

Donald Mitchell oral histories, Archives and Special Collections, Consortium Library, University of Alaska Anchorage. Dave Hickok interview, 1992 July 16. Transcript completed by Andrea Atkins. <https://archives.consortiumlibrary.org/collections/specialcollections/hmc-1099/>

INTERVIEWER: Okay. Today is July 16th, 1992. And I'm sitting on the back porch of Dave Hickok's house in Anchorage, talking with him about his involvement in the--in the events that led to the enactment of the Native Claims Settlement Act. And I guess the first way to start might be--might be, since someday somebody may listen to this tape that doesn't know beans about any of this, maybe a brief--brief biography of yourself and how you ended up being with the Field Committee in '68 for Scoop Jackson to give you folks the assignment on figuring out what to do about land claims.

MR. HICKOK: Well, I was in the US Fish and Wildlife service from 1950 to 1964, when I got a congressional fellowship in the--from the American Political Science in Civil Service and worked in the Congress in that fellowship. When I finished that in '65, there was no opportunity in the Fish and Wildlife to go back, except at the same grade and place. And I was offered many--many positions around Washington. And so, I went with the Library of Congress for a while and wrote some legislation on national ocean policy. And then went to work with the Department of Commerce, economic development administration, as the executive secretary to the President's review committee on Alaska, which was a cabinet and sub--and/or sub-cabinet level committee established for the Washington side of review on post-earthquake development in Alaska. The President's review committee was the review body for an outfit called the Federal Field Committee for Devolvement Planning in Alaska, which was a unique body created by President Johnson and really had its origins with Senator Anderson of New Mexico and a chap named Dwight Ink in the Bureau of the Budget. And they had known, as did Bob Bartlett, known Joe Fitzgerald for many years. He was head of the Civil Arctic's Board in Alaska for a while and also was a head economist for the Civil Arctic's Board, President of Ozark Airlines, road scholar, quite a knowledgeable fellow and well respected. He had worked with Dwight Ink on the first phase of the earthquake recovery. Dwight Ink was the one appointed by President Johnson to do the coordination and--and get the earthquake recovery--'64--March '64 earthquake damage taken care of. By October of 1964, the Alaska infrastructure was back operational, but the question remained, what are you going to do about Alaska in the future? How will you have any economic growth, prosperity, progress, development, whatever word you want to use in the--in that context? And so they, Anderson and Bartlett and Dwight Ink, were all instrumental in having Joe Fitzgerald appointed as the--as the chairman of the Federal Field Committee. I had just--because I had gone to Commerce with a lot of Fish and Wildlife experience, including some responsibilities here in Alaska. I was--well, here's somebody who knows about Alaska. You'd be the--the secretary to the President's Review Committee. So I--that's how it happened. And then I--I did that for a year and then came up to Alaska with Joe Fitzgerald as the natural resource and science officer for the--for the committee.

INTERVIEWER: So when would that have been? When did you show up?

MR. HICKOK: I came up in spring of '66.

INTERVIEWER: Okay.

MR. HICKOK: So at this time, the first--in 1965 was really the beginnings of--of Federal Field Committee involvement in that they had to publish a report to the President on forward-looking-

Donald Mitchell oral histories, Archives and Special Collections, Consortium Library, University of Alaska Anchorage. Dave Hickok interview, 1992 July 16. Transcript completed by Andrea Atkins. [https://archives.consortiumlibrary.org/collections/specialcollections/hmc-1099/policy-type of paper that said, "What can we do about economic progress in Alaska?"](https://archives.consortiumlibrary.org/collections/specialcollections/hmc-1099/policy-type%20of%20paper%20that%20said,%20%22What%20can%20we%20do%20about%20economic%20progress%20in%20Alaska?%22) And although that talked about a number of things, transportation, recreation and so on, there was a salient line in it that basically said there can be no economic progress in Alaska without settlement of Native land rights. And it was that that started the ball rolling in terms of--of Field Committee and Fitzgerald. Fitzgerald, initially, in--well, I have to back up. If my memory's right--and you'll have to check your dates on these things because I--you know, it's been 26 years. But in 1964, '65, there was some origins of the AFN and Emil Notti, and they had a Unalakleet meeting, housing meeting, that led into the AFN, if my memory's right. Also, of course, the Howard Rock at Tundra Times was stirring things up. There were--the Pauls, Fred and--

INTERVIEWER: William.

MR. HICKOK: Huh?

INTERVIEWER: Fred and William?

MR. HICKOK: Fred and Bill, yeah, Paul, who kept coming by the Field Committee, trying to get some interest with--with the staff or with Joe on the matter. Also, Etok Charlie Edwardson was around a lot, and he--he, matter of fact, lived in my house for about three months or so at that time. And many other people (indiscernible) three months too, but that's another story. But anyway, Charlie was interested there. Anyway, when we--memory serves, in the summer of '66, there had been a--a--a little more interest on the part of the Department of Interior, and Udall had brought together Loos--

INTERVIEWER: Charlie Loos (phonetic), right?

MR. HICKOK: Is this correct in my memory. Time, too?

INTERVIEWER: Well, actually, it was the spring of '67.

MR. HICKOK: Is that--well, then I'm off then.

INTERVIEWER: Yeah. It's when Charlie--

MR. HICKOK: Okay. All right. Then let's--because there's another thing I was leading into, and I've got them backwards. Okay.

INTERVIEWER: Because at the first Udall bill--

MR. HICKOK: Udall--

INTERVIEWER:--was the--was, like, May or June of '67, and it was--

MR. HICKOK: But Udall came to Alaska in the fall of '66.

INTERVIEWER: Right.

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MR. HICKOK: And then he was--he was--but Joe had met with him prior to that time somewhere in there. And Joe made the suggestion to him about OCS revenues. And--so he came up and tried to articulate that idea, and--it--my memory went over like a lead ballon. It didn't go too well.

INTERVIEWER: Actually, it went--in fact--it's your recollection--

MR. HICKOK: Yeah.

INTERVIEWER:--that Joe actually was instrumental in putting that--that bug in--

MR. HICKOK: Well, he suggested it. I don't know--Brook Riley was also involved.

INTERVIEWER: Right. Right.

MR. HICKOK: Brook Riley and Joe, as I remember. Brook Riley--maybe Brook Riley did it. But he--he got it, I'm sure, from a meeting we had in the Field Committee.

INTERVIEWER: So--so what's interesting--what happened with that, just for your edification?

MR. HICKOK: Yeah.

INTERVIEWER: Is--is it that Udall went into that meeting that he had up with the Natives here in Anchorage and say? "Hey, I'm just thinking out loud, but maybe we ought to tap into those --"

MR. HICKOK: That--that we--

INTERVIEWER: (indiscernible) revenues, because--because they are not allocated to the State, and the State had acted--

MR. HICKOK: That was the pitch.

INTERVIEWER: Right.

MR. HICKOK: That's right.

INTERVIEWER: Right. And--and Boyko had already been running around telling everybody that, "Hey, you know, you're at least--you're at least entitled to--to interest, even--even if you assume that the date of taking is--is 1867. "And--and it's--you know, and that 7.2 million would be--or 7--yeah, 7.2 million would be fair in 1867 dollars because that's what the United States paid for (indiscernible). "If you compound that with interest, you're talking a hundred million dollars, and that's what I think is fair." And so that was the first bit of candy canes, the idea of a hundred million dollars in 1967 is a hell of a lot of money. But nobody could figure out where you'd find it. And so then Udall came up with this idea, but then he says, "Hey, I'm just thinking out loud."

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MR. HICKOK: That's right.

INTERVIEWER: "We can use this."

MR. HICKOK: That was the--

INTERVIEWER: Of course, I've never talked to the President. I've not talked to the Bureau of the Budget. While those were caveats that--that the general--you know, your average Native, Emil Notti, didn't understand. And--and I've seen--I've been through Bartlett's papers. And--and Bartlett and Ken Jensen engage in this correspondence where Bartlett just shakes his head and says, you know, "If that is really true, then Stewart Udall is really an idiot. "If--if he went up in front of 300 emotionally aroused Natives and lofted a proposal like that without any staff backup and without any homework having been done with the Bureau of the Budget, that--that this was possible, then that is absolutely irresponsible."

MR. HICKOK: Well, I don't--

INTERVIEWER: That--

MR. HICKOK: I don't--

INTERVIEWER: That's--

MR. HICKOK: I don't--

INTERVIEWER: That's exactly what happened.

MR. HICKOK: I don't think there was any--

INTERVIEWER: There wasn't.

MR. HICKOK: No.

INTERVIEWER: And when Udall--when the--when the--when the Boyko bill, you know, was eventually introduced, which gets us, actually, back into Alaska Natives and the Land, you know, that had all that stuff in it. And then when--in the summer of '68, when--when Udall finally went in to testify on--officially, on the Boyko bill, the Boyko/Hickel bill, he disowned the revenue sharing provisions and makes no mention in his testimony that he was the guy that thought the whole thing up. But he got--he got beat to death inside of the Bureau of the Budget.

MR. HICKOK: Yeah. I--I think--

INTERVIEWER: Well--

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MR. HICKOK:--coincides, but in any event. What happened then the Udall visit took place. And I had been involved with a number of Indian things in the Lower 48 through the Fish and Wildlife Service in prior years. And I got to thinking, and I said, in the Field Committee--there was no active operation in the Field Committee on the Native land claims. But after the Udall visit, I sat down and said, "Well, how the hell could you settle this thing anyway?" Just as an intellectual exercise. And the prior years had all been one of termination, Menominee's the Klamaths and so on. So you had reservations, you had the termination, and is there another way? So anyway, I came up with the idea about a quasi federal corporation like Comsec. And then that developed into, later--in later months, into the corporate idea.

INTERVIEWER: Right. Well, let me--let me sort of stop you right there. The paper trail that I have uncovered indicates that, you know, the--the Hickel task force bill was finally introduced in January of '68, which was this thing--

MR. HICKOK: Right.

INTERVIEWER:--that Boyko put together.

MR. HICKOK: We're talking '66 now?

INTERVIEWER: No, we're talking '68.

MR. HICKOK: I'm talking '66.

INTERVIEWER: Right. I understand.

MR. HICKOK: Okay.

INTERVIEWER: I understand. And--and then Scoop comes up here, and they hold, you know, this hearing in February of '68 on--on this thing, which is really the first time the Senate has ever held hearings on Native Claims. The House had held some way back in the early '50s but the Senate had never done it.

MR. HICKOK: By this time, of course, they had Alaska Natives on their land.

INTERVIEWER: No. No.

MR. HICKOK: Yes, they did.

INTERVIEWER: No. Because--

MR. HICKOK: Well, they had a--a--they had a printed--hand-printed copy.

INTERVIEWER: Well--all right. Let me take you through the chronology here.

MR. HICKOK: They had it in '67.

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INTERVIEWER: That the--no. The--the--the paper trail that I have seen indicates that Scoop came up here in February of '68 and held this field hearing. And what he came away from was the idea that nobody had the slightest idea what was going on. That's what he learned about all--that's what he came away with, listening to all these witnesses. And so then Bob Vaughn--do you remember Bob Vaughn, who was--who was a deputy assistant secretary? And he had been the guy along, I guess with Brook--no, I guess along with Hugh Wade, that Udall had--had sent up here to babysit the Hickel task force that was writing that bill. And it was Vaughn who--who--who said, "Well, what we need here"--well, Scoop wanted to have a study. And he originally--they had originally talked about having--contracting this out to, like--not like Robert Nathan, but to somebody like that. And it was Bob Vaughn--in fact, there is a memo, March 5th of '68, from Vaughn to Stewart Udall, saying that he, Vaughn, had talked Scoop out of going out with these private consultants and using the Field Committee to basically do this study. Because both Clinton Anderson and Bob Bartlett had a lot of confidence in you guys. And--and that you guys could get this thing done relatively quickly. Now, the--the--if you look at Alaska Natives and the Land, that was delivered to Scoop on October 1 of '68. And then--and then October 15th of '68, scouts--if you can get out the Field Committee and look at it. I mean (indiscernible) the land.

MR. HICKOK: I know. But we took down--

INTERVIEWER: (Indiscernible.)

MR. HICKOK: I personally--I personally took down two copies. You see, the one--

INTERVIEWER: Okay.

MR. HICKOK: One reason that that book is built--is built like it is, was that it was able to be just printed, you know, exactly--quickly. And we took it down in the--as the--as the parts came together--you can ask Bill Van Ness about this--and I handled all the printing with the--with the office of--of government printing office. And we took the--the book itself, in the fall of--early fall of '68. And it was--became printed, then, by Mach of--no. It was printed by March of '68. It was taken down in the fall of '67. And it was then printed--printing was finished and the first editions came out in March of '68. And way into June or July before we got 4,000 of them and sent them everything. But to back up--

INTERVIEWER: Okay. So it was--let me--so you're saying that--that, basically, the decision to start compiling the data and the analysis that's in Alaska Native's in the land was then--

MR. HICKOK: Was in '67.

INTERVIEWER:--was way back in '67. It was not--it was already in the--in the funnel, then, before this whole thing started in '68?

MR. HICKOK: Now, Ester has a--I think she has a copy of it. I know the archives, I know, has a copy of it. There is a letter that basically says--it's signed by three people--either two or three

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MR. HICKOK: The report took nine months to write. And we had it in October, and so I'm telling you, we started in January or February of--

INTERVIEWER: Sixty-six.

MR. HICKOK: Sixty-seven.

INTERVIEWER: Okay.

MR. HICKOK: So it was--we had to go back to the Udall thing in '66.

INTERVIEWER: Uh-huh.

MR. HICKOK: Okay. So there was a decision and a letter, request letter, by--signed at least by Jackson and Udall--and like I say, Ester may have a copy, but the archives certainly does, I know--that said, go ahead and prepare this report. You'll--you'll send it to Scoop Jackson and it will be paid for by Interior. The weirdest arrangement in the--in the history, as far as I know. Because ultimately, the report was never reviewed by the Bureau of the Budget. And never reviewed by the agencies of the Department of Interior before it went to Congress. Unheard of today.

INTERVIEWER: There's a--there's a memo from Vaughn about that where he says--no. Actually, it was a memo from Bill Van Ness, where he says that that's a fitting punishment to the department because this is all their fault, because if they had been doing their job to begin with, we wouldn't be in this mess.

MR. HICKOK: Anyway, that's (indiscernible). The other aspect of that was that some of the early drafts, Van Ness and Jackson had them all--all through that year, starting at least from June or July of '67 up--up through the fall when--when the thing finally went to the printers. And that thing was, you know, hand prepared, the book--and the book had two reasons for being that size. One was the maps. And second was the fact that--since it had to be map size and then also had to be hand prepared, it was double the page size than we could print off precursors on the--on the thing in the FAA and then take them back there.

INTERVIEWER: Okay. Well, at least on the--on the front of Alaska Natives and the Land.

MR. HICKOK: This is March '68.

INTERVIEWER: Right. But in terms of who did it, it says--it looks like--if I have this right, it was basically you and Bob Arnold and Ester were the staff people at that point.

MR. HICKOK: (indiscernible).

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INTERVIEWER: Was he involved at that point?

MR. HICKOK: Yes. Yes.

INTERVIEWER: Because he is not listed on the inside--

MR. HICKOK: Oh, yes he is.

INTERVIEWER: I'm not sure about that.

MR. HICKOK: Yeah.

INTERVIEWER: He's--

MR. HICKOK: Okay.

INTERVIEWER: Okay.

MR. HICKOK: Yeah. I'll go get it for you if you want to go get the book.

INTERVIEWER: Okay. I'm not going to fight you on (indiscernible).

MR. HICKOK: Anyway, Doug Jones was involved earlier. But Doug Jones did not actually write anything for Alaska Natives and the Land (indiscernible) about that stuff.

INTERVIEWER: Okay. Well, at the end of--

MR. HICKOK: I was in charge of the book.

INTERVIEWER: Okay.

MR. HICKOK: And--

INTERVIEWER: Okay. Well, at the--at the end--I mean, obviously--well, let me back up. Is it fair to say that Alaska Natives and the Land was basically a drawing together of all of the data that had been generated by others outside the Field Committee and you folks synthesized it?

MR. HICKOK: With--with--

INTERVIEWER: Or did you do your own?

MR. HICKOK:--with one exception, that's true. Well, two exceptions, I would say, possibly three. But the aspects of the--that Bob Arnold wrote on health and social condition, of course, came from outside. Some work he had done earlier on population--he had written a report on--on population dynamics of villages. And, also, he had written a thing on Native hire, which had angered the military quite a bit at the time. But--so that--but that was the only original work that

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INTERVIEWER: (Indiscernible.)

MR. HICKOK: (Indiscernible.) But I had, basically, hired three or four young Native guys to go out to the villages and talk with the old people and come back and kind of be the messengers on--on the subsistence patterns around these. And from that, I computed there was about 60 million acres involved.

INTERVIEWER: Right.

MR. HICKOK: That leads into something for '69.

INTERVIEWER: Right.

MR. HICKOK: Oh, yeah. No, '70, '71.

INTERVIEWER: Well--

MR. HICKOK: At the last minute, when--with the White House.

INTERVIEWER: Right.

MR. HICKOK: That was only Willie Hensley who had asked anything about that at that time.

INTERVIEWER: Right. Well, one of the things about the Alaska Natives and the Land is that, you know, the bulk of it is sort of the synthesis of data about what is the--the map that we're drawing, or the social political map that we're drawing.

MR. HICKOK: It's--

INTERVIEWER: And then at the back, obviously, there is a framework for settlement. And--and in terms of--and it really doesn't--in the Alaska Natives and the Land document, it really--it hints at, but does not really do much about what a settlement should be, other than just sort of analyzing a settlement structure. Now, was that done collectively? Did you guys sit down?

MR. HICKOK: Yes. It was a collective thing. And this was really the only involvement of Fitzgerald. I mean, any--only--not--you know, he was the boss, and he would tell him what to do. Or would--he'd tell him what we were doing.

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INTERVIEWER: Right.

MR. HICKOK: But--and he would, you know, be going back and forth with Washington people and so on. But when it came to the synthesis in that framework, he led that discussion.

INTERVIEWER: Well, now, after Alaska Natives and the Land was delivered, Scoop then actually writes to Fitzgerald and says, "I would really like some very specific recommendations -
-"

MR. HICKOK: Right.

INTERVIEWER: "-- on all this." And then there's basically a second document prepared that eventually lead us into the bill that I want to talk to you about in a second. But Fitzgerald sort of claimed that second document more as his own. Was that also basically a--

MR. HICKOK: Well, I--

INTERVIEWER: (Indiscernible.)

MR. HICKOK: (Indiscernible.)

INTERVIEWER:--stuff with the--

MR. HICKOK: In the--

INTERVIEWER:--statewide development corporation and--and--

MR. HICKOK: Oh, no.

INTERVIEWER:--and getting into--

MR. HICKOK: It was all--all discussed.

INTERVIEWER: Okay.

MR. HICKOK: We had lent these sessions, the five of us, and--and--all of that was a general synthesis, and different people came out on different subjects. For example, the--on the--as I said, the four--the original idea on the corporation, as far as the Field Committee, people were. Other people may have had corporate ideas; I don't know. But certainly, what's his name, Barry up there?

INTERVIEWER: Barry Jackson.

MR. HICKOK: Barry Jackson claims he had it. But whether he did or not, I don't know. But ours was a synthesis, then, that took us through the corporate idea and went through a whole thing, and basically came down to a simple corporation. And took a look at municipal laws of the state

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INTERVIEWER: Okay. Well, actually, I want to--a couple things about that since the synthesis. One is that, I--I have been persuaded, just as a result of my digging around in this, that--that the first time you see the corporation, and particularly the regional corporation here, is as a result of Barry Jackson and the Hickel task force bill. I--I agree to that. But the approach that you guys took, which was to have one statewide--

MR. HICKOK: Umbrella--

INTERVIEWER:--umbrella corporation.

MR. HICKOK: (Indiscernible)--

INTERVIEWER: Well, but leaving that sort of optional. If people want to have that, they can do that. But--but it's basically going to be one umbrella corporation. Do you recall why you folks sort of did not go along--I mean, obviously, the--the Hickel task force bill, that obviously the AFN loved at the time, was already on the table at that point, and it had these regional corporations; is that correct? And you guys obviously objected that approach in favor of the (indiscernible)--

MR. HICKOK: No. If you--no, that's not true.

INTERVIEWER: Okay.

MR. HICKOK: If you look at Alaska Natives and the Land, there were 15 regions established on the basis of homogeneity of ethnic aspects, economics, resources, and so on. And we were talking in terms of regions all the way through the period of--from--as we were working on this thing. So I would suggest to you that--and maybe others can verify this or not. I would suggest to you that the aspects of the Hickel task force thing came out of the--people hearing us talk about regions. And then, of course, the--the compromises were made later, from 15 to 12, I think. Some of them wanted seven. I think Charlie--

INTERVIEWER: Right. Charlie wanted--

MR. HICKOK:--wanted seven. But anyway, that--whoever--one of these--again, one of these things that kind of was in the air and people picked it up different ways; I don't know. I didn't attribute anything to anybody.

INTERVIEWER: Okay. Well, one of the things that is sort of interesting about--about the approach that you folks had, that later got transferred into the S-1830, that I think separated you philosophically from the Natives, because I think your analysis was--was somewhat more sophisticated, is--is that, you know, you guys broke it down analytically into, give the villages a township so that, physically, they have the--you know, the area inside the curtilage of the village. And then do something about subsistence.

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MR. HICKOK: Classify the federal lands.

INTERVIEWER: Well, do something about it. You know, the--the issue of taking care of subsistence is separate from having to give out fee titles to lands that are used for subsistence.

MR. HICKOK: Well, it's separate, but it's correlated.

INTERVIEWER: Well, except that you have it broken down into two separate--actually, three separate categories. There's--there's give--give them--give everybody fee title to the actual village core and to fish campsites and--you know, people that are living outside of the village. And then--

MR. HICKOK: Ten or 20 acres.

INTERVIEWER: Right. And then do something to protect subsistence. And--and--

MR. HICKOK: Right. Okay.

INTERVIEWER: And that's--

MR. HICKOK: In that sense, yeah. Those are the three elements.

INTERVIEWER: But--but that you do not necessarily, in order to protect subsistence, have to give out fee title. And that's when you talk about--

MR. HICKOK: That's right.

INTERVIEWER:--that's when you talk about--

MR. HICKOK: Proprietary jurisdiction of the federal and the State.

INTERVIEWER: Right. Right. Right. Which actually ends up being the great-great-grandparent of--

MR. HICKOK: Well, I can tell you--

INTERVIEWER: (Indiscernible.)

MR. HICKOK:--history of that. But that's another story entirely.

INTERVIEWER: Right.

MR. HICKOK: Because it was directly related to what came in--in--in ANILCA.

INTERVIEWER: Right. Right. But--and I want to get--

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MR. HICKOK: Yeah. I want to get to that.

INTERVIEWER: But--and then the third thing was coming up with both payment for--for land that had been lost, and then also land that would--aboriginal title that would be quieted as a result of the bill. And then as--in terms of that component, then you guys analyze that well; you can either pay for that through actual money, or you can pay for that through giving them fee title to land. And--and in terms of--of--

MR. HICKOK: And it became various mixed bags.

INTERVIEWER: Right. Right.

MR. HICKOK: (Indiscernible) whatever you wanted to mix.

INTERVIEWER: You can--right. You can sort of pick from column A or pick from column B.

MR. HICKOK: Right.

INTERVIEWER: And--and the result of that kind of an analysis, which I'm not unattracted to in terms of the problem, is that it--it results in--in--in less land and fee. But as part of a more comprehensive sort of socioeconomic package.

MR. HICKOK: Well, there was 10 million in the first Senate bill, if my memory is correct. 10 million, plus the village townships.

INTERVIEWER: Well, it was--

MR. HICKOK: Or was maybe the townships were included in the 10 million.

INTERVIEWER: It got--

MR. HICKOK: It was--I don't remember.

INTERVIEWER: It was--you guys wanted to give everybody one township per village.

MR. HICKOK: And then the regions 10 million.

INTERVIEWER: And then--and then the regions would--I don't think they got 10 million. May--no. I guess the whole thing did come up to about 10 million; you're right.

MR. HICKOK: I think so.

INTERVIEWER: You're right. You're right.

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MR. HICKOK: And the--the argument, also, was that the--the acreage had to be a hell of a lot different in one place or another.

INTERVIEWER: Right. Well, actually, I'm--Fitzgerald testifies to that--

MR. HICKOK: Yeah.

INTERVIEWER:--quite eloquently, and I'll get to that in a second here. But I guess my--what I was leading up to in terms of the question is that, in a philosophical sense, that was far different from where AFN was at the time.

MR. HICKOK: Yes, that's right.

INTERVIEWER: AFN just took sort of--sort of a blunderbuss approach. They viewed this whole thing as aggregate acreage, and give us 40 million, give us 60 million, and the quality of the acreage and how particular acreage would--would or would not funnel into assisting them integrating--

MR. HICKOK: Well, they weren't talking 40 or 60 in the beginning.

INTERVIEWER: They were talking 80 at one point.

MR. HICKOK: Well, yeah. But they were all over the lot. They were--I mean, they were talking 20--20 million acres was--was clearly more than Emil and (indiscernible) and Willie even thought they could get at the time Hickel went into--into Washington.

INTERVIEWER: Right. Well--well, I guess--the reason I went through all that was, to what extent, when you folks were putting in--putting together--doing your thinking and putting together this package of recommendations that Jackson eventually would transfer into the bill, were you in communications with Emil Notti and Willie Hensley? Were they--

MR. HICKOK: Yes. They were in and out of the office. All of them were. Matter of fact, it was interesting. Of course, Emil was the only one that was--Emil and Charlie and the Pauls, they were the--kind of the first echelon. Borbridge came in one day--he was still with the Public Health Service--and he said--and this, I think, had to have been '67. Came in and he said, "Is it"--he wanted to come in and sit with me personally. And he was then a basketball coach.

INTERVIEWER: In Juneau, I think.

MR. HICKOK: Anyway, he said, "What do--what do you think this Native Land Claims thing is going to go? And should I quit my job and get into it?" And I said, "Yeah. Why don't you give it a shot." That's a true story. And then Willie was also a later comer into this thing. But I--I tell you a little vignette about the three of them. Bob Arnold and I, meeting at Don's Green Apple the day before they went to Washington on the Hickel--Hickel--(Brief Interruption.)

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MR. HICKOK:--on the--on the Hickel confirmation hearing. That was a funny damn day anyway--

INTERVIEWER: So--so basically, you--you guys were aware, then, at the time, that--that AFN did not necessarily agree with the kind of analysis--

MR. HICKOK: Oh, yeah. But AFN--well, we had--Ester used to prepare these--you probably seen them. The analysis of all the different bills.

INTERVIEWER: Right. Right.

MR. HICKOK: And I don't think the AFN bill was worth a shit. Don't quote me.

INTERVIEWER: That's a perfectly historical--valid historical judgment. But--

MR. HICKOK: Anyway, it was--

INTERVIEWER: Well, which was, obviously, really the Barry Jackson bill, because he--I mean, in terms of who the intellectual--I've been totally persuaded that Jerry--or that Barry was the dominant intellectual force--

MR. HICKOK: I think that's true.

INTERVIEWER:--behind that bill, much more than Cliff Groh, the Natives, or anybody. Well, eventually this--you know, Fitzgerald responds to Scoop's request for a specific--in terms of settlement, after Alaska Natives and the Land are delivered. And then Scoop asked the Department of the Interior, as I understand it, as a drafting service--

MR. HICKOK: That's right. Bruce somebody or other.

INTERVIEWER:--to take--right--your approach and to turn it into legislation.

MR. HICKOK: However, we also did it.

INTERVIEWER: Okay. Well, that was my question, was how--

MR. HICKOK: I did it because I had had a--none of the others had any experience in drafting bills, and I had had quite a bit. So I framed out a lot of the language in various sections. And then Bruce's went to--my memory is that Bruce's went to Van Ness, our stuff went to Van Ness. I and Arlene (phonetic) were back there and cobbled this thing together.

INTERVIEWER: Okay. Well now, I guess--

MR. HICKOK: But you'd have ask Van Ness. He would be better (indiscernible)--

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INTERVIEWER: Well, when--when did you first--did you know Van Ness before this process started or did you meet him as part of this process?

MR. HICKOK: No. I met him as part of this process. But I was the first--I was probably the--the first one with Fitzgerald to meet--meet there because I had--had some knowledge of the hill, of course, from the year in that fellowship. And then also, I was back and forth a lot when I worked in the Commerce.

INTERVIEWER: Now, was there--

MR. HICKOK: And in the Library of Congress.

INTERVIEWER: Right. Then is it your recollection--and I will--I'll talk to Bill about this, but that--that he, basically, pulled in all this drafting and then eventually really put together the final version of the--of the bill?

MR. HICKOK: Yes.

INTERVIEWER: Or--and sent it through the Interior Department, and then eventually just delivered it up there?

MR. HICKOK: Well, it was done through the Interior Department and delivered up there. But it--it had a lot of problems, and I don't think my--I don't believe that Scoop introduced the Interior bill verbatim per se.

INTERVIEWER: He didn't. And one of the things he dropped away, and they viewed it as a mistake, of course, because there's never anything done as a mistake like this--is that your whole--you know, your great-great-grandparent of the Title 8 ANILCA, that's a whole section about what to do about--about subsistence--

MR. HICKOK: Well, no. That stayed in the Senate bill.

INTERVIEWER: Right. No. It was in the Senate bill (indiscernible)--

MR. HICKOK: But--

INTERVIEWER:--but there's some talk in the hearing record about how, somehow, in terms of the cobbling together that had to be done by the committee, that--that in the drafting service that the Interior had provided, that somehow that had not been included in the stuff that they had sent up.

MR. HICKOK: That's right.

INTERVIEWER: Right.

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MR. HICKOK: Yeah. I wrote--because I know. I wrote the--because there were two or three things that were--one, there were villages, like, on King Island (indiscernible), so on, places that I knew from my own experience that people spent time at. And I had written--also, as part of that whole (indiscernible) right there, subsistence and the return to historic places that were in the--in the Senate version. So the subsistence classification, the acreage for hunting and fishing camps, and the return to historic places. I know I wrote those from the very beginning in the language that they were written in.

INTERVIEWER: Okay. Well, the reason I ask about the subsistence thing is that in--that bill eventually gets introduced in April of '69, and you were back there, and Joe Fitzgerald and everyone, and there's a hearing on it.

MR. HICKOK: Right. Now, wasn't there a passage in '68 out of the Senate?

INTERVIEWER: No.

MR. HICKOK: In the fall of '68?

INTERVIEWER: No.

MR. HICKOK: Or was that--almost to '69, then.

INTERVIEWER: No. The only--it was--it was August of '69--in August of '69, then the administration comes in and testifies on--on what it thinks formally of S-1830--and the reason I asked about subsistence is that they come in and testify in opposition. They say, "We do not support --"

MR. HICKOK: Right. That's right.

INTERVIEWER: "-- the position with respect to how to handle subsistence that is described in S-1830."

MR. HICKOK: Right.

INTERVIEWER: "We think it's all unnecessary."

MR. HICKOK: Right.

INTERVIEWER: "And we dump this mess off on the State of Alaska. We don't --"

MR. HICKOK: Right.

INTERVIEWER: "-- like this."

MR. HICKOK: Right.

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INTERVIEWER: So--so I guess my question was, that correlates back with this drafting thing about how they tried to leave that out to begin with. Were you--do you recall sort of fighting with them at the time?

MR. HICKOK: No. We did--there was no dialogue whatsoever.

INTERVIEWER: Okay.

MR. HICKOK: Except internally in the Field Committee. I remember Ester and I taking a look at--the fellow's name was Bruce, I believe, that was in the Solicitor's Office that drafted the bill. I don't know if that was his first name or last name. Ester might remember. But anyway, we thought it was inadequate. And I think we carried that message to Van Ness, and he also agreed, I think.

INTERVIEWER: Okay. Do you recall what--after the bill was introduced, do you recall what the Natives thought of--of this whole approach? Did they come to you?

MR. HICKOK: Well, the biggest thing that happened first--within Alaska Natives and the Land. Now, you got to remember the dialogue of the times here in Alaska was the times at (indiscernible) and so on, and--and even Boyko, also--Boyko was adamantly against a--a settlement of any kind. And, basically, when Alaska Natives and land came out then, and legislation was going forward in the spring of, say, '68, or summer of '68, the issue became how much, not whether or not. Whether or not was settled. There was going to be a settlement. But how much then became the argument. That--I think that was the critical thing. And so the dialogue from the AFN point of view, it seems to me, was joined with the conservative types, like (indiscernible) on how much.

INTERVIEWER: Right. Well, that certainly--

MR. HICKOK: And how the mix was, and how the mix--

INTERVIEWER: Right.

MR. HICKOK:--the pieces.

INTERVIEWER: Right. Now, part of the--sort of take me through the chronology, of what happens next is that bill get's introduced in April of '69, there is this hearing in August of '69 where the administration basically comes in and gets--Hickel--I mean, yeah Hickel's people come in and say, you know, "We don't like subsistence. We don't like leasing (indiscernible) for"--and there was a bunch of other stuff. Then there's a mark up that Jackson starts trying to hold in--in the late fall of '69, in November and December. And that is when the roof comes out up here in terms of Atwood and all these people saying that this was all terrible. And Stevens and Gravel tried to put a deal together at that point--I don't know if you're even aware of all this--in December of '69.

MR. HICKOK: Yeah.

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INTERVIEWER: And they have a meeting, actually, in late November, November 22nd of '69, privately to try and see if they can cobble together something that Scoop will accept that is sort of based upon the work that you guys have done.

MR. HICKOK: Okay. Now, you have to remember there's another thing happening at the same-- in May of '69 was the first hearings on the pipeline.

INTERVIEWER: Right.

MR. HICKOK: I mean, because I went back--another professor, sole professor and I went back and staffed that out for Scoop and met with the oil industry and Interior and the conservationists and had all the questions for Van Ness and Scoop all laid out.

INTERVIEWER: Right. Well, actually--

MR. HICKOK: But that was--see, that's--that's what also got into the pot.

INTERVIEWER: Okay. Well, that actually sort of anticipates my question, because where I was going with that was, once those executive mark-up sessions were starting in late '69, were--to what extent were you involved in all that? Were you still with the Field Committee at that point?

MR. HICKOK: I was--

INTERVIEWER: Were you on detail--

MR. HICKOK:--with the Field Committee.

INTERVIEWER:--down to Van Ness?

MR. HICKOK: Yes. Yes. I was back and forth quite a lot. On--on--and was meeting with the Navy and various other things for Van Ness. In other words--and Toosing (phonetic) was also there in and out. And then when I left the Field Committee in '70, I still went back, and I had my own operation in the university. I just spent the money and went anyway. But I still kept involved with the Senate side, all the way up through passage.

INTERVIEWER: Right.

MR. HICKOK: And then wrote parts of the conference report with Van Ness.

INTERVIEWER: Right. I want to talk to you about that in a second. When--when did you--then in '70, when did you leave the Field Committee?

MR. HICKOK: That would have been May.

INTERVIEWER: May of '70?

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MR. HICKOK: Of '70.

INTERVIEWER: Okay. Because--well, as part of those mark-up sessions, the reason I wanted to ask about that is, what eventually becomes of some concern to AFN, is having to walk back and forth between Stevens and Gravel on the Senate side. And, I guess, do you have any recollection--I mean, eventually their nonability to work together would become legendary.

MR. HICKOK: Well, you can ask Van Ness. But Van Ness totally disregarded both of them, and--and so did Toosing and I. I mean, I met--we met with Doug Jones and--

INTERVIEWER: Was Birch--

MR. HICKOK: Huh?

INTERVIEWER: Was Birch Stevens's guy (indiscernible)?

MR. HICKOK: I think so. But I mean, I--the only--no. The only involvement we had with Stevens, outside of listening to him shout at us during the hearings, you know--

INTERVIEWER: Right.

MR. HICKOK:--was later after the passage, the night of the party on the--on the passage of the bill, Toosing and I got quite high, and we had lunch scheduled with Stevens the next day, and that was a disaster. I don't have to tell all the details of it. (Brief interruption.)

MR. HICKOK:--track here.

INTERVIEWER: Right. One of the things about your proposal was--was this business about opening up--I guess while you were dealing with the Navy, was trying to open up PET 4 (phonetic) and to be able to use those revenues to finance the settlement. And--and Fitzgerald says at the hearing that that is sort of a--a loadstar (sic)--loadstone part of your whole package. And do you recall, basically, whose idea that was? I mean--

MR. HICKOK: It was--it was--it's centered in either Fitzgerald or Toosing, all the monetary stuff. The rest of us had nothing, except Toosing, essentially, did all the monetary analysis. And the only reason I got involved with the Navy was because I knew a little geology, and I knew the country. See, the one thing that--no one else in the Field Committee knew the country except me. I mean, that was--and I knew it quite well.

INTERVIEWER: Right. So you were sort of the--

MR. HICKOK: I was--

INTERVIEWER:--performed the role that Dick Stenmark played during D2.

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MR. HICKOK: Well, in his terms of reference.

INTERVIEWER: Right, right.

MR. HICKOK: Yeah. Different terms of reference.

INTERVIEWER: Right, I understand.

MR. HICKOK: Yeah.

INTERVIEWER: But--

MR. HICKOK: Anyway.

INTERVIEWER: Okay. One of the things after--after the first hearing at which your bill is unveiled in April of '69, there's a lot of talk on the record where--where Scoop and Stevens ask everyone--I guess all the Natives are back to that hearing, and you and Fitzgerald are back.

MR. HICKOK: And, you know, one thing that doesn't ring right to me. There was--there were hearings in the summer of '68; there had to have been.

INTERVIEWER: Yeah. Well, they were Field hearings.

MR. HICKOK: Weren't there some in Washington, too?

INTERVIEWER: Yeah. In August of--oh, of '68.

MR. HICKOK: Yeah.

INTERVIEWER: No. First hearing--oh summer--yeah. There were--yes. There was--there were--there were Field hearings in the Senate in February of '68. And then in August of '68, there was one day of hearings in the Senate and one day in the House.

MR. HICKOK: Wasn't there a mockup of the bill in August of '68?

INTERVIEWER: No. No. No. Actually, because the whole thing was going to pieces. And that's--in fact, that's famous because that's when--when--

MR. HICKOK: So you're saying that three passages were '69, '70, and '71?

INTERVIEWER: No. What happened--

MR. HICKOK: On the Senate side?

INTERVIEWER: On the Senate side, the chronology is bills are introduced at the beginning of '68, which were the original AFN bills from '66.

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MR. HICKOK: Right.

INTERVIEWER: The Barry Jackson Hickel task force bill--

MR. HICKOK: Right.

INTERVIEWER:--et cetera, et cetera. And then there were hearings in February of '68, there was a day of hearings in August of '68 to confirm that--everything was going to pieces in '68.

MR. HICKOK: It wasn't S-1830's--

INTERVIEWER: No. S-1830 was not until the new Congress in '69.

MR. HICKOK: Okay.

INTERVIEWER: And in--and so--

MR. HICKOK: Well, my memory--

INTERVIEWER: Okay.

MR. HICKOK:--failed there--

INTERVIEWER: It was 20 years.

MR. HICKOK: Twenty-six, 25 years ago.

INTERVIEWER: Right. That was 25 years ago, and there's no reason you should be thinking about these thing constantly. So--so--and the only reason I know is because I just happen--

MR. HICKOK: Yeah.

INTERVIEWER:--to be reading this stuff.

MR. HICKOK: I could have sworn it was earlier.

INTERVIEWER: No. And so S-1830 was introduced in April. There was a hearing in April, at which you folks presented, basically, the proposal.

MR. HICKOK: And that's when Steven shouted at Fitzgerald.

INTERVIEWER: Right.

MR. HICKOK: And said--

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INTERVIEWER: Fitzgerald was saying--

MR. HICKOK: (Indiscernible.)

INTERVIEWER: Right. In fact, you can even see it--if you know Ted, you can see it. I was just reading the hearing record just a couple days ago--

MR. HICKOK: God, that was a fright.

INTERVIEWER:--that--

MR. HICKOK: Fitzgerald and I were sitting there together, and I think Ester might have--no.

INTERVIEWER: No. She was there.

MR. HICKOK: She--she wasn't at the table with us. So--she was there. I don't think Bob was there; he wasn't there. Toosing, I don't remember if he was there or not. I think he was there, also. Anyway, God, it was a fright.

INTERVIEWER: Well, I think--

MR. HICKOK: Fitzgerald always just quieted up. They're not going to fight with the (indiscernible).

INTERVIEWER: Right. Well, actually, it was--it was over--Fitzgerald said he was trying to make the distinction about how I know the Natives would really like a lot of land, and there were a lot of people who just like to dump X million acres of land off around the villages, and that would make the Natives very happy because they're off on this jag of we want X amount of acreage. But that--basically, what I'm trying to tell you is you have to look at the quality of various categories of acreage and that the qualitative analysis is more important than the raw numbers. And--and Stevens then launches into this tirade about how--what a disservice it is that you're running around saying that there are people unidentified strong in Alaska that are prepared to just dump shit land off on the Natives in order to get this thing done. And just--you know, if you've ever been yelled at by Ted, you can sit there with a cup of coffee and read this thing and realize--

MR. HICKOK: Also, that was the time when AFN Emil and Justice Goldberg were there.

INTERVIEWER: Right.

MR. HICKOK: And, basically, a very important point came up, and that's when the AFN Native leadership at the time testified that there were no tribes in Alaska, if my memory is right.

INTERVIEWER: Right. Well, that's a whole--

MR. HICKOK: Another ballgame.

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INTERVIEWER: Well, actually, I want--actually, that leads me into two questions. One is, that was the first time that Goldberg appeared. And what--what was your--one of the things that comes off in that hearing record is that Goldberg sort of mutts around like he didn't really know much, and then says that he thinks that a reasonable amount of acreage is what we need here, but he doesn't say what reasonable is. And then Emil testifies and says 40 million acres. But it's really the beginning of what really became a total lack of communication, it seems to me--

MR. HICKOK: Well, who was the other--

INTERVIEWER: Ramsey Clark?

MR. HICKOK: Yeah. He was there, also, I believe; if my memory's right.

INTERVIEWER: Do you remember what your impressions were of Goldberg at the time? Did they--

MR. HICKOK: Well, I think you've spelled it out fairly well. I don't think he was up to the mark on information, kind of winging it as--

INTERVIEWER: Well--

MR. HICKOK:--he was prone to do many, many times.

INTERVIEWER: Right. Well--

MR. HICKOK: Not to denigrate the man, because he was a great man, I thought.

INTERVIEWER: Well, but if he didn't have--

MR. HICKOK: But he wasn't prepared.

INTERVIEWER: Well, they talk at that hearing about, since everybody's back there, you're back there, the Natives are back there, the State--the State is back there, about having everyone try and get together during that spring and see if you guys can--can basically negotiate more of this stuff. Do you recall ever being involved in any activities like that?

MR. HICKOK: No.

INTERVIEWER: Okay. Okay. And then the other guy that shows up in addition to Goldberg--

MR. HICKOK: Well, that's not to say that there weren't meetings, Natives and Native leadership and--and I and others in the Field Committee talked. Van Ness talked. We talked with government people, I mean, but there was no--

INTERVIEWER: Like, a huge table where everybody--

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MR. HICKOK: No. Not--not to my memory, ever, ever.

INTERVIEWER: Okay. And then the other--the other, just to complete the cast of charterers for--for '69, '70, the other person that showed up at that hearing, of course, is Keith Miller, who has just become governor because Willie has run off to Washington. What was your impressions of Miller?

MR. HICKOK: He's an utter ass.

INTERVIEWER: I mean, did he--

MR. HICKOK: He didn't have--didn't know anything about the subject.

INTERVIEWER: Okay. Had you know Miller before he became--

MR. HICKOK: Oh, yeah. Yeah. Yeah.

INTERVIEWER: Okay. Because, yeah, I mean, he certainly did not--in my view, he delayed the settlement at least a year. He had been--he had--had had a different attitude about--(Brief interruption.)

MR. HICKOK: You know, I don't think he knew what he was doing. And, now, that wasn't just all his fault. I don't think the State--State agency--the State didn't know what he was talking about. And Boyko had not given--left any decent legacy of--of intellectual thought behind.

INTERVIEWER: All right.

MR. HICKOK: He came one day to a meeting that we were having on public land policy, I had--

INTERVIEWER: You mean Boyko or Miller?

MR. HICKOK: Boyko, and I had--I had managed to get some federal money to do a supplementary study to Aspinall's public land law review commission on Alaska because they weren't really doing anything in Alaska. So I--I had had some experience in getting money, so I got some money. And added--added to the Field Committee budget. And we hired the University of Wisconsin, who did some of the analysis. Anyway, we were having a big meeting, a lot of Alaskan agencies, and the University of Wisconsin people and Fitzgerald and myself and Ester, primarily. And Boyko shows up and starts in this tirade about Native land claims. And, of course, we weren't talking--the meeting was not about Native land claims. And he goes on ranting and raving. And then Fitzgerald quietly, as he has a way of doing says, "Mr. Boyko, I think you're in the wrong meeting."

INTERVIEWER: Well, eventually, in terms of the chronology, eventually there is a bill reported by the Senate Interior Committee, but it is not until almost a year later, like, April of '70. And at

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MR. HICKOK: Yeah. By that time, the--I--I had written in the Senate version a section that said there would be a study of--Secretary of Interior and I are (indiscernible) do a study for three years on parks and (indiscernible) national forest. And that was the precursor of--of 17(b)(2), which came in the next--or in the last version.

INTERVIEWER: Right. I want--I want to ask you about that. So the newer--in addition to writing that section--well, actually, let me--that's a good spot to maybe stop and ask about this. Is that--I do not see the paw prints of the environmental community involved in this at all.

MR. HICKOK: They weren't. Matter of fact, they didn't even know about it.

INTERVIEWER: Okay. Well, you--I mean, obviously, you eventually were to become sort of the major liaison between up here and--and the environmental community. I mean, were you--

MR. HICKOK: Well, not--

INTERVIEWER:--I mean, in later years.

MR. HICKOK: Not--not--actually, Mark was very--she was the one that ran the--Fitzgerald had gone in '69 to the conservation community here and said, "We--we in the Field Committee staff are too involved. We have no time to work on plans for parks"--mainly parks is what he was interested in. Anyway, so Mark organized--and the thing was called the living room floor society and--maps on the floor society. And it had a number of people in from state and federal government that were pretty well incognito all the time because they knew the country but they kept out of things, and kept--and Mark had to do--keep their names quiet and so on. Anyway, they had--started putting, in '69, a lot of information together on these things that then ultimately ended up, in--in February of '72, with the map. You see, basically, it was a conservation map. The only one that was available, from Alaskans--not from Washington or from anything else--that had enough information for withdrawals.

INTERVIEWER: For the Morton withdrawals?

MR. HICKOK: Yeah. And then to go back on that though, was--on the conservation involvement, it was in '71, there was a conference in '71 that Mark went to and there was people like Wayburn and so on there. And they--they finally had just got acquainted with--with the fact that there was a little blurb in here, maybe we should--no. They didn't know about the--hadn't read the Senate bill. They had only been involved with the idea--now, the Natives are getting all this, why don't we get some? And Mark stood up at this national meeting and said, "Right. It's already studied, and we've got the maps and the whole thing. And if you look carefully at the Senate version, there's a study called for in there. And she's the one who got the--alerted them. And then--then shortly after that, as a--getting ahead of the story--hey, Chance, come on. Quit it. Go. Go. I'm getting a little bit ahead of the story, but where the 80 million acres came from, I can tell you that exactly.

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INTERVIEWER: Well, let me--let me--

MR. HICKOK: That's another story.

INTERVIEWER: I want to get to that. But--but--so for the--for where we are right now, for '69 and '70, then, in the Senate.

MR. HICKOK: Yeah.

INTERVIEWER: The environmental community is--is not involved, and to the extent that this provision is in--in the bill that the committee eventually reports, that's just basically your good office's--

MR. HICKOK: Bill (indiscernible). Bill says--Bill says, "Look--carbon." He says, "Why don't we do something on that?" So I wrote the section on that.

INTERVIEWER: Okay.

MR. HICKOK: But it--it was kind of--we were talking about another aspect of land management in the land. It just kind of came out of Van Ness and I's discussion in the staff, you know, in his office, and we just batted off a section; that was all.

INTERVIEWER: I mean, I'll ask--I'll ask Will about this.

MR. HICKOK: Yeah.

INTERVIEWER: But is this the--kind of the detail, considering all the--either the benefit or the trouble that it caused later, depending upon who you talk to, is it that you guys just did this on your own? This was not something that he had to take to Scoop, or do you think--

MR. HICKOK: It was all done on our own. Also, you see the--well, I don't know what he took to Scoop.

INTERVIEWER: Right.

MR. HICKOK: All I--you know, he took pretty--presumably, he briefed Scoop on things like the federal/state planning commission thought that got thrown in. Presumably he briefed him on the--on the Interior Agriculture's land studies. But I think they were all regarded as filler.

INTERVIEWER: Okay. Well--

MR. HICKOK: Well, you know, to take care of constituents or interest groups that had not yet emerged.

INTERVIEWER: Right.

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MR. HICKOK: Right.

INTERVIEWER: So you're basically doing--gratuitously doing people--

MR. HICKOK: That's my--

INTERVIEWER:--who should have been protecting their own interests and favor.

MR. HICKOK: But they weren't around yet.

INTERVIEWER: Okay.

MR. HICKOK: It wasn't until the thing moved to the House.

INTERVIEWER: Right. Well, that's actually my next question because, basically, for a whole variety of reasons that aren't relevant to this tape, the--the bill that is reported by the Senate Interior Committee in the spring of 1970, is really the bill that gets through the Senate and--in July of '70 relatively unscathed.

MR. HICKOK: Right.

INTERVIEWER: The Natives are not led by Goldberg and are in no position to go around--

MR. HICKOK: That's when--how the acreage was doubled to 20 million.

INTERVIEWER: Right.

MR. HICKOK: If my memory is right.

INTERVIEWER: Right. And Fred Harris had--had an amendment--

MR. HICKOK: Right.

INTERVIEWER:--on the floor to make it 40, but he got--they got just stomped. I mean, they lost (indiscernible)--

MR. HICKOK: Yeah. I think Etok (phonetic) was involved with Harris, if my memory is right on that.

INTERVIEWER: Right. But what's interesting is--is that there was--there was basically--when you get beat 88 to 12, that means you're not--there's no real attempt to go around the chairman. And it's interesting; that same year, you know, that--that with the White House's help, you know, Taos Blue Lake Indians, I mean, stomped Scoop Jackson and Clint Anderson on the floor. And that sort of thing was possible, in theory. But no one tried it. But I--so I guess the point is that, in

Donald Mitchell oral histories, Archives and Special Collections, Consortium Library, University of Alaska Anchorage. Dave Hickok interview, 1992 July 16. Transcript completed by Andrea Atkins. <https://archives.consortiumlibrary.org/collections/specialcollections/hmc-1099/terms> of the Senate story--the Senate story, before we get to the conference, is really what happened inside the committee. It didn't really change much--

MR. HICKOK: You have to remember that the rules of the Senate did not require open meetings.

INTERVIEWER: Right.

MR. HICKOK: You know--

INTERVIEWER: Right.

MR. HICKOK: Right.

INTERVIEWER: Right. And I didn't--I didn't hit Congress until the D2 days. And, of course by then, the Watergate Babies had--had opened the place up. But--but--which is what is so interesting about this raw transcript from Aspinall.

MR. HICKOK: Well, I think you were able to do a hell of a lot better job on legislation before it got all opened up.

INTERVIEWER: That's my view.

MR. HICKOK: Absolutely.

INTERVIEWER: I think--I think--

MR. HICKOK: You couldn't possibly get through an analysis of complex issue today like we did in--in the older days.

INTERVIEWER: Right. Well, totally an aside, but I tell Kay Brown that all the time, this commitment--there should be accountability, but all that happens is, is you force the real exchange of views into people's office. Now, rather than--rather than having there in the dais--

MR. HICKOK: Yeah.

INTERVIEWER: But anyway, that's another story. The--the most interesting thing, before we get to the conference, about the environmental community is about the Udall/Saylor amendment on the House side. I mean, basically, as you know, the Senate passes the bill in '70, the whole thing dies, everyone has to start over again in '71. The White House then gets involved.

MR. HICKOK: Right.

INTERVIEWER: It's totally far off your brief.

MR. HICKOK: Right.

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INTERVIEWER: And then sort of almost simultaneously, the House and the Senate eventually go to the floor in '71, although the House actually goes first by--by a little bit because the Senate wasn't going to move until Aspinall finally got off his duff. But the big fight on the House floor was obviously the Udall/Saylor move. And--

MR. HICKOK: I don't recall.

INTERVIEWER: You don't recall that?

MR. HICKOK: I--I--what was the essence of it? And then I might--

INTERVIEWER: It was basically a--a--

MR. HICKOK: Was that that planning thing?

INTERVIEWER: Yeah. And it was the withdrawals. It was basically the great--

MR. HICKOK: Oh, yeah. Okay.

INTERVIEWER: You know, it was sort of like a humongous 17(D)(2) except--except, much more from the point of view of the Natives in the state, and the oil industry, oppressing--

MR. HICKOK: Was there another name, an N or a K or some kind of an amendment?

INTERVIEWER: Keel amendment?

MR. HICKOK: Keel.

INTERVIEWER: Right.

MR. HICKOK: Is that--is that what you're--

INTERVIEWER: Yeah. Well, no. The Udall/Saylor--see, Keel tried--all Udall/Saylor was on the floor for was the Keel amendment and committee was my recollection.

MR. HICKOK: Okay.

INTERVIEWER: The Keel had tried--

MR. HICKOK: Okay. All right.

INTERVIEWER: (Indiscernible)--to get that--

MR. HICKOK: (Indiscernible.)

INTERVIEWER: Okay.

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MR. HICKOK: All right. So they were the same thing?

INTERVIEWER: Right.

MR. HICKOK: Okay.

INTERVIEWER: Then they got to the floor, then--and this seems to be the first time that the environmental community--

MR. HICKOK: And that failed.

INTERVIEWER: Right. That failed.

MR. HICKOK: Okay.

INTERVIEWER: Exactly.

MR. HICKOK: Now, let me tell you the follow-up on that.

INTERVIEWER: Okay.

MR. HICKOK: So I was back there working with Van Ness on something, and I was staying with Harry Crandall, who was an old friend. Matter of fact, I had brought him to Washington years before, in the Fish and Wildlife Service. And he was involved with all the--he was in the wilderness society, and he was involved in all this business with Udall and the amendment and so on. So anyway, there was a meeting called for Moe's office and all the conservationists. And the whole (indiscernible) of them, Branborg (phonetic) and--well, anyway, all the groups were--were--were there. And Harry took me along. So I had known Udall when I had the thing in the--in the--in the Congress. I worked for Al Oleman (phonetic) in Oregon, so I knew Udall. And anyway, I--I came in, and Udall says, "Dave, what are you doing here?" And I says, "Well, I guess I'm supposed to be some kind of an expert witness." And so--so they all sit down and they start out--Branborg (phonetic) starts out with--Moe says, "How--how many acres do we need here?" And Branborg--this is almost verbatim--

INTERVIEWER: And, I'm sorry, who was Branborg?

MR. HICKOK: Branborg was the--was the executive director of the wilderness society. Harry worked under him.

INTERVIEWER: Okay.

MR. HICKOK: And Branborg says, "Well"--God, what's the name of--it just went out of my head. And, but--tip of my tongue but--doctor with the--

INTERVIEWER: Oh, Wayburn.

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MR. HICKOK: Wayburn says that it should be 150 billion acres. And talks about 150 billion acres for a few minutes. And Udall turns to me and says, "How many acres should there be, Dave?" And I said, "Well, there are 36 and a half million acres that you could call crown jewels, really exquisite plain." So immediately there's this discussion, "Well, how about 90?" This--90 was a figure match. And then somebody says this. And I didn't say another word. And pretty soon, Moe says, "Well, 80 million acres. Sold." And that's how--that's how it happened. And that was all the rationale there ever was to 80 million acres. Now, in the mean time, after they get this 80 million acres and the conservation community comes back to the Alaska floor--living room floor society and said, "We need 80 million acres." These guys had been working for a couple of years, and all they could get was 60--63 million, something like that. And they had a hell of a time.

INTERVIEWER: Finding--

MR. HICKOK: Yeah.

INTERVIEWER:--(indiscernible).

MR. HICKOK: Matter of fact, just a hell of a time.

INTERVIEWER: Right. Well, technically, as--as the text ended up being enacted, it was up to 80 million. They were under no obligation--

MR. HICKOK: (Indiscernible.)

INTERVIEWER:--to fight (indiscernible) practical matter.

MR. HICKOK: That's what they wanted.

INTERVIEWER: Right. Right. Well, now, then was that--

MR. HICKOK: How many acres did you finally come back with when--when you went--when the Morton map went in? MS. HICKOK: We had the original request.

MR. HICKOK: Eighty million? MS. HICKOK: Eighty million.

MR. HICKOK: You had had when--when--MS. HICKOK: We needed 65.

MR. HICKOK: And you had 63 or 5, something like that. And you had a hell of a time getting the rest of it, didn't you? MS. HICKOK: We managed to get it through things like (indiscernible) rivers and--and a lot of stuff, the government put in that we didn't have. We didn't have a number of the (indiscernible) on the Yukon.

MR. HICKOK: Some of that stuff is crap.

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INTERVIEWER: That's all (indiscernible).

MR. HICKOK: Yeah.

INTERVIEWER: You know, making the refuge, everything west of Kalskag was all Harold Sparck.

MR. HICKOK: (Indiscernible.)

INTERVIEWER: And nothing--nobody wanted that. Actually, this is the kind of story, if Ted Stevens was here, he would absolutely be 80 feet in the sky right now going to (indiscernible).

MS. HICKOK: Pleasure. Would be a pleasure. Maybe he'd have a heart attack.

MR. HICKOK: Why don't you tell Mitchell what you did to Stevens. MS. HICKOK: You sure you want me--

MR. HICKOK: No, maybe you better not. It was pretty dirty. MS. HICKOK: It was pretty gross.

MR. HICKOK: Gross, yeah. MS. HICKOK: I'll tell him, but it's not going to be on tape.

INTERVIEWER: All right. Well, I'll turn it off and ask you before I leave. So this meeting where this 80 acres was pulled out of the sky by Moe, was this--I'd have to go back and check the actual texts of the Udall/Saylor amendment. Was this sort of getting prepared for Udall/Saylor or--

MR. HICKOK: No. No. They had already lost.

INTERVIEWER: Lost. And so then this was when, eventually, they were going to go to the Conference Committee.

MR. HICKOK: Right.

INTERVIEWER: Okay.

MR. HICKOK: Or--or to something. I've--

INTERVIEWER: Right. That's where eventually--

MR. HICKOK:--I don't remember. But they basically lost, I believe.

INTERVIEWER: Right.

MR. HICKOK: The Keel thing was dead, and there was some--some aspects--I don't know whether that came--which came first, the chicken or the egg here. But the--the senator from Nevada was there.

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INTERVIEWER: Bible.

MR. HICKOK: Bible. There was--Bible was doing something, also, on this with--when Wayburn was involved. I think that didn't go anywhere either; maybe it came later. I don't remember that.

INTERVIEWER: Well, this whole thing got stuck in the conference.

MR. HICKOK: Yeah. Yeah. That's--

INTERVIEWER: Well, actually, you'll be interested to know, I talked to Katz once, and, you know, Katz was staffing Stevens. And that was when Stevens agreed to what became 17(d)(2) in the Conference Committee, then the meeting broke up and Katz says he remembers walking down the hall with Ted and said, "That seems very bad," how--you know, his sort of view of things, "Why did you do that?" And Ted says, "Oh, it doesn't mean anything. That's nothing." And Katz has always remembered that. But again, in terms of how Ted likes to reorient history to his liking, that he would go--he would have a conniption. He might have that--that coronary that we were thinking about if he had to be reminded that he had could have stopped the whole--
MS. HICKOK: Well, could he?

INTERVIEWER: Well--

MR. HICKOK: Well, he also did--another story. But he also was the one that screwed up the subsistence thing in the Senate.

INTERVIEWER: Well--

MR. HICKOK: The House version and ANILCA was a hell of a lot different than when it came out in the Senate.

INTERVIEWER: Well, actually, I want to get to the--

MR. HICKOK: Yeah.

INTERVIEWER: Before we get to the--to ANILCA and subsistence, because it does relate back to the land claims. But that eventually does get us to the Conference Committee. And what was your involvement during the conference--
MS. HICKOK: I'd--I'd like to--

MR. HICKOK:--this is a tape here.

INTERVIEWER: Oh, sure. Sure. MS. HICKOK: I want to put something in about the environmentalists of Alaska. When they were offering the map and--and had decided on the boundaries and all--no, I'm not going to stay. We agreed, we--Alaskan conservationists, which was Sierra club, Izaak Walton League, Alaska Conservation Society, and the Alaska Wilderness Counsel. We all agreed that we would not challenge any claim that the Natives made on any of the lands we were so designated. That they could make their claim; we would not fight them under any circumstances. We would not fight them.

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MR. HICKOK: That--that's true.

INTERVIEWER: What years would that have been?

MR. HICKOK: It was '71. MS. HICKOK: '71.

INTERVIEWER: Okay. MS. HICKOK: And then, with the land--with the--with ANILCA, too. And we felt that they would be overselecting, and that once the pieces in our proposals fell out, then we would fight for them. And we fought the national conservationists tooth and claw on that one in Washington, DC. And really forced them to accept it. And so in the very beginning, until after the lands began to fall out, the conservation community, particularly of Alaska, held--held a national--

MR. HICKOK: In total--total support of the Natives.

INTERVIEWER: Well, actually--I mean, that's totally off the claims act. But my view of--

MR. HICKOK: Well, it was involved with the claims--

INTERVIEWER: Well, no. I understand. But I'm saying that, in terms of ANILCA, I think, as I look back on it, that the--it was over before it started, because--because of that kind of thing. The environmental community and the Native community, basically, were in communication and had cut their own deal before ANILCA had really started, and--MS. HICKOK: I only--

INTERVIEWER:--and the state never could recoverer from that. MS. HICKOK: Only some of the--

MR. HICKOK: Well, in the context that he means, with the state being left out of it--MS. HICKOK: Right.

INTERVIEWER: Right. Right.

MR. HICKOK:--you see. MS. HICKOK: Only some of the Native corporations that were sharp, like Arctic Slope, knew what--what our agreement was.

MR. HICKOK: That's enough. Come on. MS. HICKOK: That we would honor their claims.

INTERVIEWER: Now, who is--who is it in the Washington level that didn't agree with that? MS. HICKOK: Oh, everybody. I mean, they didn't have any personal feeling about what was going on here. They saw it as an opportunity to protect special cases.

INTERVIEWER: Okay. Well, now, I think that's an important thing from that perspective. MS. HICKOK: But they did--I mean, we--the Alaska group just raised absolute hell over and over about the kind--well, there was one place in the Brooks Range that there was going to be a down and dirty fight about some of (indiscernible) choices, and--and we forced--we forced him. And

Donald Mitchell oral histories, Archives and Special Collections, Consortium Library, University of Alaska Anchorage. Dave Hickok interview, 1992 July 16. Transcript completed by Andrea Atkins. <https://archives.consortiumlibrary.org/collections/specialcollections/hmc-1099/> he had to withdraw his support. In fact, we crippled the Sierra Club over and over on somethings that they would--they really needed, politically, to be aligned with their allies. But they ended up opposing--

MR. HICKOK: She was on the board of the Sierra Club at the time. It's a national board. MS. HICKOK: No, that was after.

MR. HICKOK: Oh, was that afterwards? Okay.

INTERVIEWER: So this would have been all during the--the immediate post-enactment era when everybody's making their land selections and--MS. HICKOK: Right.

MR. HICKOK: Right. MS. HICKOK: And I was very proud that it was honored all the way until (indiscernible) began to fall out. It's not being honored now.

INTERVIEWER: Right.

MR. HICKOK: (Indiscernible.)

INTERVIEWER: Right. Also, for--for the tape's benefit, that was Mark Hickok, who was probably much more than Dave, at the center of the Alaska environmental movement's--

MR. HICKOK: Much more than I.

INTERVIEWER:--birth.

MR. HICKOK: I was behind the scenes.

INTERVIEWER: All right. Well, that leads us, actually, to the Conference Committee. And to what extent were you involved in--

MR. HICKOK: Not at all. I mean, I was around down there and would talk with--I was writing things with Van Ness for some reason or another. And I don't remember in what context though. Maybe it was preparedness for the report or something, you know, for the--for the conference report. Maybe it was preparedness. I don't know. It was some--you know, doing something like that. Or it might have been on some other legislation.

INTERVIEWER: But you were not inside the room during the conference?

MR. HICKOK: No.

INTERVIEWER: I think Van Ness would--

MR. HICKOK: No. I was not inside the room. And--nor was I in the hall. But I had--I would meet--I saw Wickwire and Charlie and some of the others, and they would tell me what little they knew. And the only involvement that I had was a conference report, was that I wrote the

Donald Mitchell oral histories, Archives and Special Collections, Consortium Library, University of Alaska Anchorage. Dave Hickok interview, 1992 July 16. Transcript completed by Andrea Atkins. <https://archives.consortiumlibrary.org/collections/specialcollections/hmc-1099/page/45>, or whatever it is, on subsistence and--and a few other parts of it. Oh, the easement thing, which later became a hell of a damn battle, but finally, went all the way. After five years of Katz and some of the others screwing it up, they went back and came out exactly--Interior finally did what the committee had said. But (indiscernible).

INTERVIEWER: Right.

MR. HICKOK: But anyway, there were a couple of things, easements and--and subsistence.

INTERVIEWER: Well, actually, the reason I--I wanted to take you to that was because of subsistence, because I know you had told me years ago that--that you had been the--the guy that had drafted the famous paragraph about subsistence in the Conference Committee report. And I think the first question that comes to my mind is--is--and maybe you don't know the answer, is why did the subsistence provision that was--that was in the Senate bill drop out in the conference to begin with?

MR. HICKOK: I don't know the answer to that. And I asked Van Ness that many times, and he didn't seem to know. He said--or maybe he just shrugged and said, "Well, it just fell out," or something. I've often wondered whether it was a White House trade-off or Interior/White House dealing with Parmenter and Don Wright and so on. They--they doubled the fee acreage and they--they dropped out the subsistence acreage, and I don't think anybody realized except, historically, Willie Hensley was the only one that--there was a meeting here on a Sunday night in late--it was in November or--an AFN meeting, and I got this call from Willie about 10:00 at night, would I come down and meet with AFN about the subsistence acreage? And then I--and this is when the 40 million had just come on the table, as I remember the thing. And I said, "Fine. You've got a choice here. You got 20 million in the Senate version and up to about 60 million acres on--in subsistence against 40 million acres of fee title." And Willie, if my memory is--is the only one that wondered about that.

INTERVIEWER: Okay. So what was the better deal?

MR. HICKOK: Clearly, Evan and some of the others--

INTERVIEWER: Right. But what--the thing that dropped out--I mean, obviously Jacksonville gave them a choice. And--but what dropped out was that there had also been this provision that you had drafted in the--that had gone all the way through the Senate bill both years, which was this business about being able to classify--

MR. HICKOK: Right.

INTERVIEWER:--federal lands.

MR. HICKOK: And also the hunting and fishing things, which was put in there deliberately so we wouldn't get in the damn business of all of these--oh, God, I (indiscernible) the--the withdraws for, you know, 80-160--what do you call them?

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INTERVIEWER: Allotments?

MR. HICKOK: Native allotments, yeah. The allotments was a farce. And the idea was to end that. Of course, it was ended.

INTERVIEWER: Right.

MR. HICKOK: But then Vista people or somebody got it handled somehow or another.

INTERVIEWER: Well, that's another subject. I can't think of a more self-destructive--

MR. HICKOK: And that thing has been a fright. It's affected the Native ownership, as well as the state and federal. It's an utter fright. Anyway, the idea in the beginning was, fine, you have to have something on these hunting and fishing camps. What does it take? Certainly, it doesn't take many more than 5 or 10 acres. You don't need 160 acres.

INTERVIEWER: Right. But--but that's actually a separate position from the--from the sort of, what became years later, ANILCA--

MR. HICKOK: The classification.

INTERVIEWER: Right. The--the business of--of being able to classify lands as subsistence-- federal lands as subsistence lands and then to prohibit others than--than just local people from hunting and fishing. And--and that is what--

MR. HICKOK: I'm going to have a beer. You want a beer?

INTERVIEWER: Sure. Probably. (Brief interruption.)

INTERVIEWER: What we've been talking about was--was, obviously, you don't know why the provision about classifying lands dropped out?

MR. HICKOK: No. It's always been a wonder to me. And I--I asked Van Ness, and he indicated he did not know. And I've asked Charlie, he didn't--he never said he knew anything about it. Wickwire never said he--he never--

INTERVIEWER: Well, I asked Barry Jackson a couple weeks ago, and he says that it was traded away for something, but he can't remember what it was.

MR. HICKOK: Well, it had to be traded away for--

INTERVIEWER: And I'd be really curious, in retrospect--

MR. HICKOK:--the 40 million.

INTERVIEWER:--to know what it was traded away for. Well, the other thing is--

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MR. HICKOK: Or unless it was something behind the scenes.

INTERVIEWER: Well, it was traded away in the Conference Committee. But--but--but who knows. I mean, I have yet to find anybody who can recall what it was traded away for.

MR. HICKOK: Well, of course, the Conference Committee came up with the 40 million. I mean, that--so that's the only logical conclusion, is that it was--they get twice as much acreage in fee, and skip the subsistence thing and--which is a pain in the neck for the government.

INTERVIEWER: Right. Right.

MR. HICKOK: Well, that's logic. But I don't know if that's true or not.

INTERVIEWER: Right. Well, and that's--then the last thing that I wanted to eventually lead into, actually almost more as a--as a personal matter than--because it doesn't relate to--it does to the end of the story. But in terms of the actual enactment of ANILCA, or of ANCSA, is not relevant. And that is that it seemed to me that--that the original subsistence provisions of H.R.39 is--is that bill was originally introduced in January of '77--looked, in an intellectual way, not dissimilar from that same provision in ANCSA that had been--that had been dropped out by the Conference Committee.

MR. HICKOK: That's right.

INTERVIEWER: And I was curious as to how that--

MR. HICKOK: How that all happened.

INTERVIEWER:--how that all happened. I was, obviously, not involved in any of that until--

MR. HICKOK: Well, it's a very simple story. It goes back to relationships between Harry Crandall and myself. And Harry remembered that the subsistence thing was dropped out of the--out of ANCSA, and he also remembered the--the aspects of the conference report. And when he worked for Udall, and they were some of the very beginnings of ANILCA, he tried, and I think there were some discussions, and there may even be something on the record, because he was Seiberling's guy.

INTERVIEWER: Right.

MR. HICKOK: And--and Udall's guy. To try and find out why Secretary of Interior didn't do anything about this. And anyway, he felt all along that there should be something--there should have been something done. So I--he said to me, "I want to put this back in--in this--in this bill." I said, "Great idea. See what happens." And, unfortunately, it evolved in crazy ways, and the state of Alaska is--and--and--is--is responsible, the (indiscernible) administration is responsible for letting the thing go into legislative jurisdiction. I don't think half the lawyers in the state know the difference between legislative jurisdiction and proprietary jurisdiction. But, you see, the

Donald Mitchell oral histories, Archives and Special Collections, Consortium Library, University of Alaska Anchorage. Dave Hickok interview, 1992 July 16. Transcript completed by Andrea Atkins. <https://archives.consortiumlibrary.org/collections/specialcollections/hmc-1099/> classification was total proprietary jurisdiction. And even if you look at the--the tenor of--of other sections in--in Title 8, where it talks about land--it talks about cooperative agreements, no one's even talking about no present context between the State and the federal government. They could solve--I'm convinced they could solve the whole subsistence question without passing any more laws. They have the authority to classify State lands right now. They classify them around villages. In other words, here's the village, and you got some State land here and some federal land here and Native land here. And the subsistence pattern went like that. Right. And that could have--that was real preference for that village, instead of getting into this legislative mish mash, which is never going to be settled the way it's going.

INTERVIEWER: Right. Well, that's a whole separate subject. But in retrospect--and I will take some responsibility for this. The biggest screwup that Sloss and I made on that subject was trying to be nice guys about it. That if you think about the approach that you guys had, was that you make these classifications around communities that, as a matter of law, have been identified in ANCSA as Native villages, which is a very specific term of art, right? You got to have at least 25 Natives, and the Natives have to be--be a majority, et cetera, et cetera. Well, probably if you had run what had become Title 8 of ANILCA around that original concept rather than this morality mess, it would have been a lot cleaner. Everybody would have--everybody understood where a Native community was and where it wasn't, and we've eliminated this whole mess in the Kenai Peninsula, the whole thing.

MR. HICKOK: Also, in water. See, the original dialogue didn't include the rivers or the waters or the lakes. Now they're into navigable water problems up the kazoo.

INTERVIEWER: Right. All that started, see, because you wanted to be nicer guys than that. Well, what about--what about communities that everybody would say are out in the bush, but for some reason or another are not statutorily within the definition of Native village? I mean, it's sort of like a problem you guys had, if you look at your original--

MR. HICKOK: Well, yeah.

INTERVIEWER:--your original bill wrangled--

MR. HICKOK: (Indiscernible.)

INTERVIEWER: S-1830, for example--oh, and actually, I'm glad I just reminded myself because that's something I want to talk about.

MR. HICKOK: Sitka, and all those--

INTERVIEWER: Well, no. But in S-1830, you originally were going to give all the land to second-class cities that would organize in the villages. But, of course, to organize under state law, a second-class city, there were some villages that could not qualify to do that. And so you--that's how, eventually, you got in this--in your bill, the Senate bill, these nonprofit village things.

MR. HICKOK: Right.

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INTERVIEWER: But that's why you had to do it.

MR. HICKOK: Yeah.

INTERVIEWER: Because you wanted to cut in more communities that can meet the legal requirements.

MR. HICKOK: That's correct.

INTERVIEWER: And that's exactly what we did by not going with the Native village approach, and in retrospect--

MR. HICKOK: That's--

INTERVIEWER:--I mean, it's easy to Monday morning quarterback for--

MR. HICKOK: That--that stuff--that dialogue, on that refinement, in my memory, was mainly Van Ness and Toosing in the--in--in the offices back there. I was in and out, but it was mainly those guys that--that--the Field Committee, per se, was not involved. In other words, they were carrying to a logical conclusion, just as you cited it.

INTERVIEWER: Okay.

MR. HICKOK: Because of some of those--that's my memory.

INTERVIEWER: Sort of these technical problems with--

MR. HICKOK: Yeah. There were technical problems.

INTERVIEWER: And then, I think the last thing that was on my list was that--and I'm glad I reminded myself--because of the second-class city approach, in terms of who was going to own the land, is what was--obviously, what is today known as the Native Sovereignty Movement had not reared its head at that point. But in terms of the Field Committee and putting together its recommendation, was there any awareness that all these IRA village counsels were out there?

MR. HICKOK: Of course.

INTERVIEWER: (Indiscernible.)

MR. HICKOK: Matter of fact, there is a list of them in Alaska Natives in our land. And--and I wrote some of that, and Ester wrote some of that. Yeah. There's an analysis of the IRA's. And there's also some maps of them, and there's a history of how they came about. And you may recall in your research that there was a big hiatus in the VIA in terms of letting people know what they could do and couldn't do with the 36 Act.

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INTERVIEWER: Right. Well, they did. I mean, that's a historical matter. But they did it backwards. I mean, they went out and organized all these IRAs in the theory that they would then withdraw these reservations, and then they lost interest in that project, and they never got rid of the IRAs. And so, I guess my question is--maybe it's a better question for Ester as your--as your lawyer--was if it had been me, what I would have done is I would have repealed, just like everybody had repealed the Allotment Act. I would have repealed the IRA.

MR. HICKOK: Well, we presented that--that thought, you know, just as the whole subsistence situation was presented. But it fell out. I mean, the--the--with--(Brief Interruption.)

MR. HICKOK:--says something about all those matters pertaining to possible Native or Indian title are hereby extinguished.

INTERVIEWER: Right. But I mean, just in terms of the trouble it's caused since.

MR. HICKOK: Yeah.

INTERVIEWER: It looks like a real something--

MR. HICKOK: Yeah--

INTERVIEWER:--that went through the cracks.

MR. HICKOK: Absolutely. Yeah. It just slipped through (indiscernible).

INTERVIEWER: Okay. Then, I guess the--the last thing that I'm also sort of interested in, is you said that originally, just as you guys were beginning your work, that--that one of the groups of folks that were always coming by to visit you in addition to Charlie were--were William Paul, and Fred.

MR. HICKOK: Right.

INTERVIEWER: And I have--as a part of all this, have become really quite fascinated with William. And I was wondering if you could tell me what your impressions were of--

MR. HICKOK: Ester--

INTERVIEWER:--William Paul.

MR. HICKOK: Ester--Ester could tell you a lot more. She--he met with Ester a lot more than--than with me. And what I--I think I--I certainly felt that a--the man was imaginative; I think that would be the first adjective that I would apply to him. He was imaginative and aggressive. Certainly smarter than his son, in my view at least. And I'm not denigrating his son either, but (indiscernible) rather charming fellow. He was pretty old by then. Well, let's see; 25 years ago, let's see, I was--I was in my mid 40s, and--he might have been 60, 65.

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INTERVIEWER: Oh, he was older than that. He died in, like, '70--

MR. HICKOK: Or maybe--

INTERVIEWER:--3 or 4 and he was almost in--he was in his late 80s.

MR. HICKOK: Late 80s?

INTERVIEWER: Oh, yeah. He was old.

MR. HICKOK: He might have been--

INTERVIEWER: I mean, he was raised by Sheldon Jackson. That's old.

MR. HICKOK: Sixty--he was in his sixties then, right.

INTERVIEWER: Well--

MR. HICKOK: Or 70s, early--I mean 70s.

INTERVIEWER: Okay. Well, is there anything--I sort of tried to go through this chronology basically. Is there--if there's anything else that we should put on tape that we haven't talked about, about the claims act, that would be on your list of, sort of, important things that people should understand about it or about the development of it in terms of how it all worked?

MR. HICKOK: Well, I do think there's one thought. And I don't say this in any bad way, either. But Fitzgerald was quite opposed to--to the staff getting into the Native land claims act. And there was arguments of the staff that just took us into it.

INTERVIEWER: And why was that? Do you think that he thought--

MR. HICKOK: I thought he--I think he thought it was too complicated in the beginning and too--or, also, too emotional. He didn't like emotional things. You know, analyze and let the facts speak and that's the right thing to do, you know, right there.

INTERVIEWER: More of a scientist than a politician.

MR. HICKOK: He was--you know, he--he was social (indiscernible).

INTERVIEWER: Well, how--how--what do you folks recall thinking how the whole thing turned out when the smoke cleared and the bill had--that was passed was finally passed. Were you--I mean, it had some of your approaches but not--

MR. HICKOK: Oh, I think--I think--I can only speak for myself. I--I thought it was a--a good evolution, political process type of thing. And there were things that I didn't agree with. I do think that, in terms of equity, some kind of a statewide organization would have provided better

Donald Mitchell oral histories, Archives and Special Collections, Consortium Library, University of Alaska Anchorage. Dave Hickok interview, 1992 July 16. Transcript completed by Andrea Atkins. <https://archives.consortiumlibrary.org/collections/specialcollections/hmc-1099/> expertise and saved some of these regions who got ripped off a hell of a lot of money. I mean, what you had finally got to the regional corporation of 12 of them. I also looked at it somewhat with amusement because, in other words, you could give that money any to any 12 individuals out here and the same breakout of success and failure and middle of the road would almost come out. It was almost a classic--

INTERVIEWER: (Indiscernible.)

MR. HICKOK:--throw of the dice, you know, the way the dice would go. And I--I think--well, that's what happened. And I think it's quite human nature to happen. But it might not have happened if there was some kind of a statewide situation. On the other hand, I could understand completely Aspinall's and others objections to the clout that such a thing would have had, political economic--and that might have made, in current context, you know, much more controversy than we have now. At least the controversy now on sovereignty and things like that is split up. You--you alluded earlier to not just the IRAs, but other sovereignty things. Now, you do recall that at the time of statehood, there was an effort to--to have a sovereign nation above the Yukon, north of the Yukon? Emil Notti and others advocated a separateness, or in other words, no state.

INTERVIEWER: Right.

MR. HICKOK: But in effect, what they were talking about is a Native homeland in a way.

INTERVIEWER: Well, that's a whole interesting--

MR. HICKOK: Of course, it didn't take into account--oh, there is one story that I think is very important to Native land claims, and it hasn't really been told. There was, of course, a Tlingit/Haida settlement. And in the first versions of the--what was the Field Committee Jackson bill, there was no land for Southeastern. No township. At this time, the forest service had not done anything with the 400,000 acres in the Statehood Act. And so, much to my current chagrin, I suggested, "Why don't we play a little game here and give a township to each village in Southeastern and have a Forest Service refute that and give up their 400,000?" Well, the God damn Forest Service dropped the ball completely, and so they lost everything.

INTERVIEWER: So they lost the township--

MR. HICKOK: They lost--

INTERVIEWER:--plus they lost the 400,000.

MR. HICKOK: Yeah. But that was--and Ester and I tried that ploy, but that was our idea.

INTERVIEWER: All right. Well--

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MR. HICKOK: And--and--because I don't think Tlingit/Haida would have gotten any land at all if it hadn't been for that ploy. They--they had no--no real basis to argue it because of the previous seven and a half million, or whatever it was.

INTERVIEWER: Right. Well, actually, that's an interesting story in itself, you know, is that they had done all that with Bill Paul and everybody for a generation down there, and had not given really much of a hoot about anybody else. And then they ended up getting screwed at the end with their (indiscernible) or whatever it was, 7.5 million.

MR. HICKOK: I think that's what it was, yeah.

INTERVIEWER: And then all of a sudden land claims takes off, not because of them, but because of Charlie and the pipeline, basically. And then all of a sudden, they come careening through the door and say, "We want part of a deal here." And the story that I've gotten and--is that this all came to a vote inside of AFN. There was a tie vote as to whether or not to let the Tlingits in and--but Emil broke the tie in favor of letting them in, and at the time, he was married to a Tlingit. Which is--

MR. HICKOK: That's true. That's true. But you said one thing there that's not right. You said that Charlie and the pipeline. The whole thing was introduced prior--prior to even the discovery of Prudhoe Bay. And I think--I think this thing would have--would have passed regardless of the pipeline but would have less, so--all--all the pipeline did was raise the ante.

INTERVIEWER: Right. I--(Indiscernible). Well, certainly--certainly if Stewart Udall hadn't started--hadn't stopped State land selections, I don't know what would have happened. But once he did that--

MR. HICKOK: Yeah.

INTERVIEWER:--at some point, something had to pass.

MR. HICKOK: Oh, yeah.

INTERVIEWER: But it certainly would not have been as, quote, "generous," close quote as what eventually--

MR. HICKOK: Yeah.

INTERVIEWER:--was passed.

MR. HICKOK: And I think--and I think the settlement was imminently generous. Certainly, more generous in social-political terms, as well as compensation, than any other Native settlement in the whole United States. Fascinating to me was the--in a personal sense--was the relationship here between the Passamaquoddy and the settlement that came later, because I was present when they found that old--in a place called Woodland, Maine, they found that old charter.

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INTERVIEWER: Oh, I know nothing about that.

MR. HICKOK: And anyway, the--which there was a charter for the Passamaquoddy and the Qonasqamkuk, and that granted land from the King to--to the people. And--and I was--there was a priest come running up to--while I (indiscernible) on there, and I use to play poker. And he--he was all excited about this, and we went and saw it and so on. And--and then I come--I come later years here to Alaska, and I get involved with the Native land claims, and then the Native land claims precedent here in Alaska settles the Passamaquoddy Qonasqamkuk. The other--another aspect of that thing was that the--the settlement, James Bay settlement in Canada, was directly involved with Alaska. And one of the fellows that worked with me from a AIDC went--and he was one of the main settlements--settlors of the James Bay thing. So there was--been a continuity here of a lot of involvement.

INTERVIEWER: Right. Well, actually, intellectually, there's even more than that. And that is one of the big fights that--that we had during ANILCA with--with subsistence, was I don't know if you recall that the--the Interior Department subsistence title that it sent up is some amendments to Udall and--

MR. HICKOK: I didn't keep track of all the details.

INTERVIEWER: Okay. Well, they had this whole thing called the level of use, which was that--that no matter what else happened, no matter what the population growth might be in the villages, et cetera, et cetera, that on a statewide basis, that the actual aggregate level of use of subsistence resources could not rise above the level that would be in place, assuming you could even figure this out.

MR. HICKOK: But at a certain--

INTERVIEWER: At a certain date.

MR. HICKOK: Madness.

INTERVIEWER: And we, of course, think this is madnesses, exactly.

MR. HICKOK: Yeah.

INTERVIEWER: I mean, you know, it's operationally madnesses, and who knows what the level of use is. It's--it's--it's punitive in that, are you saying that if--that if a village doubles, then they live on half the number of moose? I mean, you know, I mean the whole variety I--but I said, "Where the hell did this thing come from?" Well, where it came from the James (indiscernible), that somebody had agreed to that in the James (indiscernible) and--and the fault (indiscernible)--the fault of the Fish and Wildlife service, with of course no particular use for subsistence when we are trying to dampen it down. That they had ripped this thing out of the James (indiscernible). So I'll--you know, sort of what goes around comes around, that all of these thing sort of were in

Donald Mitchell oral histories, Archives and Special Collections, Consortium Library, University of Alaska Anchorage. Dave Hickok interview, 1992 July 16. Transcript completed by Andrea Atkins. <https://archives.consortiumlibrary.org/collections/specialcollections/hmc-1099/> the--the blinder together, in terms of the--you know, I'm sure if they ever do anything useful for the Aborigines in Australia, we will find that there will be--

MR. HICKOK: Oh, there was a (indiscernible) to try and do it with Hawaii that didn't really get off the ground. But Udall tried to do that.

INTERVIEWER: Yeah. Well, that will never happen because of the lands (indiscernible).

MR. HICKOK: The Bishop Trust. Anyway--

INTERVIEWER: Well, I very much appreciate you taking the time this morning.

MR. HICKOK: You've refreshed my memory more than I refreshed yours, I think.

INTERVIEWER: No. Actually, there was some of this is quite--quite helpful. And--and again, I think one of the other useful things about this, independent of my project, is--is there's now--I've probably done 80 of these things, you know, I've done (indiscernible) and all these people. And again, I hope to do Ehrlichman this summer. And I think, just on general principals, we should have done all this, like, 15 years ago when--when everybody's memory was even better, you know. But--

MR. HICKOK: On the other hand, you--you--you end up in these kinds of things with--with either ego trips or memory that is locked in cement and I hope my comments have not reflected either of those because I--I really don't remember a lot of this. And--

INTERVIEWER: Right. Well, that's why it's--it's--one of the things that I have learned, I've been on this project now, you know, sort catch Ketchikan for so long is that, in a way, a lot of--to be productive, these whole kinds of interviews really need to be sort of done like a deposition, you have to do your homework first.

MR. HICKOK: Yeah.

INTERVIEWER: Because no one in their right mind can remember whether it was, you know, April of '69 or October of '69, 20 years later. And--and so you sort of have to go through the paper trail--

MR. HICKOK: We--

INTERVIEWER:--and know that before.

MR. HICKOK: Mark and I are--do remember some things, and they're--they were write-ups on ANILCA and so on, that we were mentioned in and so on. And on the ANILCA thing, we had some interesting thanks, mainly to Mark, but mine also, from Udall and Songus (phonetic) and whole (indiscernible) of names.

INTERVIEWER: Well--

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MR. HICKOK: (Indiscernible) President, as a matter of fact, too, Carter.

INTERVIEWER: Well, actually, one of the things that I regret is, it crossed my mind right at the beginning of ANILCA when I--I had no idea what I was getting into at the time. And when I finally figured it out, I said to myself, "You know, if not for your own purposes, but just because it would be generally useful, you really ought to get one of these things and just come home every night over a glass of wine, and you can just sit--you don't have to--it takes time to write stuff, but you can sit here and"--

MR. HICKOK: Did you do that?

INTERVIEWER: No. And for ten minutes and just write down what went on today and who said what to whom and why, and what--

MR. HICKOK: Yeah.

INTERVIEWER:--decisions were made--

MR. HICKOK: Well, that's what Wickwire did.

INTERVIEWER: And I never did it. And now, I really kick myself because I remember thinking that I should do it.

MR. HICKOK: Wickwire had these big legal books, you know, kind of notes, all--every night he would write the damn notes.

INTERVIEWER: Well, he's my next stop this summer.

MR. HICKOK: Yeah. I--he--he and Tom Kelly stopped by here a couple of months ago. I hadn't seen them in years. They were up here on some (indiscernible) artic slope.

INTERVIEWER: Okay. Well, I will turn this off. (Brief Interruption.)

INTERVIEWER: This is Don Mitchell. It's July 21st, 1992. And I've been listening to this tape interview with Dave Hickok, and for the record, part of the discussion that's held at the beginning, Dave has got his dates turned around and part of it is my fault. His thinking starts with the premise that Stew Udall came to Alaska in November of 1966, and offered up his idea about OCS revenue sharing. And that then the Field Committee started its work the next spring, which would have been '67, which is why Hickok is so adamant about all that. But, in fact, as you know checking the record, that the Udall visit to Alaska where he met with AFN and--and threw out the idea of OCS revenue sharing, was actually in, I believe, November or December of 1967. And so that then led immediately, several weeks later, into Bob Vaughn participating on Udall's behalf in the Hickel task force activities, the task force bill being introduced in a hearing held in February '68, and then in March, Scoop Jackson, retaining the Field Committee. So

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