



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #PDX-11-067

TITLE: Alaska Native Restoration Commission

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, it has been the long standing policy of the National Congress of American Indians to advocate for member Tribal Governments, and their sovereign status from time immemorial, to protect our traditional lands and rights; and

WHEREAS, the Alaska Native peoples have a right to our unique heritage, languages, and cultures, and this right has been reaffirmed by our Federal Recognition as tribes, and by the United States recent signatory to the United Nations Declaration on the Rights of Indigenous People; and

WHEREAS, these sovereign nations express that they retain all their rights, status and territory; and

WHEREAS, our member Tribes traditional territory and status was stripped with the passage of the Alaska Native Claims Settlement Act of 1971; and

WHEREAS, our member Tribes want to retain and strengthen our ANCSA Regional Corporations, and our respective ANCSA Village Corporations; and

WHEREAS, our member Tribes also want Indian Country in Alaska to be recognized, to both protect our lands and our Tribal Members Indigenous hunting and fishing rights; and

WHEREAS, the Menominee Indians of Wisconsin were terminated by the Federal Government, with all of their jointly owned assets being given to a corporation, then reinstated with their property by the United States Congress, keeping both their corporation and taking their traditional lands into trust with their Tribal Government; and

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WHEREAS, the Menominee reinstatement is in line with the United States' post-termination policy of Indian Self Determination, and serves as a model and precedent that Alaska Native peoples may like to follow; and

WHEREAS, it is the responsibility of our leaders to seek out ways to protect our lands, our traditional and customary uses including hunting, gathering and fishing rights, and the profitability of our ANCSA Corporations; and

WHEREAS, the NCAI has adopted resolution ABQ-10-13, To Foster Cooperation, Collaboration, and Communication regarding the Alaska Native Claims Settlement Act between Alaska's Federally Recognized Tribal Governments and Alaska Native Corporations, which encourages Tribes to work with Alaska Native Corporations to resolve these matters in a mutually beneficial manner; and

WHEREAS, all 42 Tribes of the Tanana Chiefs Conference have unanimously passed a resolution in support of a Restoration Commission, TCC Resolution 2011-07; and

WHEREAS, a termination act anywhere is a threat to tribes everywhere.

NOW THEREFORE BE IT RESOLVED, that the NCAI hereby creates the Alaska Native Restoration Commission to: obtain a legal analysis of the Menominee Restoration Act and its potential applicability to Alaska, evaluate any and all legal alternatives to restoring the Federal Trust status of our land and protecting the land base of our tribes, protect the economic rights and continued viability of our corporations, and to draft sample legislative language to forward to the United States Congress to accomplish these goals if viable; and

BE IT FURTHER RESOLVED, the Alaska Native Restoration Commission will consist of the Executive Board of Alaska Federation of Natives, former Asst. Secretary of the Interior Ada Deer, a representative from the Native American Rights Fund, a representative from the Indian Law Resource Center, a representative from the Institute for Tribal Governments, a representative from the National Congress of American Indians Executive Committee, Judge Thomas Berger if available, any and all Alaska tribal governments that would like to participate, ANCSA Regional CEO Association, First Alaskans Institute, Alaska Native Village CEO Association and Alaska Intertribal Council; and

BE IT FURTHER RESOLVED, the Alaska Native Restoration Commission shall meet quarterly, complete its work and present its documentation, and recommendations to the sub-regions for considered action at AFN 2012; 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 2011 Annual Session of the National Congress of American Indians, held at the Oregon Convention Center in Portland, Oregon on October 30 – November 4, 2011, with a quorum present.



President

ATTEST:



Recording Secretary