



**ALASKA FEDERATION OF NATIVES, INC.
2013 ANNUAL CONVENTION
RESOLUTION 13-26**

- TITLE:** A RESOLUTION SUPPORTING LEGISLATION TO CHANGE STATE LAW REQUIRING THE DEPARTMENT OF NATURAL RESOURCES TO RECONVEY LAND FOR VALID PENDING NATIVE ALLOTMENTS
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 118 federally-recognized tribes, 133 village corporations, 13 regional corporations, and 11 regional nonprofit and tribal consortiums that contract and run federal and state programs; and
- WHEREAS:** The mission of AFN is to enhance and promote the cultural, economic, and political voice of the entire Alaska Native community; and
- WHEREAS:** Valid claims are pending, many dating over 40 years, and whereby these allotments were erroneously conveyed to the State of Alaska, Department of Natural Resources (DNR) by the U.S. Department of the Interior, Bureau of Land Management (BLM); and
- WHEREAS:** To return the allotment land, the State DNR follows state law; and
- WHEREAS:** The state law currently allows the DNR to refuse to give back Native allotment land; and
- WHEREAS:** A bill has been drafted by Senator John Coghill requiring the State to quitclaim to the federal government land or an interest in land that was wrongfully or erroneously conveyed to the State by the federal government; and
- WHEREAS:** The recent Memorandum of Understanding (MOU) between the State of Alaska and BLM allows the State DNR to continue to refuse to give back the allotment land and provides an overall distraction to the original, rightful claim, ignoring the traditional and cultural use of the land which provides the basis.

NOW THEREFORE BE IT RESOLVED by the delegates to the 2013 Annual Convention of the Alaska Federation of Natives Inc., the Alaska State Legislature is urged to change the law and require that Native allotment land conveyed to the state be reconvened back to the BLM for ultimate transfer to the rightful allotment claimant

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY:	TANANA CHIEFS CONFERENCE
COMMITTEE ACTION:	DO PASS
CONVENTION ACTION:	PASS



INUPIAT COMMUNITY of the ARCTIC SLOPE

an IRA Regional Tribal Government

PO. Box 934 • Barrow, Alaska 99723
Ph: (907) 852-4227 1-888-788-4227 Fax: (907) 852-2449



RESOLUTION 2013-05

A Resolution In Support Of Amending Alaska State Statute AS 38.05.035 To Require The State Department Of Natural Resources To Reconvey Land For Pending Native Allotments

WHEREAS: The Inupiat Community of the Arctic Slope (ICAS) is a federally recognized Native tribe of Inupiat Eskimos under the Indian Reorganization Act of 1934, a Regional Tribal Government, as amended, whose governing body is the ICAS Executive Board with representatives from all eight Inupiat tribal councils in the North Slope Borough of Alaska; and

WHEREAS: ICAS Regional Tribal Council (ICAS Executive Board) is the governing body of ICAS and is responsible for protecting the interests of its tribal members and its rights of self-governance; and

WHEREAS: The Inupiat Community of the Arctic Slope Executive Board (ICAS) met on July 11, 2013 and resolved to request the Legislature of the State of Alaska to amend AS 38.05.035; and

WHEREAS: The ICAS Executive Board represents 8 Tribes and approximately 10,000 Alaska citizens, some having allotments that have been pending for at least forty years simply because the allotments are on land erroneously conveyed to the State of Alaska; and

WHEREAS: Amending AS 38.05.035 is necessary because the existing statute allows the State Department of Natural Resources to either refuse to reconvey allotment land or substantially delay the reconveyance of such land; and

WHEREAS: There are approximately 301 pending allotments on land mistakenly or erroneously conveyed to the state and more are expected; and

WHEREAS: This problem arose due to no fault of the allotment applicants; instead BLM conveyed the land to the state before Alaska Natives were informed of their right to file for allotments on land they used for subsistence purposes. Once Alaska Natives learned of this right, approximately 10,000 allotment applications were filed throughout Alaska but some of the land applied for had already been conveyed to the state; and

WHEREAS: Laws governing Native allotments require the applicants to have used the land before the state selected it. If use did not begin before state selection, the allotment application was not valid and was closed. Thus, all pending allotments were used before the state selected it. This situation was the subject of a federal court lawsuit, Aguilar v. United States, 474 F. Supp 840 (D. Alaska 1979), in which the court directed the U.S. Department of the Interior (DOI) to process allotment applications for land already conveyed to the state and also stated DOI was responsible to get the allotment land back; and

NOW THEREFORE BE IT RESOLVED: that the ICAS Executive Board requests the Alaska State Legislature to introduce legislation to amend AS 38.05.035 in order to require reconveyance of land for pending Native allotments.

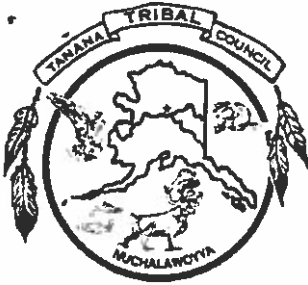
CERTIFICATION:

I, the undersigned hereby certify that the Inupiat Community of the Arctic Slope of 13 members of whom 12 were present at this meeting held on this 11 day of July, 2013, and the resolution attachment was adopted by a vote 10 for, 1 against and 0 abstaining.

APPROVE: ✓ AGAINST: _____

George Olemaun 7/11/13
George Olemaun, President Date

Doreen Ahgeak 7/11/13
Doreen Ahgeak, Secretary Date



"WHERE THE TWO RIVERS MEET"

TANANA TRIBAL COUNCIL

PO Box 130, Tanana, AK 99777

Phone: (907) 366-7160 or 7170 Fax: (907) 366-7195

Tanana Tribal Council

RESOLUTION No. 2013-18

June 26th, 2013

- TITLE:** A RESOLUTION IN SUPPORT OF AMENDING ALASKA STATE STATUTE AS 38.05.035 TO REQUIRE THE STATE DEPARTMENT OF NATURAL RESOURCES TO RECONVEY LAND FOR PENDING NATIVE ALLOTMENTS
- WHEREAS:** The Tanana Tribal Council met on June 20th, 2013 and resolved to request the Legislature of the State of Alaska to amend AS 38.05.035;
- WHEREAS:** The Tanana Tribal Council represents 1390 Alaska citizens, some having allotments that have been pending for at least forty years simply because the allotments are on land erroneously conveyed to the State of Alaska;
- WHEREAS:** Amending AS 38.05.035 is necessary because the existing statute allows the State Department of Natural Resources to either refuse to reconvey allotment land or substantially delay the reconveyance of such land;
- WHEREAS:** There are approximately 301 pending allotments on land mistakenly or erroneously conveyed to the state and more are expected;
- WHEREAS:** This problem arose due to no fault of the allotment applicants; instead BLM conveyed the land to the state before Alaska Natives were informed of their right to file for allotments on land they used for subsistence purposes. Once Alaska Natives learned of this right, approximately 10,000 allotment applications were filed throughout Alaska but some of the land applied for had already been conveyed to the state;

WHEREAS: Laws governing Native allotments require the applicants to have used the land before the state selected it. If use did not begin before state selection, the allotment application was not valid and was closed. Thus, all pending allotments were used before the state selected it. This situation was the subject of a federal court lawsuit, Aguilar v. United States, 474 F. Supp 840 (D. Alaska 1979), in which the court directed the U.S. Department of the Interior (DOI) to process allotment applications for land already conveyed to the state and also stated DOI was responsible to get the allotment land back.

NOW THEREFORE BE IT RESOLVED that the Tanana Tribal Council requests the Alaska State Legislature to introduce legislation to amend AS 38.05.035 in order to require reconveyance of land for pending Native allotments.

BY: _____

Curtis Sommer

TANANA TRIBAL COUNCIL PRESIDENT

Maniilaq Association

P.O. Box 256
Kotzebue, Alaska 99752
(907) 442-3311

Maniilaq Association

Resolution #13-03

- TITLE:** A RESOLUTION IN SUPPORT OF AMENDING ALASKA STATE STATUTE AS 38.05.035 TO REQUIRE THE STATE DEPARTMENT OF NATURAL RESOURCES TO RECONVEY LAND FOR PENDING NATIVE ALLOTMENTS
- WHEREAS:** The Maniilaq Board of Directors met on July 11, 2013 and resolved to request the Legislature of the State of Alaska to amend AS 38.05.035;
- WHEREAS:** The Maniilaq Board of Directors represents 12 Tribes and approximately 7,000 Alaska citizens, some having allotments that have been pending for at least forty years simply because the allotments are on land erroneously conveyed to the State of Alaska;
- WHEREAS:** Amending AS 38.05.035 is necessary because the existing statute allows the State Department of Natural Resources to either refuse to reconvey allotment land or substantially delay the reconveyance of such land;
- WHEREAS:** There are approximately 301 pending allotments on land mistakenly or erroneously conveyed to the state and more are expected;
- WHEREAS:** This problem arose due to no fault of the allotment applicants; instead BLM conveyed the land to the state before Alaska Natives were informed of their right to file for allotments on land they used for subsistence purposes. Once Alaska Natives learned of this right, approximately 10,000 allotment applications were filed throughout Alaska but some of the land applied for had already been conveyed to the state;
- WHEREAS:** Laws governing Native allotments require the applicants to have used the land before the state selected it. If use did not begin before state selection, the allotment application was not valid and was closed. Thus, all pending allotments were used before the state selected it. This situation was the subject of a federal court lawsuit, Aguilar v. United States, 474 F. Supp 840 (D. Alaska 1979), in which the court directed the U.S. Department of the Interior (DOI) to process allotment applications for land already conveyed to the state and also stated DOI was responsible to get the allotment land back.

Member Villages

Ivisnappaat, Nunatchiaq, Ipnotchiaq, Katyaak, Kivaliniq, Langviik, Qikiqtagrak, Nautaaq, Nuurvik, Akuligaq, Isinnaq, Tikigna
Ambler, Buckland, Deering, Kiana, Kivalina, Kobuk, Kotzebue, Noatak, Noorvik, Selawik, Shungnak, Pt. Hope

NOW THEREFORE BE IT RESOLVED that the Maniilaq Board of Directors requests the Alaska State Legislature to introduce legislation to amend AS 38.05.035 in order to require reconveyance of land for pending Native allotments.

THIS RESOLUTION WAS ADOPTED AT A REGULAR MEETING OF THE MANIILAQ BOARD OF DIRECTORS ON JULY 11, 2013.


IN WITNESS THERETO:



GUY ADAMS, CHAIRMAN

10/24/13
DATE

ATTEST:



PAULA OCTUCK, BOARD SECRETARY

08/01/2013
DATE



CENTRAL COUNCIL
Tlingit and Haida Indian Tribes of Alaska
ANDREW P. HOPE BUILDING
320 West Willoughby Avenue • Suite 300
Juneau, Alaska 99801-1726

Executive Council of the Central Council
TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA

Resolution EC/ 13-44

Title: Support to Amend Alaska Statute 38.05.035

WHEREAS, Central Council Tlingit and Haida Indian Tribes of Alaska (Central Council) is a federally recognized tribe of more than 28,000 tribal citizens worldwide; and

WHEREAS, amending Alaska Statute 38.05.035 is necessary because the existing statute allows the State Department of Natural Resources to either refuse to reconvey allotment land or substantially delay the reconveyance of such land; and

WHEREAS, there are approximately 301 pending allotments on land mistakenly or erroneously conveyed to the state with more expected; and

WHEREAS, problems arose due to no fault of the allotment applicants, the Bureau of Land Management (BLM) conveyed the land to the state prior to Alaska Natives being informed of their right to file for allotments on land they used for subsistence purposes. Once Alaska Natives learned of this right, approximately 10,000 allotment applications were filed throughout Alaska but some of the land applied for had already been conveyed to the state.

WHEREAS, laws governing Native Allotments require the applicants to have used the land before the state selected it. If use did not begin before state selection, the allotment application was not valid and was closed. All pending allotments were used before the state selected it. This situation was the subject of a federal court lawsuit, Aguilar v. United States, 474 F. Supp 840 (D. Alaska 1979), in which the court directed the U.S. Department of the Interior (DOI) to process allotment applications for land already conveyed to the state and also stated DOI was responsible to get the allotment land back.


NOW THEREFORE BE IT RESOLVED, the Executive Council hereby authorizes the Central Council to support the introduction of legislation to amend AS 38.05.035 in order to require the reconveyance of land for pending Native allotments.

ADOPTED this 2nd day of November 2013, by the Executive Council of the Central Council of Tlingit and Haida Indian Tribes of Alaska, by a vote of 5 yeas, 0 nays, 0 abstentions and 1 absence.

CERTIFY


President Edward K. Thomas

ATTEST


Tribal Secretary Harold Houston, Sr.



TANANA CHIEFS CONFERENCE
Executive Board of Directors
Resolution No. 2013 - 09

**A RESOLUTION IN SUPPORT OF AMENDING ALASKA STATE STATUTE
AS 38.05.035 TO REQUIRE THE STATE DEPARTMENT OF NATURAL
RESOURCES TO RECONVEY LAND FOR PENDING NATIVE ALLOTMENTS**

WHEREAS, The Tanana Chiefs Executive Board met on 6/11, 2013 and resolved to request the Legislature of the State of Alaska to amend AS 38.05.035:

WHEREAS, The Tanana Chiefs Executive Board represents 42 Tribes and 12,800 Alaska citizens, some having allotments that have been pending for at least forty years simply because the allotments are on land erroneously conveyed to the State of Alaska;

WHEREAS, Amending AS 38.05.035 is necessary because the existing statute allows the State Department of Natural Resources to either refuse to reconvey allotment land or substantially delay the reconveyance of such land;

WHEREAS, There are approximately 301 pending allotments on land mistakenly or erroneously conveyed to the State and more are expected;

WHEREAS, This problem arose due to no fault of the allotment applicants; instead the U.S. Department of Interior conveyed the land to the state before Alaska Natives were informed of their right to file for allotments on land they used for subsistence purposes. Once Alaska Natives learned of this right, approximately 10,000 allotment applications were filed throughout Alaska but some of the land applied for had already been conveyed to the state;

WHEREAS, Laws governing Native allotments require the applicants to have used the land before the state selected it. If use did not begin before the state selection, the allotment application was not valid and was closed. Thus, all pending allotments were used before the state selected it. This situation was the subject of a federal court lawsuit, Aguilar v. United States, 474 F. Supp. 840 (D. Alaska 1979), in which the court directed the U.S. Department of the Interior (DOI) to process allotment applications for land already conveyed to the state and also stated DOI was responsible to get the allotment land back.

NOW THEREFORE BE IT RESOLVED that the Tanana Chiefs Conference Executive Board requests the Alaska State Legislature to introduce

legislation to amend AS 38.05.035 in order to require reconveyance of land for pending Native allotments.

CERTIFICATION

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference Executive Board of Directors on 6/11, 2013 at Fairbanks, Alaska and a quorum was duly established.



Pat McCarty

Pat McCarty, Secretary/Treasurer



NATIVE VILLAGE OF BARROW INUPIAT TRADITIONAL GOVERNMENT

RESOLUTION 2013-18

A Resolution In Support Of Amending Alaska State Statute AS 38.05.035

- WHEREAS:** The Native Village of Barrow (NVB) is a federally recognized Native Tribe of Inupiat Eskimo under the Indian Reorganization Act of 1934, a Regional Tribal Government, as amended, whose governing body is the NVB Executive Board with representatives from the Village of Barrow in Barrow Alaska, and
- WHEREAS:** NVB Tribal Council is the governing body of Native Village of Barrow and is responsible for protecting the interests of its tribal members and its rights of self-governance; and
- WHEREAS:** amending AS 38.05.035 is necessary because the existing statute allows the State Department of Natural Resources to either refuse to re-convey allotment land or substantially delay the re-conveyance of such land ; and
- WHEREAS:** there are approximately 301 pending Native Allotments on land mistakenly or erroneously conveyed to the state and more are expected; and
- WHEREAS:** This problem arose due to no fault of the allotment applicants; instead BLM conveyed the land to the state before Alaska Natives were informed of their right to file for allotments on land they used for subsistence purposes. Once Alaska Natives learned of this right, approximately 10,000 allotment applications were filed throughout Alaska but some of the land applied for had already been conveyed to the state; and
- WHEREAS:** laws governing native Allotment require the applicants to have used the land before the state selection. If use did not begin before state selection, the allotment application was not valid and was closed. Thus all pending allotments were used before the state selection. This situation was the subject of a federal court lawsuit, Aguilar v. United States, 474 F. Supp 840 (D. Alaska 1979), in which the court directed the U.S. Department of the Interior (DOI) to process allotment applications for land already conveyed to the state and also stated DOI was responsible to get the allotment land back; and
- NOW THEREFORE BE IT RESOLVED:** that the NVB Executive Board requests the Alaska State Legislature to introduce legislation to amend AS 38.05.035 in order to require re-conveyance of land for pending Native Allotments.

With a Consensus:

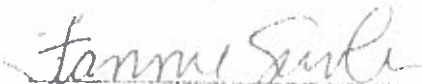
Adopted this 17 day December, 2013.

APPROVED:

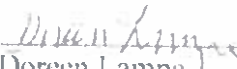

Thomas Olemaun, President

Dorothy Edwardsen, Vice President

Marjorie Solomon, Treasurer


Fannie Suvlu, Secretary


Doreen Ahgeak, Sgt.-At-Arms


Doreen Lampe, Member


George Olemaun, Member

DISAPPROVED:

Thomas Olemaun, President

Dorothy Edwardsen, Vice President

Marjorie Solomon, Treasurer

Fannie Suvlu, Secretary

Doreen Ahgeak, Sgt. At - Arms

Doreen Lampe, Member

George Olemaun, Member

CHILKAT INDIAN VILLAGE



"Yoo go oo yan x'wan."

**An Indian Reorganization Act Village
Under Act of Congress June 15th, 1935
32 Chilkat Ave. Klukwan, Alaska 99827
HC60 Box 2207 Haines, Alaska 99827
Phone: 907-767-5505
Fax: 907-767-5518
klukwan@chilkat-nsn.gov**

RESOLUTION 2013 - 13

A RESOLUTION IN SUPPORT OF AMENDING ALASKA STATE STATUTE AS 38.05.035 TO REQUIRE THE STATE DEPARTMENT OF NATURAL RESOURCES TO RECONVEY LAND FOR PENDING NATIVE ALLOTMENTS

WHEREAS; the Chilkat Indian Village Tribe has been in existence since time & immemorial; and

WHEREAS; the Chilkat Indian Village Council has the responsibility to aid needy members and to protect the general welfare and security of members of the Village; and

WHEREAS; the Chilkat Indian Village Council met on November, 2013 and resolved to request the Legislature of the State of Alaska to amend AS 38.05.035;

WHEREAS; the Chilkat Indian Village Council represents 1 Tribe and 261 tribal members, some having allotments that have been pending for at least forty years simply because the allotments are on land erroneously conveyed to the State of Alaska;

WHEREAS; amending AS 38.05.035 is necessary because the existing statute allows the State Department of Natural Resources to either refuse to reconvey allotment land or substantially delay the reconveyance of such land;

WHEREAS; there are approximately 301 pending allotments on land mistakenly or erroneously conveyed to the state and more are expected;

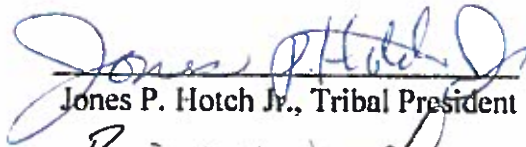
WHEREAS; This problem arose due to no fault of the allotment applicants; instead BLM conveyed the land to the state before Alaska Natives were informed of their right to file for allotments on land they used for subsistence purposes. Once Alaska Natives learned of this right, approximately 10,000 allotment applications were filed throughout Alaska but some of the land applied for had already been conveyed to the state;

WHEREAS; Laws governing Native allotments require the applicants to have used the land before the state selected it. If use did not begin before state selection, the allotment application was not valid and was closed. Thus, all pending


allotments were used before the state selected it. This situation was the subject of a federal court lawsuit, Aguilar v. United States, 474 F. Supp 840 (D. Alaska 1979), in which the court directed the U.S. Department of the Interior (DOI) to process allotment applications for land already conveyed to the state and also stated DOI was responsible to get the allotment land back.

NOW THEREFORE BE IT RESOLVED that the Chilkat Indian Village Council requests the Alaska State Legislature to introduce legislation to amend AS 38.05.035 in order to require reconveyance of land for pending Native allotments.

CERTIFICATION: This certifies that the foregoing resolution of the Chilkat Indian Village of Klukwan, Alaska was adopted. The Chilkat Indian Village Council is made up of seven members with a quorum of 5 established. The foregoing resolution was adopted on this 22nd day of November, 2013, by a vote of 5 in favor, 0 opposed, 2 absent, & 0 abstaining.



Jones P. Hotch Jr., Tribal President



Brian D. Willard, Tribal Secretary