

Honorable James A. Haley  
May 10, 1971  
Page Three

are presently justiciable because we filed suits on them before the Indian Claims Commission while it was still possible to do so. These suits are now pending.

In short, the Tlingit and Haida have extensive and valuable existing aboriginal rights which we will be called upon to surrender as part of the settlement, and there is no rational basis for discriminating against us in the way the Administration's bill would do.

In the case of the Tlingit & Haida Indians, H.R. 7432 would extinguish, without limitation, "any and all claims" belonging to us. In the case of all other Natives, the bill would extinguish only claims based upon aboriginal right, title, use and occupancy of land in Alaska, and upon certain acts of Congress. As a matter of fact, we now have claims pending before the Court of Claims based upon current mismanagement by the United States of money that belongs to us. These claims are contemporaneous. They are not founded on aboriginal rights and certainly should not be extinguished by the settlement legislation.

The Administration's new bill in its present form is not acceptable to the Tlingit & Haida Indians, nor, I believe, to many other Native groups. Without doubt, the best bill produced so far is H.R. 7039. I hope the Subcommittee will focus its attention on that proposal.

Sincerely yours,

John Borbridge, Jr.  
President

JB:aw  
Enclosure