

Understanding Indian Preference & ANCSA Rights

Legal Framework & Guidelines for Alaska Job Seekers and Employers

Executive Summary

Under federal law, Indian Hiring Preference and Alaska Native Claims Settlement Act (ANCSA) shareholder preference authorize designated tribal organizations and Native regional corporations to grant preference in hiring, promotion, and training to qualified Alaska Native and American Indian individuals.

Key Legal Foundations

- 1. Public Law 93-638 (Indian Self-Determination Act):** Authorizes tribal health consortia, tribal councils, and federal contractors carrying out tribal contracts to extend hiring preference to qualified Native candidates.
- 2. Title VII of the Civil Rights Act of 1964 (Section 703(i)):** Explicitly exempts Indian preference policies conducted by businesses on or near an Indian reservation or Native land from general non-discrimination prohibitions.
- 3. ANCSA Section 7(i) & Shareholder Preference:** Allows Alaska Native regional and village corporations created under ANCSA to grant employment preference to their shareholders, descendants, and spouses.

Employer Attestation Standard

Employers posting preference-tagged positions on Alaska Native Hire must complete a legal attestation verifying their organizational authority under P.L. 93-638 or ANCSA rules.