



2021 Virtual Winter Convention

RESOLUTION #2021 – 05

CALLING UPON CONGRESS TO ENACT LEGISLATION TO AUTHORIZE TRIBES TO OWN LANDS IN RESTRICTED FEE INDIAN COUNTRY STATUS

PREAMBLE

We, the members of the Affiliated Tribes of Northwest 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 rights secured under Indian Treaties, Executive Orders, and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise to promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

WHEREAS, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of the ATNI; and

WHEREAS, throughout its history the United States has sought to acquire title and control over aboriginal American Indian lands and has utilized the concept of trusteeship to acquire title and control over remaining tribal lands occupied by Indian people, with such lands known as “trust lands”;

WHEREAS, all American Indian and Alaska Native tribal governments should have the right to obtain title and sovereignty to their own lands recognized by the United States federal government as Indian Country without the need for control and management of those lands by the Bureau of Indian Affairs;

WHEREAS, federal government control and management over tribal lands has frustrated investment and development of tribal economies and interfered with the ability of tribal governments to improve the quality of life of their tribal citizens; and

WHEREAS, the Congress in recent years has taken action to promote greater authority of tribal governments over their trust lands through enactment of the Helping Expedite and Advance Responsible Tribal Home Ownership Act of 2012 (HEARTH Act) which allows for autonomous long-term leasing of tribal trust lands; and

WHEREAS, all federally-recognized tribal governments should have the choice under federal law to regain title and total control over the use of their lands as a recognition of their inherent sovereignty, but retain the responsibility of the federal government to protect the Indian Country status of said lands; now

THEREFORE BE IT RESOLVED, that the Affiliated Tribes of Northwest Indians does hereby call upon the Congress to support legislation such as the Native American Land Empowerment Act to provide tribal governments the option of acquiring tribally-owned restricted fee Indian Country at their choosing if such legislation:

- Does not diminish the federal trust responsibility to any tribe;
- Makes clear that the resulting restricted fee Indian Country status of the land retains the same protections as trust land, including but not limited to exemptions from state and local taxation and restrictions against alienation; and
- Does not negatively affect tribal regulatory jurisdiction over such lands; and

BE IT FURTHER RESOLVED, that this resolution is in support of National Congress of American Indians resolution DEN-18-020 and shall be the policy of ATNI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted at the 2021 Virtual Winter Convention of the Affiliated Tribes of Northwest Indians, January 25-28, 2021, with a quorum present.


Leonard Forsman, President
Norma Jean Louie, Secretary