



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #MKE-17-002

TITLE: Request to Restore the Department of Interior Land Buy-Back Program to Pre-2017 Schedule

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Tlingit

NCAI HEADQUARTERS

1516 P Street, N.W.
Washington, DC 20005
202.466.7767
202.466.7797 fax
www.ncai.org

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, the *Cobell* Settlement provided for a \$1.9 billion Trust Land Consolidation Fund and charged the Department of the Interior with the responsibility to expend the Fund within a 10-year period to acquire fractional interests in trust or restricted fee land that individuals were willing to sell; those interests were to be transferred in trust to the tribal government with jurisdiction over the land; the Land Buy-Back Program was established by the Department of Interior to implement this aspect of the Settlement; the overall goal of the Land Buy-Back Program is to reduce the number of those fractional interests through voluntary land purchases, which will produce more consolidated tribal trust land bases; and

WHEREAS, the Department of Interior prepared an Initial Implementation Plan (updated in November 2013) for the Land Buy-Back Program based on preliminary planning and tribal consultation; and

WHEREAS, the Plan's initial focus was on 40 highly fractionated reservations and active outreach to tribes from those areas to enter into the Buy-Back Program's cooperative agreement application process; and

WHEREAS, many tribes across Indian Country have pursued participation in the Buy-Back Program, seeking to consolidate fractionated land interests and enhance their territorial land base; and

WHEREAS, since the Buy-Back Program began making offers in December 2013, about \$1.2 billion has been paid to landowners at 45 locations, more than 700,000 fractional interests have been consolidated, and the equivalent of over 2.1 million acres of land has been transferred to tribal governments. As a result, tribal ownership now exceeds 50 percent in almost 14,000 tracts of land, which strengthens tribal sovereignty and self-determination, and allows for investments in tribal infrastructure and community projects; and

WHEREAS, several tribes across Indian Country were included on the remaining implementation schedule of the Department of Interior, whereby they sought to participate in the Buy-Back Program; and

WHEREAS, the Department of Interior announced on July 28, 2017 that it was implementing a new policy direction with respect to the Buy-Back Program, which was done without first holding tribal consultation; and

WHEREAS, the result of the Department of Interior's new direction is to remove several tribes from the previous implementation schedule.

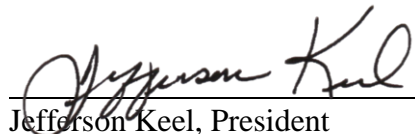
NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians expresses grave concern that the Department of the Interior has broken its promise to the original implementation schedule, which was a settlement between the United States and all Tribal Nations with allotted lands, and urges Congress to expand the funding and fulfill the commitment to the original implementation schedule and for the Buy-Back Program prior to 2017, as a means of furthering the underlying purposes of the *Cobell* settlement, consolidate tribal land holdings, and further the sovereign interests of tribal governments; and

BE IT FURTHER RESOLVED, NCAI urges consultation with Tribal Nations and a hearing in the Senate Committee on Indian Affairs to further the goal of land consolidation and restoration of tribal homelands in Indian Country.

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 2017 Annual Session of the National Congress of American Indians, held at the Wisconsin Center in Milwaukee, WI, Oct 15, 2017 - Oct 20, 2017, with a quorum present.



Jefferson Keel, President

ATTEST:



Juana Najel Dixon, Recording Secretary