set up and funded by the Central body.

DEVELOPMENT INSTITUTIONS

Central Institutions

A Land Corporation, exempt from land taxes and all YTG restrictions, will hold the land.

A Trust Corporation will hold the case proceeds from the settlement.

These corporations will democratically represent the local communities.

Taxation

Indian people shall be exempt from taxation (income and direct taxes) on all Category I lands.

Indian municipalities shall have right to tax directly or indirectly individuals living on Category I lands, including taxing their income.

All settlement monies shall be exempt from tax.

Corporations controlled 80% by Indian people shall be tax exempt.

Income tax exemption beyond Category I lands from income from hunting, trapping and fishing commercial enterprises and sales of native arts and crafts.

Environment and Social Development

Native people ought to be involved in development of the Yukon and consulted before deci-

sions reached. Re:

- oil leases
- national parks
- territorial parks
- hydro projects
- destruction of traplines
- hiring policies
- pollution
- pipeline construction

There should be assessment of possible impact of a pipeline on Old Crow.

APPLICATION OF JAMES BAY

MONETARY COMPENSATION

	JAMES BAY		YUKON
	CREE	INUIT	
Approximate Native Population	6,000	4,000	5,000
Cash	\$75,000,000 (\$7,500 per capita)		\$37,500,000 (\$7,500 per capita)
Resource Revenue Sharing	\$150,000,000 (\$15,000 per capita)		\$75,000,000 (\$15,000 per capita)
Total Monetary	\$225,000,000		\$112,500,000 *

*James Bay application is higher (\$12,500,000) than proposed Yukon settlement offer authorized by Cabinet, May 27, 1976 (\$100,000,000).

APPLICATION OF JAMES BAY

LAND

	JAMES BAY		YUKON
	CREE	INUIT	
Community Lands (Category I in sq. miles)	1,274 (Ia)	3,130	1,000
(acres per person)	128	500	128
Hunting, Fishing, Trapping Lands (Category II total sq. miles)	25,130	33,400	20,500
(sq. mil. per person)	4.1	8.3	4.1

Note:

- For extrapolations to Indian claim based on James Bay use
128 acres/capita for Category I and 4.1 sq. mi./capita for Category II.

- For extrapolations to Indian claim based on James Bay use 500
acres/capita for Category I and 8.3 sq. mi./capita for Category II.

ITC CLAIM SUBMISSION

February 27, 1977

Format	Agreement-in-principle
Parties	Government of Canada and the Inuit Tapirisat of Canada
Process and Timing	<ul style="list-style-type: none">- negotiation- Agreement-in-principle submitted February 27, 1976- Final agreement to be negotiated no later than 18 months after signing of AIP or a later mutually agreed to date.- Final agreement to be submitted for incorporation into special legisla- tion by Parliament of Canada.
Ratification	Not mentioned
Representation	<ul style="list-style-type: none">- submission is on behalf of all Cana- dian Inuit
Eligibility	<ol style="list-style-type: none">1. a) Citizens of Canada; b) alive as of date of Final Agreement; c) 1/4 degree or more Inuit blood; d) is a resident of the N.W.T., was born in the N.W.T., or has been a resident of the N.W.T. for a total of at least 10 years during the person's lifetime. <p style="text-align: center;">or</p>2. is alive as of the date of the Final Agreement and is regarded as the child, natural or adopted according to the laws of any jurisdiction of Inuit cus- tom, of any male or female eligible under 1; <p style="text-align: center;">or</p>3. is alive as of the date of the Final Agreement and is a member of an Inuit Community Corporation or the Inuvik

Community Corporation.

Enrollment

1. Any person claiming to be an Inuk under 1 or 2 above may apply to the Minister within 4 years of the signing of the Final Agreement, and if found to qualify, shall be enrolled as a beneficiary.
2. Inuit community corporations will decide who are to become members and hence enrolled as beneficiaries. Persons becoming members of community Final Agreement shall not be enrolled as beneficiaries. Decision of community corporations final.

Appeals

Not mentioned

Rights

use & occupancy

Treaties

Not applicable

Nation

separate status not contemplated; however, want establishment of a new Territory called "Nunavut", majority of people within to be Inuit. This territory and its institutions should reflect Inuit values and perspectives. Inuit to have actual control through voting power.

Lands

The Inuit of the Northwest Territories have extensive claims upon the basis of rights to lands and waters in the Northwest Territories and the Yukon Territory, and the offshore seabed and subsoil in Canada.

Total Sq. Miles

250,000

Population

12,500

Sq. miles/capita

16.6 sq. miles

Title

fee simple including ownership of minerals and oil and gas from surface to 1,500 ft.

Time	perpetuity
Use	beneficial use of all surface and sub-surface to 1,500 ft., recognizing prior rights to a limited extent
Control over other uses	Control over all surface and subsurface use, including below 1,500 ft.
Language and Customs	Not mentioned
Education	Not mentioned
Hunting, Fishing and Trapping	<u>Nunavut Council on Game</u> 11 members: <ul style="list-style-type: none">- 2 appointed by Council of Nunavut Territory- 1 appointed by DOE- 1 appointed by Dept. of Fisheries - 7 by Inuit Community Hunters and Trappers Committees. <u>Terms of Reference</u> (inter alia) <ul style="list-style-type: none">- advice to Federal and Territorial Governments re:- conservation measures and quotas;- legislation and administration concerning wildlife;- employment of Inuit in game management and wildlife research;- advice on division of Territory into community hunting areas;- provide membership to groups or delegations (domestic or international) investigating or dealing with wildlife matters in Territory;- promote development of commercial wildlife enterprises among Inuit.

Community Hunters and Trappers
Committees

- to give advice to Nunavut Council on Game
- to administer and distribute game quotas (including trapping);
- promote commercial wildlife ventures.

Inuit shall have exclusive right to harvest for personal and commercial use: polar bears, musk oxen and marine mammals.

Fur-bearing animals - licences frozen at present level - no new licences without consent of Community Hunting, Trapping Committee concerned.

Monetary
Compensation

Cash

Nil

Royalties

minimum 10% on Inuit lands and 3% on all other lands below 1,500 ft. in perpetuity

Special Gov't
Programs

socio-economic programs with 2/3 gross revenues until goals of programs reached

Programs to non-
status

not applicable

Total

unknown

% per person

unknown

Tadation

- a) revenues from royalties exempt from taxation at time of receipt
- b) receipt of shares in the IDC exempt from taxation
- c) no tax on sale or other disposition

of shares in IDC for 20 years following signing of Final Agreement
d) receipt of lands pursuant to Final Agreement exempt from tax and no tax on sale or other disposition of lands for 20 years after Final Agreement

e) real property interests conveyed to Inuit community corporations or regional corporations exempt but rents and other proceeds (except royalties) derived from land shall be taxable
f) transfer of property between Inuit corporations and among Inuit exempt for 20 years following signing of Final Agreement

Land Selection

Inuit Community Corporations
- 200,000 sq. miles

Inuit Regional Corporations
- 50,000 sq. miles

Lands to be selected and assigned to community corporations by ITC (Land Selection Bureau to be funded by Canada)

(Land Selection Bureau to be funded by Canada)

Selection
Criteria

Regional Corporation to select 50,000 in four roughly similar amounts

Lands to be provided to communities taking into account lands actually used to provide food and income and not necessarily based on population.

- will include only lands used during last 50 years for hunting, fishing, and trapping (subject to minimum 400 square miles immediately surrounding community.

Guidelines for Selection

- important Inuit hunting, fishing and trapping areas;
- areas where Inuit live permanently or temporarily and a zone of 25 miles or less around such locations;
- areas containing potential deposits of sand, gravel, gold and other placer deposits; soapstone, precious stones, other materials that can be mined exclusively at a depth of 1,500 feet or less;
- future tourism or other economic opportunities;
- wildlife protection areas;
- Inuit historic sites and burial grounds
- areas of special importance to Inuit communities or the Inuit as a whole;
- areas which might be used for new Inuit communities.

Exclusions

- areas subject to existing mining operations completely or partially deeper than 1,500 feet;
- existing military or other federal installations or areas of importance to national security.

Agreement of Inuit community corporation or regional corporation necessary for sub-surface (below 1,500 feet) development on Inuit lands.

Any lands expropriated by Canada must be compensated by alternative lands or money (including value of lost hunting, fishing, and trapping).

Net proceeds of any sale or lease of lands held by Inuit Community Corporations:

70% - IDC
30% - ITC

Existing
Alienations

Owners of oil, gas, coal or mineral rights issued before February 27, 1976 (on or under Inuit lands) shall continue to enjoy such rights for the first term of the lease or 15 years after conclusion of the Agreement in Principle (whichever date is earlier).

Any renewal subject to agreement of consent by community corporation concerned and IDC.

Holders of valid Land Use Permits issued before February 27, 1976 to continue to enjoy rights contained in such permits. Government of Canada and ITC will determine jointly blocs of land within Inuit lands (not to exceed 50,000 square miles) and each community corporation will decide whether all existing rights should be extinguished or whether rights shall continue on basis of additional conditions set forth by community corporations. Government of Canada to compensate owners of rights affected by decisions of community corporations. (Above to cover areas where Inuit want no development, e.g. Cape Bathurst).

Government of Canada not to issue any new oil and gas permits, mineral permits, etc. until land selection completed, without prior consultation with ITC.

Inuit to receive refunds on any monies paid to Governments of Canada or NWT for lands, and retain interest in such lands.

LAND SELECTION
PROCESS

Lands to be selected by ITC in consultation with Inuit community corporations and the Government of Canada:

- 1) all Inuit lands to be selected within Nunavut
- 2) Final Agreement will set forth time

- schedule for land selection;
- 3) selection of blocs of land by ITC to be supported by statement of reasons for selection;
 - 4) if Government of Canada has not objected to selections within 2 months of notification, selections will be considered approved;
 - 5) if Canada objects to selection, must notify within 2 months and outline an acceptable area of equal value nearest to bloc in dispute;
 - 6) ITC may make new selection or request negotiations as to bloc or blocs in dispute;
 - 7) if agreement not reached within 3 months of commencement of negotiations of ir Government refuses to negotiate, matter shall be referred to arbitration;
 - 8) shape and location of lands to be agreed upon, but so far as possible shall be limited to entire minutes latitude and longitude, national or provincial boundaries, coastlines important rivers or other natural boundaries.

Selections for each community corporation shall include so far as possible 400 square miles immediately surrounding community, excepting 1 square mile "community site", existing federal installations and public roads.

Deficit of 200,000 square miles selected for community corporations shall be selected by ITC and owned by the regional corporations.

Details of selection process by Regional Corporations not set out.

RESOURCE
REVENUE
SHARING

Royalties from development on Inuit lands (less than 1,500 feet deep) - at least 10% of value at point of production.

All development at depths greater than 1,500 feet over all of Nunavut - 3%

70% of royalties - IDC

30% of royalties - ITC

LEGAL
ENTITIES

- Inuit Tapirisat of Canada;
- Inuit Housing Corporation;
- Inuit Development Corporation;
- Four Regional Corporations;
- Thirty-four community corporations.

OBJECTIVES

ITC - receive royalties for its own operation, existing regional associations and unspecified community associations;

- staff boards, commissions and committees to implement settlement;
- select land for community corporations (regional corporations?);
- continue as central Inuit cultural political organization.

Inuit Housing Corporation

- possible part of socio-economic program (non-profit organization formed in 1975 to supply housing to 4 NWT regional associations with CMHC assistance).

Inuit Development Corporation

- profit corporation formed in 1975 under federal law;
- to give Inuit experience in management, business and investment;

would:

- receive major share of royalties to promote business at the community and regional levels;
- handle general investment;
- distribute dividends after 20 years
- control certain development on Inuit lands;

- have right of first refusal on land related business opportunities on public lands.

Regional Corporations

- non-profit
- receive revenues from 50,000 square miles fee simple lands and control development on or under those lands
- provide members of Board of Trustees, Socio-Economic fund;
- manage and implement socio-economic programs;
- provide one socio-economic resource person for each community in a region.

Community Corporations

- receive revenues from 200,000 square miles fee simple lands;
- control development on or under that land including veto on remaining 50,000 square miles;
- provide members to community Hunters and Trappers Committees.

STRUCTURES

ITC

- membership to be all Canadian Inuit (pursuant to continuing role as central Inuit cultural-political organization).

Inuit Housing Corporation

- to be funded by Inuit Social-Economic Fund;
- to apply on a regional basis.

Inuit Development Corporation

- to be established as a business corporation pursuant to the laws of Canada;
- two classes of shares:
 - 1) Class A shares; voting, non-participating, non-transferable shares

- 2) Class B shares; non-voting, participating shares of no par value;
 - non-transferable except by legacy or devolution for the first 20 years subsequent to signing of the Agreement;
 - one Class A share to each Community Corporation (not for profit corporation);
 - one Class A share to Inuvik Inuit Corporation;
 - 100 Class B shares to each Inuk eligible under the Agreement;
 - no dividends issued until 20 years after settlement;
 - new members of community corporation (subsequent to 5 years enrollment period) will not be entitled to Class B shares.

For first 20 years, profits of IDC to be invested in:

- a) creation and expansion of IDC activities
 - b) Canadian financial institutions;
 - c) creation or continuation of firms at least 51% Canadian owned or which become 51% Canadian owned as a result of the investment;
 - d) Canadian bond issues.
- royalties, funds (including from sale of lands) may be transferred between IDC and ITC and will be non-taxable.

Regional Corporations

- membership shall be limited to community corporations in that region.

Community Corporations

- non-profit; community corporations can allow anyone they wish to become members in the corporation during enroll-

ment period (5 years) and after this period can allow anyone membership in corporation, but these members will not receive Class B shares of IDC.

APPLICATION OF JAMES BAY
MONETARY COMPENSATION

	JAMES BAY		NWT (INUIT)
	CREE	INUIT	
Approximate Native Population	6,000	4,000	10,500
Cash	\$75,000,000 (\$7,500 per capita)		\$78,750,000 (\$7,500 per capita)
Resource Revenue Sharing	\$150,000,000 (\$15,000 per capita)		\$157,500,000 (\$15,000 per capita)
Total Monetary	\$225,000,000		\$236,250,000

APPLICATION OF JAMES BAY

LAND

Land:	JAMES BAY		NWT
	CREE	INUIT	INUIT
Community Lands (Category I in sq. miles)	1,247 (Ia)	3,130	8,203
(acres per person)	128	500	500
Hunting, Fishing, Trapping Lands (Category II total sq. miles)	25,130	33,400	87,150
(sq. mi. per person)	4.1	8.3	8.3

- For extrapolations to Indian claim based on James Bay use 128 acres/capita for Category I and 4.1 sq. mi./capita for Category II.
- For extrapolations to Indian claim based on James Bay use 500 acres/capita for Category I and 8.3 sq. mi./capita for Category II.

AMOUNT OF LAND REQUESTED

	NWT INUIT
Amount of Land Requested by Native Groups (sq. miles)	250,000***

*** This figure is according to the Nunavut claim which was withdrawn in September 1976 and represents all the Inuit at that time including COPE.

COPE Claim Submission

May 13, 1977

Format	Agreement-in-Principle
Parties	The Government of Canada and the Committee for Original People's Entitlement.
Process and Timing	<ul style="list-style-type: none">- negotiation- Agreement-in-principle submitted May 13, 1977- signing of agreement-in-principle by March 1, 1978- Final agreement will be submitted for incorporation into special legislation by Parliament of Canada no later than 12 months after signing of AIP but before construction begins on any Mackenzie Valley gas pipeline.
Ratification	Not mentioned
Representation	<ul style="list-style-type: none">- submission is on behalf of the Inuvialuit living in the Western Arctic Region.
Eligibility	<ol style="list-style-type: none">1. a) Canadian citizen and b) be alive when the Final Agreement is signed c) have at least 1/4 Inuvialuit blood d) born in the Western Arctic Region <u>or</u> have lived there for at least ten years. or2. at time of Final Agreement<ol style="list-style-type: none">a) if alive at signing and is a natural or adopted child by law or by Inuvialuit custom of an Inuvialukb) a person who is alive and is accepted as a member of an Inuvialuit community corporation.c) provision is also made for In-

unialuit who were born in Inuvik or who have lived there for at least 10 years, to be included within the Western Arctic Region.

Enrollment

1. Every person who claims to be an "Inuvialuk" within the meaning of paragraphs 1 or 2 and makes such claim to the Commissioner for Indian Claims within two years after the signing of the Final Agreement, and who is found to come within paragraphs 1 or 2 as determined by the Commissioner for Indian Claims, shall be enrolled by the Minister as a person participating in the settlement of Inuvialuit land
2. Each Inuvialuit community corporation will decide who is to be a member of each such corporation and entitled to enrollment and the decision of the corporation shall be final, provided however, any person who becomes a member of any such corporation later than three years after the signing of Final Agreement is not entitled to enrollment, and for greater certainty, is not entitled to receive the benefits set forth in Part Eight just because of membership in an Inuvialuit Community Corporation.

Appeals

Not mentioned

Rights

on the basis of occupancy and use

Treaties

Not applicable

Nation

separate status not contemplated; however, Inuvialuit desire and agree

	with concept of new territory "Nunavut" and wish to have a geographical area within Canada known as the "Western Arctic Region" (Schedule B) with popularly elected gov't for WARM. This municipality to have legislative and administrative control of education, game management, economic development and police services.
Lands	The Inuvialuit of the Western Arctic Region have extensive claims upon the basis of rights to lands and waters in the Northwest Territories, the Yukon Territory and the offshore seabed and subsoil in Canada.
Total Sq. Miles	60,000
Population	2,500
Sq. miles/capita	2.4 sq. miles
Title	<ul style="list-style-type: none">- 20,000 sq. miles (class A) in fee simple, less oil and gas- 40,000 sq. miles (class B) in fee simple, less oil and gas and mineral rights (surface only)
Time	perpetuity
Use	?
Control over other uses	control over activities associated with mineral development control over community growth.
Languages and Customs	Not mentioned
Education	Not mentioned
Hunting, Fishing, and Trapping	<u>Game Council</u> Council to consist of 2 representatives from each Hunters and Trappers Committee in Western Arctic Region (including Inu-

vik Hunters and Trappers Committee)

- each member to hold office for 2 years.

Terms of Reference

advise all governments re:

- wildlife, research, management and enforcement;
- legislation and administration concerning wildlife;
- allocate quotas for Schedules I, II, III, and IV species between subsistence, commercial and recreational usage;
- hold public hearing in WAR on matters affecting the usage of wildlife;
- provide membership to group or delegations (domestic or international) investigating or dealing with wildlife matters in the Territory;
- advice on dividing WAR into community hunting areas;
- management of Reindeer Grazing Preserves;
- conservation measures and quotas on fish and marine mammals;
- conservation measures and quotas on polar bear, musk-ox (Schedule I) and all Schedule II and III animals;
- appoint permanent or interim enforcement officers to enforce wildlife regulations;
- encourage and promote wildlife research, management enforcement and utilization among Inuvialuit;
- provide membership on committees or groups investigating or managing preserves in WAR.

Natural Resources Research Board

- membership of B. of D. chosen equally from government, professionals in life science field from universities and private sector and from community Hunters and Trappers Committees;
- term of office: at least 5 years;
- an acceptable chairman to be appointed BY DFE;

- members of Board of Directors to be determined in final agreement
- responsible for the planning, co-ordination and evaluation of all renewable resource related research in the WAR and subject to appeal of Minister, approve all renewable resource related research Western Arctic;
- advise Game Council, Hunters and Trappers Committees, Land Use Planning and Management Commission and governments on matters related to renewable resource management planning and practices;
- prepare technical material to advise above on land use planning and management and critical habitat areas for WAR;
- advise G.C., C.C., LUPMC on management of timber, gravel and water;
- responsible for design and execution of research and monitoring related to wildlife harvest and biological productivity;
- encourage and promote public education and involvement in wildlife resource management and planning.

Community Hunters and Trappers Committees

- to give advise to Game Council;
- make representations to Game Council as to requirements of subsistence users in regard to Schedule I, II, III and IV;
- decide who is a subsistence user within guidelines set by Game Council
- administer and distribute the subsistence quotas for Schedule III species and any quotas for Schedule I or II species;
- review and decide on granting of hunting and trapping licences for Schedule II species and allocate Schedule II privileges;
- decide upon allocation of hunting by

- non-Inuit for Schedule I species;
- encourage and promote Inuvialuit involvement in conservation, research management, enforcement and utilization of wildlife resources in WAR.

Inuvialuit shall have exclusive right to harvest for personal and commercial use Schedule I species in WAR

Fur-bearers-licences frozen at present level - no new licences without consent of Community Hunters and Trappers Committee for community affected.

Monetary
Compensation

Cash	nil
Royalties	3% royalty from oil and gas development in the Western Arctic Region
Special Gov't Programs	trust fund for the Inuvialuit Social Development Program minimum of \$20 million, if there is a pipeline then amount will be \$40 million
Programs to non- status	nil
Total	unknown
% of person	unknown
Taxation	a) revenues from royalties exempt from taxation at time of receipt b) investment income of the Inuvialuit Investment Corporation is tax free during the 30 year period of compulsory reinvestment. Income Tax Act would apply after 30 year exemption period c) no tax on distribution of such income to shareholders d)

- e) real property interest recognized or conveyed pursuant to Agreement or the Final Agreement to the ILC and ICC exempt but rents, royalties, profits and other revenues derived from the land shall be taxable
- f) any transfer of interest in Inuvialuit lands, between Inuvialuit corporations or any Inuvialuit shall not be taxed

Land Selection

Each Inuvialuit Corporation may select up to 400 sq. miles of Inuvialuit lands, each corporation will have the estate in fee simple absolute to the surface to a depth of 20ft.

COPE in consultation with the ICC and ILC will select 3,000 sq. miles of lands in the Western Arctic Region in fee simple absolute except oil and gas

Selection Criteria

Guidelines for Selection

- lands of importance for reasons of biological productivity or of importance for traditional pursuits including hunting, trapping and fishing
- areas that might contain sand and gravel deposits or other construction, gold placer and other placer deposits, deposits of soap-stone or precious stones, or any other minerals or rocks that can be mined;
- areas that can be important for the future development of tourism or that could offer other economic opportunities for Inuvialuit;
- areas which could be important for the production of the wildlife and protection of the habitats;
- areas with historic Inuvialuit sites or burial grounds;
- any areas which are of special importance to the Inuvialuit communities

- or the Inuvialuit as a whole; and
- any areas which might be used by new Inuvialuit communities to be created in the future.

Exclusions

- any area up to, but not more than 1 sq. mile which comprises the existing developed community itself (the community site);
- sites comprising Federal Government installations such as airports or power stations adjacent to the community but not within the community site and existing roads;
- ILC must obtain consent of the Game Council for development activities on Inuvialuit lands and the consent of ICC for subsurface development of CC lands;
- consent of ILC required prior to oil and gas development activities related to its lands;
- any Inuvialuit lands expropriated by Canada must be compensated for in the form of alternative land or money (if money, then must include value of loss of hunting, fishing and trapping).

The net proceeds of the sale or lease of any interest in Inuvialuit lands shall be payable by the purchaser or lessee to the Inuvialuit Investment Corporation and Inuvialuit Development Corporation on the following basis:

- 75% to the Inuvialuit Investment Corporation
- 25% to the Inuvialuit Development Corporation

Existing
Alienations

Owners of oil, gas coal or mineral rights issued before May, 13, 1977, shall continue to enjoy such rights.

Holders of valid land use permits issued

before May 13, 1977, to continue to enjoy rights contained in such permits.

Government of Canada agrees that in respect to Inuvialuit lands set forth in Schedule "D" any oil and gas rights and related land use permits issued before May 13, 1977 are to be extinguished, if such rights are situated inside the four blocs set forth in Schedule "E", and that there will never be oil and gas, coal or any mineral exploration of any nature, or any development activities.

The Inuvialuit agree that in respect to the balance of Inuvialuit lands set forth in Schedule "D" (that is, lands not within the blocs of Schedule "E"), any oil and gas rights and related land use permits issued before May 13, 1977 shall only be considered on the basis of Agreement of Consent which shall be in the form of a "Model Agreement of Consent", and to be attached as part of the Final Agreement, and the Agreement of Consent may not include additional provisions or clauses unless agreed upon by the Minister.

Government of Canada agrees to compensate the affected owners of rights for any loss or damage which results from extinguishments or changes made according to (1) above

Government agrees not to issue any new oil and gas, coal or mineral rights on Schedule "D" lands before date of Final Agreement. Gov't of Canada also agrees not to issue such rights on Schedule "D" land for a period of 10 years following a final agreement.

Government of Canada agrees not to approve construction of a gas or oil pipeline which crosses the lands in Schedule "D" unless approval has been obtained from the I.L.C.

Inuvialuit to receive funds on any monies paid to Governments of Canada or NWT for lands, and retain interest in such lands.

LAND SELECTION
PROCESS

Lands to be selected by COPE in consultation with the Inuvialuit community corporations, Inuvialuit community corporations, Inuvialuit Land Corporations and Government of Canada:

- 1) all Inuvialuit lands to be selected within WAR;
- 2) selection of blocs of land by COPE to be supported by statement of reasons for selection;
- 3) if Gov't of Canada has not objected to selections within 2 months of notification, selection will be considered approved;
- 4) if Canada objects to selections must notify within 2 months and outline an acceptable area of equal value nearest to bloc in dispute;
- 5) COPE may make new selection or request negotiations as to bloc or blocs in dispute;
- 6) if agreement not reached within 3 months of commencement of negotiations or if Government refuses to negotiate, matter to be referred to arbitration.

RESOURCE
REVENUE
SHARING

Royalties on oil and gas development in Western Arctic Region at 3% of the market value at the well-head of extraction plant.

75% of royalties - LLC
25% of royalties - IDC

LEGAL
ENTITIES

- Committee for Original Peoples Entitlement;
- Inuvialuit Investment Corporation;
- Inuvialuit Land Corporation;
- Inuvialuit Development Corporation;
- Western Arctic Regional Municipality;
- Five community corporations.

OBJECTIVES

- to help plan, develop and construct within 5 years after final agreement a "new settlement"
- COPE to not have a long term institutional role;
- COPE to assist in setting up community corporations, land selections and the Social Development Program;
- COPE not to receive any share of royalties or benefits.

Inuvialuit Investment Corporations

- to be established as a private business corporation pursuant to the laws of Canada;
- means for the collection of royalties through the development of oil and gas in the Western Arctic Region;
- to enable the Inuvialuit to participate in businesses;
- would provide financing and management expertise to community businesses
- provide a fund for succeeding generations of Inuvialuit.

Inuvialuit Development Corporation

- objectives same as for I.I.C.

Inuvialuit Land Corporation

- owner of Inuvialuit lands;
- to have the subsurface estate in fee simple absolute, except for oil and gas, to those lands selected by the community corporations.

WARM

- government of WARM to have at the outset the legislative and administrative control of education, game management, economic development and police services;
- will advise GNWT and Gov't of Canada in respect to all governmental services provided;
- laws and regulations enacted by WARM subject to approval of Minister before having effect;
- may assume any governmental responsibilities that a province would upon approval from Minister;
- WARM to have power to levy real property taxes and business license fees;
- WARM may transfer or assign ownership to land, buildings or chattels it is entitled to the Hamlet Council or Settlement Council of the Inuvialuit Community in which the land, building or chattels are situated.

Community Corporations

STRUCTURES

COPE

- membership to be all Inuvialuit living in WARM (pursuant to continuing role as central Inuit cultural-political organization).

Inuvialuit Investment Corporation

- to be established as a business corporation pursuant to the laws of Canada;
- to have head office in an Inuvialuit community;
- two classes of shares:
 - 1) Class A shares; voting, non-par-

ticipating, non-transferable shares;

- 2) Class B shares; non-voting, life-interest only, non-transferable other than to the corporation if corporation is prepared to purchase the shares;
 - one class A share to each Inuvialuit Community Corporation;
 - one class B share of IIC to each Inuvialuk;
 - one class B share of ITC to every person (18 years) one of whose parents was issued Class B share;
 - for first 30 years - profits of ILC to be invested in:
 - a) Canadian bond issued
 - b) Canadian financial institutions;
 - or
 - c) the creation or continuation of firms which are at least 51% Canadian owned or become 51% Canadian owned through such investment.

Inuvialuit Development Corporation

- to be established as a business corporation pursuant to the laws of Canada;
- to have head office in an Inuvialuit community;
- two classes of shares:
 - 1) Class A shares; voting, non-participating, non-transferable
 - 2) Class B shares; non-voting, of life-interest only, non-transferable other than to the corporation if the corporation is prepared to purchase the shares.
- one class A share to be issued to each Inuvialuit community corporation
- one class B share of IDC to every Inuvialuk entitled upon enrolment (18 yrs. old)
- one class B share of IDC to every Inu-

vialuk (18 yrs.) one of whose parents was issued a class B share;

- there will be no corporate distributions by the IDC for a period of 5 yrs. after signing of Final Agreement;
- the IDC will create the following corporations:
 - a) a corp. to supply food, clothing and materials in each of the communities;
 - b) a corporation to construct and maintain houses and supply the necessary materials and fuels;
 - c) a corporation to organize travel and transport.

Inuvialuit Land Corporation

- regional non-profit organization
- membership limited to IC.C.

WARM

To include the Inuvialuit Communities of Aklavik, Tuktoyaktuk, Paulatuk, Sacks Harbour and Holman Island as well as the New Settlement, and excludes Inuvik

- administrative centre of WARM in Tuktoyaktuk at the outset.

Community Corporations

- non-profit;
- membership in an ICC shall be determined by the articles of the corporation.

APPLICATION OF JAMES BAY
MONETARY COMPENSATION

	JAMES BAY		NWT COPE
	CREE	INUIT	
Approximate Native popula- tion	6,000	4,000	2,500
Cash	\$75,000,000 (\$7,500 per capita)		\$18,750,000 (\$7,500 per capita)
Resource Revenue Sharing	\$150,000,000 (\$15,000 per capita)		\$37,500,000 (\$15,000 per capita)
Total Monetary	\$225,000,000		\$56,250,000

APPLICATION OF JAMES BAY

LAND

Land:	JAMES BAY		NWT COPE
	CREE	INUIT	
Community Lands (Category I in sq. miles)	1,274 (Ia)	3,130	1,953
(acres per person)	128	500	500
Hunting, Fishing, Trapping Lands (Category II total sq. miles)	25,130	22,400	20,750
(sq. mi. per person)	4.1	8.3	8.3

AMOUNT OF LAND REQUESTED

	NWT COPE
Amount of Land Requested by Native Groups (sq. miles)	68,000

A COMPARISON OF COPE AND ITC CLAIMS

ITC

COPE

Format	Agreement-in-principle	Agreement-in-Principle
Parties	Government of Canada and the Inuit Tapirisat of Canada	The Government of Canada and the Committee for Original People's Entitlement.
Process and Timing	<ul style="list-style-type: none">- negotiation- Agreement-in-principle submitted February 27, 1976- Final agreement to be negotiated no later than 18 months after signing of AIP or a later mutually agreed to date.- Final agreement to be submitted for incorporation into special legislation by Parliament of Canada.	<ul style="list-style-type: none">- negotiation- Agreement-in-principle submitted May 13, 1977- signing of agreement-in-principle by March 1, 1978- Final agreement will be submitted for incorporation into special legislation by Parliament of Canada no later than 12 months after signing of AIP but before construction begins on any Mackenzie Valley gas pipeline.
Ratification	Not mentioned	Not mentioned
Representation	<ul style="list-style-type: none">- submission is on behalf of all Canadian Inuit	<ul style="list-style-type: none">- submission is on behalf of the Inuvialuit living in the Western Arctic Region.

ITC

Eligibility

1. a) Citizens of Canada;
b) alive as of date of Final Agreement;
c) 1/4 degree or more Inuit blood;
d) is a resident of the N.W.T., was born in the N.W.T., or has been a resident of the N.W.T. for a total of at least 10 years during the person's lifetime.

or

2. is alive as of the date of the Final Agreement and is regarded as the child, natural or adopted according to the laws of any jurisdiction of Inuit custom, of any male or female eligible under 1;

or

3. is alive as of the date of the Final Agreement and is a member of an Inuit Community Corporation or the Inuvik Community Corporation.

Enrollment

1. Any person claiming to be an Inuk under 1 or 2 above may apply to the Minister within 4 years of the signing of the Final Agreement, and if found to qualify, shall be enrolled as a beneficiary.

COPE

1. a) Canadian citizen and
b) be alive when the Final Agreement is signed
c) have at least 1/4 Inuvialuit blood
d) born in the Western Arctic Region or have lived there for at least ten years.

or

2. at time of Final Agreement
 - a) if alive at signing and is a natural or adopted child by law or by Inuvialuit custom of an Inuvialuk
 - b) a person who is alive and is accepted as a member of an Inuvialuit community corporation.
 - c) provision is also made for Inuvialuit who were born in Inuvik or who have lived there for at least 10 years, to be included within the Western Arctic Region.

1. Every person who claims to be an "Inuvialuk" within the meaning of paragraphs 1 or 2 and makes such claim to the Commissioner for Indian Claims within two years after the signing of the Final Agreement, and who is found to come within paragraphs 1 or 2 as determined by the Commissioner for Indian Claims, shall be enrolled by the Minister as a person participating in the settlement of Inuvialuit land.

ITC

COPE

Enrollment

2. Inuit community corporations will decide who are to become members and hence enrolled as beneficiaries. Persons becoming members of community Final Agreement shall not be enrolled as beneficiaries. Decision of community corporations final.

2. Each Inuvialuit community corporation will decide who is to be a member of each such corporation and entitled to enrollment and the decision of the corporation shall be final, provided however, any person who becomes a member of any such corporation later than three years after the signing of Final Agreement is not entitled to enrollment and for greater certainty, is not entitled to receive the benefits set forth in Part Eight just because of membership in an Inuvialuit Community Corporation.

Appeals

Not mentioned

Not mentioned

Rights

use & occupancy

occupancy and use

Treaties

Not applicable

Not applicable

Nation

separate status not contemplated; however, want establishment of a new Territory called "Nunavut", majority of people within to be Inuit. This territory and its institutions should reflect Inuit values and perspectives. Inuit to have actual control through voting power.

separate status not contemplated; however, Inuvialuit desire and agree with concept of new territory "Nunavut" and wish to have a geographical area within Canada known as the "Western Arctic Region" (Schedule B) with popularly elected gov't for WARM. This municipality to have legislative and administrative control of education, game management, economic development and police services.

ITC

Lands	The Inuit of the Northwest Territories have extensive claims upon the basis of rights to lands and waters in the Northwest Territories and the Yukon Territory, and the offshore seabed and subsoil in Canada.
Total Sq. Miles	250,000
Population	12,500
Sq. miles/capita	16.6 sq. miles
Title	Fee simple including ownership of minerals and oil and gas from surface to 1,500 ft.
Time	Perpetuity
Use	Beneficial use of all surface and sub-surface to 1,500 ft., recognizing prior rights to a limited extent
Control over other uses	Control over all surface and subsurface use, including below 1,500 ft.
Language and Customs	Not mentioned
Education	Not mentioned

COPE

The Inuvialuit of the Western Arctic Region have extensive claims upon the basis of rights to lands and waters in the Northwest Territories, the Yukon Territory and the offshore seabed and subsoil in Canada.
60,000
2,500
2.4 sq. miles
- 20,000 sq. miles (class A) in fee simple, less oil and gas - 40,000 sq. miles (class B) in fee simple, less oil and gas and mineral rights (surface only)
Perpetuity
?
Control over activities associated with mineral development control over community growth.
Not mentioned
Not mentioned

ITC

Hunting, Fishing
and Trapping

Nunavut Council on Game

11 members:

- 2 appointed by Council of Nunavut Territory
- 1 appointed by DOE
- 1 appointed by Dept. of Fisheries
- 7 by Inuit Community Hunters and Trappers Committees.

Terms of Reference (inter alia)

- advice to Federal and Territorial Governments re:
 - conservation measures and quotas;
 - legislation and administration concerning wildlife;
 - employment of Inuit in game management and wildlife research;
- advice on division of Territory into community hunting areas;
- provide membership to groups or delegations (domestic or international) investigating or dealing with wildlife matters in Territory;
- promote development of commercial wildlife enterprises among Inuit.

COPE

Game Council

Council to consist of 2 representatives from each Hunters and Trappers Committee in Western Arctic Region (including Inuvik Hunters and Trappers Committee)
- each member to hold office for 2 years.

Terms of Reference

advise all government re:

- wildlife, research, management and enforcement;
- legislation and administration concerning wildlife;
- allocate quotas for Schedules I, II, III, and IV species between subsistence, commercial and recreational usage;
- hold public hearing in WAR on matters affecting the usage of wildlife;
- provide membership to group or delegations (domestic or international) investigating or dealing with wildlife matters in the Territory;

ITC

Hunting, Fishing,
and Trapping

Community Hunters and Trappers
Committees

- to give advice to Nunavut Council on Game
- to administer and distribute game quotas (including trapping);
- promote commercial wildlife ventures.

Inuit shall have exclusive right to harvest for personal and commercial use: polar bears, musk oxen and marine mammals.

Fur-bearing animals - licences frozen at present level - no new licences without consent of Community Hunting, Trapping Committee concerned.

COPE

- advice on dividing WAR into community hunting areas;
- management of Reindeer Grazing Preserves;
- conservation measures and quotas on fish and marine mammals;
- conservation measures and quotas on polar bear, musk-ox (Schedule I) and all Schedule II and III animals;
- appoint permanent or interim enforcement officers to enforce wildlife regulations;
- encourage and promote wildlife research, management enforcement and utilization among Inuvialuit;
- provide membership on committees or groups investigating or managing preserves in WAR.

Natural Resources Research Board

- membership of B. of D. chosen equally from government, professionals in life science field from universities and private sector and from community Hunters and Trappers Committees;
- term of office: at least 5 years;
- an acceptable chairman to be appointed by DFE;
- members of Board of Directors to be determined in final agreement
- responsible for the planning, co-ordination and evaluation of all renewable resource related research in the WAR and subject to appeal of Minister, approve all renewable resource related research Western Arctic;

ITC

Hunting, Fishing,
and Trapping

COPE

- advise Game Council, Hunters and Trappers Committees, Land Use Planning and Management Commission and governments on matters related to renewable resource management planning and practices;
- prepare technical material to advise above on land use planning and management and critical habitat areas for WAR;
- advise G.C., C.C., LUPMC on management of timber, gravel and water;
- responsible for design and execution of research and monitoring related to wildlife harvest and biological productivity;
- encourage and promote public education and involvement in wildlife resource management and planning.

Community Hunters and Trappers Committees

- to give advice to Game Council;
- make representations to Game Council as to requirements of subsistence users in regard to Schedule I, II, III and IV;
- decide who is a subsistence user within guidelines set by Game Council
- administer and distribute the subsistence quotas for Schedule III species and any quotas for Schedule I or II species;
- review and decide on granting of hunting and trapping licences for Schedule II species and allocate Schedule II privileges;
- decide upon allocation of hunting by non-Inuit for Schedule I species;

ITC

Hunting, Fishing,
and Trapping

Monetary
Compensation

Cash	Nil
Royalties	Minimum 10% on Inuit lands and 3% on all other lands below 1,500 ft. in perpetuity
Special Gov't Programs	Socio-economic programs with 2/3 gross revenues until goals of programs reached
Programs to non-status	Not applicable
Total	Unknown
% of person	Unknown

COPE

- encourage and promote Inuvialuit involvement in conservation, research management, enforcement and utilization of wildlife resources in WAR.

Inuvialuit shall have exclusive right to harvest for personal and commercial use Schedule I species in WAR

Fur-bearers-licences frozen at present level - no new licences without consent of Community Hunters and Trappers Committee for community affected.

Nil

3% royalty from oil and gas development in the Western Arctic Region.

Trust fund for the Inuvialuit Social Development Program minimum of \$20 million, if there is a pipeline then amount will be \$40 million.

Nil

Unknown

Unknown

ITC

Taxation

- a) revenues from royalties exempt from taxation at time of receipt
- b) receipt of shares in the IDC exempt from taxation
- c) no tax on sale or other disposition of shares in IDC for 20 years following signing of Final Agreement
- d) receipt of lands pursuant to Final Agreement exempt from tax and no tax on sale or other disposition of lands for 20 years after Final Agreement
- e) real property interests conveyed to Inuit community corporations or regional corporations exempt but rents and other proceeds (except royalties) derived from land shall be taxable
- f) transfer of property between Inuit corporations and among Inuit exempt for 20 years following signing of Final Agreement.

Land Selection

Inuit Community Corporations
- 200,000 sq. miles

Inuit Regional Corporations
- 50,000 sq. miles

Lands to be selected and assigned to community corporations by ITC (Land Selection Bureau to be funded by Canada)

(Land Selection Bureau to be funded by Canada)

COPE

- a) revenues from royalties exempt from taxation at time of receipt
- b) investment income of the Inuvialuit Investment Corporation is tax free during the 30 year period of compulsory reinvestment. Income Tax Act would apply after 30 year exemption period
- c) no tax on distribution of such income to shareholders
- d)
- e) real property interest recognized or conveyed pursuant to Agreement or the Final Agreement to the ILC and ICC exempt but rents, royalties, profits and other revenues derived from the land shall be taxable
- f) any transfer of interest in Inuvialuit lands, between Inuvialuit corporations or any Inuvialuit shall not be taxed

Each Inuvialuit Corporation may select up to 400 sq. miles of Inuvialuit lands, each corporation will have the estate in fee simple absolute to the surface to a depth of 20 ft.

COPE in consultation with the ICC and ILC will select 3,000 sq. miles of lands in the Western Arctic Region in fee simple absolute except oil and gas

ITC

Selection Criteria

Regional Corporation to select 50,000
in four roughly similar amounts

Lands to be provided to communities taking
into account lands actually used to provide
food and income and not necessarily based
on population.

- will include only lands used during last
50 years for hunting, fishing, and
trapping (subject to minimum 400 square
miles immediately surrounding community).

Guidelines for Selection

- important Inuit hunting, fishing and
trapping areas;
- areas where Inuit live permanently or
temporarily and a zone of 25 miles or
less around such locations;
- areas containing potential deposits of
sand, gravel, gold and other placer
deposits; soapstone, precious stones,
other materials that can be mined
exclusively at a depth of 1,500 feet or
less;
- future tourism or other economic
opportunities;
- wildlife protection areas;
- Inuit historic sites and burial grounds
- areas of special importance to Inuit
communities or the Inuit as a whole;
- areas which might be used for new
Inuit communities.

Exclusions

- areas subject to existing mining
operations completely or partially deeper
than 1,500 feet;
- existing military or other federal
installations or areas of importance to
national security.

COPE

Guidelines for Selection

- lands of importance for reasons of
biological productivity or of importance
for traditional pursuits including hunting,
trapping and fishing
- areas that might contain sand and gravel
deposits or other construction, gold
placer and other placer deposits, deposits
of soap-stone or precious stones, or any
other minerals or rocks that can be mined;
- areas that can be important for the
future development of tourism or that
could offer other economic opportunities
for Inuvialuit;
- areas which could be important for the
production of the wildlife and protection
of the habitats;
- areas with historic Inuvialuit sites or
burial grounds;
- any areas which are of special importance
to the Inuvialuit communities or the
Inuvialuit as a whole; and
- any areas which might be used by new
Inuvialuit communities to be created
in the future.

Exclusions

- any area up to, but not more than 1 sq.
mile which comprised the existing developed
community itself (the community site);
- sites comprising Federal Government
installations such as airports or power
stations adjacent to the community but
not within the community site and
existing roads;

ITC

Selection
Criteria

Agreement of Inuit community corporation or regional corporation necessary for subsurface (below 1,500 feet) development on Inuit lands.

Any lands expropriated by Canada must be compensated by alternative lands or money (including value of lost hunting, fishing, and trapping).

Net proceeds of any sale or lease of lands held by Inuit Community Corporations:

70% - IDC
30% - ITC

Existing
Alienations

Owners of soil, gas, coal or mineral rights issued before February 27, 1976 (on or under Inuit lands) shall continue to enjoy such rights for the first term of the lease or 15 years after conclusion of the Agreement in Principle (whichever date is earlier).

Any renewal subject to agreement of consent by community corporation concerned and IDC.

COPE

- ILC must obtain consent of the Game Council for development activities on Inuvialuit lands and the consent of ICC for subsurface development of CC lands;
- consent of ILC required prior to oil and gas development activities related to its lands;
- any Inuvialuit lands expropriated by Canada must be compensated for in the form of alternative land or money (if money, then must include value of loss of hunting, fishing and trapping).

The net proceeds of the sale or lease of any interest in Inuvialuit lands shall be payable by the purchaser of lessee to the Inuvialuit Investment Corporation and Inuvialuit Development Corporation on the following basis:

- 75% to the Inuvialuit Investment Corporation
- 25% to the Inuvialuit Development Corporation

Owners of oil, gas, coal or mineral rights issued before May 13, 1977, shall continue to enjoy such rights.

Holders of valid land use permits issued before May 13, 1977, to continue to enjoy rights contained in such permits.

ITC

Existing
Alienations

Holders of valid Land Use Permits issued before February 27, 1976 to continue to enjoy rights contained in such permits. Government of Canada and ITC will determine jointly blocs of land within Inuit lands (not to exceed 50,000 square miles) and each community corporation will decide whether all existing rights should be extinguished or whether rights shall continue on basis of additional conditions set forth by community corporations. Government of Canada to compensate owners of rights affected by decision of community corporations. (Above to cover areas where Inuit want no development, e.g. Cape Bathurst).

Government of Canada not to issue any new oil and gas permits, mineral permits, etc. until land selection completed, without prior consultation with ITC.

Inuit to receive refunds on any monies paid to Governments of Canada or NWT for lands, and retain interest in such lands.

COPE

Government of Canada agrees that in respect to Inuvialuit lands set forth in Schedule "D" any oil and gas rights and related land use permits issued before May 13, 1977 are to be extinguished, if such rights are situated inside the four blocs set forth in Schedule "E", and that there will never be oil and gas, coal or any mineral exploration of any nature, or any development activities.

The Inuvialuit agree that in respect to the balance of Inuvialuit lands set forth in Schedule "D" (that is, lands not within the blocs of Schedule "E"), any oil and gas rights and related land use permits issued before May 13, 1977 shall only be considered on the basis of Agreement of Consent which shall be in the form of a "Model Agreement of Consent", and to be attached as part of the Final Agreement, and the Agreement of Consent may not include additional provisions or clauses unless agreed upon by the Minister.

Government of Canada agrees to compensate the affected owners of rights for any loss or damage which results from extinguishments or changes made according to (1) above.

Government agrees not to issue any new oil and gas, coal or mineral rights on Schedule "D" lands before date of Final Agreement. Gov't of Canada also agrees not to issue such rights on Schedule "D" land for a period of 10 years following a final agreement.

ITC

Existing
Alienations

Land Selection
Process

Lands to be selected by ITC in consultation with Inuit community corporations and the Government of Canada:

- 1) all Inuit lands to be selected within Nunavut
- 2) Final Agreement will set forth time schedule for land selection;
- 3) selection of blocs of land by ITC to be supported by statement of reasons for selection;
- 4) if Government of Canada has not objected to selections within 2 months of notification, selections will be considered approved;
- 5) if Canada objects to selection, must notify within 2 months and outline an acceptable area of equal value nearest to bloc in dispute;
- 6) ITC may make new selection or request negotiations as to bloc or blocs in dispute;
- 7) if agreement not reached within 3 months of commencement of negotiations or if Government refuses to negotiate, matter shall be referred to arbitration;

COPE

Government of Canada agrees not to approve construction of a gas or oil pipeline which crosses the lands in Schedule "D" unless approval has been obtained from the I.L.C.

Inuvialuit to receive funds on any monies paid to Governments of Canada or NWT for lands, and retain interest in such lands.

Lands to be selected by COPE in consultation with the Inuvialuit Community Corporations, Inuvialuit Land Corporations and Government of Canada:

- 1) all Inuvialuit lands to be selected within WAR;
- 2) selection of blocs of land by COPE to be supported by statement of reasons for selection;
- 3) if Gov't of Canada has not objected to selections within 2 months of notification, selection will be considered approved;
- 4) if Canada objects to selections must notify within 2 months and outline an acceptable area of equal value nearest to bloc in dispute;
- 5) COPE may make new selection or request negotiations as to bloc or blocs in dispute;
- 6) if agreement not reached within 3 months of commencement of negotiations or if Government refuses to negotiate, matter to be referred to arbitration.

ITC

COPE

Land Selection
Process

- 8) shape and location of lands to be agreed upon, but so far as possible shall be limited to entire minutes latitude and longitude, national or provincial boundaries, coastlines important rivers or other natural boundaries.

Selections for each community corporation shall include so far as possible 400 square miles immediately surrounding community, excepting 1 square mile "community site", existing federal installations and public roads

Deficit of 200,000 square miles selected for community corporations shall be selected by ITC and owned by the regional corporations.

Details of selection process by Regional Corporations not set out.

Resource
Revenue
Sharing

Royalties from development on Inuit lands (less than 1,500 feet deep) - at least 10% of value at point of production. All development at depths greater than 1,500 feet over all of Nunavut - 3%

70% of royalties - IDC
30% of royalties - ITC

Royalties on oil and gas development in Western Arctic Region at 3% of the market value at the well-head of extraction plant.

75% of royalties - ILC
25% of royalties - IDC

ITC

Legal Entities

- Inuit Tapirisat of Canada;
- Inuit Housing Corporation;
- Inuit Development Corporation;
- Four Regional Corporations;
- Thirty-four community corporations.

Objectives

- ITC - receive royalties for its own operation, existing regional associations and unspecified community associations;
- staff boards, commissions and committees to implement settlement;
 - select land for community corporations (regional corporations?);
 - continue as central Inuit cultural political organization.

Inuit Housing Corporation

- possible part of socio-economic program (non-profit organization formed in 1975 to supply housing to 4 NWT regional associations with CMHC assistance).

Inuit Development Corporation

- profit corporation formed in 1975 under federal law;
- to give Inuit experience in management, business and investment;

would:

- receive major share of royalties to promote business at the community and regional levels;

COPE

- Committee for Original Peoples Entitlement;
- Inuvialuit Investment Corporation;
- Inuvialuit Land Corporation;
- Inuvialuit Development Corporation;
- Western Arctic Regional Municipality;
- Five community corporations.

- to help plan, develop and construct within 5 years after final agreement a "new settlement"
- COPE to not have a long term institutional role;
- COPE to assist in setting up community corporations, land selections and the Social Development Program;
- COPE not to receive any share of royalties or benefits.

Inuvialuit Investment Corporations

- to be established as a private business corporation pursuant to the laws of Canada;
- means for the collection of royalties through the development of oil and gas in the Western Arctic Region;
- to enable the Inuvialuit to participate in businesses;
- would provide financing and management expertise to community businesses
- provide a fund for succeeding generations of Inuvialuit.

Inuvialuit Development Corporation

- objectives same as for I.I.C.

ITC

Objectives

- handle general investment;
- distribute dividends after 20 years control certain development on Inuit lands;
- have right of first refusal on land related business opportunities on public lands.

Regional Corporations

- non-profit
- receive revenues from 50,000 square miles fee simple lands and control development on or under those lands
- provide members of Board of Trustees, Socio-Economic fund;
- manage and implement socio-economic programs;
- provide one socio-economic resource person for each community in a region.

Community Corporations

- receive revenues from 200,000 square miles fee simple lands;
- control development on or under that land including veto on remaining 50,000 square miles;
- provide members to community Hunters and Trappers Committees.

Structures

ITC

- membership to be all Canadian Inuit (pursuant to continuing role as central Inuit cultural-political organization).

COPE

Inuvialuit Land Corporation

- owner of Inuvialuit Land Corporation
- to have the subsurface estate in fee simple absolute, except for oil and gas, to those lands selected by the community corporations.

WARM

- government of WARM to have at the outset the legislative and administrative control of education, game management, economic development and police services;
- will advise GNWT and Gov't of Canada in respect to all governmental services provided;
- laws and regulations enacted by WARM subject to approval of Minister before having effect;
- may assume any governmental responsibilities that a province would upon approval from Minister;
- WARM to have power to levy real property taxes and business license fees;
- WARM may transfer or assign ownership to land, buildings or chattels it is entitled to the Hamlet Council or Settlement Council of the Inuvialuit Community in which the land, building or chattels are situated.

Community Corporations

COPE

- membership to be all Inuvialuit living in WARM (pursuant to continuing role as central Inuit cultural-political organization).

ITC

Structures

Inuit Housing Corporation

- to be funded by Inuit Social-Economic Fund;
- to apply on a regional basis.

Inuit Development Corporation

- to be established as a business corporation pursuant to the laws of Canada;
- two classes of shares:
 - 1) Class A shares; voting non-participating, non-transferable shares
 - 2) Class B shares; non-voting, participating shares of no par value;
 - non-transferable except by legacy or devolution for the first 20 years subsequent to signing of the Agreement;
 - one Class A share to each Community Corporation (not for profit corporation);
 - one Class A share to Inuvik Inuit Corporation;
 - 100 Class B shares to each Inuk eligible under the Agreement;
 - no dividends issued until 20 years after settlement;
 - new members of community corporation (subsequent to 5 years enrollment period) will not be entitled to Class B shares.

For first 20 years, profits of IDC to be invested in:

- a) creation and expansion of IDC activities

COPE

Inuvialuit Investment Corporation

- to be established as a business corporation pursuant to the laws of Canada;
- to have head office in an Inuvialuit community;
- two classes of shares:
 - 1) Class A shares; voting, non-participating, non-transferable shares;
 - 2) Class B shares; non-voting, life-interest only, non-transferable other than to the corporation if corporation is prepared to purchase the shares;
 - one Class A share to each Inuvialuit Community Corporation;
 - one Class B share of IIC to each Inuvialuk;
 - one Class B share of ITC to every person (18 years) one of whose parents was issued Class B share;
 - for first 30 years - profits of ITC to be invested in:
 - a) Canadian bond issued
 - b) Canadian financial institutions:
or
 - c) the creation or continuation of firms which are at least 51% Canadian owned or become 51% Canadian owned through such investment.

Inuvialuit Development Corporation

- to be established as a business corporation pursuant to the laws of Canada;
- to have head office in an Inuvialuit community;

ITC

Structures

- b) Canadian financial institutions;
- c) creation or continuation of firms at least 51% Canadian owned or which become 51% Canadian owned as a result of the investment;
- d) Canadian bond issues.
- royalties, funds (including from sale of lands) may be transferred between IDC and ITC and will be non-taxable.

Regional Corporations

- membership shall be limited to community corporations in that region.

Community Corporations

- non-profit; community corporations can allow anyone they wish to become members in the corporation during enrollment period (5 years) and after this period can allow anyone membership in corporation, but these members will not receive Class B shares of IDC.

COPE

- two classes of shares:
 - 1) Class A shares; voting, non-participating, non-transferable
 - 2) Class B shares; non-voting, of life-interest only, non-transferable other than to the corporation if the corporation is prepared to purchase the shares.
- one Class A share to be issued to each Inuvialuit community corporation
- one Class B share of IDC to every Inuvialuk entitled upon enrollment (18 yrs. old)
- one class B share of IDC to every Inuvialuk (18 yrs.) one of whose parents was issued a Class B share;
- there will be no corporate distributions by the IDC for a period of 5 yrs. after signing of Final Agreement;
- the IDC will create the following corporations:
 - a) a corp. to supply food, clothing and materials in each of the communities;
 - b) a corporation to construct and maintain houses and supply the necessary materials and fuels;
 - c) a corporation to organize travel and transport.

Inuvialuit Land Corporation

- regional non-profit organization
- membership limited to ICC

IBNWT Claim Submission

October 16, 1977

Format	Agreement in Principle
Parties	Her Majesty the Queen and the Dene nation
Process and Timing	<ul style="list-style-type: none">- negotiation- Agreement in Principle submitted Oct. 25, 1976- signing of Agreement in Principle, followed within six months by final agreement or treaty and followed within six months by submission of incorporating legislation to Parliament
Ratification	<ul style="list-style-type: none">- final agreement to be approved by all communities
Representation	<ul style="list-style-type: none">- submission is on behalf of the Dene in the NWT
Eligibility	<ul style="list-style-type: none">- the Dene will define the beneficiaries- the community will be final authority on who is eligible- eligibility criteria will <u>not</u> be based on blood quantum- no one of Dene heritage will be excluded
Enrollment	<ul style="list-style-type: none">- not mentioned
Rights	<ul style="list-style-type: none">- the Dene want a safeguard of any rights they have enjoyed so far, e.g. under Indian Act and any others agreed to
Treaties	<ul style="list-style-type: none">- the Dene and the Govt. of Canada have expressed a desire to see clarification of the rights of the Dene and negotiation of a new agreement or treaty

Native
Corporations

- not mentioned

Local
Government

- not mentioned

Territorial
Government

- there will be within Confederation, a Dene Government with jurisdiction over a geographical area and over subject matters now within the jurisdiction of either the Government of Canada or the Government of NWT
- the present Territorial Government will continue as the government of the non-Dene

- | | |
|---------------------------------|---|
| Dene Nation | - the Dene have the right to recognition, self-determination and on-going growth and development as a People and as a Nation |
| Special Status | - as aboriginal people the Dene have a special status under the Constitution of Canada |
| Taxation | - not mentioned |
| Lands | <ul style="list-style-type: none">- the Dene have certain property rights to their traditional lands- as aboriginal people the Dene have the right to retain ownership of so much of their traditional lands, and under such terms, as to ensure their independence and self-reliance, traditionally, economically, and socially- the land area in question corresponds to Treaties 8 and 11 and the Caveat area. |
| Languages and Customs | - the Dene have the right to practice and preserve their languages, traditions, customs and values |
| Education | - not mentioned |
| Compensation and Economic Rents | <ul style="list-style-type: none">- the Dene will be compensated by the Govt. of Canada for past use of Dene land by non-Dene- the compensation may take the form of monies and economic rents |
| Hunting, Fishing, Trapping | - not mentioned, other than desire for community-based activities |
| Relocation | - the Govt. of Canada will finance the establishment of new Dene communities as requested |

APPLICATION OF JAMES BAY
LAND

Land:	JAMES BAY CREE	NWT INDIANS and METIS
Community Lands (Category I in sq. miles)	1,247 (Ia)	2,400
(acres per person)	128	128
Hunting, Fishing, Trapping Lands (Category II total sq. miles)	25,130	49,200
(sq. mi. per person)	4.1	8.3

Note: - For extrapolations to Indian claim based on James Bay use
128 acres/capita for Category I and 4.1 sq. miles/capita
for Category II.

APPLICATION OF JAMES BAY
MONETARY COMPENSATION
TO ALL NORTHERN CLAIMS

	JAMES BAY CREE	NWT INDIANS and METIS
Approximate Native Population	6,000	12,000
Cash	\$75,000,000 (7,500 per capita)	\$90,000,000 (\$5,500 per capita)
Resource Revenue Sharing	\$150,000,000 (\$15,000 per capita)	\$180,000,000 (\$15,000 per capita)
Total Monetary	\$225,000,000	\$270,000,000

AMOUNT OF LAND REQUESTED

	NWT INDIAN and METIS
Amount of Land Requested by Native Groups (sq. miles)	Mackenzie Corridor/ Valley*

* To date the amount of land has not been specified only
its position.

Metis Claim Submission

September 28, 1977

Format	Proposed Agreement on Objectives
Parties	Government of Canada and Aboriginal Peoples of Mackenzie Corridor
Process and Timing	<ul style="list-style-type: none">- negotiation immediately- "Agreement in Principle" submitted on Sept. 28, 1977- Special Government Representative located in Yellowknife- clarification meetings to be followed by joint negotiations with Canada and LBNWT
Ratification	<ul style="list-style-type: none">- Board of Directors negotiates but Assembly approves
Representation	<ul style="list-style-type: none">- submission is on behalf of all native peoples of the Mackenzie Corridor
Eligibility	<ul style="list-style-type: none">- the aboriginal peoples are in the best position to decide the doubtful cases of who is an aboriginal person
Enrollment	<ul style="list-style-type: none">- not mentioned
Rights	<ul style="list-style-type: none">- federal legislation should be initiated to guarantee the continued recognition of rights- a negotiated agreement should not reduce government services and programs or adversely affect them or count services as new, additional resources.
Treaties	<ul style="list-style-type: none">- not mentioned
Dene Nation	<ul style="list-style-type: none">- not mentioned
Special Status	<ul style="list-style-type: none">- not mentioned

Taxation

- similar tax concessions as made to non-profit corporations, Indians reserves and certain commercial ventures, should be made for certain lands and revenue as part of negotiated agreement

Lands

- Metis are claiming the right to continue to use and enjoy the lands in the Mackenzie Corridor for hunting, fishing and trapping
- they propose Federal legislation to project title to these "aboriginal lands" so that uses are compatible with their better interests
- they propose a native veto over development of these lands (special federal legislation could override veto, with compensation)
- veto power is carried by a native land use board accountable to the "Senate"
- the board will carry out social, wildlife and environmental impact studies or proposed developments on "aboriginal lands" (studies will be basis for veto or compensation).

Languages and
Customs

- not mentioned

Education

- not mentioned

Compensation and
Economic Rents

- there should be compensation monies for past harm with an advance payment for people over 55 years
- part of remaining compensation monies shall be used for a one-time payment for rest of the aboriginal peoples and other part invested in trust for future generations, with dividends from time to time

- aboriginal peoples should have a share in exploited non-renewable resources through royalty on past and future revenues
 - Heritage Fund should be managed as a renewable resource for future generations, for special educational, economic and cultural programs and programs to stabilize fishing, hunting and trapping (also for language, pension subsidies, employment, investment)
 - the management of the Fund would be by the Mackenzie Native Council, in trust
- Hunting, Fishing,
Trapping
- renewable resources (game, fish and timber) should be harvested on sustained-yield basis and protected against pollution
 - they propose effective management of resources in accordance with sound principles of conservation and adequate protection of environment
 - the authority for management and delegation should be delegated to native institutions for land use control
- Relocation
- not-mentioned
- Native
Corporations
- Mackenzie Native Council should be developed, similar to CYI, to restore political unity among Mackenzie aboriginal peoples
 - first objective should be development, negotiation and settlement of land claims within Mackenzie Corridor
- Local
Government
- local community councils with single voice through "Senate" to veto any rules or regulations adversely affecting "aboriginal lands"

Territorial
Government

- "Senate" will have power to enact or initiate rules and regulations concerning harvesting and conserving renewable resources, and protecting the environment
- they propose that Territorial Govt. be more responsive
- propose an increase in residency requirement for voting
- Territorial Govt. should receive more authority and jurisdiction from Federal Govt. to be responsive locally, and decentralize to regional and community authorities
- Territorial boundaries should be based on communication and transportation lines and common regional interests
- new Territorial Govt. to include NWT west of Saskatchewan-Manitoba border

AMOUNT OF LAND REQUESTED

	NWT INDIAN and METIS
Amount of Land Requested by Native Groups (sq. miles)	Mackenzie Corridor/ Valley*

* To date the amount of land has not been specified only
its position.

APPLICATION OF JAMES BAY
LAND

Land:	JAMES BAY CREE	NWT INDIANS and METIS
Community Lands (Category I in sq. miles)	1,247 (Ia)	2,400
(acres per person)	128	128
Hunting, Fishing, Trapping Lands (Category II total sq. miles)	25,130	49,200
(sq. mi. per person)	4.1	8.3

Note: - For extrapolations to Indian claim based on James Bay use
128 acres/capita for Category I and 4.1 sq. miles/capita
for Category II.

APPLICATION OF JAMES BAY
MONETARY COMPENSATION
TO ALL NORTHERN CLAIMS

	JAMES BAY CREE	NWT INDIANS and METIS
Approximate Native Population	6,000	12,000
Cash	\$75,000,000 (7,500 per capita)	\$90,000,000 (\$5,000 per capita)
Resource Revenue Sharing	\$150,000,000 (\$15,000 per capita)	\$180,000,000 (\$15,000 per capita)
Total Monetary	\$225,000,000	\$270,000,000

A Comparison of the IBNWT and Metis Claim Submission

	<u>IBNWT</u>	<u>Metis</u>
Format	Agreement in Principle	Proposed Agreement on Objectives
Parties	Her Majesty the Queen and the Dene Nation	Government of Canada and Aboriginal Peoples of Mackenzie Corridor
Process and Timing	<ul style="list-style-type: none"> - negotiation - Agreement in Principle submitted Oct. 25, 1976 - signing of Agreement in Principle, followed within six months by final agreement or treaty and followed within six months by submission of incorporating legislation to Parliament 	<ul style="list-style-type: none"> - negotiation immediately - "Agreement in Principle" submitted on Sept. 28, 1977 - clarification meetings to be followed by joint negotiations with Canada and IBNWT
Ratification	<ul style="list-style-type: none"> - final agreement to be approved by all communities 	<ul style="list-style-type: none"> - Board of Directors negotiates but Assembly approves
Representation	<ul style="list-style-type: none"> - submission in on behalf of the Dene in the NWT 	<ul style="list-style-type: none"> - submission is on behalf of all native peoples of the Mackenzie Corridor
Eligibility	<ul style="list-style-type: none"> - the Dene will define the beneficiaries - the community will be final authority on who is eligible - eligibility criteria will <u>not</u> be based on blood quantum - no one of Dene heritage will be excluded 	<ul style="list-style-type: none"> - the aboriginal peoples are in the best position to decide the doubtful cases of who is an aboriginal person
Enrollment	<ul style="list-style-type: none"> - not mentioned 	<ul style="list-style-type: none"> - not mentioned
Rights	<ul style="list-style-type: none"> - the Dene want a safeguard of any rights they have enjoyed so far, e.g. under Indian Act and any others agreed to 	<ul style="list-style-type: none"> - federal legislation should be initiated to guarantee the continued recognition of rights

- a negotiated agreement should not reduce government services and programs or adversely affect them or count services as new, additional resources
- Treaties
 - the Dene and the Govt. of Canada have expressed a desire to see clarification of the rights of the Dene and negotiation of a new agreement or treaty
 - not mentioned
- Dene Nation
 - the Dene have the right to recognition, self-determination and ongoing growth and development as a People and as a Nation
 - not mentioned
- Special Status
 - as aboriginal people the Dene have a special status under the Constitution of Canada
 - not mentioned
- Taxation
 - not mentioned
 - similar tax concessions as made to non-profit corporations, Indian reserves and certain commercial ventures, should be made for certain lands and revenues as part of negotiated agreement
- Lands
 - the Dene have certain property rights to their traditional lands
 - as aboriginal people the Dene have the right to retain ownership of so much of their traditional lands, and under such terms, as to ensure their independence and self-reliance, traditionally, economically and socially
 - Metis are claiming the right to continue to use and enjoy the lands in the Mackenzie Corridor for hunting, fishing and trapping
 - they propose Federal legislation to protect title to these "aboriginal lands" against others who may in the future claim ownership to them
 - they propose a native veto over development of these

- the land area in question corresponds to Treaties 8 and 11 and the Caveat area
 - lands (special federal legislation could override veto, with compensation)
 - veto power is carried by a native land use board accountable to the "Senate"
 - the board will carry out social, wildlife and environmental impact studies of proposed developments on "aboriginal lands" (studies will be basis for veto or compensation).

- Languages and Customs

 - the Dene have the right to practice and preserve their languages, traditions, customs and values
 - not mentioned

- Education

 - not mentioned
 - not mentioned

- Compensation and Economic Rents

 - the Dene will be compensated by the Govt. of Canada for past use of Dene land by non-Dene
 - there should be compensation monies for past harm with an advance payment for people over 55 years
 - the compensation may take the form of monies and economic rents
 - part of remaining compensation monies shall be used for a one-time payment for rest of the aboriginal peoples and other part invested in trust for future generations, with dividends from time to time
 - aboriginal peoples should have a share in exploited non-renewable resources through royalty on past and future revenues.
 - Heritage Fund should be managed as a renewable resource for future generations, for special educational, economic and cultural programs and programs to stabilize fishing, hunting and trapping (also for language, pension subsidies, employment, investment)

- | | | |
|----------------------------------|---|--|
| | | <ul style="list-style-type: none">- the management of the Fund would be by the Mackenzie Native Council in trust |
| Hunting,
Fishing,
Trapping | <ul style="list-style-type: none">- not mentioned, other than for community-based activities | <ul style="list-style-type: none">- renewable resources (game, fish and timber) should be harvested on sustained-yield basis and protected against pollution- they propose effective management of resources in accordance with sound principles of conservation and adequate protection of environment- the authority for management and delegation should be delegated to native institutions for land use control |
| Relocation | <ul style="list-style-type: none">- the Govt. of Canada will finance the establishment of new Dene communities as requested | <ul style="list-style-type: none">- not mentioned |
| Native
Corporations | <ul style="list-style-type: none">- not mentioned | <ul style="list-style-type: none">- Mackenzie Native Council should be developed, similar to CYI to restore political unity among Mackenzie aboriginal peoples- first objective should be development, negotiation and settlement of land claims within Mackenzie Corridor |
| Local
Government | <ul style="list-style-type: none">- not mentioned | <ul style="list-style-type: none">- local community councils with single voice through "Senate" to veto any rules or regulations adversely affecting "aboriginal lands"- "Senate" will have power to enact or initiate rules and regulations concerning harvesting and conserving renewable resources, and protecting the environment |

Territorial
Government

- there will be within Confederation, a Dene Government with jurisdiction over a geographical area and over subject matters now within the jurisdiction of either the Government of Canada or the Government of the NWT
- they propose that Territorial Govt. be more responsive
- propose an increase in residency requirement for voting
- Territorial Govt. should receive more authority and jurisdiction from Federal Govt. to be responsive locally, and decentralize to regional and community authorities
- Territorial boundaries should be based on communication and transportation lines and common regional interests
- new Territorial Govt. to include NWT west of Saskatchewan-Manitoba border