



NATIONAL CONGRESS OF AMERICAN INDIANS

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RESOLUTION #MSH-01-003

Title: In Opposition to the Regionalization of Alaska's Federally Recognized Tribes and Their Tribal Governments, Including the Proposed Regionalization of Federal Funding to Alaska's First Nations

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WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest, largest, and most representative national American Indian and Alaska Native tribal government organization; and

WHEREAS, the First Nations of Alaska have built thriving cultures which have been supported economically by their use and occupancy of virtually every region of Alaska; and

WHEREAS, the aboriginal use and occupancy of their traditional lands by Alaskan Tribes formed the basis for their land claims, which were addressed by the United States Congress in its passage of the Alaska Native Claims Settlement Act of 1971 (ANCSA); and

WHEREAS, the First Nations of Alaska are recognized in federal law as separate and distinct political governments which enjoy a government-to-government relationship with the United States based upon the federal trust responsibility which the United States Secretary of the Interior is obligated to fulfill toward all of America's indigenous peoples; and

WHEREAS, each and every one of Alaska's federally recognized tribes desires to maintain

full control over any and all activities affecting their communities and tribal members, including activities currently funded by the United States through the Congressional appropriations process; and

WHEREAS, certain members of the United States Congress have been critical of the fact that under the existing appropriations system, every Alaskan Tribe is eligible to receive tribally-targeted appropriations individually; such criticism being based on the sheer number of federally-recognized Tribes in Alaska; and

WHEREAS, in an effort to respond to such criticism, members of Congress are actively seeking ways to reduce the number of federal appropriations to Alaskan Tribes who would be eligible to receive BIA funding, including the investigation of the feasibility of "regionalizing" Alaskan Tribal government by granting federal recognition to the State-chartered, for-profit and non-profit regional corporations established under the terms of ANCSA and the non-profit codes used by the Internal Revenue Service; and

WHEREAS, the regionalization of Alaskan Tribes would result in the certain loss of tribal governing authority by the individual Tribal Governments which have existed in Alaska since time immemorial; and such loss would also result in much-decreased local control over the destiny and welfare of individual Tribes, their communities and their Tribal members; and

WHEREAS, Alaska's First Nations do not believe that the price for increased governmental efficiency in appropriations should include the loss of tribal authority at the local level, which they have held near and dear to their hearts since before the establishment of the United States Congress and the Senate Appropriations Committee; and

WHEREAS, Alaska's First Nations are convinced that the regionalization of Alaskan Tribal governments will have long-term negative effects on tribal governance throughout the United States because of the unfortunate legal precedent that it would set.

NOW THEREFORE BE IT RESOLVED, that NCAI does hereby support Alaska's First Nations' recent efforts to halt the regionalization of Alaskan Tribal government; and

BE IT FURTHER RESOLVED, that NCAI calls upon the Honorable Alaskan Senator Ted Stevens, in his capacity as Chair of the U.S. Senate Appropriations Committee, to cease consideration of the regionalization of Alaskan Tribal government and, instead, to consult closely with individual tribal leaders and with the Alaska Inter-Tribal Council, to develop a resolution to the appropriations dilemma in a fashion that Alaska's First Nations and the National Congress of American Indians can wholeheartedly support; and

BE IT FURTHER RESOLVED, that the membership of the NCAI requests the national administration for NCAI to engage a qualified expert in American Indian Law to investigate the legal

and political consequences of regionalization for Alaska's federally-recognized Tribes; and to likewise research the future ramifications of such an action upon the rights, powers and authorities of the federally recognized Tribes and their governments outside Alaska, and that the findings be reported in timely fashion during an appropriately designated NCAI General Assembly; and

BE IT FINALLY RESOLVED, that the NCAI calls upon the Honorable Secretary of Interior, Gail Norton, to monitor the regionalization efforts of Alaskan Tribal government, to ensure that the interests of all of the individual federally recognized Alaskan Tribes are protected, as required under her federal trust obligation to Alaska's First Nations.

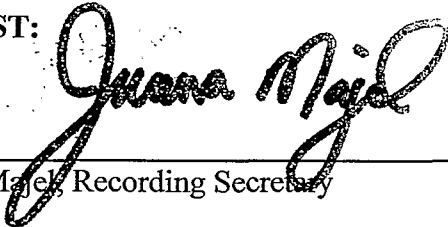
CERTIFICATION

The foregoing resolution was adopted at the 2001 Mid-Year Session of the National Congress of American Indians, held at Foxwoods Resort Casino in Mashantucket, Connecticut on May 13-16, 2001, with a quorum present.



Susan Masten, President

ATTEST:



Juana Majel, Recording Secretary

Adopted by the General Assembly during the 2001 Mid-Year Session of the National Congress of American Indians, held in Mashantucket, Connecticut on May 13-16, 2001.