

NOTE FROM THE EDITOR

The *Alaska Law Review* is pleased to present our December 2016 issue, the second in our thirty-third volume. Building on the legacy established by our first symposium issue two years ago, I am excited to share with you the *Alaska Law Review's* second symposium issue.

Our second symposium was held at the University of Alaska Anchorage in October. Entitled *Adapting for the Next Generation: The Alaska Native Claims Settlement Act at 45*, the symposium addressed the Alaska Native Claims Settlement Act (ANCSA), looking back at its effects over the past forty-five years and how it might be improved upon for the future. This issue features an excerpt from the Keynote Address presented at the symposium, along with two Articles, four Comments, and two student Notes, all ANCSA-related.

The Keynote Address comes from Raina Thiele. Ms. Thiele worked in the White House as Associate Director of Intergovernmental Affairs during the Obama Administration. Before working at the Office of Intergovernmental Affairs, Ms. Thiele served for five years at the Office of Management and Budget. In her address, Ms. Thiele discusses her time in the federal government, how the Obama Administration has increased awareness about Alaskan issues, and what Alaskans can do to secure their national profile for the future.

Our first Article, titled *Sovereignty and Subsistence: Native Self-Government and Rights to Hunt, Fish, and Gather After ANCSA*, is written by Robert T. Anderson, a Professor of Law and Director of the Native American Law Center at the University of Washington School of Law. Addressing ANCSA's failure to adequately recognize Native governmental authority over land, hunting, fishing, and gathering rights, Professor Anderson discusses the history of land-into-trust rules in Alaska, and proposes ways in which recent regulatory changes may be employed to advance the cause of Alaska Native self-government.

Our second Article, titled *ANCSA Section 7(i): \$40 Million Per Word and Counting*, is written by Aaron M. Schutt, the President and Chief Executive Officer of Doyon, Ltd. Describing the resource revenue-sharing provision found in Section 7(i) of ANCSA, Mr. Schutt examines the checkered past of the provision, concluding that, even with its early problems, it has helped lead to the success of Alaska Native corporations.

Our first Comment is written by Maude Blair, the Vice President of the Alaska Federation of Natives, and is titled *Issuing New Stock in ANCSA Corporations*. Looking first at the history behind issuance of stock in

ANCSA Corporations, Ms. Blair then provides an overview of the process of issuing new stock and considerations that should be taken into account when issuing such stock.

Our second Comment is written by Elizabeth Saagulik Hensley, an attorney at Landye Bennett Blumstein in Anchorage, and is titled *Look Back to Go Forward*. Starting with an overview of the three American acts that formed our understanding of Alaska Native aboriginal title, Ms. Hensley goes on to make recommendations for legal practitioners when working in Alaska Native jurisdictional realms.

Our third Comment is written by Vance Sanders, who has represented Alaska Natives and Tribes in federal, state, and tribal courts since 1984, and is titled *A Tribal Advocate's Critique of Proposed ANCSA Amendments: Perpetuating a Broken Corporate Assimilationist Policy*. Focusing on recently proposed bills in Congress that purportedly aim to rectify the exclusion of four Tribes and one Clan from ANCSA, Mr. Sanders critiques the way in which the bills attempt to compensate these five entities, and recommends alternative proposals.

Our fourth Comment is written by John M. Starkey, an attorney at Landye Bennett Blumstein in Anchorage, and is titled *Protection of Alaska Native Customary and Traditional Hunting and Fishing Rights Through Title VIII of ANILCA*. Analyzing Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) and its ability to protect customary and traditional hunting and fishing by Alaska Natives, Mr. Starkey offers suggestions for better allowing Alaska Natives and their tribal communities to secure rights for self-determination.

Our two student Notes—the first written by William Robinson, entitled *The Benefits of a Benefit Corporation Statute for Alaska Native Corporations*, and the second by Christian G. Vazquez, entitled *A Business Entity By Any Other Name: Corporation, Community and Kinship*—take contrasting stances on the impact that enacting a benefit corporation statute in Alaska could have on Native corporations.

I, along with the rest of the staff here at the *Alaska Law Review*, hope that you find this issue not only informative and useful, but also enjoyable. We feel very fortunate to be able to review such high quality articles and are grateful to the Alaska Bar Association for granting us the privilege of publishing the *Alaska Law Review*. We would finally like to thank everyone who helped make our second symposium possible, especially Professor Ryan Fortson at the University of Alaska Anchorage. We look forward to hosting more such events, and hope to work closely with the Alaska legal community for years to come.

Adam H. Kaldor
Editor-in-Chief 2016-2017