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March 1, 2011

Ms. Mary Milam
Department of Interior
1849 C Street NW
Washington, DC 20240

RE: Comments of the Qinarmiut Corporation regarding Department's Draft Consultation Policy

Dear Ms. Milam:

On behalf the Board of Directors of Qinarmiut Corporation (Qinarmiut) and its membership, thank you for giving us an opportunity to submit our comments and recommendations on the Department of the Interior's Draft Tribal Consultation Policy. Qinarmiut is a village corporation that was created pursuant to the Alaska Native Claims Settlement Act (ANCSA) and we have 193 shareholders.

Qinarmiut applauds the Department of Interior for implementing President Barack Obama's Memorandum of November 5, 2009 in a manner that will comply with the letter and spirit and intent of the Executive Order 13175 of November 6, 2000, *Consultation and Coordination With Indian Tribal Governments*, with an end goal of developing a comprehensive, department-wide policy for meaningful tribal consultation with the tribes in the Lower 48 as well as the tribes located within the State of Alaska. Qinarmiut believes that the establishment of uniform standards for government-to-government consultation with all the tribes and consistent application of those standards in accordance with Interior's legal obligations and in fulfillment of the United States trust responsibilities will fulfill President Obama's November 5, 2009 Memorandum.

Inclusion of the Alaska Native Claims Settlement Act Corporations

Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA) is Indian legislation enacted by Congress pursuant to the Indian Clause of the United States Constitution; and as such, ANCSA Corporations must be included in the development of the consultation policy by the Department of the Interior to fulfill the promise by the DOI that the consultation process will be truly comprehensive in nature in Section II: Guiding Principles.

Pursuant to the passage of ANCSA, 13 regional corporations and more than 220 village corporations were incorporated into business entities under the statutes of the State of Alaska as mandated by Congress. The Alaska Natives who were born on or before December 18, 1971 were enrolled as shareholders of their ANCSA Corporations. The ANCSA corporations are considered tribes for certain other statutory purposes.

III. Definitions

Qinarmiut recommends that III. E is amended as follows:

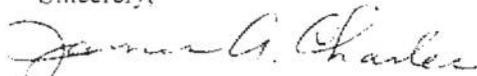
- E. Indian Tribe—The term "Indian Tribe" means any Indian Tribe, band, nation, pueblo or other organized group or community of Indians, including any Alaska Native Village or regional or village corporation as defined in, or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

Definition of the term "Indian" in the United States Code is comprehensive in nature. ANCSA Corporations as defined in the United States Code, there are 103 definitions of "tribe." Fifty six (56) of these definitions specifically include the ANCSA Corporations, five (5) specifically exclude the ANCSA Corporations and 42 of them do not reference the ANCSA Corporations either specifically excluding or specifically including them.¹

IX. Supplemental Policies

Amending the definition of Indian Tribe as recommended by Qinarmiut by including the ANCSA Corporations as stated above makes this section unnecessary therefore, Qinarmiut opposes a creation of a separate set of Consultation Policies regarding the Alaska Native Corporations since ANCSA Corporations are included in the definition of "tribes" in the United States Codes.

Sincerely,



James A. Charles
Chairman of the Board

¹Sealaska Study