



ALASKA FEDERATION OF NATIVES
2022 ANNUAL CONVENTION
RESOLUTION 22-22

TITLE: DEFEND ALASKA'S STATE CONSTITUTION AND NATIVE RIGHTS

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska, and its membership includes 209 federally recognized tribes, 185 village corporations, 10 regional corporations, and 12 regional nonprofit and tribal consortiums that contract and compact to 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: The state Legislature may call a constitutional convention at any time, and if one has not been called in 10 years, the Lt. Governor is required to put before voters the ballot question: "Shall there be a constitutional convention?" The question will appear on the November 8, 2022, ballot; and

WHEREAS: Alaska's Constitution remains a stabilizing guide through these politically turbulent times; and

WHEREAS: A constitutional convention would be expensive and dangerous: it would open the entire Constitution for revision on a wide range of critical issues and pose risks to tribal/Alaska Native interests that are embedded in the Constitution with the likelihood of delegates with views that are antagonistic to those interests; and

WHEREAS: AFN has championed subsistence, tribal recognition, and historical correction of policy issues adverse to Native interests, such as recognition of indigenous languages as official languages of the state that policymakers have routinely exhibited opposition, and there would be a force in opposition with some delegates wishing to either abolish a subsistence priority or re-enforce subsistence rights for all citizens regardless of where they live.

WHEREAS: Rural Alaska could have the most to lose if a convention were called, as policymakers have routinely exhibited opposition towards issues such as Power Cost Equalization, the Alaska Marine Highway System, and rural education funding, and fundamental protections in place for Rural Alaska could disappear.

WHEREAS: Alaska's Constitution protects the Permanent Fund, which is the source of our PFDs, and reopening the Constitution at this fragile and divisive political moment may allow extremists to raid the Fund, putting our dividends at risk; and

WHEREAS: The Alaskan Independence Party is championing the constitutional convention and has drafted its proposed version of a state constitution, which is replete with numerous features that directly affect Alaska Native interests, such as the following:

Article IV: EDUCATION

The constitution maintains that education is the responsibility of the family and of the individual, and not the state. Local school districts may provide for public education, but the financing shall originate only from those who utilize the service directly or from the revenues accrued within each school district, and upon the application of the school districts, by a subsidy from the legislature.

Article VII: NATIVE ALASKANS

All native properties held under title of the Alaska Native Claims Settlement Act of 1971 shall be valid and recognized by the state. All claims to native sovereignty within the ANCSA settlement shall be respected.

No renegotiation of sovereignty rights, between native tribes, native corporations, or other native groups, done with the consent of the Congress of the United States, shall be recognized by the state, without approval of a 2/3 vote in each chamber of the state legislature, and a concurrent referendum of the people, of at least 50%, plus one, of the total number of participating voters, as registered with the state, within the actual referendum.

The state recognizes that the definition of persons as "Alaskan native" through action by the Congress of the United States is arbitrary and tends to divide the people, and rightfully belongs to each native tribe or native group.

The state also recognizes that special privilege granted to Alaskan natives by the laws of the Congress of the United States, are only proper when conforming to the Constitution of the United States, within the limited sovereignty granted within the boundaries of native property.

The state accepts any limited sovereignty granted within treaties agreed to between the Congress of the United States and native Alaskans. However, the existence of "native corporations", unless and until renegotiated with limited sovereignty, creates division and confusion amongst Alaskans, and is arguably in violation of the Constitution of the United States.

The state will encourage the dissolution of native corporations by memorializing the Congress of the United States and will accept, as provided for in this constitution, native sovereignty with all its privileges and rights, within the recognized boundaries of ANCSA.

NOW THEREFORE BE IT RESOLVED that the delegates of the 2022 Annual AFN Convention go on record as opposing the November 8, 2022, ballot calling for a constitutional convention and initiate all possible measures opposing a constitutional convention.

BE IT FURTHER RESOLVED that the delegates of the 2022 Annual Convention of the Alaska Federation of Natives support this resolution and call for its members to vote to oppose the ballot measures.

SUBMITTED BY: SEALASKA CORPORATION, SEALASKA HERITAGE INSTITUTE, TLINGIT AND HAIDA, EYAK CORPORATION

BOARD ACTION: DO PASS

CONVENTION ACTION: PASS ON OCTOBER 22, 2022