

Debra Thompson

From: David Beebe <fvjerryo@mac.com>
Sent: Sunday, January 3, 2021 8:19 AM
To: Assembly
Cc: Debra Thompson
Subject: "Landless?" Or merely, Corporation-less? Or neither?
Attachments: Beebe S.4889 subcommittee testimony.pdf

Petersburg Borough Assembly members,

Please find attached, my testimony to the Senate subcommittee hearing Chaired by Alaska's senior senator Lisa Murkowski regarding her recent submission of S.4889.

Background

You may recall, Senator Murkowski, having lost the Republican Primary to Joe Miller, resorted to running as a write-in candidate. Less well understood was why Murkowski lost the Primary but still won as a write-in candidate.

It was simple to understand actually. Joe Miller's campaign strategy was simple and effective. It focused on the Murkowski's (father and daughter) federal deficit spending habits.

This sense of urgency over federal deficit spending concerns was heavily factored in the passage of the Tongass Timber Reform Act by Congress removing the Stevens/Murkowskis' blank checks (totaling over a billion dollars) on deficit Tongass timber sales.

ANCSA's Native Corporations, on the other hand, have always been heavily dependent beneficiaries of Alaska's Delegations' access to federal taxpayer largesse.

So, ANCSA's for-profit corporations wasted no time forming their Super PAC, "Alaskans Standing Together" to save Murkowski's political future — once the Supreme Court in 2010 overturned campaign finance reform legislation.

The split Supreme court decision (Citizens United v. FEC) functionally legalized bribery by claiming since corporations possessed "personhood" they possessed free speech rights, and further, their "free speech" included political campaign contributions.

For good measure, the court also made legal the formation of political action committees whose rights included anonymous and unlimited contributions as "Free Speech" (so to speak.)

According to Open Secrets, "Alaskans Standing Together" raised \$1.8 million in anonymous gifts to politicians and spent it all in 2010.

<https://www.opensecrets.org/political-action-committees-pacs/C00489385/summary/2010>

According to KTOO reporting, ANCSA's contributions to Murkowski totaled \$600,000. The Native "get out the vote, write-in campaign" was also absolutely crucial to Murkowski's reelection, (but also absolutely crucial to Sealaska's bottomline.)

It was a handsome return on ANCSA's political campaign investment though. In just three years, Sealaska (having already stripped their most valuable ANCSA timber assets bare) — were gifted with another 70,000 acres of prime oldgrowth timberlands of the Tongass National Forest by Senator Murkowski (S.340).

Should S.4889 pass, another 115,000 acres, (including tens of millions of dollars in taxpayer investments in infrastructure on our Tongass National Forest) will be added to the ANCSA/Sealaska bottomline.

Lastly, we all know that for-profit corporations are legally obligated to make money for shareholders, and ANCSA 's corporations have a known history as among the most rapacious land managers since, well, "time immemorial."

Conclusion

Legitimate questions arising in S.4889 remain :

1. Are Native residents or for that matter, any resident of Petersburg, or other so-called "landless community" truly "landless"?

If we all already have full rights of access and use of the Tongass National Forest, especially being its US citizen taxpayer owners, who among us can claim to be "Landless?"

2. Or on the other hand, are there simply residents of the Petersburg Borough who aren't shareholders in for-profit corporations?

That is, are they landless, or just corporation-less?

They are neither, given their present status as Sealaska shareholders. They just want to form yet another Native for profit corporation for their personal enrichment.

Respectfully,
David Beebe

The Honorable Lisa Murkowski
United States Senate
522 Hart Senate Building
Washington, D.C. 20510

The Honorable Joe Manchin United
States Senate
306 Hart Senate Building
Washington, D.C. 20510

Subject: November 18, 2020, Public Lands, Forests & Mining Legislative Hearing (S. 4889)

Senators Murkowski and Manchin and members of the Subcommittee,

Thank you for the opportunity to express the following urgent concerns regarding the recently submitted Alaska Native Claims Settlement Act Fulfillment Act of 2020 (S. 4889). Many significant questions remain unanswered by Senator Murkowski, provoking a recent Borough of Petersburg letter¹ requesting Senator Murkowski to *delay* and withdraw this legislation until a myriad of complex issues get clarified.

Unfortunately, the rushed timeline and recent (Nov.10th, 2020) submission has precluded public hearings in the directly affected communities. There has been great dismay, controversy and divisiveness with no transparency of process with S.4889 which undermines the political legitimacy of this bill.

False Premises of Entitlement and Eligibility

Of particular concern is Section 7, “*Recognition and Compensation of Unrecognized Native Communities in Southeast Alaska.*” Firstly, these concerns start with the demonstrably false premises of the Section 7 title.

“Recognition and Compensation”

Native residents of the 5 communities mentioned in this bill were *fully recognized* in all ANCSA proceedings and remain *generously compensated* as Urban/At Large ANCSA shareholders receiving

¹ <https://www.kfsk.org/2020/11/18/petersburg-assembly-asks-for-more-time-on-landless-natives-legislation/>

the lion's share of Sealaska ANCSA 7(i) distributions. The current 2020 Shareholder Spring Distributions for these residents totaled almost 4 times *more per share* than village corporation shareholders.²

Secondly, the legislative record is very clear as to *precisely why* the Native residents of these 5 communities were found to be ineligible. Senator Murkowski's serial failed attempts to rewrite history and ANCSA's bipartisan proceedings speaks for itself. Please do not enable Senator Murkowski's naked exploitation of Chairmanship to unilaterally override bipartisan Acts of Congress.

ANCSA as a Failed Social, Cultural, Economic and Environmental Experiment.

As important and urgent as the 1971 Alaska Land Claims Settlement Act was for exploiting the petroleum reserves of Prudhoe Bay, for which state revenues were made singularly dependent, the legislation corporatized over 200 indigenous tribal entities, thus perpetuating the same neocolonial/multinational corporate plantation extractivism practiced in third world countries as well as America's own Appalachia.

Alaska's failed social, environmental and economic policies are directly at the center of Alaska's multibillion dollar protracted fiscal crisis in the second decade of the 21st Century. Still, Alaska's tax policy remains among the lowest of all 50 states.

Senator Murkowski and her predecessor/appointer father (Frank Murkowski) both personally own full responsibility for not only ignoring a dysfunctional, unsustainable, utterly failed social and economic policy, but bear moral responsibility for perpetuating it — *at all social and environmental costs*.

² <https://www.sealaska.com/shareholders/sealaska-announces-spring-2020-shareholder-distribution/>

Alaska's social metrics speak for themselves. Whether ranking at the top of public corruption convictions per capita in all 50 states³ (2013) or at the bottom percentiles of social metrics of the entire US, decades of social scientists' research have also documented Alaskan Native communities are still in the grip of ANCSA's failed social and cultural legacies. National registers annually demonstrate the communities of Alaska have amongst the highest rates of infant mortality, domestic violence, suicide, sexual abuse, and substance abuse in the entire nation. Alternatively Alaska has among the lowest measures of health and quality of life. S.4889 will perpetuate rather than mitigate these social and cultural tragedies.⁴

S. 4889 perpetuates environmental tragedies of Climate Catastrophe, Ocean Acidification, and Ecological Crises

This hotly contested and politically incendiary legislation introduced by Senator Murkowski further expands and imposes her multi-national corporate privatization agenda on the Tongass National Forest. This occurs to the exclusion of bedrock environmental laws to maintain ecosystem integrity. This occurs to the exclusion of sustainable economic policy upon which all rural communities of the Tongass depend.

ANCSA's model of privatization of public lands and resources, environmental deregulation, and unsustainable corporate asset stripping of the most biologically valuable and at-risk watersheds of the Tongass National Forest, are at the center of

³ <http://www.ktoo.org/2014/06/16/alaska-tops-corruption-rankings-policy-journal/>

⁴ 2010 Kirk Dombrowski, "The White Hand of Capitalism and the End of Indigenism as We Know It." *The Australian Journal of Anthropology* 21:129-140.

2008 Kirk Dombrowski "Reply: What's changed (since 1975)?" *Dialectical Anthropology* 32(1-2): 43-50.

2007 Kirk Dombrowski "Subsistence Lifestyle, Native Identity and Internal Differentiation in Southeast Alaska." *Anthropologica: The Journal of the Canadian Anthropology Society* 49(2):211-229.

2004 Kirk Dombrowski "The Politics of Native Culture" in T. Biolsi (ed) *A Companion to the Anthropology of American Indians* pp. 360-382. Malden MA: Blackwell Publishing.

2002 Kirk Dombrowski "Billy Budd, Choker-Setter: Native American Culture and Indian Work in the Southeast Alaska Timber Industry." *International Labor and Working Class History* 62:121-142.

our present unfolding ecological crisis. S. 4891 will only exacerbate and accelerate our regional ecological and social collapse.

The Tongass is globally known as the “Crown Jewel” of America’s national forest system, not a corporate tree plantation which will never provide the ecosystem integrity necessary for maintaining the world’s most sustainable and largest wild salmon runs. The last two years have been disasters for the commercial salmon fisheries, while tourism has also taken a hit. We must reverse Native corporate extractivist policies rather than expand their environmentally destructive practices which endanger legitimate and sustainable sectors as mainstays of our regional economy.

Conclusion

The 49 year history of ANCSA speaks for itself as the final act of post-genocidal assimilation of Tlingit, Tsimshian and Haida cultures of Southeast Alaska.

Senator Murkowski’s prior 70,000 acre, Sealaska Native Corporate privatization scheme (S.340 in 2013) resorted to the same false pretenses as her current S.4889/S.4891. Neither could be passed as stand-alone legislation, so must be bundled into the belly of a Trojan Horse omnibus bill.

Our nation’s lawmakers are infamously presiding over the lowest public approval ratings of the American electorate in all history, and S. 4889 demonstrates precisely why.

Please deny passage of S.4889 & S.4891 which comprise yet another, socially divisive, environmentally destructive, and morally reprehensible legislative assault on our rural communities of Southeast Alaska.

Sincerely,
David Beebe
Petersburg Alaska