



Native Village of Afognak

To embrace, protect, develop, and enhance Alutiiq culture, protect our traditional use areas and encourage unity among the Alutiiq of the Kodiak Archipelago

Excerpt from the Constitution of the Native Village of Afognak

Article IX Powers (of the Council)

SECTION 1. GENERAL POWERS. Except as specifically limited by this Constitution, the powers of the Tribe shall be exercised by the Council and shall include all the inherent powers of a federally recognized tribal government, including but not limited to those specified in this Article, which do not violate federal or Native Village of Afognak Tribal law. The Council may authorize an officer to act in specific circumstances.

SECTION 2. INTERNAL PROCEDURES. Consistent with this Constitution, the Council may enact rules to govern its internal procedures and organization and to further define the duties of Tribal officers by ordinance or resolution.

SECTION 3. OTHER COUNCIL POWERS. In addition to all powers vested in the Tribe or the Council by existing law and this Constitution, the Tribe, acting through the Council, shall have the following powers:

- (a) To negotiate with federal, state or local governments and others on behalf of the Tribe and to advise and consult with the representatives of the Secretary of the Interior on all activities which may affect the Tribe.
- (b) To promote and protect the health, education and general welfare of the members of the Tribe, and to administer charity and such other services as may contribute to the social and economic development of the Tribe and its members.
- (c) To raise revenue.
- (d) To encourage, guard and foster traditional cultural practices, including the arts, crafts, language and customs, of the Alutiiq people of the Native Village of Afognak.
- (e) To preserve, protect, maintain and recover archaeological and cultural resources and sites.
- (f) To authorize or direct subordinate boards, committees or officials to administer the affairs of the Tribe and to carry out the directives of the Council.
- (g) Except as limited by this Constitution, to manage, lease, exchange, acquire, sell or otherwise deal with Tribal or other property, and to protect and preserve Tribal property and the wildlife and natural resources of importance to the Tribe.
- (h) To prevent the sale, disposition, lease or encumbrance of Tribal lands, interests in lands, or other Tribal assets without consent of the Council. Except for routine administration of Tribal funds, consent must be by ordinance and otherwise consistent with the requirements of section 4 and 5 of this article.
- (i) To administer any funds within the control of the Tribe.
- (j) To engage in economic development enterprises for the benefit of the Tribe or its members.



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(k) To regulate child custody and adoption pursuant to the Indian Child Welfare Act or other applicable law, including the establishment of tribal courts or other judicial bodies.

(l) To negotiate agreements with private parties other governments and international agencies not inconsistent with federal law.

(m) To safeguard and promote the peace, safety, morals, physical and general welfare of the members of the Tribe, including the establishment of tribal courts or other means of resolving disputes.

(n) To employ legal counsel.

(o) To charter enterprises, corporations and associations and to join or charter housing authorities.

(p) To exercise any and all powers heretofore or hereafter delegated by the state or federal governments.

(q) To adopt ordinances, resolutions, procedures and regulations necessary to give effect to any provision of this Constitution and to exercise any power not contrary to applicable federal law.

(r) To exercise the consent rights under Section 14(f) of the Alaska Native Claims Settlement Act upon conveyance of such rights from the Afognak Native Corporation or its successors, if any, under the Afognak Native Corporation 1977 Plan of Merger.