

Commentaries

Of tribes and corporations

by Andy Hope

Sealaska Corporation is nearing completion of a year long educational project on enrollment of New Natives and Lefts Outs. New Natives and Left Outs are Native corporation buzz words for individuals that were excluded from receiving Alaska Native Claims Settlement Act (ANCSA) corporation stock. In the course of conducting this campaign, Sealaska had the opportunity to address the long term future of Native organizations in our region.

In the mid-eighties, the Alaska Native community debated the future of Alaska Native corporations. ANCSA, which was enacted by Congress in 1971, provided for a temporary, twenty-year prohibition on sale of ANCSA lands and

stock. The focus of the debate was whether to continue the prohibition on sale of land and stock, thus the term 1991 legislation.

During the debates that led to the 1991 legislation, the leadership of Sealaska made a commitment to address the Tribal Option once the 1991 legislation was law. Those who followed development of the 1991 legislation are aware that one of the major issues not addressed in that legislation was the Tribal Option, that is, the option of transferring ANCSA assets to tribes.

The New Natives and Left Out campaign provided Sealaska with an opportunity to fulfill their mid-eighties commitment to sponsor an educational effort on the Tribal Option. I believe the commitment to fully address the Tribal Option has gone unfulfilled.

In 1993, ANB Camp #2 sponsored resolutions calling for a series of forums on Tribal government (Grand Camp Resolution 93-13) and for enrollment of New Sealaska Shareholders (Grand Camp Resolution 93-15). Both resolutions were approved by the Grand Camp ANB/ANS Convention in Angoon in November 1993, and stand as formal stated policies. ANB Grand Camp has not yet taken any steps to address Resolutions 93-13 and 93-15.

The oath of office for ANB/ANS officers requires new officers to, "...walk before (the members) with all humility and love..." and to "subordinate (one)self to the wishes and welfare of (the) organization."

The ANB was founded on the

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bedrock of Christian faith. The language in the ANB oath (indeed, the name of the ANB) is derived from Romans 12:10: "In brotherly love, let your feelings of deep affection for one another come to expression and regard others as more important than yourself."

New Natives and Left Outs should address the full array of options available to them for preserving their Native identity. One forum that could address the Trial Option is the Native Youth and Elder Conference scheduled for

February 23-25, 1995 in Juneau. This conference is being cosponsored by ANB/ANS Grand Camp and Sealaska Corporation.

In stark contrast to the exclusionary nature of the ANCSA membership in Alaska tribes as they are born. There is no need (nor will there be a need) for tribes to undertake the arduous process of continuously amending organic documents or articles of incorporation to provide membership rights to children.

Tribes preceded ANCSA corporations and they will outlive

them. One should also keep in mind that benefits deriving from Federal Indian Programs are based on the Special Relationship between the United States and the respective Indian Tribes. One October 21, 1993, the Secretary of Interior published a list of "Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs." This list included, for the first time, Alaska tribes on an equal basis with the tribes in the rest of the United States.

Why not consider methods of supporting tribes so that they can provide for Native children as they are born on a continuing basis? One scenario would work as follows: ANCSA corporations could establish Tribal Trust Funds (comprised of land and money), which tribes would utilize to provide benefits to their members, which would include New Natives and Left Outs.

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