



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians
Resolution #ANC-14-004

**TITLE: To Support the Swift Enactment of Regulations Governing the
Procedures for Alaska Tribal Governments to Place Lands into Trust
Status**

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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 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, the ability of Tribes to place fee lands into trust status has long been a keystone of federal Indian policy by enhancing and expanding tribal land bases, protecting tribal homelands from alienation, and allowing for a greater exercise of tribal governmental authority over internal affairs and tribal lands; and

WHEREAS, Alaska Tribes were wrongfully excluded from the regulatory process used by the U.S. Secretary of the Interior to place tribally owned fee lands into trust status; and

WHEREAS, the U.S. District Court for the District of Columbia ruled in *Akiachak Native Community v. Salazar*, that the exclusion of Alaska Tribes from the lands-into-trust process was unlawful; and

WHEREAS, in accordance with the decision in *Akiachak*, Kevin Washburn, Assistant Secretary for Indian Affairs has proposed to amend the trust lands regulation at 25 C.F.R. § 151.1 to remove the “Alaska exception” and permit all of Alaska’s 229 tribal governments to participate in the lands-into-trust process; and

WHEREAS, Alaska Tribes and Alaska Native individuals own well more than one million acres of fee land throughout the state of Alaska which presently lack even the basic protections afforded to undeveloped fee lands held by Alaska Native village and regional corporations; and

WHEREAS, in its *Roadmap for Making Native America Safer*, the Indian Law and Order Commission found the magnitude of the public safety crisis rural communities face is shocking, and without the ability to exercise any form of local governance by Tribes, this crisis is likely to continue; and

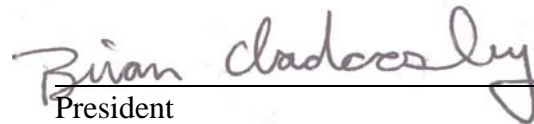
WHEREAS, it is right of all Tribes to decide for themselves whether having tribal lands placed into trust land status is in the best interests of the Tribe and its tribal citizens.

NOW THEREFORE BE IT RESOLVED that the NCAI formally request Assistant Secretary Washburn to develop and publish, with all deliberate speed, a final regulation—developed through direct consultation with Alaska’s tribal governments—governing the procedures and processes by which Alaska Tribes may place their landholdings into trust status.

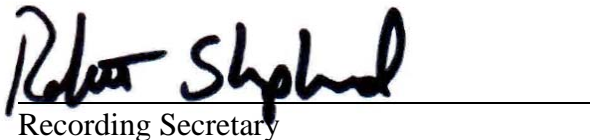
BE IT FURTHER RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2014 Mid-Year Session of the National Congress of American Indians, held at the Dena'ina Civic & Convention Center, June 8-11, 2014 in Anchorage, Alaska, with a quorum present.


President

ATTEST:


Recording Secretary