



NATIONAL CONGRESS OF AMERICAN INDIANS

**The National Congress of American Indians
Resolution #ABQ-19-053**

TITLE: Support for Landless Native Communities

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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 and the United Nations Declaration on the Rights of Indigenous Peoples, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and 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 and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, in 1971, the United States Congress enacted the Alaska Native Claims Settlement Act (ANCSA) to recognize and settle the aboriginal claims of Alaska Natives to their traditional homelands by authorizing the establishment of Alaska Native Corporations to receive and manage lands and funds awarded in settlement of the claims for Alaska Natives; and

WHEREAS, the purpose of ANCSA was to settle the land claims of the Alaska Natives and to provide them with the means to pursue economic development for the benefit of Alaska's Native people; and

WHEREAS, many of the Alaska Native Corporations have become successful and powerful economic, social and cultural engines within their communities, regions and throughout the State of Alaska; and

WHEREAS, the Alaska Native communities of Haines, Ketchikan, Petersburg, Tenakee and Wrangell (known as "Landless" communities in Southeast Alaska) were not listed as communities eligible to form Native villages or urban corporations under ANCSA, despite the fact that these communities comprised greater than 20% of the shareholders of Sealaska; and

WHEREAS, the reason for this exclusion is not explained in the statutory or report language of ANCSA and an appeal of the exclusion, to the Secretary of Interior, was not authorized for Southeast Alaska communities in ANCSA; and

WHEREAS, a Congressional report commissioned in 1993 to examine the reason why the five communities were denied ANCSA eligibility indicates that the communities do not differ significantly from the Southeast communities that were allowed ANCSA eligibility; and

WHEREAS, the five Landless communities and shareholders have been denied the benefit of Native land ownership, and the opportunities that this land ownership could provide economically, socially and culturally; and

WHEREAS, these five Landless communities have sought full eligibility for ANCSA land and benefits for four decades, and will continue to fight to correct this historic inequity; and

WHEREAS, the Landless communities seek an act of Congress, through legislation introduced in the Senate and House of Representatives, to allow them to form ANCSA Native urban corporations and to receive ANCSA benefits including land selection rights and appropriate compensation; and

WHEREAS, Article 26 of the United Nations Declaration on the Rights of Indigenous Peoples states, “Indigenous peoples have the right to the lands, territories, and resources which they have traditionally owned, occupied or otherwise used or acquired;” and

WHEREAS, similar to the Landless communities, there are many tribal nations that, due to historic takings and displacement, lack legal title to sufficient Indian lands, including trust lands, to meet governmental needs and purposes.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) calls upon the United States Congress and the Executive Branch to recognize these five Landless communities as eligible to form Alaska Native corporations and to receive land selection rights and compensation under ANCSA; and

BE IT FURTHER RESOLVED, that NCAI supports the rights for all tribal nations to lands, territories, and resources they have traditionally owned, occupied or otherwise used or acquired; and

BE IT FURTHER RESOLVED, NCAI will support legislative efforts intended to authorize the formation of Alaska Native corporations for the five Landless communities in Southeast Alaska, and other tribal nations seeking rights to land, territories, and resources; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

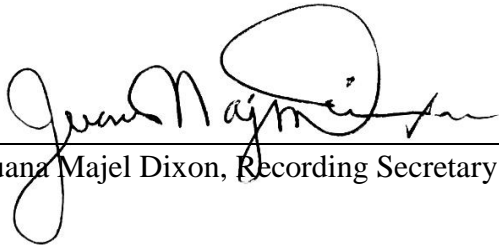
CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2019 Annual Session of the National Congress of American Indians, held at the Albuquerque Convention Center, October 20-25, 2019, with a quorum present.



Fawn Sharp, President

ATTEST:



Juana Majel Dixon, Recording Secretary