Donald Mitchell oral histories, Archives and Special Collections, Consortium Library, University of Alaska Anchorage. Ramsey Clark interview, 1993 July 20. Transcript completed by Andrea Atkins and Louisa Dennis.https://archives.consortiumlibrary.org/collections/specialcollections/hmc-1099/

MR. MITCHELL: And date this, which is July 20th, 1993. And I'm in the Lower Manhattan Village Loft Law Office of former United States Attorney General, and one time Alaska Federation of Natives Washington, D.C. counsel, Ramsey Clark. And I'm going to move that tape over there. And it actually has a pretty good mic on it.

MR. CLARK: Okay.

MR. MITCHELL: Well, I guess the --

MR. CLARK: Even if I talk in that direction it'll pick it up all right?

MR. MITCHELL: Yeah. Or --

MR. CLARK: We can move over here. And that way --

MR. MITCHELL: Yeah. That's a good idea.

MR. CLARK: And that way it will get you out of the sun, too.

MR. MITCHELL: Great. And actually, as long as I'm going to do that, maybe I could take --

MR. CLARK: Yeah.

MR. MITCHELL: -- off the upper half of my costume here.

MR. CLARK: Would you like a glass of ice tea?

MR. MITCHELL: Oh, no, I'm fine.

MR. CLARK: Sure?

MR. MITCHELL: Oh, yeah. Well, I think the -- maybe the best way to start would be how you got involved in the Alaska issue to begin with. Let me tell you the little I know, which is that through a whole variety of -- of luck more than anything, I think, Arthur Goldberg, obviously, had gotten in the spring of 1969, involved with AFN. His brother -- I mean brother -- his son, Bob, was up in Alaska. And Bob since moved to Virginia and we've been missing each other, so I haven't been able to -- to get the details. But I know that -- that initially, Arthur Goldberg had been representing AFN. And the Administration, of course, had rolled by that time. And former President Nixon, I believe, made you the campaign promise of --

MR. CLARK: Unemployment.

MR. MITCHELL: -- unemployment. And I know that you ended up then that summer -- I guess during the summer -- but at Paul Weiss, down at D.C. And how did you -- how did you end up with Alaska Natives as a project?

MR. CLARK: Well, my impression is that Justice Goldberg came into it virtually, entirely, through his son. Which is natural and understandable and good. He didn't have a lot of background in the area geographically, subject matter, or otherwise. He was very committed in an instant. In addition, he was in the midst of developing a new practice and getting ready to run for governor of New York. He ran for governor of New York in '70, I'm almost sure.

MR. MITCHELL: Yeah, it was '70.

MR. CLARK: And that took him completely off. I had joined Paul Weiss shortly after he did, we had known each other in the (indiscernible) of course. I had headed what was then called Land Division for four years back in the early '60s, which has -- or had, I think it still does, all U.S. litigation relating to Indian peoples. Even conflict that you -- you defend their suits and you represent them. But we had the Indian Claims Commission Act litigation, which was in the early '60s, really in its early disposition stage. I mean the law and act was passed in '46. In the four years I settled many times more cases and amounts paid than in prior history. And then we had cases involving Indian rights, border rights, if it was border rights litigation we would represent Indian claims and -- and the water fishing rights. And suits against the Indian tribes, we would represent in many instances. And so I had -- I had that background and experience. At that time, I had an office in Washington, as well as New York. So he asked me if I would -- I'm almost positive that my entire introduction to it was through Arthur Goldberg. And, frankly, I think his participation ended very shortly after I began to get into it. For instance, I can remember hearings were coming up, and we were hopeful that he would testify, but he was, by that time, out of the picture for -- whether it was the campaign or something else, I don't recall.

MR. MITCHELL: Right. I know that right after you got involved in August of '69, there was a senate hearing, it was the second senate hearing Scoop had on this. And you guys jointly testified. The two of you both --

MR. CLARK: Did he testify too?

MR. MITCHELL: Yeah. But then that's basically the last --

MR. CLARK: The last --

MR. MITCHELL: -- sighting of Justice Goldberg anywhere in the middle of this.

MR. CLARK: I'd even forgotten that he testified. I wonder if he actually went up or if he just submitted his statement.

MR. MITCHELL: No, he was there.

MR. CLARK: He was there?

MR. MITCHELL: He was there. But that was it.

MR. CLARK: Was that the same day?

MR. MITCHELL: Yeah. Yeah.

MR. CLARK: That's interesting. I don't remember that. Anyway, that's pretty much how I got into it. But perhaps -- you know, I had worked in Indian law some before. I worked with the Western band of Cherokee out of Tahlequah, Oklahoma, then I was in Texas. And had work -- and so then when I came into government, I became close to a lot of the Indian people I had known before in Oklahoma. I also -- because I was in -- both their lawyer and their opposition, depending on what the case was. It made it more than anything else, the Indian Claims Act cases were my primary experience or background. Because, you know, I think if you want to get the sweep of these problems it's extremely hard to do, and you have to go to other countries to do it too, I think. But basically by 1946, congress was simply exhausted and felt so by claims of Indian people for all the six types of claims the Indian claims Act identifies. And -- and my judgment, although I wasn't there at the time, but I had to study it intimately in the '60s. More than for any other reason it enacted this claims settlement act to get rid of the claims. They said, "I'm done with it. We don't want you coming down saying you don't want downtown San Antonio anymore," we want to settle these things and get on with our lives. That was the theory of it. And it was not -- as I came into Indian claims cases, I had very bad feelings because after history of conflict, they pitted the Indian people through their tribal organizations through the United States again. So rather than working in a constructive way to create something, build something, recognize something, you're fighting. And you're -- it's litigation, and you've got lawyers in there. And the Indian lawyers have probably over the years -- and I say this as a person that's been an Indian lawyer, done more harm to Indian people than any other single profession, including politicians. And administrators, even the BIA, perhaps, maybe that's going pretty far. But they -- it's been pretty bad, let's face it. So here you put people into conflict, and the issues are overwhelmingly figurative, they're not real. For instance, in -- in the Indians of California case, which is a generic case. It wasn't -- there was a Pit (phonetic) River case and a few other triable cases. But there were -- had been so many mission Indians, as they would call it, and -- and there's been such a tribal breakdown and there was just no way of treating California from the standpoint of tribal claims over them. So they treated it as Indians of California, and you register and all. And all of a sudden, you're supposed to evaluate the market terms, fair value of 76 million acres or whatever it was of California land that included the top of Mount Whitney and the desert floor Death Valley. And include what it means to have two-million head of cattle and a million head of sheep on the land and gold discovered and all that stuff. And it's figurative because any transaction like that would not be an economic transaction, but it would be a political transaction. But -- but what do you got? You've got experts going out there. And they're -- and so you go and you fight for years and years, and in the meantime the Indians get poorer and poorer. And then you wind up -- we settle it. And we settle it at a level

that infuriated Congress. And it was peanuts, it was absolute peanuts. I don't remember what it was right at the moment but it was peanuts, you know, I mean it was nothing. It was all this for nothing. It was less than -- it may have been $15 million, I don't really remember, it may have been 50, maybe, but it was peanuts. So because I came to the Alaska Natives and -- and the whole philosophy of it, if you think about it too, is what you call termination. Not termination in the Eisenhower period sense of we don't recognize -- we terminate our relationship with the Mojave tribe or something like that. But termination in a more profound sense that it's over, it's terminated. Whatever happened, happened. You have been paid. Sure, we ran over you with that truck and, you know, wiped out both your family and broke both of your legs and fractured your skull, but we paid you for it. We don't want to see you anymore. It's terminated. That was the philosophy. When I -- so as I came to the Alaska Natives claim, I wanted something that was more than that. Give them dignity, recognition, and a -- a future of choice, that they can live in their villages, they can hunt and fish, the caribou would be there for them, if they could share in the development of the state, the timber, and the oil. They could keep the vast areas in pristine or comparatively pristine condition. We had -- this came out right at the time of what we call the field report.

MR. MITCHELL: Right.

MR. CLARK: And to give you some background of that data, in part, is in addition to my Indian stuff, I've done all this riot stuff. So I'd be looking at the Watts riots and I see how the per capita income in Watts is a fraction of the per capita income in the rest of Los Angeles. You know, how food poisoning there is four times more common than arrest. And how -- levels of education are five years -- formal education, five years less. Measles and everything like that were much higher, deaths from fires in homes were much higher, just misery there. So you look at the field report, and it was really stunning. I mean, it showed life expectancy of the Native population, barely half the life expectancy with the non-Native population, roughly 35 percent that showed per capita income. At least comparison to (indiscernible) comparison (indiscernible) I guess but Native income was about 25 percent of non-Native income. Of course, a lot -- a lot of them weren't even cash economy. When the field report was done, they were trading and -- and cash money wasn't an (indiscernible) account of the people. But you looked at TV or alcoholism and stuff like that. So of course the -- the basic concepts and parameters were very much formed by events, as these things always have been. I will -- I will never be persuaded that anything like what happened could have happened except for Prudhoe Bay. And the reason I knew that was when I could go up to a senator and I can guarantee you that if you had spoken a figure like that in the senator's office, as an assistant attorney general of land claims settlement, some ten years earlier, (indiscernible). You're crazy, you're absolutely crazy, unthinkable. You know, what are you talking about? There's nothing like -- no (indiscernible) absolutely nothing. But now you can go up and say, "Look, they just made $900 million on one day's bonuses, on leases, and they all hadn't (indiscernible). And you're telling me you can't give the Native people something?" So the -- so Prudhoe Bay for all the misery (indiscernible) -- because I don't -- I've never seen oil bring happiness to a people, and I watched it. I mean you go to the Cherokee lands over in Eastern Oklahoma, and there's all that rusted out oil up there. It may be cleaned up pretty much now. But it was certainly there when I was a young lawyer up there, and it was up there when I was there

in the '60s. And the Indians are still functionally illiterate, about 60 percent, you know. If you came in and you suck all the oil out, and you brought in gambling and alcohol and women and corruption and everything, (indiscernible) them, and then you took the oil and left them with a bunch of rotten equipment and polluted riverbeds and took all the rest.

MR. MITCHELL: Well, let me back you up on a -- on a couple points.

MR. CLARK: Yes.

MR. MITCHELL: One -- one is that I was curious about, is that through this whole thing, sort of intellectually, there are -- when you look at Arthur Goldberg's first appearance in front of Stuart, he basically takes the position in terms of the policy justification for why we should do this, he sort of takes almost a pure, what I call a field committee approach, with the kind of things that you just described. You know, we have an obligation to do all this, to treat these people fairly because you look at these very -- various components of their social pathology and it's a mess, and we have sort of a responsibility for it. As you know, there were a lot of people in the Native community, who viewed the whole thing not from that angle, but much more from a property right angle, you know. A lot of affection for the legal fiction and -- which is all it is -- of aboriginal title and that this is not another, you know, economic opportunity act for us. The Natives, this is settling up a real estate transaction in terms of extinguishing aboriginal title and sort of highly came out on that sort of spectrum. It seems to me, in terms of people that I've talked to, it really sort of influenced how they viewed what was going on here. And I guess I was curious in terms of how you saw that mix. In terms of -- did you see this as a real estate transaction or did you see it more as a field committee social exercise? How do you think congress felt about it?

MR. CLARK: I saw it overwhelming -- now, we're all coming out of -- of the '60s, couldn't help that. I mean, we all came out of (indiscernible) and we all shared that experience. I mean, Goldberg was Secretary of Labor and he was -- it was actually before, primarily, but we lived through it. So we all had that sense. But my sense was more historic on justice. Historic meaning that they were here. This was theirs, not in a black stone sense of Black Acres, nothing like that. Much more generous sense of, in a natural right, this was their. And this wasn't just these leaps and bounds, it was everything here. We took it and -- and in the process we damaged their lives in many, many ways. Dignity, perception of self, ability to live as they had, and could choose to continue except for us, their health. And -- but still it wasn't a damage suit and it wasn't a property suit. It was a suit or an action or a legislation -- we went through the same thing in Ecuador now and another in Guatemala, in which (indiscernible) Istanbul. We owe it to our species to respect others, to respect their rights, to respect their culture, and to provide them maximum opportunities to live as they choose, as they choose. Not to impose our culture, not to impose out values, not to impose our will, not to impose our jails (indiscernible). And so we wanted legislation that would provide them an opportunity, by their own energy and imagination, to move into the 21st century as they chose. From their background, from their culture, their value system, and providing them as much insulation, as much breathing room as possible from the inherently coercive nature of our dominant culture. That -- so I certainly didn't see it as a -- a

land grant action or a real estate deal. I didn't see it as a damage suit of somebody getting run over. I did think we had an obligation to -- to provide as a part of the settlement, something that would restore them to the potential for help that they had before our environmental and other intrusions on them. And I -- you know, I -- so when we started getting into things like the cultural preservation foundation and all that -- those things, the hope was that it would provide them the means not for commercial activity and enterprise, we wanted them to be, like, dependent upon (indiscernible) liability, but we wanted them to be a free people who could choose their own (indiscernible) highest level possible. And that meant that they needed money, they needed land, they needed what you might call technical assistance.

MR. MITCHELL: Now, do you think that they -- at the beginning, did you think that they needed as much land as they had already in their own mind settled on? I mean, certainly Scoop Jackson at the beginning of this had views -- I'll ask you about that in a second, but they were far smaller --

MR. CLARK: Yeah.

MR. MITCHELL: -- in terms of land as opposed to the Native imagination.

MR. CLARK: Yeah. My recollection is he was talking about four million acres or something like that. This is -- I remember fighting cases outs of pro-reservation Montana, where you could see the infinite variety of ways that Europeans had cheated Indians out of their land. And they came in and take it once and we take it back -- take it from the Indians once, we take it back from them. I just saw some (indiscernible) who identified an Indian reservations as an impoverished place surrounded by thieves. They -- they took land from the Indians, and so we put a -- an alien rule clause. I couldn't -- so then we'd find people would come and they'd lease it at a penny a year for an acre for the next hundred years. So what you got, you got -- you got the land tied up for pennies by a lease and on and on. So I really didn't think that the amount of land was the key, so -- in terms of ownership so much as in terms of rights and uses. If I had my way rather than selecting a fee title, because that's not a concept that really means too much up there. You would have had to (indiscernible) it might have been twice that much for caribou and you wouldn't say wilderness, but it would have many of the aspects of -- of the wilderness.

MR. MITCHELL: Wildlife habitat.

MR. CLARK: Yeah. Yeah. More complicated than that, but basically that. And you would regulate timber and cutting and mineral exploration and all that kind of stuff to preserve it. I looked at the land. I've been looking at the land of the whole country, particularly the west. I mean we own -- when became in to government, we owned 49 percent of California, we owned 99 percent of Alaska, (indiscernible) state. So you could -- you could conceive of ways of dividing it up into townships and sections, but it just didn't -- I mean, you don't need a checkerboard up on the tundra, it didn't have a lot of meaning. You've got to think in terms -- but the 40 million acres, I would have gone for more very gladly because I did think, except for being ripped off and trashed by others, I thought it had a higher potential for harmony with

nature in Indian tribal ownership and Native tribal ownership than it would in state ownership or in private ownership. Private ownership, you know, doesn't make a lot of sense for most purposes up there because -- so you own a 100,000 acres you know, north of the Yukon, what are you going to do with it?

MR. MITCHELL: I've always said that, what if a village was so grateful for my good works over the years they gave me all their land?

MR. CLARK: Yeah.

MR. MITCHELL: What on Earth would I do with it?

MR. CLARK: Yeah.

MR. MITCHELL: Not much.

MR. CLARK: And then you'd realize if anyone wanted to tax it, you would be worse than land poor, you'd be out of business.

MR. MITCHELL: Well, now, we talked about sort of where you were coming from --

MR. CLARK: Yeah.

MR. MITCHELL: -- in terms of your experience. How about Alaska, yourself. Have you ever been up there before?

MR. CLARK: I've been up there, yeah. I first went up there -- you know, I started out -- I was born in Texas. But boy, when I first went west and saw those mountains, you know, I really fell in love with it. So I camped and I climbed every mountain over 10,000 feet in southern California. And I -- I surveyed down there to the continental divide from virtually Gunnison down into New Mexico. So I love the outdoors and when I was just a kid, I mean a teenager -- early teen, 1941, so I was 13. It was the best trip my mother and father and I ever took. We couldn't take my sister because she got carsick and airsick. We went up the inside passageway and they got off in Valdez and drove the Richardson Highway down to Fairbanks. Came back down the railroad to McKinley that was what they called it then, terrible name. And then fly back down to Anchorage and someplace and sail back. So we sailed. And we spent -- it was about a six-week trip. That's the Alaska (indiscernible) I've been many times, but that's the Alaska I'll always remember, unbelievable. When you come into Ketchikan and the salmon fisheries would be there and there would be barges full of salmon, thousands of salmon. And what are those black and white whales that jump?

MR. MITCHELL: Oh orcas.

MR. CLARK: Yeah. Jumping as you're coming up in there. And then you get up into the mainland and you're driving along and there's a little baby orca that's just been born and the mother, and a little fox is going over here, and there's a big moose, and mountain sheep, and then you see herds of caribou. It would be hundreds and hundreds of -- I mean, thousands and thousands -- maybe tens of thousands of caribou, just endless herds of them. You've never seen a movie like that, just stampedes and all. Maybe they -- just wildlife was unbelievable. We came down the railroad in a little car, they had cars on the railroad that didn't make much noise, so the animals don't hear you coming like they do a train. And oh, you had to go very slow because you had moose stand there and jump in front. Just unbelievable, eagles and fabulous untouched country in 1941.

MR. MITCHELL: That was before -- the military hadn't really got there --

MR. CLARK: Yeah that's interesting. People were talking about war. We were living in California, my family, at that time. My father was a lawyer in the west coast division of the antitrust -- west coast section of the antitrust division, what they called P5. They -- the military was, of course nothing like it's been since. But it was there and they were talking about war. And we hadn't heard that in California, but we were -- I remember my dad and I talked about it many times over the years, particularly after Pearl Harbor. Before Pearl Harbor we thought, this is strange, war? Because, you know, we still thought of the Japanese as these good gardeners, you know. As everybody thought of them in California, they were green grocers and -- and farmers, gardeners.

MR. MITCHELL: Well, now, one set of folks we haven't touched on yet is -- because I know that you're involved by July of '69 because I -- the first sort of sighting that I have of you in the record is I know that you went up to Juneau with AFN and met with -- with Keith Miller who had taken Wally Hickel's place as governor. I don't know if you remember all this.

MR. CLARK: Yeah, I remember.

MR. MITCHELL: What did you think at the time in terms of when you met with the clients. In terms of -- I mean, I guess at that time the AFN was being run by Iuanati (phonetic) and John Warbridge (phonetic) and there were some other ones. But how did you find them as compared to say, other Indian leaders that you dealt with. Did they seem to have an idea of what was going on? Were they lacking in basic knowledge or sophisticated? Run us through that.

MR. CLARK: Well, there's -- you know personal chemistry meshes a lot of this, Iuanati immediately affected me as extraordinary as decent, wise, gentle, caring. And while a little mystical, a good leader. I think Iuanati was -- I (indiscernible) here by the time (indiscernible) Indian claims settlements and all that stuff. The one thing they had, I really believe this, they hadn't been working with Canadians. Later I realized that Canadians in many areas were less effected than the Alaskans, and you can see it in art. Their Indian art remained pure for (indiscernible), remained pure for a long (indiscernible). And Alaskans had gone commercial, you know, you could tell it's like the Indians in Santa Fe, where there -- the people of the church

come by and they're sitting there and (indiscernible) Indian. We -- they hadn't been as affected by hunting and culture and ripoffs of -- they were still living a more frontier pragmatic hardheaded close to the Earth. John Warbridge -- Engle was the one that I felt closest too. I mean, it's just one of those things. I really respected the man, I loved the man, I still do. I never -- never get to see him, but we were going to spend a winter in the Yukon, just take a few books and sit in there and talk, sleep, and eat. We never got around to it. John, I really liked him. I thought he -- he's a schoolteacher and a little bit of removal from my dad (indiscernible), the Eskimos -- the senior Hobson (phonetic) was someone I always thought you could deal with and rely on and work with. Willie Hensley was quite different. Willie was -- he had been to George Washington University or whatever it was, but he was very bright. And I felt had enormous potential for political leadership in a very -- a very difficult political context. I mean, if he'd been any place, he was just a savvy, politically instinctively quick person committed to his people. Some of the leadership, I felt, was very materialistic, only materialistic. You never hear them talk about the villages and the people and what they needed. They were much more actively taking of power and control and balance sheets, money, royalty, stuff like that. They had instinct. I really felt the biggest challenge, though, was to prevent division within the leadership until, at least, hopefully forever -- but until at least the act was law, the settlement bill was law. Because I -- I saw the potential for great damage to what could be achieved by any chips in -- in the unity. So --

MR. MITCHELL: So (indiscernible) must have presented a big problem for you.

MR. CLARK: It did, it did. A big problem. And I'm not good at that. I'm -- I'm inclined to say what I think and try to reason things out. But I -- I felt under these circumstances that one of our most important needs was to secure and hold the highest level of (indiscernible) possible for the legislative efforts. And that was a constant concern because I saw many threats to it. Great risks in it, in this unity. But I liked them, I enjoyed working with them. Got up a number of times, not -- I may have been up six times (indiscernible).

MR. MITCHELL: Well, now, sort of going back to the chronology for a second, you basically get involved in the summer of '69 and -- and have this meeting with Keith Miller that he's not particularly a (indiscernible) I wouldn't think other than the fact that Keith Miller didn't have the slightest idea what the State's position was, I guess, at the time. And by the fall, Scoop Jackson --

MR. CLARK: We had other people at that time, too. I don't remember who they all where. I remember the state senator who was the son of -- of the famous --

MR. MITCHELL: Oh, Lowell Thomas.

MR. CLARK: Lowell Thomas, the third or whatever it was, yeah. And a good many. In fact, we had on one of the islands (indiscernible), you know, we had dinner, we had three or four or five together trying to talk things through with them, and that was probably before the meeting with Miller.

MR. MITCHELL: What did you think of Keith Miller? I was just going to kind of sort of blow by him here for the moment but --

MR. CLARK: I'm not sure that I have a judgment that would be worth much. I thought he was so new -- and I'm not sure unaware is quite fair -- but unaware of all the problems. I really thought it would be hard to deal with him because he didn't know what he thought yet, and that made him guarded and inconclusive. With, I mean, someone like Scoop Jackson you know exactly what they think, exactly what they want, so it's easy to work with, even though you may wish he didn't want that, think that. So he seemed vague and indecisive and as -- but he seemed, to me, to basically be a decent person. And not -- not -- not an aggressive person like Hickel. With Hickel you would have had many clear problems that you probably wouldn't have had with Keith. That's my thought.

MR. MITCHELL: All right. Well, what does happen when the system finally shifts out of neutral and into these first years, in the fall '69, Scoop and the senate interior committee, finally -- I guess it's November, they finally get to holding their first meeting about what to do about all this. And of course Scoop is -- I think we talked earlier had -- had that spring introduced the federal field committee approach as his legislation, basically. And I guess that -- that leads to the question of what was your view of where Scoop was at on this? Did the two of you have a personal relationship before this all came up? Did he have views on Indians? He had been one of sponsors on the Indian Claims Commission Act.

MR. CLARK: Yeah. He was the big gun behind that. And he knew that I thought it was wrong in concept and unsuccessful in execution. It was a mess. (Indiscernible) you fighting the Indians, this new Indian war just with a court and lawyers. And the poor people out there on the reservation as mad as hell, why wouldn't they be? Three decades have gone by and nothing's happened to that. My -- you know, he had been chairman of the interior of the national affairs. And a major part of my activity in lands division was legislation related before those committees, more than even judiciary committee because I was, you know, doing stuff with the interior and other agencies that -- I think at that time we had a good relationship. Later it became -- so Vietnam War was affecting our relationship at that time because I was a big opponent of the Vietnam War and had been. Scoop was Cold War. Later it deteriorated even more because of my views of the rights of the Palestinian people, which -- and he was big Israel supporter. But at that time, I think we had a good relationship. But I thought his views of the legislation was bad, and I knew he was stubborn. I've got (indiscernible) that I don't really want to have. But he was -- when he thought something, he didn't yield, you know? He was just a tough-minded man. He knew what he wanted, and he wanted it. He was chairman to Wilson. He wanted legislation, that was the last thing that we had. He wanted legislation. And I think he really saw it, in part, the completion of the work that he had begun in '46. But I -- I thought he was a problem because I thought his vision of the subject was limited, mechanical, and arbitrary.

MR. MITCHELL: Now, did you sit down and basically try to educate him at length on -- on your views of this or was your relationship in terms of the legislation more formal than that or --

MR. CLARK: No. I -- I certainly had the access and opportunity for that and did it to some extent. But, you know, he lived in Washington, he felt much closer to Alaska than he felt I was, he identified, he identified with what you might call Indian law and rights. He knew I had many conversations and discussed many cases and matters in the four years I was in the Land Division and probably the four years I was in the Department after. But he's not the kind of guy that you can go in and reason with and persuade about something. You might move him a little bit, but he feels that he knows so much about -- as he does -- I mean if you ever tried to talk to him about Israel or about the Vietnam War -- (Brief interruption.)

MR. MITCHELL: Well, we were talking about -- about the effort or the tribulations and attempting to -- to -- to move Scoop Jackson's intellectual imagination on that.

MR. CLARK: Yeah. That -- I think that's probably as good a way to put it as any. I did want to -- and I did try to instill a sense of ideas and history about it, kind of a grand vision. That we've got to do something right for Indian people. We've never done anything right -- he didn't like to hear that --

MR. MITCHELL: Oh, yeah.

MR. CLARK: -- for Indian people. And had -- to do it right, it's got to be generous, it's got to be big, it's got to be theirs, it can't be ours, you know. We were doing something to them if it was ours. We were doing something for them if we give it to them. If we want them to judge and decide and choose. And maybe he moved a little bit.

MR. MITCHELL: Well, obviously, the -- the bill that the committee eventually reported that next spring, in terms of -- of sort of the AFN position going in, with respect to the money, it was really quite generous in terms of 500 million, in terms of having royalty. Not in gratuity the way AFN wanted. But have having it at all was --

MR. CLARK: Yeah.

MR. MITCHELL: -- a pretty amazing idea. But in terms of -- of both the 40 million acres and in terms of the regional corporation concept, which by that time, of course, had become as non-negotiable as the 40 million with what I call the Native warlords. You know, (indiscernible) regional organizations. Did -- did you attempt to caress those AFN, I guess, demands for lack of a less pejorative word on the (indiscernible) or did -- basically, did you guys not have that much control over -- over the committee's fundamental decision making? You must not have because obviously, you didn't -- you didn't get all that out of it.

MR. CLARK: Yeah.

MR. MITCHELL: (Indiscernible).

MR. CLARK: One of the real dilemmas of government dealing with Indian people has -- they don't want to be interventionist -- is with tensions and conflict of interest between tribal and Indian leadership and people, particularly young people, and very often the leadership's values and interests are conditioned and fixed by a set of dynamics that creates something that's not good for younger people or for the future. And it's very hard to break out of. I mean, look at Africa now, you know, we're working on the Liberian system, it's heartbreaking. So how do you address that? You want their self-determination, they have a federation. I was representing the federation. You want to persuade them just as you want to persuade the congress. But once they've decided they're your client and you either present their case as effectively as you can, or you tell them to get someone who can. I was worried about the regional organization, worried about its meaning prospectively, for the Alaska Natives. And I would have preferred to leave that in a much more flexible posture coming out of the legislation so that they could choose means and institutions later. We -- we did try to persuade them, what you might call national matters. I'm going through this in Guatemala now where you've got 22 tribes with different languages. And if they ever hope to have anything and -- they're 70 percent of the population, if they ever hope to have anything, they've got to agree among themselves and a lot of them can't talk to each other because they don't know Spanish and they can't -- the common language in other words. They -- but if they don't -- if they don't agree together on things of common interest, like cultural preservation, not one Mayan culture but many Mayan cultures, languages and all, to which education and teaching language and all things related, there's no hope for them. And some of them -- six or seven of them are about to expire language-wise. Here, we -- I did, at least, and I think Paul Weiss did, but Peter Gurley worked with me quite a bit on this. And Peter was very good for it, I thought, because he is a person that loves Native people and he loves the outdoors, and he's president of the wilderness society --

MR. MITCHELL: Audubon.

MR. CLARK: -- Audubon, right. Yeah. But we tried to get him to lean heavily toward common concerns, cultural preservation, education, healthcare, things like that, that they could govern. Development Corporations that wouldn't be (indiscernible). But would have a -- the higher potential. And it was extremely difficult because a lot of the leadership resented it and would get very angry. You're interfering with what we want, and you're our lawyer. What are you doing? Who do you represent? What's your -- are you just like all these other Yankees? You come in here and tell us how to live our lives. (Indiscernible). I don't think the congress had the interest or the will to (indiscernible) anyone who studied or knew anything about history of Indian matters knew that there were inherent dangers in that type of formulation. And we're probably seeing some of the consequences.

MR. MITCHELL: Well, how about -- the two other important guys we haven't talked about yet in terms of -- of molding that first senate interior committee bill, are obviously Ted Stevens and Mike Gravel. At the time, I mean, Stevens is now, for better or worse, an institution both in the senate and in Alaska, but at the time he never even been elected in his own right. And Gravel was obviously, from the very beginning, Graveling (as spoken). But what are your recollections when you attempted -- like, I know that Stevens had some really strong views about the

statewide implementation methodology that Jackson was so fond of, I guess that you felt was the correct policy approach. And Stevens was very on (indiscernible) regional.

MR. CLARK: I -- I asked for more flexibility. I didn't want it to get locked in. I didn't want it related to state. My recollection of Stevens was, basically, concerned about federal/state. He wanted the state to have greater influence and control and the feds less. My concern was that the Indian, the Native people Indians, Eskimos, (indiscernible) not get locked in to arbitrary regional corporations that would create great disparities between benefits and values and futures and all the rest. I just -- and would also risk a lot of a handful of minor interests within the region, particularly (indiscernible) region, so they could control and dominate this -- like the regional corporation, pretty much for their own benefit. I -- I wanted them to be able to decide and I wanted flexibility, but I didn't see the desirability either, of being locked into a statewide corporation that would have many risks of non-Native domination and influence and state politics and political influence and I always feared the attitude the State might take toward the Native people and their power. Stevens was -- his role was kind of an unusual -- he seemed stiff and remote. He didn't want to discuss things. He brought his ideas in. He seemed, to me, very much like state writers that I worked with in the south and elsewhere. He'd come in and the tell you what he thought and wanted, but he didn't care to reason very much. And Gravel, you know, was full of passion and energy, but he was consumed with the Vietnam War and -- and ambition at that time, which was very hot. We got along very well, we worked very hard, and I found him very flexible and cooperative. I felt that Gravel really lent his energy and weight to our efforts. Which was his way of saying what the Native people want, I want. And I want to be big and generous. Stevens also -- like an accountant. He had, to me, a more mechanical accounting mentality about the thing. We didn't work all that close. He -- where was Gruening at this time?

MR. MITCHELL: Gruening was alive.

MR. CLARK: Yeah.

MR. MITCHELL: He had been, obviously, defeated by Gravel.

MR. CLARK: Yeah.

MR. MITCHELL: So he was not on the senate.

MR. CLARK: Yeah.

MR. MITCHELL: But he was physically living in Washington, D.C.

MR. CLARK: Yeah. So I had been very fond of him and close to him, but that didn't affect my relationship with Gravel. I went through that a number of times with people. It can be hard but -- because I was very fond of Gruening and discussed the matter with him. All these people, I've been closer to him than anybody, I guess.

MR. MITCHELL: Is that because your dad and stuff?

MR. CLARK: No, it was just a fantasy. When I came into the department, I liked Alaska, I liked him. I liked his values, even when Vietnam came up, I loved him. And so he was a (indiscernible) kind of like Iuanati. The -- certainly from the standpoint of the federation, while some members of the federation were working with Stevens, Gravel was far closer, in my opinion and from my participation -- and far more effective in trying to advance the legislation. In a different -- it may have been -- Stevens had a very political view of life, too, and he saw me as a Democrat and himself as a Republican, which I don't feel I (indiscernible) --

MR. MITCHELL: Well, actually, let me interrupt you because I was going to ask you about that and I sort of forgot. I had assumed without knowing for sure that in terms of -- of the basic policies decisions that were made in that first senate bills, that the guys who really cared were Jackson, Stevens, and Gravel, they had the most on the table. And obviously, those mark-up session in those days were all closed so you guys couldn't be there. But there were also these other guys floating around. Gordon Alick (phonetic) who was the ranking minority guy, and certainly Clinton Anderson was there. And, you know, Lynn Jordan (phonetic) and people like that. And so I guess I have two questions. One is -- is, were they involved? Were you guys working the Alick offices and the Clinton Anderson's offices the same way that you were working in Stevens and Gravel? And then, secondly, it struck me, actually, just sitting here thinking about the war. Because sort of at the same time that this is going on inside the senate interior committee, you know, the country's coming apart at the seams, and you're certainly very active in a lot of (indiscernible) in my political view. But, you know, in terms of that whole issue, was there a tension mentioned -- you mentioned Jackson but guys like Gordon Alick and --

MR. CLARK: A little bit with Alick, yeah.

MR. MITCHELL: -- Clinton Anderson. I mean, were you the best guy to go up and make the case to those kinds of people in that area on the hill? Or how do -- how did you see that if --

MR. CLARK: Anderson -- I was a natural for (indiscernible) region. He and my father served in the cabinet together, I dated his daughter. And he just always thought I was a neat kid, you know? He just always liked me, those things happen. But he -- he was older then and he wasn't terribly interested. And Jackson was a strong chairman, he wouldn't mess around with stuff he was interested in. Alick and Aspinall were both a little bit of a problem, although Aspinall, of course, I worked with him for many years, particularly Aspinall, because he was chairman of the house committee for -- all through the early '60s. I was up there all the time with all the legislations that they had before the committee because of my position in the justice (indiscernible). But I think at that time I was still pretty good for Jackson. I was probably never very good for Alick. The -- Stevens, I don't think, you know, he wasn't a -- couldn't judge from Washington what was good for him. He'd have to -- just how the people worked (indiscernible) with him. But Gravel, it was natural and very close. But there may have been better -- there may have been people who would have been better. I was pretty fresh out of the gun, I mean, I -- well in '69 I was just out five months by the time it was over. It was a very short time. And while I

was -- I had been identified as opposed to the war, and I had been out speaking obviously, a lot, and people knew the tensions within the cabinet. I was seeing -- as was (indiscernible) and a few others, as a person who opposed the war. I don't think that that was a big problem at that time, but it would have been shortly thereafter. I went to Vietnam probably in -- well it was '72.

MR. MITCHELL: So this was over by then?

MR. CLARK: Yeah.

MR. MITCHELL: I mean, that was -- that trip, obviously, vastly --

MR. CLARK: Yeah. That magnified many times. But I had been speaking all around the country and was identified as a prominent opponent of the war.

MR. MITCHELL: Obviously, they come out with -- Jackson and the committee come out with this bill in the spring of '70 and I know that as soon as that happened, that you went up -- I don't know, I guess Bill Iverson probably was staffing more than Peter Gruening by that time. But I know that you went up before the bill came onto the senate --

MR. CLARK: Peter never did much in Washington.

MR. MITCHELL: Right.

MR. CLARK: He was -- he was here, and he did quite a bit in Alaska. He went to Alaska a number of times.

MR. MITCHELL: I know -- I was going to say, I know you went to Alaska after the senate committee reported its bill, but before it went onto the senate floor in summer of '70. And I've read sort of the accounts of that of basically you telling them that this is actually a pretty good deal and that's -- you know, you haven't seen anything yet. You never met Wayne Aspinall. You don't -- you guys didn't think you got everything you wanted here, you don't know -- have any idea what waits for you. Do you have any recollections of what their attitude was in terms of the senate bill at that point? I mean, obviously, the money was great, but it certainly was -- was lacking in terms of their view of land.

MR. CLARK: Well, what -- what was the bill at that time?

MR. MITCHELL: Well, at that point it was -- it was 500 million cash, which was (indiscernible) position. It was a 2 percent royalty, but only for the other -- for another 500 --

MR. CLARK: Yeah.

MR. MITCHELL: -- as opposed to the perpetual. But I can't imagine -- I don't know for sure, but I would assume that no one in their right mind really would expect a 2 percent royalty, so 500

million is a pretty good deal. But then on sort of the two bone crushers from the AFN position, one is that the land was only about 10 million acres rather than 40. And the whole regional corporation concept has completely disappeared even from earlier drafts. So this whole thing was going to swirl around these two statewide corporations that Jackson had wanted from the very beginning. Do you recall -- I guess back to my original question, how did -- did they think that you had done a good job at that point? Were they upset the senate bill didn't have every last thing they wanted in it?

MR. CLARK: I tell you my -- my recollection is very vague. And I -- I don't think you can quite say "They" because they were many "Theys". But my -- my recollection is that some -- who's the guy from Kodiak?

MR. MITCHELL: Kodiak. Larry Gardener?

MR. CLARK: No.

MR. MITCHELL: It was -- there was a bunch of guys from Kodiak that suddenly appeared out of the woodwork right after the act was passed and eventually took over the corporation down there and imploded it on itself, actually. That's another story.

MR. CLARK: This may have been an early incarnation of them. Because it seems I can remember somebody from Kodiak. I'm thinking (indiscernible). I can remember some people, almost seem to be in terms of internal politics at AFN that were opposed (indiscernible).

MR. MITCHELL: Well, there was Don Wright who eventually --

MR. CLARK: Yeah.

MR. MITCHELL: -- of course, stages this coup.

MR. CLARK: Yeah. I think Don spoke of it, probably, as not adequate. There were many who thought it was -- I won't say miraculous, but thought it was an incredible amount of money. I mean, you were able to say the (indiscernible) cash all prior land settlements and (indiscernible) and stuff like that.

MR. MITCHELL: Combined.

MR. CLARK: Yeah combined. But I think even among those who felt we never thought we'd be here, we never thought we'd have this much, there was a clear sense -- which I share as an external posture that you should never suggest to the outer world that this was adequate. We want more because that's your high point. If that's adequate, you can only come down. So you have to go into the next phase wanting more. But you shouldn't scuttle, but you have because you've got a -- I -- personally -- probably, wasn't concerned about the state versus the regional although I recognize that many of their regional people were. And that was divisive, so you had

to be (indiscernible) congress and signed by the President, so we didn't want to break up the AFN. Possibility the AFN breaking up was something that seemed real and was always a concern of mine, possibly. And I had thought with Aspinall that the possibility of getting land-use concepts beyond -- I wanted them to just have their land, you know, and -- but I thought land use concepts and land restriction concepts outside of (indiscernible). When we start talking about the acreage they sounded like a Texas rancher to me, and they always turned me off, you know. Because all they wanted was their land, plus half their neighbors, and that was the whole point, just land grab. And I thought Aspinall might be more interested. We did talk quite a bit about the few seasons, that -- those sort of things. I remember having a big discussion with him over a period of time on the Potomac, about all kinds of easements to preserve the natural beauty of the Potomac and Washington (indiscernible). It would involve taking (indiscernible) compensation. So I had hoped that they would go way beyond 40 million into multiples of 40 million in terms of restrictions on use and wilderness areas and grazing areas and all that kind of stuff. I -- I don't recall any -- maybe I just don't recall it. I don't recall any -- I recall some political bickering within the AFN among the same people, they always bickered about the (indiscernible) expressions of dissatisfaction. There were times, earlier, when a fraction of 500 million was more than we thought we could get.

MR. MITCHELL: Well, you know who is a good friend of -- and prided himself in being a good friend of Native Americans in general and Alaskans in particular, I mean, his last bid was, you know, 185 million total. So there was --

MR. CLARK: Yeah.

MR. MITCHELL: -- you know. There -- from 185 million to a billion in two sessions of congress is a major (indiscernible).

MR. CLARK: Now, I thought -- I did think the house was going to be tougher in terms of values. But perhaps that we could change concepts and get more.

MR. MITCHELL: Well, now, in that regard, before we get to the house, the one last thing of some interest is -- is I know, that when the bill was on the senate floor in '70, it pretty much went pro forma. There were a package of amendments that Jackson accepted and all those, of course, passed. And the amendments that Jackson didn't like, of course, didn't pass. And there was -- of those amendments there's only one really of consequence, and that is that Fred Harris had offered a 40 million acre amendment. And as I understand it, that was basically not really an AFN amendment. But -- but -- so I hear the story, Bill Biler (phonetic), who I don't know if you remember from the Association of American Indian Affairs, indicated that he sort of came down and -- right before the senate vote and -- and doing some of the public relations stuff. And he said that he talked to you, and he was sort of aghast to find that there wasn't going to be any attempt to take Jackson on, on the floor to up the amount of acreage in the bill. And so he then went out with -- with what's his name -- David Hackett, who was close to Bobby Kennedy. And they had sort of, you know, jerry-rigged this rump (as spoken) thing with -- with Fred Harris. And so I guess the two questions that come to mind are one, is that sort of, basically -- do I have

that correct in terms of how that went? And two, if I do, why didn't AFN want to take Jackson on, on the floor? At least make the effort. I mean, you obviously were going to lose, you couldn't beat Scoop Jackson on the floor. But in terms of -- of really making the effort to put the -- wave the flag for what AFN wanted in acreage, was that not a priority, basically, with the leadership or how did all that happen?

MR. CLARK: Well, you know, the leadership was never really unified on hardly anything. The Emo (as spoken) didn't like to come to Washington, they didn't like to speak. They didn't like Washington. They didn't like to spend time down there very much.

MR. MITCHELL: Didn't like to fly, either.

MR. CLARK: Didn't like to fly. John Warbridge -- so some of the guys that weren't too helpful would come too much. Some who could really have been helpful didn't come enough. But I thought that for the -- this was my personal opinion this (indiscernible) -- for the AFN, for me, is its council there. To be involved in a direct confrontation of Scoop Jackson would be a loser. Because there's a tomorrow. And you could not beat him on the floor, you couldn't come close to beating him on the floor. If there's going to be a conference, he's going to be probably the key person in the conference, and it may be something we desperately need or would like to see. I favored -- I was very close to Fred Harris. Fred, he was chairman of (indiscernible) committee at that time. And he (indiscernible) didn't want to do it. In fact, I'd been very close to Donna. I've been down talking -- she had this -- at that time, Oklahoma for Indian Opportunity that became American for Indian Opportunity. And I'd gone down to hear, several times, and (indiscernible) both of them for years and years. I wanted Fred to do what he did, and I didn't want to be a hypocrite about it, and I didn't want to be identified with it. But I wanted Jackson to know, not that the AFN was trying to manipulate things on the floor or attack him or something like that. But their respected senators that have a background with Indian people and Indian rights and were serious people. I mean, Fred was just one of the best natural politicians that I just ever saw. And for him to -- to press for 40 million acres was helpful. And I appreciated it. And he knew I appreciated. But I'm not -- I couldn't say and wouldn't have said, "Let's go in and try and run over Scoop Jackson, because he would have squashed us." And then how do I get back (indiscernible). Anyway, I would have opposed the AFN fighting Jackson on the floor, and we didn't. And he knew that I was, you know, obviously helped us. But at least psychologically it helped us to have a strong serious senator offer an amendment to give us what we wanted.

MR. MITCHELL: Well, just in terms of sort of making the legislative administrative record, at least there was something on the record --

MR. CLARK: Yeah.

MR. MITCHELL: -- that the Native community was not delighted with -- with the land component of this --

MR. CLARK: Well, yeah. Of course we weren't. And he knew we wanted 40 million. We talked about wanting 40 million. But we didn't -- we didn't get mean about it with him. But we -- the other senators, Senator (indiscernible) showed that they thought it was all right. And I think it helped. I think it was the predicate toward what finally came out of it.

MR. MITCHELL: Well, the -- the last guy -- we've talked about him a little bit. But before this all hits the wall in 1970. The reason of course it hits the wall is because Wayne Aspinall when -- when it's dropped in his lap, refuses to really get serious during that summer after -- after the senate vote. Did you meet with Aspinall? You mentioned a second ago that you had at least some aspirations that he might have been persuadable on some of these land use concepts you described. He turned out to be, at least since 1970 (indiscernible) did -- did you make a run at him, or did you stay away from him because of the war thing at that point?

MR. CLARK: I talked to him. As I've said, I knew him pretty well because all those years, I was assistant attorney general for his community. I talked to Moe, who I always felt close to. Close to -- very close to (indiscernible) Rudolph and Frank Barry and all his team. I mean I spent as much time as -- as the time I spent on land matters, I spent as much time on interior, almost as I did on justice. I've done a lot of West Slope work. (Indiscernible) district was the West Slope. And so, you know, Arizona, California all these big things, (indiscernible) Arkansas, it was huge. The city and county of Denver, which was a (indiscernible) case that involved West Slope diversions and irrigation stuff, all kind of West Slope stuff. So I -- and we remained surprisingly close. In fact, after he left he asked me -- he was teaching up in Wyoming and things like that, he asked me up there half a dozen times. And having said all that, he was kind of a cranky guy. He always seemed older than he was. He seemed like an old cranky guy. And he wasn't easy to deal with. He wasn't easy to work with. He was kind of arbitrary. He wasn't a subtle fellow, he was a little rough and difficult to work with. And I had anticipated -- I thought we had to come out of the senate very high because I thought Aspinall was going to be very hard on the amounts, you know?

MR. MITCHELL: All right. Well, one of the things that was sort of curious to me is -- George Miller and Wayne would be very upset if they knew this. But George Miller brought back for me last summer, all the raw transcript of those closed executive sessions from the summer of 1970. And if Wayne Aspinall ever knew the likes of me was sitting around reading what went on behind his closed door, I mean, I'm sure he would go (indiscernible).

MR. CLARK: I believe in sunshine (indiscernible) myself.

MR. MITCHELL: Well, I do too. But --

MR. CLARK: The sun got into that room.

MR. MITCHELL: I don't think Wayne is going to be very happy that -- that -- as does Chairman Miller now -- that's why George was happy to do this. Because, you know, all those records -- I find it ludicrous -- just as a total aside -- that with the Freedom of Information Act and the rest of

the congressional records stay sealed and under the control of the committees for 35 years (indiscernible) and it's ridiculous. But any way, the point of that is that one of the things that I did learn from that is that there is a major discussion inside this first mark-up sessions when they sort of discuss the thing to death and don't do anything, that -- that you -- not you exclusively, but certainly yourself and others were attempting to move this thing along by trying to -- to ask Aspinall and Hailey to basically take the senate bill and mark it up and move the thing because we don't have time -- you know, we come into the end of congress, we don't have the time to make a deal over here. And that's certainly a very logical approach. Except that Wayne Aspinall's approach doesn't necessarily at all times work on logic. And that he expresses -- both he and Hailey -- a lot of exasperation with everyone who is trying to get them to take this senate bill and just put a few minutes on it because don't they know that we don't like the senate, they are a bunch of prima donnas. As a matter of policy, we never take a senate bill. You know Wayne Aspinall doesn't think, you know, that the senate can -- can, you know, hang a right hand turn at a red light correctly much less write legislation, blah, blah, blah. And so --

MR. CLARK: I knew that -- I knew that painfully.

MR. MITCHELL: Well, I guess that's was going to be my -- you anticipated my question, which is you would think if that was true, why did you guys try to -- if you knew that why -- why did people press Aspinall on something that would be such a loser in that perspective?

MR. CLARK: I thought it was important to do. I knew he wouldn't like it. I thought it was important to do for a number of reasons. When I seen what happens when you get legislation passed in one house, and congress expires and you come back. It happened to me in -- in '66, on civil rights act, and we lost '67, as we saw. The -- we got it through one chamber in '66. And it was very important legislation. It could have made a big difference in civil rights enforcement and urban rights and it was just something we had to do. Then both houses became furious. The other house wouldn't start with a bill that had been passed, and the -- and then chamber that passed the bill wouldn't pass a new bill. So we lost a whole year. And when we came up to '68, we got it through, but we got it through with, you know, the deaths of Martin Luther King and (indiscernible) stuff like that, despite the President's election. So I -- I thought it was important to drive to get it through. I knew it was late, I knew it was dangerous, and I knew that Aspinall would hate it. But I was concerned that if we got further away from Prudhoe Bay and the big bucks, that the bubble would bust. But in a way it was a bubble. They hadn't done anything like this before. It was an argument they couldn't resist to -- right after Prudhoe Bay. But after awhile, you know, you start looking around the country and say, well, folks in my district don't have anything like that, what do we got it for Alaska for? The -- and I was -- I was concerned about unity within AFN because I -- I thought (indiscernible) hold them together, the tensions that you could feel, the internal political tensions that we could feel after the senate had passed the thing. That if we had to come back, we might come back lower. I really -- I really wanted to try and push through. And, you know, I -- I did talk to -- I did talk to -- I think Moe was the chairman of the subcommittee on Indian --

MR. MITCHELL: Well, Hailey was at that point.

MR. CLARK: Hailey was. What was Moe's subcommittee?

MR. MITCHELL: I can't remember, and Moe was not -- I do not -- I'd have to go back and look, but I don't think Moe was on the Indian subcommittee. H ended up on the conference committee because -- I think because of Udolf Saylor (phonetic) more than anything. Udolf Saylor was (indiscernible). Until you really show up in full committee I don't -- I don't cite Moe in terms of his participation very much.

MR. CLARK: Well, he was certainly a councilman with me. And certainly, I felt he was a major player. Where was Hailey from?

MR. MITCHELL: Florida.

MR. CLARK: Yeah. Florida.

MR. MITCHELL: The Ringling Brothers.

MR. CLARK: Right. Yeah. Hailey was a difficult personality for me. I -- I think maybe the Vietnam thing had exacerbated that. I never really thought that I had a good personal relationship with Aspinall. But I decided -- but I decided in later years it was just because he was cranky because then he started asking me out and he write me these letters and say things, you know, that were hell of a lot more friendly than I ever felt we really were when we were in government together. Anyway, I felt a lot of (indiscernible).

MR. MITCHELL: How about Howard --

MR. CLARK: The senate, too -- I mean, already said this, and you know the congress well. If one chamber enacts legislation and the people who oppress it then don't oppress it in the other chamber. They say, you back (indiscernible) -- you know, what are you doing? We passed that thing for you. Why did you -- you say, "Well, chairman Aspinall didn't like it." So don't come to us then, go to him. So I thought we had to press.

MR. MITCHELL: Well, now, was Howard Pollack of any help to you? Or was -- I mean, he obviously was a Republican. At that time he was off running for governor of Alaska. And the internal stuff I --

MR. CLARK: When did Nick Begich come in?

MR. MITCHELL: Begich didn't come in until '71.

MR. CLARK: That surprises me, because I didn't remember that, obviously. Pollack wasn't help (indiscernible) that I knew about. You know, I -- of course, I remember, Nick was always good,

Nick was terrific. But (indiscernible) was -- helped a little bit for some reason, what was that about.

MR. MITCHELL: Oh.

MR. CLARK: Can you remember?

MR. MITCHELL: Well, he was majority leader.

MR. CLARK: Yeah maybe I got him to talk to Aspinall. I don't know.

MR. MITCHELL: Could be. Well, let -- before I get you to -- to '71 and Nick and all the rest of that. The one last group we haven't talked about in -- in '70, although we've talked around them for sometime now, of course, is the oil industry. And certainly, I think you're right about Prudhoe Bay driving, you know, the 900 million all of a sudden legitimizes all of this. The other -- the two other things that you have -- I guess one other thing, is that -- is that independent of AFN in the spring of 19- -- (End of audio recording.) -oOo-

MR. MITCHELL: Here we go. And this is tape two of the July 20, 1993, interview with former attorney general and AFN Washington Counsel and Ramsey Clark. I was -- just as we were concluding the last tape -- asking about the oil industry, and -- and I have two -- two lines of inquiry I was curious about. One is, that having seen the internal correspondence inside the -- the Nixon administration that happens in '71, I know how preoccupied they were with the Stevens Village Injunction. It had really gotten their attention that maybe land claims could be an impediment to the actual construction of the pipeline. And it was interesting to me, when I went back and looked at the record, that I had always assumed that the Native community had seen that link. And it was interesting to me when I sort of read up on it, that stopping the pipeline and demonstrating this interrelationship between settling Native claims as a condition preceding to -- to going forward with the pipeline, was sort of a happenstance that was sort of done as a (indiscernible), not as an AFN policy (indiscernible). And I was curious, a) am I correct in that, that AFN was not really attempting to use the pipeline construction as leverage? And if I am, how did you guys feel when this lawsuit came down? Were -- were you surprised that -- that it happened, or concerned that people would bring a lawsuit like that for politics, or --

MR. CLARK: Well, essentially I have mixed emotions on that. I was personally, obviously, I guess, delighted with the lawsuit. I -- I couldn't help but see the relationship it would have to the land claims legislation. And I was worried about its -- back on the federation, because I felt that rank and file the Native people, if you had put it to a vote, would have voted against the pipeline. Some leadership was committed to the pipeline, to build the pipeline. That creates problems for the federation. It's a federation for other purposes as well, theoretically. And even if the land claims is only -- its only purpose is -- still got its constituency, theoretically, the Native people. I can remember, literally, I think, maybe (indiscernible) and were trained and trying to come through there and they find some bullets flying. They didn't want that thing there. But I don't think the -- I don't think the lawsuit alarmed me about the legislation from a Washington

standpoint. I think I may have felt it was -- would -- could be, kind of, destabilizing on the Alaska unity front. But --
UNIDENTIFIED SPEAKER: I'm going to take off.

MR. CLARK: Pardon? Okay. See you -- am I the only one here?

UNIDENTIFIED SPEAKER: Depends.

MR. CLARK: Okay. Well, lock up or whatever you need to do. See you tomorrow. I guess I thought it would show how an interest with the -- including the oil people, that their failure to enact claims settlement could provide an (indiscernible) to the pipeline, because you could have a lot of angry Native people on your hands. My recollection is very vague. It's strange. I've been trying to think of the guys name. I -- I talked with some ARCO people and a lawyer, who I liked very much, and had been in the lands division -- almost sure he came in while I was there, but he came in a higher position, like a GS-14 or maybe even 15, but probably 14. But he came in from private practice. You don't have much lateral entry in a new division like that and you're (indiscernible). And lo and behold he shows up and he's a pretty big-shot lawyer with ARCO and considers me an old friend and associate. And I never was much on ARCO. I had a case involving a major (indiscernible). I love to see all kinds of -- you know, anybody in the world. I hate civil liti- -- litigation, but I -- if it's an oil company, I love it -- as for pollutions. But they were worried about ARCO. ARCO was in the picture this time, I guess.

MR. MITCHELL: Oh, sure. Sure. In fact there's a good argument to be made that -- that Robert O. Anderson, the Chairman of ARCO, may have gotten Wally Hickel's job as Secretary of the Interior because of the pipeline.

MR. CLARK: He came by and this guy came with him, this lawyer, he's tall, good-looking guy, but I can't think of his name. A very good lawyer. As a lawyer, very good lawyer. But I thought, you know, he looked to me like he joined the enemy, frankly. Kind of like so fair representing Libya. Not that Libya is the enemy but so that (indiscernible).

MR. MITCHELL: Right.

MR. CLARK: But I mean, shit, switching sides is not -- in that dramatic type of way (indiscernible) unless there is some human (indiscernible) in which case you got (indiscernible), but ARCO came by and I -- you know, I may have misjudged him. Now, was (indiscernible) Worley the head of API then?

MR. MITCHELL: I don't know -- I don't know the answer to that.

MR. CLARK: Yeah. (Indiscernible) Laurie (phonetic) was an old friend, but he's from Texas. He's a congressman from Wichita Falls, which is -- I -- I knew Wichita Falls (indiscernible). He was close to Sam Rayburn who was one time my hero, you know what I'm saying? He was one of Sam Rayburn's middle-aged proteges. Not these young proteges, these young proteges, people

like Roy Benson (phonetic) and Jim Wright (phonetic). Worley had become the head of API. He's one of these (indiscernible) guys that -- (indiscernible) to be fix mixed up, (indiscernible), whoever it was have a Texas problem. ARCO knew of my relationship with him, so they kind of brought him into it, too. And this was all just one meeting; maybe two. So they had a former congressman, and they had the former law associate from the Lands Committee and they've been right on both (indiscernible) like, respected, and knew, to discuss the lands claim -- the lands claim stuff. I thought they could see that however the Native people felt about the pipeline, that if they didn't get their settlement, or if their settlement was chiseled down, they were going to be angry as hell. And therefore, while you might see the -- the land claims and the lands part as an ob- -- as an obstacle, the real obstacle is the people. And I can remember telling -- that Native people tell me, they're going to get rifles. They're going to get up there in the Brooks Range and somebody trying to build a pipeline through there, and there's going to be bullets coming out.

MR. MITCHELL: Well, is this sort of Charlie Edwardson's contribution to all of this then, is sort of creating that -- I don't know if you remember Charlie?

MR. CLARK: Yeah. I'm sure.

MR. MITCHELL: Was he the main proponent of that kind of view or were there other guys, as well?

MR. CLARK: Charlie was very likeable, but very erratic to me. There were people that I -- there were ser- -- more serious people in the sense that, to me, Charlie couldn't be sure what he'd say, what he really wanted to do, or what he'd say tomorrow. Now, there were -- there were true believers in -- in the Native Village. These aren't -- these are younger men who thought that's what they believed at that time. Now, they saw that as -- it would be kind of like the -- you know, fencing the range. How you going to drive your cattle to the market if they fence the range? You don't. You're out of business. So you -- you got to go someplace else and they really saw it. It was -- was the end.

MR. MITCHELL: Well, now were they -- I have heard that, particularly in 1970 on the Senate floor, that while there were not a bunch of AFN amendments, you know, sort of taking Jack's time and proving this thing from the Native point of view, that there weren't a lot of bad amendments either. That there had been, you know, rumblings from, you know, the Gordon Alex (phonetic) of the world, and some of the conservative republicans that -- that they didn't like, you know, that -- that the Senate bill had been overly generous but none of that ever materialized. And I had heard that -- that part of that -- Stevens did a lot with -- with Republicans honestly (indiscernible). That -- that -- that also that the -- the oil people were sort of out quietly, even in '70, telling sort of their natural constituencies. You know, southern senators and people that might view this as a raid on the -- on the treasury that, you know, just sit here and, "Take this. We need this. This is okay." Do -- do you recall seeing that kind of presence around the Hill as early as '70, or was it really later before the --

MR. CLARK: I think it might have been a little later. I was certainly willing. It's (indiscernible) about the industry to take that kind of hell. I can't -- you know, I now believe that -- you're mistaken about some people, and I didn't see Ted Stevens as a very able person. And now, I recognize that he's an able person, but I disagree with him. But he's an able person. He endures and he accomplishes. Whether he was actually influential at that time or not in any serious way with other Republicans, I can't be sure. I didn't really think so, but I -- since I've misjudged him anyway, maybe, you know, I wouldn't be privy to most of the inter-Republican contacts. I -- I really felt that Jackson gave us a lot more in his bill than he could have gotten any other way. He brought us up to a very high level. He didn't give us everything we wanted, particularly on land, being AFN land, but it was his position and influence in the Senate that accomplished that. And the Republicans didn't want to fight Scoop Jackson. Alec (phonetic) didn't want to fight for Scoop Jackson in my opinion. And I don't think the oil companies made a big difference either. So what I'm really saying, I guess, is that my judgment, based on the -- on the parts that I saw, was to a much higher degree than most legislation of this complexity and magnitude involving something out of a senator's state. Scoop Jackson had the overwhelming influence in achieving the dimensions of the legislation that came out of the senate that year.

MR. MITCHELL: Well, also, the other thing, had -- had Scoop been a friend of your dad's or something? Bill Vaness had told me that he thought there was some relationship in terms of the -- you two Clarks and Scoop we thought might have facilitated your access to Jackson.

MR. CLARK: I think they knew each other, but I don't think -- I don't know that they -- I think Dad was closer to Maggie (indiscernible). Truman was closer to Maggie, or Magnuson, as I recall. I don't remember even ever seeing the two of them together or seeing pictures of them together.

MR. MITCHELL: You -- you mean your Dad and Jackson?

MR. CLARK: Dad and Jackson, yeah. I think they knew each other.

MR. MITCHELL: Right. But they weren't, like, social -- old social -- (indiscernible).

MR. CLARK: No. No. I -- I don't think so.

MR. MITCHELL: Well, that pretty well takes us through '70. The -- the major event of '71, which makes everything else possible, is through an amazing set of bizarre events. The Nixon administration, basically, that spring in '71 carrying over and -- and (indiscernible) Interior department, and -- and basically adopting the aggregate that any position, which opened all the doors, technically, to make -- make it happen. In terms of -- of that event -- well, the first thing that makes it possible, of course, is that Don Wright ends up getting elected president of the Alaska Federation of Natives. Did that surprise you when it happened? Were you delighted? Appalled? Excited? Horrified? What -- what was your view of Don coming out of left field like that?

MR. CLARK: Well, you know, at the most basic level I thought it was none of my business. And I really feel that way. I mean, I -- I work with foreign countries all the time. It's none of my business. I've got my people I like, and I'm not supposed to choose. And having said all that, personally, I was extremely fond of Emil, totally committed to him. Thought he represented the best of the aspirations of the Native people. I had a quite negative reaction to Don. I thought he was small, self-centered, brittle. It's -- it may be a mistake, but I -- when I talked with Emil I felt like I was with the spirit, the true Athabascan. It's who they are. And with Don I didn't get that feeling at all. I mean, I -- I thought he was tough, but pragmatic. I thought the -- the election reflected personal ambitions that endangered the unity at a critically difficult time. Certainly didn't foresee that this would help with the Nixon administration. So it -- it worried me very much.

MR. MITCHELL: Okay. Well, Don's major contribution to all of this, ironically, is -- is that he gets hooked up again through his serendipity more than anything with Adrian Parmeter. And Parmeter is the guy that basically counsels Don to, you know -- the -- basically the -- sort of Ramsey Clark trust Scoop Jackson approach is the correct approach, and that's as good as you're going to get. Clark is right about that. Unless you can get the administration on here soon. And if you can't get the administration, then everything that's gone on so far is absolutely analytically correct. But this -- you ought to try to get the administration. Now, you know, that all worked out stunningly well. You know, we built the dam, everything. It's -- everybody's delighted with that and -- and sort of Monday morning quarterbacking. It's perplexing as to why there wasn't at least some effort to go to explore that avenue earlier than -- than Don Wright and Parmeter. And in my thinking about it, I mean, obviously since -- since you were probably Millhouse's least favored former public servant, you know, sending you down to knock on the door at the White House to, you know, plead the grief of a bunch of ne're-do-well Natives, is not a good idea, obviously. But -- but you obviously had Tom Kethal (phonetic) --

MR. CLARK: That too.

MR. MITCHELL: -- in the role. And -- and obviously Ed Weinberg had done a lot of work. And I know, I've seen -- Kethal seemed to be sort of marginally involved, visited some -- you know, Hatfield and some of these people, but it was not -- I guess my assumption is that I always assumed that Kethal really was not very active in all of this. But -- but I guess my question is, was there ever -- before this whole thing with -- with Don Wright and Parmeter, was there ever any thought in terms of -- of the operation that you folks were running of -- of sending Kethal or somebody else at least down to explore that with the administration, or -- or did it just not cross anybody's mind at the time?

MR. CLARK: No. No. I think it was -- everybody knew, but I told them -- and I don't remember Arthur on this. It's just a matter of a degree of difference (indiscernible). There's nothing I can do with the Nixon administration (indiscernible). And the reason that Kethal and -- and the guy who did his work, who was -- who was Ed Weinberg, who (indiscernible) lawyer 20 years of experience with (indiscernible) office. (Indiscernible) in there was to handle the other side of the aisle and the administration. But primarily -- primarily is not the right word. But to take the

leadership on the administration side, Hickel, who I -- you know I was fond of him primarily because Earl Warren -- but he seemed to be a good guy. And he seemed to have been a decent senator, not a strong senator necessarily, a decent senator, a well motivated person. When I was -- I didn't feel that he carried the ball. You know, I just didn't think that we were getting anywhere there. And I -- I didn't know whether it was because he was from California and Nixon was from California, what their total relationship and history was.

MR. MITCHELL: Well, he had taken Nixon's seat when Nixon became vice president.

MR. CLARK: Of course, yeah. But that -- then I didn't know what their total relationship was and how -- why -- but it was hope that he could do whatever could be done. So I had come to the assumption that I couldn't get more support out of the administration. For whatever reasons, we weren't going to get it. And I have -- I believe, when I saw what happened -- and I believe, until this conversation at least, that something changed. Not that -- I mean, the Nixon administration existed. It was there. It was the executive branch. It had enormous influence on the congress; what it would say or do could make a staggering difference, and I'd just come out of the administration. Well, you -- in a sense, you're working with some of the lesser powers, except, you know, working for Scoop Jackson or something like that, working the Hill. But my advice, that is what I was told, and my opinion was that for whatever reasons he wouldn't get more assistance out of the administration. And when I say "we" I don't mean me. I mean the --

MR. MITCHELL: Natives.

MR. CLARK: -- Natives, this legislation, than what we're getting. I couldn't do it anyway, but I didn't -- I mean, it had been kind of ridiculous for me to go to them, even if I could, and seem to be taking the thing away from Scoop Jackson. We had hoped that they would come in, just as I had hoped that Fred Harris would come in. But I didn't go down there and put my arm around his shoulder and say, you know, "Let's go bloody Scoop's nose." I didn't think that was the way to get the best bill out that we could get.

MR. MITCHELL: Well, I didn't -- I -- we never would have expected you or Arthur Goldberg to be --

MR. CLARK: Yeah.

MR. MITCHELL: -- (indiscernible). Kethal always seemed to me -- and I was always curious, as to why he didn't at least go down and explore it. And --

MR. CLARK: Well, I -- I don't know that he didn't. I can't remember him -- he was very austere about the whole thing. Ed I'd worked with for years and knew Ed well. And Ed was a pro. I mean -- Ed, he worked and he (indiscernible) acting. (Indiscernible.)

MR. MITCHELL: Right. (Indiscernible.)

MR. CLARK: Yeah. And he'd been (indiscernible) power and lawyer or whatever. I thought they'd gotten -- I thought they'd made the effort. I was a little concerned that it might not be quite the approach, but on paper I didn't know -- I didn't know the emphases. Sometimes a person you like the least is someone who's right for your state and right for your section, the party and (indiscernible) seat and all of that. But there's a time when he crossed you, you know, you don't -- you've never liked him since then, but you've always smiled at each other and (indiscernible). Anyway, we didn't -- we didn't get more than (indiscernible) got. And I -- I had thought that that changed. Whether they changed or not, the idea that -- and -- and certainly the Native leadership would have talked to the administration when they would come to town. And we'd always urge, just talk on the Hill. We knew that federal agencies had a strong interest in this legislation as anybody as far as the oil companies or anybody else.

MR. MITCHELL: Well, it's a -- most of the Natives were going over and talking to the Interior department.

MR. CLARK: Yeah.

MR. MITCHELL: I suppose the White House since -- it's an interesting --

MR. CLARK: But we thought they were talking to the secretary, and the secretary, in a ways, demand. Although, I guess, you can get the White House to come down on him, too.

MR. MITCHELL: Well, no. I mean, it's all a ghastly (indiscernible). The only reason it came off the way it did, and it's a whole long story, is that Parmeter had -- had, you know, met Bobbie Kilberg and Brad Patterson during the Taos Blue Lake thing, and so that was -- he didn't know any -- any of the people that actually made the decisions at the White House, but we saw the minor (indiscernible) that as it turned out food poisoning. There was no way that -- unless you can involve the Taos Blue Lake (indiscernible) people were.

MR. CLARK: I had been involved (indiscernible). I had to talk to him many times and I met with him. I went out there once. In fact, I was at lunch today with the guy who was probably briefly -- I talked to, I guess, this guy's cousin, (indiscernible) association. (Indiscernible) I didn't -- it's funny, I didn't get his name. We was in a meeting on what to do. But anyway, the -- the change in -- or what I saw as the change in the administration's view was (indiscernible).

MR. MITCHELL: Well, there were a lot of things that happened in '71, but most of them, at least in my view, historically, sort of paint by the numbers, in that once -- once the administration changes its position, you know, that provides, all of a sudden, working majority for Lloyd Meeds and Nick Begich underneath Aspinall, and all of a sudden Scoop -- Scoop's running for president. And there's Richard Nixon saying the 40 million acres was justice, and how could Scoop say no when 10 million and (indiscernible) can't let Richard Nixon be more generous than you are. And so all of these things sort of miraculously fall into place. And -- and --

MR. CLARK: Really funny isn't it now? These coincidences created this legislation more than anything else. If -- if they hadn't happened -- if there was any legislation at all we would have been lucky to get $50 million and 2 million acres.

MR. MITCHELL: Well, I mean, if you -- you know, when -- one of the things that I have, and I spent many years now on the Hill myself on these kinds of issues, and -- and I have come away a total believer in the -- the importance, indeed the demand of history for the idiosyncratic intru- -- intrusion of personality and public policy. You know, I mean, if it had been a different guy at a different time, it would have been --

MR. CLARK: It's a hell of a way to run a railroad, but here we are.

MR. MITCHELL: But anyway, I -- I very much appreciate all this time. I guess, maybe to -- to sort of sum all this up, one of the things I've always asked everybody who's going to be on these tapes -- it will be available in the future to -- to kids at the university and stuff, and that is, is it's beyond what I'm going to be writing about. But as you look back on it with a quarter century of hindsight, you obviously -- I know you're up in -- you probably don't remember, we met in '83 when you came up to give the AFN keynote address. But we really haven't been -- been involved in -- in you implementing all of this, but you've been, obviously, deeply involved in similar projects the world over with indigenous people. And I was curious as -- as to, first of all, how do you think it's gone in terms of has it been -- has it worked out the way you sort of thought it would or have you been disappointed? Have you been surprised? And then secondly, if you were going to do it over again and you were the Congress rather than just one part of the story, are there major things about the Alaska Native settlement that you would do differently looking back?

MR. CLARK: Well, I've been so far away from it for so many years, really since the early '70s. People call from time to time, come by. I've been up there twice, but just socially. I've just come back from Guatemala. According to Mayans, they're 70 percent of the population. And you can see possibility of a Mayan nation. Five hundred years before Columbus, these people had writing, and books, and architecture, astronomy. They could produce all they needed for trade and consumption for half their labor (indiscernible). And there can be -- there can really be a Mayan nation. I don't mean necessarily all of Guatemala. I don't mean political necessarily. What I mean, is that the world has the chance still to admit these people to live their life in a decent way. At this moment, they're 90 percent plus living below the poverty line. If I -- if I were going back on -- because I don't -- I can't really tell you whether I felt this more strongly or less strongly than I do now. I can tell you I feel very strongly now. I think I probably felt fairly strongly then. But I would put more emphasis on the Native aspect. I would want more for the Native way, the Native culture, the Native freedom to choose. Because I -- I don't really feel, the little bit that I see, that the legislation has been much more than a -- you might say a minor aid program that has created some artificial alterations in their lives, this land, this corporation. And has not -- I can't tell if it has significantly enhanced the Native Alaskans as Native. It's not that I want them to be anything other than they choose to be. It's that I don't want the pressures of our society, our economy, our political institutions to overwhelm their chance to -- you can't have an

Alaskan Native nation like you can have a Mayan nation. If you really have a Mayan nation, to me it would be wonderful. By that I don't mean that they should be backward as we think of it (indiscernible) full communications to the whole world. It's just that we'll be better off and they might be better off if -- there's something pure about their culture and their way, and there's a renaissance and -- and it's not -- you know, a lot of these renaissances and cultures never existed or have long since pretty much gone or are very artificial. There's nothing authentic about them. You see, I come out of the Civil Rights movement, but I have to say a great part of the black studies, interest in all the artificialism, they're not true. Beautiful as it would be if it were true, emotion and change and slavery and civil war and all the rest destroyed that. It's not there. It's not in the genes. And the things you do are not anything that your ancestors did. It's your -- your imagination and your popular culture, your movies, you know, telling you what that may have been. That can be done in -- to a very high degree in Guatemala, but it can't be done in Alaska very well. And then wh- -- when you bring -- when you bring (indiscernible) television to the villages and things like that end up there, but still, I think if there was a purpose for the Act that was more than -- this is the way it began. Parcel and land -- parcels -- parcels of land, or the poverty program, affirmative action (indiscernible) segment of the population. There were weaknesses in the legislation that failed to produce the Native potentials that might have been there, and that's the side that I would have liked to reinforce. You know, we shaped their lives through this legislation to a considerable degree. I don't mean to say 20 percent, but to a certain degree, because they live and think in terms of these corporations, and this land, this selection, and that has some very artificial aspects about it.

MR. MITCHELL: Well, let -- let me ask you about that a second, because I've -- something that I've thought about a lot in my own work (indiscernible) over the years, and that is this whole issue of what is culture. And obviously when people think of Alaska Native culture, at least the way I think of it, is both language and it's ways of thinking about the physical world and -- and attitudes about interpersonal relations, that and sort of a (indiscernible) sense of all (indiscernible) hunting and gathering economy. And if there's anything that I have learned from my work with Alaska Natives, and I'll be curious about what you feel (indiscernible) the world, is that left to their own devices, most Alaska Natives I know are as interested in having access to the American mass material culture as anybody else I know. And if there's anything that the Act has done, it has sort of facilitated their access to it, I feel.

MR. CLARK: It's accelerated it, yeah.

MR. MITCHELL: And -- and is that -- do you think that is an inevitability that -- that -- that -- are -- are there examples of indigenous people that have -- that have rejected, if offered, access to the -- not only the American, but what is turning out to the world mass material culture? So I guess what I'm saying is, did the Native Claims Act nearly just accelerate a trend that would have taken place inevitably anyway, or -- or do you have a view about that?

MR. CLARK: Well, I have a -- a view, yeah. Even in some (indiscernible) been going through this -- even French people's Natives, they're surrounded by Brits. They're saturated by U.S. television, U.S. magazines, all in the English language. You -- you can barely hold on. They're --

they're many -- it's not just indigenous people, it's any culture. I -- it's very hard to resist the amenities of technical. I think that people walking around and driving (indiscernible) in North Vietnam because you had to drive at night because they shoot everything that moves in the daytime. So we drive along and want to spend a night in the village where, you know, they never seen a European. They've never been -- well, it's been there for a thousand years. They've never been out of the country. And so this youngster's driving this big old Russian Jeep, and after awhile he asked the translator to ask me, do I have a car. Here in the United States we're bombing the hell out of the Vietnamese and somehow or other he has seen somebody in a convertible whizzing down a freeway, you know, in your car and it looks like freedom and -- and heaven. If a simulation was (indiscernible). You read, tell them Jackson (indiscernible) dishonor and you see this (indiscernible), she can't free herself from her own culture, and she thinks the good thing for the Indian is don't beat up on them and don't kill them. Assimilate. And I -- that -- there's something so -- and I don't mean her, (indiscernible), but there's something terribly arrogant and (indiscernible) about that. We have to learn better ways or (indiscernible) magazine on the city in Los Angeles. It was (indiscernible) World War II, and it was just a model community. And now, you know, the kids are raping the girls in schools and the gangs are mugging merchants, and it's just chaos. I think there's a great yearning, a very great yearning, among many people. So I find it in Palestinian peoples. I find it in the Kurdish peoples. I find it in Armenians and Azerbaijanis to a very high degree. I find it in Indians throughout the country -- our -- our country and -- and the western hemisphere. Spiritually there's -- in Bolivia and so many countries, their cultural -- Indian cultural organizations that are coming out, and they want -- they want their religion. It's very difficult to identify their religion, but some people (indiscernible) but conversation (indiscernible) peace negotiations about what he thinks about the Mayan priests. Very touchy question, you know. And I asked him, "Is this a religion? Is this authentic? Is its purpose benevolence? Is it (indiscernible)," that the regional corporations, I don't know the details, but I am frankly appalled at the managements of many of them, at the salaries of some of (indiscernible) contrary to the spirit of Native rights, human dignity, human right. They act like they're, you know -- you know, one of these major aggressive merger corporations or something. I mean, they -- they think this wasn't done to make a few people rich. It was done to benefit Alaska as Native. And if it's just a bunch of people who are ethnically Native and now business men, making money that way, they could have done that in the market place. They didn't -- this wasn't necessary. Had nothing to do with Native --

MR. MITCHELL: I used to say very much appreciate the time you've taken this afternoon. It's been very helpful to me. The -- the one last thing to follow up on that and I'll let you go is, were those kinds of issues ever discussed at the time? I mean, one of -- the two things that pop out at me, the one is the total lack of -- of what I would call corporate democracy. And one of the problems that you have --

MR. CLARK: You mean corporations?

MR. MITCHELL: Yeah. One of the problems you have with all these corporations is that, particularly when you look at the geography involved and the level of knowledge of the average village guy who's a shareholder in these corporations, that once management became

management, to really run any kind of contested shareholder election over management issues, very, very difficult, if not impossible. And they hold all the cards, because they've got the --

MR. CLARK: It's almost like tribal leadership.

MR. MITCHELL: Right. Right. And -- and then -- then the second one is -- is that it seems to me that -- that -- you know, sure there's Emil Notti, and William Hensley and John Borbridge and even Don Wright. I mean, you know, there was the AFN sort of cliche of -- depending upon how you want to count, you know, 20 to 100 people in the Native community that were swirling around this thing. But that as you look at what would be involved to implement the settlement with 12 regional corporations, 200 village corporations, they would each need a board of directors of, you know, 10 to 20 people. And -- and all these people would have to know more about -- about what a corporation is than the average shareholders of General Motors who is just investing their IRA. And you look at Alaska Natives in the land, and they told you that there were no high schools out in the villages, that there were very few even college graduates, much less an MBA or somebody. It seems obvious, again, Monday morning quarterbacking, that there really was not a manpower pool inside the Native community that had any chance at all to do the math with coming up with the two or three thousand people who need it. To really appropriately implement the policy judgments the congress codified. Is that unfair? Did you guys think about that at the time, or did it just -- was the land and the money and the swirl of it so the people didn't have time to think of these sort of --

MR. CLARK: We did -- we thought about it. You didn't talk about it to everybody. I don't think there were general discussions in large meetings. A guy like Emil always had a -- to me, a spir- -- spiritual quality about his approach. I think he was very into this thing. I think as to the villages, there was a general feeling, however, that local people have to manage those matters. But you think they don't have the resources, but you try and do it from Anchorage or Fairbanks or Juneau, and it's going to be hell. It's just a little place, just a few people. They know, you know which (indiscernible) or whatever the problem is. (Indiscernible) so they -- they ought to do it. The regional corporations I worry about -- didn't really want, and appalled by them anyway. And I think it goes beyond the lack of corporate democracy, so to speak. And even excessive salaries, I think there's actual manipulation that make it appear that they had a big income and -- and they take bonuses on it. And the fact that it's -- it's accounting. So that may even be -- depending on intent, could be a criminal matter. But you wanted to (indiscernible) and certainly knew that (indiscernible) the failure wasn't in the -- the lack of human resources. There's this big debate now characterized by (indiscernible) New York Times called, Colonialism is Back and None Too Soon. It's a serious argument, but more significant it really reflects major parts of what the new world order is about, what the first world (indiscernible). And it says (indiscernible) there's these people can't manage their affairs. They've never been able to manage their affairs. The colonial days weren't so bad. They're going to kill each other if we don't go down there and save themselves. And the people who say that didn't live through the colonial days. They weren't that hot in there, you know. And we didn't really leave them alone when they were trying to work out their problems. I go into these places where they kill each other all the time. What you find is our manipulation, other countries' manipulation, where the -- all those guns coming from, you know?

Why is (indiscernible) with guns shooting everybody up? It's not because the African gene. It's -- they were let alone. So I think they -- I think we locked them in to structures that should have been more flexible, should have been less materialistic and business oriented, should have been more Native interest oriented, closer to resource preservation for Native way of life, and to property control and profit margins and things like that. But I -- it comes back to what -- what I see from a distance, without being able to examine it carefully, and that is that the Act has put artificial qualities in their lives that aren't always good at all. It's augmentation in the floor -- economic floor has been (indiscernible) at all, depending on (indiscernible). And it's done nothing to maintain the possibilities of a Native culture, which means (indiscernible) culture, values systems, how you relate to your neighbor, and to your children, what you want, it's accelerated their materialism. (Indiscernible). So it -- come back -- of the three things that I had seen involved in the beginning has come back to the two that are least (indiscernible) desirable, and that is, parceling a little bit of land, providing an aid program that turns out to be like most of those aid programs, (indiscernible), enriching a few.

MR. MITCHELL: All right. Well, the -- I can make an interesting case, but not many people are interested in hearing, actually. But the major benefit of the Claims Act was to create a big enough pile of money to a enable (indiscernible) in the Native community to influence the State legislature, to put State money out into the villages, that is gone now because of Prudhoe Bay. But again, you know, it's coming back to haunt them now because they have all this infrastructure out there that they can't possibly support now that the oil is running out.

MR. CLARK: Uh-huh.

MR. MITCHELL: But at the time, in terms of how they view their mission, which was to go and steal more than their fair share out of Prudhoe Bay through the legislative process --

MR. CLARK: Uh-huh.

MR. MITCHELL: -- most Indians don't participate in state legislatures the way that Alaska Natives have. It's always been a very weak participation.

MR. CLARK: That's not bad.

MR. MITCHELL: No, I'm not saying -- but it may be. I mean, that was obviously never an intended goal of the Act. But -- but -- but it's interesting that -- that I can make -- I can argue that case --

MR. CLARK: In it a way it's implicit. I can remember where we talked about the 20-year -- what do you call -- (indiscernible).

MR. MITCHELL: Stock and ability --

MR. CLARK: And taxes.

MR. MITCHELL: Right. Yeah what it meant was if you've got 20 years to develop political power, that it will protect you from that being taken away. And you have to -- you have to do it. You can't just go up there and live in your village and wait until they take it away by taxation. There are -- there are certainly serious flaws in entitlement -- who -- who -- I don't even remember the details of the legislation. (End of audio recording.)