Indian Affairs - Office of Public Affairs

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The Department of the Interior today released a revised list of Alaska Native tribes that are eligible to receive services from the Bureau of Indian Affairs (BIA) and which have the immunities and privileges available to other federally recognized Indian tribes in the contiguous 48 States. The list will be published in the Federal Register next week.

"This revised list implements certain portions of an opinion issued by the Departmental solicitor on January 11, 1993, which concluded that for over 50 years, the Department dealt with Alaska Natives under the legal principles used for dealing with tribes in the contiguous 48 states," said Ada E. Deer, Assistant secretary for Indian Affairs. "The Opinion left preparation of a list of Alaska tribes for later action and we are fulfilling that portion of the opinion today."

Under general principles of federal Indian law and the Solicitor's Opinion, the powers of Alaska Native tribes include the right to determine membership, adopt constitutions, conduct elections and govern and regulate internal tribal relations.

"However," Deer said, "the solicitor's January opinion concluded, construing general principles of Federal Indian law and the Alaska Native Claims Settlement Act (ANCSA), that notwithstanding the potential that Indian country still exists in Alaska in certain limited cases, Congress has left little or no room for tribes in Alaska to exercise governmental authority over land or nonmembers." This portion of the Opinion is subject to review, but has not been withdrawn or modified.

In arriving at the determination of which entities to include on the list, the BIA reviewed the following lists: the non-tribal entities established pursuant to ANCSA and which were previously eligible for federal services, previously-listed village and regional corporations, and villages and regional tribes previously dealt with by the federal government as governments. Only those villages and regional tribes that have functioned as political entities exercising governmental authority are included in the revised list.

Not included on the revised list are non-tribal Native entities that currently contract with or receive services from the BIA pursuant to specific statutory authority, including ANCSA village and regional corporations and various tribal organizations. The non-inclusion of these entities does not affect their continued eligibility for contracts and services.

The list to be published in the Federal Register includes the revised list of 226 Alaskan tribal entities and the 318 tribes in the contiguous 48 states that are eligible for services from the Bureau of Indian Affairs.