

IRA COUNCIL VILLAGES AS AIRPORT TENANTS
John L. Steiner, A.A.G.

1994 Airport Leasing Seminar
February 24, 1993

- I. Identifying IRA Traditional Village Councils
 - A. October 15, 1993 "Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs" (226 entities: 73 IRA organized; 8 IRA pending)
 - B. BIA Directory of Alaska Tribal Entities
(published annually, notes whether IRA organized, includes addresses, phone numbers, and chair person names that may not be current)
 - C. BIA Branch of Tribal Government Services, Juneau
(maintains copies of constitutions, charters, etc. for all IRA Councils and many traditional councils, although currency of traditional council materials is not assured)
 - 1. General: 586-7007
 - 2. Expert: Regina Parot: 586-7453
 - D. Alaska Inter-Tribal Council, Daylee Sambo, 277-2482
- II. Determining Capacity and Authority
 - A. IRA Section 16 Governmental Council
 - 1. Constitution
 - 2. Bylaws
 - 3. Resolutions (validly adopted under bylaws)
 - a. Authorizing person to sign and bind the Council

- b. Authorizing Council to enter into lease
 - c. Authorizing waiver of sovereign immunity
 - d. Transferring tribal property to business corporation or authorizing pledge of tribal assets
- B. IRA Section 17 Tribal Business Corporation
- 1. Charter
 - 2. Bylaws
 - 3. Resolutions (validly adopted under bylaws)
 - a. Authorizing person to sign and bind the Corporation
 - b. Authorizing Corporation to enter into lease
 - c. Acknowledging waiver of sovereign immunity
- C. Traditional Council
- 1. Constitution (if any)
 - 2. Bylaws (if any)
 - 3. Resolutions/Ordinances
 - a. Authorizing person to sign and bind the Council
 - b. Authorizing Council to enter into lease
 - c. Authorizing waiver of sovereign immunity
 - d. Authorizing pledge of tribal assets

III. Issues

A. Capacity and authority

- 1. Constitution, Charter, Bylaws, Resolutions

B. Financial Responsibility

1. Assets: What does council "own" free from trust status?
2. Does council have unencumbered funds: sources of income other than restricted grants?
3. Insurance, surety bond, collateral?

C. Waiver of Sovereign Immunity

1. Sue and be sued clause not adequate
 - a. Should identify court with jurisdiction
2. Limitation to assets of entity
3. Immunity of "Trust Lands"
4. Questionable effect of arbitration clauses
 - a. Federal court treatment
 - b. State court treatment
5. Express Transactional Waiver Clause
 - a. Charlie Cole memo & proposed clause
 - b. Revised proposed clause
6. Constitutional requirements for approval: Council vote may not be sufficient; may require tribal membership vote

WAIVER OF SOVEREIGN IMMUNITY

The _____ [insert correct name of contracting council as stated in its documents or on BIA list] hereby irrevocably waives any sovereign immunity which it may possess, and consents to suit against itself or its officials in the courts of the State of Alaska as well as in any other court of competent jurisdiction, as to any and all causes of action, whether by the State of Alaska or any other person, arising out of or in connection with _____ [specify lease]. Any order or judgment rendered by any court of the State of Alaska or other court of competent jurisdiction shall be subject to enforcement and execution against any and all assets and property interests of _____ and of _____ [ideally, name both Section 16 and 17 IRA entities], however held. _____ [contracting council] hereby also consents to and waives any immunity from informal or administrative action by the State of Alaska with respect to any interest in land or other asset which is the subject of this lease, and to any improvements or other property that may at any time be placed upon the leasehold. _____ [contracting council] does not hereby waive or relinquish any sovereign right it may possess, other than immunity from suit and execution as stated above. However, nothing herein shall be construed as an admission or agreement by the State of Alaska that _____ [contracting council] would, absent this provision, possess immunity or any other sovereign right.

- Notes:
1. This language may be made part of the lease/contract, or may be prepared as a separate document that refers to the lease/contract.
 2. The document containing this language should be signed by an official of the council (with clearly delegated authority) **on its behalf**.
 3. If there is both an IRA Section 16 Council and an IRA Section 17 business corporation, the waiver should ideally be executed separately on behalf of each entity, even though the lease contract is only with one, and even if the individual signer is the same for each entity.
 4. In any given case, it may be appropriate to identify

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Corporate Charter of the Native Village of Tununak,
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MEMORANDUM

State of Alaska

Department of Law

TO: All Commissioners

March 18, 1992

FEB 03 1994

Commissioner	
Deputy Commissioner Operations	
Deputy Commissioner Fin. & Mgmt.	
ICE Regional Director	
NO Regional Director	
SE Regional Director	
AMHS Director	
AIAS Director	
Strategic Mgmt. Planning & Policy	
Legislative Liaison	
Internal Revenue	
SUBJECT:	
FILE	COPY
FYI	RETURN

465-3600
Office of the Attorney General
Sedgwick Branch
Juneau, Alaska

Waivers of Sovereign
Immunity

RECEIVED

MAR 23 1992

FROM: Charles E. Cole
Attorney General

DOT&PF
COMMISSIONER'S OFFICE

Some agencies may not be consistently obtaining waivers of sovereign immunity from Native councils and Native villages in connection with State grants, loans, leases, or contracts. Without these waivers the State may find itself without the ability to enforce grant or contract terms, to obtain repayment of misapplied funds, or to protect itself against claims in connection with Native village projects.

Here is the problem: For a number of years some Native councils have asserted that they are recognized tribes and therefore have the status and authority of a sovereign, including sovereign immunity, i.e., immunity from lawsuits. The courts have not rendered any clear decisions on whether Alaska Native villages are tribes and, if they are, the extent of the powers that flow from tribal status. However, the judicial trend appears to be that if a Native village is a tribe, its tribal status will enable it to successfully assert sovereign immunity. Nevertheless, there may be ways for us to obtain redress for state claims despite village sovereign immunity. However, the assertion of sovereign immunity by a Native village could be a substantial impediment to the State enforcing its rights, and make such effort more time-consuming and expensive. It might even leave the State without a remedy.

For these reasons, in the past the Department of Law has regularly advised State agencies that when they enter into a contract with a Native council, including grant and loan contracts, the agencies should obtain a waiver of sovereign immunity from the council. Some agencies already do this; others do not. Sometimes a waiver is required by statute (e.g., AS 29.60.140, 29.60.599[8][A], 46.08.900[12][A]); in other cases it is not. Whether it is required by law, for the State's own protection, these waivers should be a standard provision in any agreements between state agencies and Native councils.

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The execution of waivers of sovereign immunity should not be objectionable to village councils. In fact, as more businesses become aware of the jeopardy of commercial dealings with a Native council without obtaining a waiver, they are likely to become commonplace.

When requesting waivers of immunity, to the extent that you receive resistance, you may remind them that a waiver of sovereign immunity is not a concession that a village lacks sovereignty; it merely preserves the State's ability to enforce the terms of the contract, just as the village has the right to enforce the contract despite the State's sovereign immunity, which it has waived by statute. It also puts the village in the same position as anyone else who contracts with the State, i.e., it simply enables the State to enforce the legal obligations stated in the contract.

Attached is an example of a broad form waiver of sovereign immunity, which may be adapted to your particular needs. When in doubt on how and when to use it, please consult your attorneys in the Department of Law. This form of waiver enables the State to sue to require specific performance of a contract, to recoup damages resulting from failure to perform (including misappropriating grant or loan funds), and to protect itself from claims by third parties arising out of actions by the village in the course of executing the contract. This broad waiver is necessary to protect the State fully. Occasionally, a Native village may claim that a narrower waiver is sufficient to protect the State. Although we doubt that this will often be the case, the Department of Law is prepared to consider individual instances where the village believes a narrower waiver is sufficient. Again, please consult your regular staff attorney.

The waiver form also states that the state courts have jurisdiction over legal actions arising out of the contract, grant, lease, etc. This provision is necessary to avoid having to litigate claims against a village council in a tribal court appointed by that council. We are not suggesting any unfairness by the villages, but it is always prudent to ensure that judicial review of our contracts and claims be in a forum we know is neutral.

Finally, we advise that a waiver should be executed by the Native council itself, rather than by a chief, chairman, or other officials of a village. There have been cases in which courts found ineffective a waiver of sovereign immunity executed by an official rather than the full council. As an alternative, execution of the waiver by an official is appropriate if accompanied by a copy of a council resolution clearly delegating the power to execute a waiver of sovereign immunity to that official.

Please note that the requirement of a waiver applies only to Native villages, as well as to entities using another title

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(like IRA and traditional councils) that may claim status as a tribe. Furthermore, it applies to corporations which are subsidiaries or creations of village councils. When in doubt, ask us for advice.

CEC:pml

att.

MARCH 1992

VERSION
DISTRIBUTED TO
COMMISSIONERS.

WAIVER OF SOVEREIGN IMMUNITY

The Native Village of _____ hereby irrevocably waives any sovereign immunity which it may possess, and consents to suit against itself or its officials in the courts of the State of Alaska or any other court of competent jurisdiction, as to all causes of action by the State of Alaska or any other person arising out of or in connection with _____ [specify the contract, grant, lease, etc.].

[Note #1: This language may be made part of the contract itself or be in the form of a separate document which refers to the contract. In either case it should be clear that the execution is by the village council or an official clearly delegated authority by the council.]

[Note #2: There may be valid reasons to identify specific actions, events, or claims to which the waiver applies. For that reason, especially during the time when use of the waiver is relatively new and unfamiliar to your agency, I urge you to consult with your regular attorney to insure that the waiver meets your specific needs.]

This meeting will be open to the public on October 18 from 8:30 to 9 a.m. for opening remarks and discussion of program guidelines. Attendance by the public will be limited to space available.

In accordance with provisions set forth in secs. 552b(c)(4) and 552b(c)(6), title 5, U.S.C. and sec. 10(d) of Public Law 92-463, the meeting will be closed to the public from 9 a.m. on October 18 until adjournment for the review, discussion and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms. Lois DeNinno, Committee Management Officer, National Eye Institute, EPS, suite 350, National Institutes of Health, Bethesda, Maryland 20892, 301/496-5301, will provide, upon request, summaries of the meeting, rosters of committee members, and substantive program information, as well as, information regarding sign language interpretation or other reasonable accommodations.

This notice is being published less than 15 days prior to the meeting due to the difficulty of coordinating the attendance of members because of conflicting schedules.

(Catalog of Federal Domestic Assistance Program No. 93.867, Vision Research; National Institutes of Health.)

Dated: October 14, 1993.

Wendy Baldwin,

Acting Deputy Director for Extramural Research, NIH.

[FR Doc. 93-25868 Filed 10-20-93; 8:45 am]

BILLING CODE 4140-01-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Entities Recognized and Eligible To Receive Services From the United States Bureau of Indian Affairs

AGENCY: Bureau of Indian Affairs.

ACTION: Notice.

SUMMARY: Notice is hereby given of the revision and update of the list of entities recognized and eligible for funding and services from the Bureau of Indian Affairs and is published pursuant to 25 CFR part 83.

FOR FURTHER INFORMATION CONTACT: Patricia Simmons, Bureau of Indian Affairs, Division of Tribal Government Services, 1849 C Street NW.,

Washington, DC 20240. Telephone number: (202) 208-7445.

SUPPLEMENTARY INFORMATION: This notice is published in exercise of authority delegated to the Assistant Secretary—Indian Affairs under 25 U.S.C. 2 and 9 and 209 DM 3.

Published below are lists of federally acknowledged tribes in the contiguous 48 states and in Alaska. The list for the contiguous 48 states is updated from the last such list published in 1983 to include tribes acknowledged through the Federal acknowledgment process and legislation. The list for Alaska has been substantially revised from the 1983 list of Alaska entities for the following reasons:

In 1978 the Department of the Interior adopted regulations setting out "Procedures for Establishing That an American Indian Group Exists as an Indian Tribe." 43 FR 39361 (Sept. 5, 1978). The regulations "establish a departmental procedure and policy for acknowledging that certain American Indian tribes exist. Such acknowledgment of tribal existence by the Department is a prerequisite to the protection, services, and benefits from the Federal Government available to Indian tribes. Such acknowledgment shall also mean that the tribe is entitled to the immunities and privileges available to other federally acknowledged Indian tribes by virtue of their status as Indian tribes as well as the responsibilities and obligations of such tribes. Acknowledgment shall subject the Indian tribe to the same authority of Congress and the United States to which other federally acknowledged tribes are subjected." 25 CFR 83.2.

Under the procedures, groups not recognized as tribes by the Federal Government may apply for Federal acknowledgment. Tribes, bands, pueblos or communities already acknowledged as such and receiving services from the Bureau of Indian Affairs were not required to seek acknowledgment anew. 25 CFR 83.3 (a), (b). To assist groups in determining whether they were required to apply, the procedures provided for the publication within 90 days of a list of "all Indian tribes which are recognized and receiving services from the Bureau of Indian Affairs." 25 CFR 83.6(b). This list is to be updated annually. *Ibid.*

The first list of acknowledged tribes was published in 1979. 44 FR 7325 (Feb. 9, 1979). The list used the term "entities" in the preamble and elsewhere to refer to and include all the various anthropological organizations, such as bands, pueblos and villages,

acknowledged by the Federal Government to constitute tribes with a government-to-government relationship with the United States. A footnote defined "entities" to include "Indian tribes, bands, villages, groups and pueblos as well as Eskimos and Aleuts." 44 FR at 7325, n. *.

The 1979 list did not, however, contain the names of any Alaska Native entities. The preamble stated that: "[t]he list of eligible Alaskan entities will be published at a later date." 44 FR at 7325.

In 1982 the Department added to the list of tribal entities in the contiguous 48 states a "preliminary list" of Alaska Native entities under the heading Alaska Native Entities Recognized and Eligible To Receive Services From the United States Bureau of Indian Affairs. 47 FR 53133 (Nov. 24, 1982). The preamble to this list stated:

[U]nique circumstances have made eligible additional entities in Alaska which are not historical tribes. Such circumstances have resulted in multiple, overlapping eligibility of Native entities in Alaska. To alleviate any confusion which might arise from publication of a multiple eligibility listing, the following preliminary list shows those entities to which the Bureau of Indian Affairs gives priority for purposes of funding and services.

47 FR at 53133-53134.

The meaning of this preamble was clarified by the 1982 list itself. The entities appearing on the list were traditional councils that were identified as tribes in the Alaska Native Claims Settlement Act (ANCSA), 43 U.S.C. 1602(c), and that had been dealt with by the Bureau of Indian Affairs on a government-to-government basis and Indian Reorganization Act councils organized under the Indian Reorganization Act (IRA), 25 U.S.C. 473a, and dealt with on a government-to-government basis by the BIA. These entities parallel the kinds of entities listed on the list for the contiguous 48 states. Not listed on the Alaska list were regional, village and urban corporations organized under state law in accordance with ANCSA. These corporations are not governments, but they have been designated as "tribes" for the purposes of some Federal laws, primarily the Indian Self-Determination and Education Assistance Act (ISDA), 25 U.S.C. 450b(5), creating the overlapping eligibility referred to in the preamble.

The 1982 preamble, nonetheless, caused confusion as to the Department's intent. *See, e.g., Board of Equalization v. Alaska Native Brotherhood*, 666 P.2d 1015, 1024, n. 1 (Alaska 1983) (concurring opinion). A number of Alaska Native organizations complained-

that the preamble was ambiguous and cast doubt on the tribal status of Alaska Native villages and regional tribes. The statement was dropped from the subsequent lists published in 1983, 48 FR 56862 (Dec. 23, 1983); 1985, 50 FR 6058 (Feb. 13, 1985); and 1986, 51 FR 25118 (July 10, 1986). However, this deletion did not eliminate lingering uncertainties over whether inclusion on, or exclusion from, the Alaska Native entities list constituted an official determination of the United States government as to the tribal status of Native entities. In addition, in 1986, a number of Alaska Native entities complained that they had been wrongly omitted from the lists published between 1982 and 1986.

In 1988, as part of the annual publication required by 25 CFR 83.6(b), the Department published a new list of Alaska entities. The 1988 list departed from the previous lists in a number of respects. Rather than being limited to traditional Native governments and governments reorganized under Federal law, as were the prior lists, the 1988 list was expanded to include nine categories of Alaska entities, including the state-chartered regional, village and urban corporations established pursuant to ANCSA. The number of listed entities thus more than doubled to 500. The preamble to the list stated that the revised list responded to a "demand by the Bureau and other Federal agencies * * * for a list of organizations which are eligible for their funding and services based on their inclusion in categories frequently mentioned in statutes concerning Federal programs for Indians." 53 FR at 52,832.

The inclusion of non-tribal entities on the 1988 Alaska entities list departed from the intent of 25 CFR 83.6(b) and created a discontinuity from the list of tribal entities in the contiguous 48 states, which was republished as part of the same Federal Register notice. As in Alaska, Indian entities in the contiguous 48 states other than recognized tribes are frequently eligible to participate in Federal programs under specific statutes. For example, "tribal organizations" associated with recognized tribes, but not themselves tribes, are eligible for contracts and grants under the ISDA, 25 U.S.C. 450b(c), 450f, 450g. Unlike the Alaska entities list, the 1988 entities list for the contiguous 48 states was not expanded to include such entities.

Even more significantly, the change to the Alaska entities list compounded, rather than resolved, the question of the status of Alaska tribes raised by prior lists. First, the list did not distinguish between entities listed on the basis of

their status as tribes and non-tribal entities listed because of their eligibility to participate in Federal programs under specific statutes. Second, it omitted the language on some of the earlier lists which described the listed Indian groups as "Indian tribal entities which are recognized as having a special relationship with the United States" and instead included language applicable only to Alaska stating that:

Inclusion on a list of entities already receiving and eligible for Bureau funding does not constitute a determination that the entity either would or would not qualify for Federal Acknowledgment under the regulations, but only that no such effort is necessary to preserve eligibility. Furthermore, inclusion on or exclusion from this list of any entity should not be construed to be a determination by this Department as to the extent of the powers and authority of that entity.

53 FR at 52,832. Finally, the 1988 list further confused the status of a number of specific entities by using names for some villages that were different from the names of these villages used by the Native traditional councils.

These changes in the 1988 publication have raised a number of questions with respect to the Department's intent and the effect of the 1988 list. The omission in the preamble of all references acknowledging the tribal status of the listed villages, and the inclusion of ANCSA corporations, which lack tribal status in a political sense, called into question the status of all the listed entities. Numerous Native villages, regional tribes and other Native organizations objected to the 1988 list on the grounds that it failed to distinguish between Native corporations and Native tribes and failed to unequivocally recognize the tribal status of the listed villages and regional tribes.

In January 1993 the Solicitor of the Department of the Interior issued a comprehensive opinion analyzing the status of Alaska Native villages as "Indian tribes," as that term is commonly used to refer to Indian entities in the contiguous 48 states. The Solicitor analyzed the unique circumstances of Alaska Native villages. After a lengthy historical review, the Solicitor concluded that there are tribes in Alaska:

By the time of enactment of the IRA [Indian Reorganization Act of 1934, as amended in 1935], the preponderant opinion was that Alaska Natives were subject to the same legal principles as Indians in the contiguous 48 states, and had the same powers and attributes as other Indian tribes, except to the extent limited or preempted by Congress.

What constitutes a tribe in the contiguous 48 states is sometimes a difficult question. So

also is it in Alaska. The history of Alaska is unique, but so is that of California, New Mexico and Oklahoma. While the Department's position with regard to the existence of tribes in Alaska may have vacillated between 1867 and the opening decades of this century, it is clear that for the last half century, Congress and the Department have dealt with Alaska Natives as though there were tribes in Alaska. The fact that the Congress and the Department may not have dealt with all Alaska Natives as tribes at all times prior to the 1930's did not preclude it from dealing with them as tribes subsequently.

Sol. Op. M-36,975, at 46, 47-48 (Jan. 11, 1993).

The Solicitor found it unnecessary for the purposes of his opinion to identify specifically those villages which are tribes, although he observed that Congress's listing of specific villages in the Alaska Native Claims Settlement Act and the repeated inclusion of such villages within the definition of "tribe" over the 20 years since the passage of ANCSA arguably constituted a congressional determination that the villages found eligible for benefits under ANCSA, referred to as the "modified ANCSA list," are considered Indian tribes for purposes of Federal law. M-36,975, at 58-59.

In view of the foregoing, and to comply with the requirement of 25 CFR 83.6(b), the Department of the Interior has determined it necessary to publish a new list of Alaska tribal entities. The Bureau of Indian Affairs has reviewed the "modified ANCSA list" of villages and the list of those villages and regional tribes previously listed or dealt with by the Federal Government as governments and found that the villages and regional tribes listed below have functioned as political entities exercising governmental authority and are, therefore, acknowledged to have "the immunities and privileges available to other federally acknowledged Indian tribes by virtue of their status as Indian tribes as well as the responsibilities and obligations of such tribes."

The purpose of the current publication is to publish an Alaska list of entities conforming to the intent of 25 CFR 83.6(b) and to eliminate any doubt as to the Department's intention by expressly and unequivocally acknowledging that the Department has determined that the villages and regional tribes listed below are distinctly Native communities and have the same status as tribes in the contiguous 48 states. Such acknowledgement of tribal existence by the Department is a prerequisite to the protection, services, and benefits from the Federal Government available to

Indian tribes. This list is published to clarify that the villages and regional tribes listed below are not simply eligible for services, or recognized as tribes for certain narrow purposes. Rather, they have the same governmental status as other federally acknowledged Indian tribes by virtue of their status as Indian tribes with a government-to-government relationship with the United States; are entitled to the same protection, immunities, privileges as other acknowledged tribes; have the right, subject to general principles of Federal Indian law, to exercise the same inherent and delegated authorities available to other tribes; and are subject to the same limitations imposed by law on other tribes.¹

A directive accompanying the Department of the Interior and Related Agencies Appropriations Act for FY 1992 directed the Secretary to study the historical evidence relating to five villages for purposes of determining whether they were inadvertently denied village or urban status under ANCSA. H.R. Rep. No. 102-256, 102d Cong., 1st Sess. 42-43 (1991). Four of these villages are listed below on the basis of their reorganization under Federal law. A decision on inclusion of the remaining village (Tenakee) will be made after the completion of the study.

Because the list published by this notice is limited to entities found to be Indian tribes, as that term is defined and used in 25 CFR part 83, it does not include a number of non-tribal Native entities in Alaska that currently contract with or receive services from the Bureau of Indian Affairs pursuant to specific statutory authority, including ANCSA village and regional corporations and various tribal organizations. These entities are made eligible for Federal contracting and services by statute and their non-inclusion on the list below does not affect the continued eligibility of the entities for contracts and services.²

¹ Sol. Op. M-36,975 concluded, construing general principles of Federal Indian law and 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." M-36,975, at 108. That portion of the opinion is subject to review, but has not been withdrawn or modified.

² Under longstanding BIA policy, priority for contracts and services in Alaska is given to reorganized and traditional governments over non-tribal corporations. Proposed regulations to implement the 1988 Amendments to the Indian Self-Determination Act scheduled to be published in the near future will incorporate this policy.

**Native Entities Within the State of Alaska
Recognized and Eligible To Receive Services
From the United States Bureau of Indian
Affairs**

Village of Afognak
Native Village of Akhiok
Akiachak Native Community
Akiak Native Community
Native Village of Akutan
Village of Alakanuk
Alatna Village
Native Village of Aleknagik
Algaaciq Native Village (St. Mary's)
Allakaket Village
Native Village of Ambler
Village of Anaktuvuk Pass
Yupit of Andreefski
Angoon Community Association
Village of Aniak
Anvik Village
Arctic Village (See Native Village of Venetie
Tribal Government)
Native Village of Atka
Atkasuk Village (Atkasook)
Village of Atnautluak
Native Village of Barrow
Beaver Village
Native Village of Belkofski
Village of Bill Moore's Slough
Birch Creek Village
Native Village of Brevig Mission.

Native Village of Buckland
 Native Village of Cantwell
 Native Village of Chanega (aka Chenega)
 Chalkyitsik Village
 Village of Cheformak
 Chevak Native Village
 Chickaloon Native Village
 Native Village of Chignik
 Native Village of Chignik Lagoon
 Chignik Lake Village
 Chilkat Indian Village (Kluckwan)
 Chilkoot Indian Association (Haines)
 Chinik Eskimo Community (Golovin)
 Native Village of Chistochina
 Native Village of Chitina
 Native Village of Chuatbaluk (Russian Mission, Kuskokwim)
 Chuloonawick Native Village
 Circle Native Community
 Village of Clarks's Point
 Native Village of Council
 Craig Community Association
 Village of Crooked Creek
 Native Village of Deering
 Native Village of Dillingham
 Native Village of Diomedea (aka Inalik)
 Village of Dot Lake
 Douglas Indian Association
 Native Village of Eagle
 Native Village of Eek
 Egegik Village
 Eklutna Native Village
 Native Village of Ekuk
 Ekwook Village
 Native Village of Elim
 Emrzonak Village
 Evansville Village (aka Bettles Field)
 Native Village of Eyak (Cordova)
 Native Village of False Pass
 Native Village of Fort Yukon
 Native Village of Gakona
 Galena Village (aka Loudon Village)
 Native Village of Gambell
 Native Village of Georgetown
 Native Village of Goodnews Bay
 Organized Village of Grayling (aka Holikachuk)
 Gulkana Village
 Native Village of Hamilton
 Healy Lake Village
 Holy Cross Village
 Hoonah Indian Association
 Native Village of Hooper Bay
 Hughes Village
 Huslia Village
 Hydaburg Cooperative Association
 Igiugig Village
 Village of Iliamna
 Inupiat Community of the Arctic Slope
 Ivanoff Bay Village
 Kaguyak Village
 Organized Village of Kake
 Kaktovik Village (aka Barter Island)
 Village of Kalskag
 Village of Kaltag
 Native Village of Kanatak
 Native Village of Karluk
 Organized Village of Kasaan
 Native Village of Kasigluk
 Kenaitze Indian Tribe
 Ketchikan Indian Corporation
 Native Village of Kiana
 Agdaagux Tribe of King Cove
 King Island Native Community
 Native Village of Kipnuk
 Native Village of Kivalina
 Klawock Cooperative Association
 Native Village of Kiuti Kaah (aka Copper Center)
 Knik Village
 Native Village of Kobuk
 Kokhanok Village
 Koliganek Village
 Native Village of Kongiganak
 Village of Kotlik
 Native Village of Kotzebue
 Native Village of Koyuk
 Koyukuk Native Village
 Organized Village of Kwethluk
 Native Village of Kwigillingok
 Native Village of Kwihagagak (aka Quinhagak)
 Native Village of Larsen Bay
 Levelock Village
 Lesnoi Village (aka Woody Island)
 Lime Village
 Village of Lower Kalskag
 Manley Hot Springs Village
 Manokotak Village
 Native Village of Marshall (aka Fortuna Ledge)
 Native Village of Mary's Igloo
 McGrath Native Village
 Native Village of Mekoryuk
 Mentasta Lake Village
 Metlakatla Indian Community, Annette Island Reserve
 Native Village of Minto
 Native Village of Mountain Village
 Naknek Native Village
 Native Village of Nanwaiek (aka English Bay)
 Native Village of Napaimute
 Native Village of Napakiak
 Native Village of Napaskiak
 Native Village of Nelson Lagoon
 Nenana Native Association
 New Stuyahok Village
 Newhalen Village
 Newtok Village
 Native Village of Nightmute
 Nikolai Village
 Native Village of Nikolski
 Niniilchik Village
 Native Village of Noatak
 Nome Eskimo Community
 Nondalton Village
 Noorvik Native Community
 Northway Village
 Native Village of Nuiqsut (aka Nooiksut)
 Nulato Village
 Native Village of Nunapitchuk
 Village of Ohogamiut
 Village of Old Harbor
 Crutsararmuit Native Village (aka Bethel)
 Oscarville Traditional Village
 Native Village of Ouzinkie
 Native Village of Paimiut
 Pauloff Harbor Village
 Pedro Bay Village
 Native Village of Perryville
 Petersburg Indian Association
 Native Village of Pilot Point
 Pilot Station Traditional Village
 Native Village of Pitka's Point
 Platinum Traditional Village
 Native Village of Point Hope
 Native Village of Point Lay
 Native Village of Port Graham
 Native Village of Port Heiden
 Native Village of Port Lions
 Portage Creek Village (aka Ohgsenakale)
 Pribilof Islands Aleut Communities of St. Paul & St. George Islands
 Qagan Toyagungin Tribe of Sand Point Village
 Rampart Village
 Village of Red Devil
 Native Village of Ruby
 Native Village of Russian Mission (Yukon)
 Village of Salamattof
 Organized Village of Saxman
 Native Village of Savoonga
 Saint George (See Pribilof Islands Aleut Communities of St. Paul & St. George Islands)
 Native Village of Saint Michael
 Saint Paul (See Pribilof Islands Aleut Communities of St. Paul & St. George Islands)
 Native Village of Scammon Bay
 Native Village of Selawik
 Seldovia Village Tribe
 Shageluk Native Village
 Native Village of Shaktoolik
 Native Village of Sheldon's Point
 Native Village of Shishmaref
 Native Village of Shungnak
 Sitka Tribe of Alaska
 Skagway Village
 Village of Sleetmute
 Village of Solomon
 South Naknek Village
 Stebbins Community Association
 Native Village of Stevens
 Village of Stoy River
 Takotna Village
 Native Village of Tanacross
 Native Village of Tanana
 Native Village of Tatituk
 Native Village of Tazlina
 Telida Village
 Native Village of Teller
 Native Village of Tetlin
 Traditional Village of Togiak
 Native Village of Toksook Bay
 Tuluksak Native Community
 Native Village of Tunutuliak
 Native Village of Tununak
 Twin Hills Village
 Native Village of Tyonek
 Ugashik Village
 Umkumiute Native Village
 Native Village of Unalakleet
 Qawalingin Tribe of Unalaska
 Native Village of Unga
 Village of Venetie (See Native Village of Venetie Tribal Government)
 Native Village of Venetie Tribal Government (Arctic Village and Village of Venetie)
 Village of Wainwright
 Native Village of Wales
 Native Village of White Mountain
 Wrangell Cooperative Association
 Yakutat Tlingit Tribe

[FR Doc. 93-25822 Filed 10-20-93; 8:45 am]
 BILLING CODE 4310-02-P

Bureau of Land Management

[NM010-4332-01/G910G001]

Environmental Impact Statement (EIS); Chain of Craters Wilderness Study Unit (WSU), NM

AGENCY: Bureau of Land Management
 (BLM).

APRIL 20, 1993
ALASKA TRIBAL ENTITIES
ORGANIZED UNDER INDIAN REORGANIZATION ACT

VILLAGE NAME	TRIBAL/IRA NAME	CONST. RATIFIED DATE	CHARTER RATIFIED DATE	APR'D DATE
1 AKIACHAK	AKIACHAK NATIVE COMMUNITY	12-03-48	12-03-48	8-6-48
2 AKIAK	AKIAK NATIVE COMMUNITY	11-21-49	11-21-49	5-11-48
3 ANGOON	ANGOON COMMUNITY ASSOCIATION	11-15-39	11-15-39	5-10-39
4 ATKA	NATIVE VILLAGE OF ATKA	05-23-39	05-23-39	5-15-39
5 BUCKLAND	NATIVE VILLAGE OF BUCKLAND	12-30-50	12-30-50	10-13-5
6 CHANEKA	NATIVE VILLAGE OF CHANEKA	02-03-40	02-03-40	5-23-39
7 CIRCLE	CIRCLE NATIVE COMMUNITY	08-20-91	NONE	10-4-91
8 CRAIG	CRAIG COMMUNITY ASSOCIATION	10-08-38	10-08-38	7-13-38
9 DEERING	NATIVE VILLAGE OF DEERING	10-26-45	10-26-45	9-10-45
10 DIOMEDE	NATIVE VILLAGE OF DIOMEDE	01-31-40	01-31-40	5-15-39
11 DOUGLAS	DOUGLAS INDIAN ASSOCIATION	11-24-41	11-24-41	5-29-41
12 EAGLE	NATIVE VILLAGE OF EAGLE	04-29-89	NONE	6-13-89
13 ELIM	NATIVE VILLAGE OF ELIM	11-24-39	11-24-39	5-23-39
14 FORT YUKON	NATIVE VILLAGE OF FORT YUKON	01-02-40	01-02-40	5-15-39
15 GAMBELL	NATIVE VILLAGE OF GAMBELL	12-31-39	12-31-39	5-23-39
16 HAINES	CHILKOOT INDIAN ASSOCIATION	12-05-41	12-05-41	5-27-41
17 HOLIKACHUK	ORGANIZED VILLAGE OF GRAYLING	05-17-48	05-17-48	5-17-48
18 HOONAH	HOONAH INDIAN ASSOCIATION	10-23-39	10-23-39	8-19-39
19 HYDABURG	HYDABURG COOPERATIVE ASSOCIATION	04-14-38	04-14-38	4-7-38
20 KAKE	ORGANIZED VILLAGE OF KAKE	01-27-48	01-27-48	11-17-47
21 KANATAK	NATIVE VILLAGE OF KANATAK	03-01-41	03-01-41	5-15-40
22 KARLUK	NATIVE VILLAGE OF KARLUK	08-23-39	08-23-39	7-7-39
23 KASAAN	ORGANIZED VILLAGE OF KASAAN	10-15-38	10-15-38	8-22-38
24 KENAI	KENAITZE INDIAN TRIBE	08-01-71	NONE	6-21-71
25 KETCHIKAN	KETCHIKAN INDIAN CORPORATION	01-27-40	01-27-40	12-20-39
26 KING ISLAND	KING ISLAND NATIVE COMMUNITY	01-31-39	01-31-39	12-20-39
27 KIVALINA	NATIVE VILLAGE OF KIVALINA	02-07-40	02-07-40	5-23-39
28 KLAWOCK	KLAWOCK COOPERATIVE ASSOCIATION	10-04-38	10-04-38	4-15-38
29 KLUKWAN	CHILKAT INDIAN VILLAGE	03-27-41	03-27-41	3-4-41
30 KOTZEBUE	NATIVE VILLAGE OF KOTZEBUE	05-23-39	05-23-39	5-23-39
31 KOYUK	NATIVE VILLAGE OF KOYUK	07-23-46	07-23-46	7-23-46

VILLAGE NAME	TRIBAL IRA NAME	CONST. RATIFIED DATE	CHARTER RATIFIED DATE	APPR/ DATE
32 KWETHLUK	ORGANIZED VILLAGE OF KWETHLUK	01-11-40	01-11-40	5-11-38
33 KWIGILLINGOK	NATIVE VILLAGE OF KWIGILLINGOK	11-25-49	11-25-49	10-24-44
34 KWINHAGAK	NATIVE VILLAGE OF KWINHAGAK	06-11-48	06-11-48	6-11-48
35 MEKORYUK	NATIVE VILLAGE OF MEKORYUK	08-24-40	08-24-40	5-15-40
36 METLAKATLA	METLAKATLA INDIAN COMMUNITY ANNETTE ISLANDS RESERVE	12-19-44	12-19-44	8-23-44
37 MINTO	NATIVE VILLAGE OF MINTO	12-30-39	12-30-39	5-23-39
38 NAPAKIAK	NATIVE VILLAGE OF NAPAKIAK	07-29-46	07-29-46	7-23-46
39 NIKOLSKI	NATIVE VILLAGE OF NIKOLSKI	06-12-39	06-12-39	5-23-39
40 NOATAK	NATIVE VILLAGE OF NOATAK	12-28-39	12-28-39	5-23-39
41 NOME	NOME ESKIMO COMMUNITY	11-23-39	11-23-39	9-9-39
42 NOORVIK	NOORVIK NATIVE COMMUNITY	11-23-39	11-23-39	5-11-39
43 NUNAPITCHUK	NATIVE VILLAGE OF NUNAPITCHUK	01-02-40	01-02-40	5-23-39
44 PERRYVILLE	NATIVE VILLAGE OF PERRYVILLE	09-01-50	09-01-50	9-13-49
45 PETERSBURG	PETERSBURG INDIAN ASSOCIATION	05-21-48	05-21-48	3-22-48
46 POINT HOPE	NATIVE VILLAGE OF POINT HOPE	02-29-40	02-29-40	5-15-39
47 POINT LAY	NATIVE VILLAGE OF POINT LAY	03-22-46	03-22-46	5-23-39
48 SAINT MICHAEL	NATIVE VILLAGE OF SAINT MICHAEL	03-31-48	07-31-48	6-11-48
49 SAINT PAUL	ALEUT COMMUNITY OF ST. PAUL ISLAND ***	06-12-50	06-12-50	5-3-50
50 SAVOONGA	NATIVE VILLAGE OF SAVOONGA	04-10-40	04-10-40	5-15-39
51 SAXMAN	ORGANIZED VILLAGE OF SAXMAN	01-14-41	01-14-41	10-18-40
52 SELAWIK	NATIVE VILLAGE OF SELAWIK	03-15-40	03-15-40	5-15-39
53 SELDOVIA	SELDOVIA VILLAGE TRIBE	04-03-92	NONE	5-18-92
54 SHAGELUK	SHAGELUK NATIVE VILLAGE	11-01-49	11-01-49	8-19-49
55 SHAKTOOLIK	NATIVE VILLAGE OF SHAKTOOLIK	01-27-40	01-27-40	5-15-39
56 SHISHMAREF	NATIVE VILLAGE OF SHISHMAREF	08-02-39	08-02-39	5-23-39
57 SHUNGNAK	NATIVE VILLAGE OF SHUNGNAK	07-24-46	07-24-46	6-18-46
58 SITKA	SITKA TRIBE OF ALASKA	10-11-38	10-11-38	7-13-38
59 STEBBINS	STEBBINS COMMUNITY ASSOCIATION	12-05-39	12-05-39	5-10-39
60 STEVENS VILLAGE	NATIVE VILLAGE OF STEVENS	12-30-39	12-30-39	5-15-39
61 TANACROSS	NATIVE VILLAGE OF TANACROSS	01-05-42	01-05-42	5-20-41
62 TANANA	NATIVE VILLAGE OF TANANA	04-05-47	04-05-47	5-15-39

***Constitution & Charter AMENDED 06-04-71 to change the name as follows: Saint Paul & Saint George = Pribilof Islands Aleut communities of St. Paul and St. George Islands

