

Shock, anger for tribes missing from new list

by Jeff Richardson

Tundra Times staff

Several Alaskan tribes were stunned during the Alaska Federation Natives convention last week when they learned they would not receive long-awaited federal recognition.

"It's hard for me to stand here and feel delighted," said Margaret Roberts, a leader of the Shoonaq' Tribe of Kodiak Island, one of the groups affected by the decision. She added that her tribe's exclusion was a severe blow to the self-esteem of tribal members.

The U.S. government is publishing in the Federal Register a list of Alaska Native tribes in a bid to improve their legal standing and clarify their status and powers. The move has been expected since President Clinton assumed office early this year and pledged to reverse the anti-tribal policies of the Bush administration. According to Willie Kasayulie, chairperson of the Alaska Inter-Tribal Commission, 228 Alaska Native tribes sought recognition and actually appeared on a tentative list circulating in August during the visit to Alaska of Ada Deer, assistant secretary for Indian affairs. He said the list issued by Deer during her convention trip contained only 212 tribes.

Rumors circulating

Word of the exclusions began circulating last Thurs

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Some tribes dismayed at federal list . . .

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day, the day before Deer's scheduled appearance before hundreds of delegates to the statewide AFN meeting. Friday, October 15 was also the official release date of the list. In her remarks, Deer acknowledged that some groups would be unhappy with her decisions.

"Today, I'm releasing the 1993 revised list of Alaska Native entities with which the federal government has a government-to-government relationship. The preamble to the list expressly states that the listed villages are distinctly Native communities and have the same powers and at-

tributes as tribes in the Lower 48, except to the extent that those powers or attributes have been limited by Congress," Deer said.

She told AFN delegates that "only those entities which have functioned as *political* entities, exercising governmental authority, were included in the revised list."

Guidelines limit recognition

Deer went on to say:

"While I recognize that my decisions not to include (some) entities on the list will be unpopular among the affected groups, I believe the decisions are fundamentally correct under the guidelines

with which I have to operate."

Despite assurances that federal recognition could still become a reality for the excluded tribes in the future, those dropped from the list took little comfort. In fact, in a scheduled panel discussion on Native self-government following Deer's speech, Kasayulie and AITC executive council member Margaret Roberts voiced their anger and disappointment. Kasayulie suggested that tribes might need to resort to international forums such as the United Nations in order to assert their legitimacy. While Roberts spoke in a voice filled with emotion a notice was circulated throughout the convention hall announcing an AITC press conference following the panel.

"The tribes have had to jump through so many hoops, I mean a lot of hoops, over the years. And it looks like we're still going to have to continue jumping a little bit more," said Roberts.

Press conference feelings run high

At the press conference, Kasayulie and Roberts were joined by several other tribal representatives. Together with reporters, they crammed into the tiny AITC office to elaborate their concerns.

"What is so shocking is that when we (the AITC executive council) met yesterday, we tried to get a view of the list and were unable to," said Roberts. "It just hurts. It hurts real bad. I've been working 10 years trying to get that darn list corrected. I just feel really, really sad."

Roberts said the Shoonaq' tribal



Willie Kasayulie and Margaret Roberts discuss pending list of federally recognized Alaska tribes.
Photo by Jeff Richardson

rolls contain 997 members.

"We will always be a tribe no matter whether we're on a piece of paper or not," she added.

In addition to the exclusion of Shoonaq', other tribes left off the published list apparently included the Central Council of Tlingit and Haida Indians, Wiseman, two upper Kuskokwim villages, several tribes located near urban areas and Tenakee.

Possible misunderstanding

Their shock stemmed from the assumption that having made the August list, they would automatically appear on the final list issued this week. Not necessarily so, said Niles Cesar, area director of the BIA in Juneau.

Noting that the list discussed

with Deer in Fairbanks in August was probably the list of tribes recommended for recognition by the area office, Cesar said there has been intensive review of the list at the BIA in Washington since Deer's August trip. He said pressure has been mounting to publish the list in order to clarify the uncertain status of Alaska tribes, compromised by various interpretations of the Alaska Native Claims Settlement Act and other statutes.

Cesar said his office continued to lobby for their recommendations even after they were transmitted to Washington.

Cesar expressed his personal surprise and disappointment at the exclusion of the Shoonaq' Tribe from the final list, and echoed Deer's suggestion that avenues to federal recognition remain for those not currently recognized, including organization under the Indian Reorganization Act or a special act of Congress.

A breach of courtesy?

Fueling the anger of the excluded tribes was the fact that they were not notified in advance of their cut from the list. Considering Deer's presence in Anchorage to announce publication of the list, they felt it was a breach of courtesy that seemed to contradict the assistant secretary's promise Friday morning to consult closely with tribes on issues of concern.

While tribes appear to have been excluded for different reasons, Cesar said several had simply not done a sufficient job of documenting their status. According to a press release issued by AITC last Friday, the organization expressed concerns during their August meeting with Deer about "the mechanism or process by which tribes become included on or excluded from this list." The release went on to say:

"... the exclusion of certain tribes based upon criteria not established in consultation with tribes is highly unjust.

Cesar said that despite the controversy, the vast majority of tribes in Alaska were happy with the list as published.