

**Written Testimony
of
Rebecca Knight
Before the Petersburg Borough Assembly
Regarding S. 3269 “Alaska Natives Without Land” Legislation
December 6, 2021**

Hello Mayor and Assembly Members:

My name is Becky Knight.

As a prime sponsor, Senator Murkowski recently introduced her latest version of the so-called Landless legislation S. 3269 and immediately referred it to the Senate Energy and Natural Resources (SENR) Committee. It is another in a long series of her singular-minded public land raids for resource extraction. The bill would privatize 115 thousand plus acres of already fully utilized public land to native residents of five Southeast communities for the purpose of forming corporations. It would gift them millions of dollars of taxpayer funded infrastructure including roads, bridges, trails, and marine access facilities. The selections would displace existing public uses.

In June, the Borough cited several unresolved concerns about the bill and decided to postpone a position until the final version of the legislation was presented to the Senate. Accordingly, that time has come....I request that you take a position.

In 1971, ANCSA was widely accepted to finalize Alaska indigenous land claims. Yet, in 2014 Senator Murkowski instead asserted claims were final after passage of her 70,000 acre Sealaska bill. I ask, when is final truly final?

Federal public lands should remain in federal public hands. The impacts of this legislation to residents, visitors, fish and wildlife populations, and the American taxpayer have not been fully vetted.

That natives from these communities have been “waiting 50 years” is not due to an “oversight” or an “inadvertent” omission. Their exclusion from village status was informed, considered, and an intentional determination under ANCSA. They simply did not qualify under three basic criteria, as various high level agency officials have repeatedly written and testified before Congress regarding similar versions of this bill. As specifically enumerated by these officials as well as the framers of ANCSA, natives from these communities

received equitable treatment. They were not “left out.” In fact, they are at-large shareholders of Sealaska and hold surface and subsurface rights.

Senator Murkowski has been glaringly absent from ANY public discussion regarding this precedent setting legislation and has exhibited little if any leadership on her bill. There have been NO congressional field hearings. She proposed the disposition of these public lands only a few days following the announcement of her candidacy for another term of office. The timing is not coincidental.

The Assembly previously sent a letter raising concerns about the proposed legislation to our delegation. You also sent them a list of important questions regarding its impacts on the Borough. To my knowledge there has been no reply, however a response was received from corporate lobbyists—predictably in support of the bill. Their answers were largely ambiguous and incomplete (as noted in my previous testimony available [here](#)).

Withdrawal of two Portage Bay Forest Service cabins from inclusion in the current bill are only minor improvements and were likely included in earlier versions as future dealmaking fodder. Borough residents concerns do not end at the Borough boundaries. We travel far and wide in SE Alaska.

Other major concerns remain completely unaddressed. For example:

~ First, why must the Tongass National Forest bear the brunt of land selections, while State, Mental Health Trust, and University lands are not also asked to share in that burden?

~Second, the landless groups assume an entitlement to one township or 23,000 acres each, based on the other corporations in Southeast. However, had the five corporations been included in ANCSA, perhaps Congress would have allotted less than one township to each of the Southeast corporations; or perhaps it would have allotted land to Sealaska on less than a 1:1 ratio with each village and urban corporation.

Third, it is notable that eligible native enrollment in these communities varies widely, however each corporation would receive equal acreage, raising the basis for yet more claims of inequity.

In the words of the Jim Lyons and Sylvia Baca, previous Secretary and Under Secretaries of the Interior and Agriculture Departments:

“Recognition of the five “landless” communities could reopen the entire settlement scheme of ANCSA and result in a never-ending, extremely costly, and unattainable effort to effect total equality of treatment among all Natives in all communities.”

Thank you for the opportunity to comment.

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