

ALASKA FEDERATION OF NATIVES MONTHLY PRESIDENT'S REPORT



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DEAR AFN CO-CHAIRS, BOARD MEMBERS & MEMBERSHIP,

Happy holidays from everyone here at the AFN office!

As this year draws to a close, we find ourselves facing many challenges and preparing to make the most of many new opportunities. The last quarter of 2014 was dominated by a focus on Election Day. Many important issues were broached at this year's annual gathering (see the full resolutions packet at the end of this report), but the election loomed large in all of our discussions and decisions at the end of October. We debated our positions openly and thoroughly. Once again, we demonstrated the power and authenticity of our democratic decision-making process. And, in the end, we chose to endorse excellent candidates for office among a field of worthy contenders.

Equally important, we showed up on November 4th. Our ongoing efforts to engage our communities in the political process made last month's race extremely close. Our participation left no doubt that our people must have a seat at the table, our needs must always be considered in any statewide decisions and as our representatives contribute at the national level. AFN thanks the organizers of the Native Get-Out-The-Vote effort and the regional organizers who gave so much of their time and creative ideas to turn out the vote. Without their dedication, it would not have been successful.

The Walker/Mallott victory will mean an exciting new era for Alaska Natives in Alaska. We look forward to engaging with the new Walker/Mallott administration. The election of Dan Sullivan, and Congressman Don Young, means our Congressional delegation will be working closely together. Congratulations to Governor Bill Walker, Lt. Governor Byron Mallott, Senate-elect Dan Sullivan and Congressman Don Young. It was an intense election cycle and we are all glad its over!

We are looking forward to seeing the new direction they move in. With the price of oil continuing to drop and the tremendous impact on the state budget, there will be difficult choices, which need to be made by the Governor and the State Legislature. The

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Above: Then Candidate Walker at the AFN Convention. Left: Lt. Gov. and Kwaashk'i Kwaan Clan Leader Byron Mallott and his wife Toni at the swearing in ceremony in Juneau. Sealaska Heritage Institute Photo

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work of Alaska's Congressional delegation will be critical to meet the real fiscal needs of the state and help Alaskans weather the oil price shock. All Alaskans will depend on how closely they work together. In the difficult choices to be made, it is our hope that a priority for economic growth and sustainable economies is close to the top. We need smart development of our natural and renewable resources and for the economic investment climate to really incentivize a broad-based creation of opportunities and lifting of the economy.

With the Obama Administration in its last two years, AFN has prioritized executive action and administrative/regulatory action as an area worth exploring. On November 18th, AFN met with Secretary Sally Jewell with the Department of Interior and her Senior team in DC. A detailed overview of our requests is included on page 3 of this report and the full briefing packet is available as a PDF.

We were encouraged by the response we received and we look forward to the upcoming leadership we are planning in Kotzebue with Secretary Jewell and the Congressional delegation to advance our work. This effort will be an opportunity to see some alignment on our goals and how the Administration can take action. We already know the issue of climate change, both mitigation and adaptation and funding mechanisms, will be the number one issue at the retreat. Secretary Jewell is interested in understanding fully the impacts of climate change in Alaska and to working with us to develop critical plans. Other issues will include energy development, both natural and renewable, top Administration priorities for the US Chairmanship of the Arctic Council, and ways to stimulate economic growth and sustainable economies. Secretary Jewell has a particular interest in youth initiatives we may put forward.

It will be an exciting and productive 2015. It will require our best thinking and efforts to accomplish productive change. No one wants the status quo. We want to see progress on our Convention resolutions and challenges facing our people. We also want to be involved in the decision-making, not reading about it in the newspaper.

Wishing you hope and inspiration this holiday season... and lots of time with family and friends!

Sincerely,

Julie Kitka, President | Alaska Federation of Natives



Then Candidate Sullivan at the AFN Convention.

UPCOMING

LEADERSHIP RETREAT (TENTATIVE)

SPRING 2015
KOTZEBUE, AK

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NATIVE VOTE

Election Results

One of the big events of this year's convention was the deliberate and thoughtful process through which AFN's membership decided to issue endorsements in this year's election and then went about the process of deciding which candidates and tickets to endorse.

AFN endorsed the Walker Mallott ticket in the gubernatorial race and Senator Mark Begich in the US Senatorial race. We are pleased that after an extremely tight race, the Walker Mallott ticket came out ahead and is now in office. Their victory is testament to the power of every vote and every voice.

Their inauguration took place on Monday, December 1, 2014 in Juneau.

In an equally tight race, incumbent Senator Mark Begich lost his seat in the senate to challenger Dan Sullivan. We extend our most heartfelt thanks to Senator Begich for his years of service and his consistent support for Native priorities. Senator Elect Sullivan will bring experience and energy into his new position and we look forward to working closely with him.

Stay tuned for further details about transition planning and AFN's approach to the shifting political climate following this year's election.

Read more about our new Governor and Senators' policy positions in the PDFs included with this report.

Transition Team

WALKER-MALLOTT ADMINISTRATION

ANA HOFFMAN, CO-CHAIR

Read more about the transition team's strong start: walkermallottforalaska.com/transition-team-closes-out-productive-weekend-conference/



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ADVOCATING FOR OUR PEOPLE

November Department of Interior Briefing

On November 18th, AFN President Julie Kitka, Victor Joseph, President of TCC, and Rick Agnew, AFN Counsel met with Sally Jewell, Secretary of Interior at the Department of Interior in Washington DC. Deputy Secretary Mike Conner, Tom Beaudreau, the Secretary's Chief of Staff and Hilary Thompkin, Solicitor, were in attendance. It was an excellent meeting. The Secretary was very gracious with her time and had all her top people present. We presented specific requests and solutions for immediate execution, all of which were informed by the resolutions and priorities passed at this year's Convention. Read on for a summary of our requests and proposals. A PDF of the full briefing packet accompanies this report as well.

REQUEST FOR THE SECRETARY TO APPOINT AN ALASKA NATIVE TO SERVE IN THE OFFICE OF THE SECRETARY OF INTERIOR IN WASHINGTON D.C.

Special expertise and knowledge of Alaska would aid the Secretary in addressing the many issues facing Alaska Natives and help align limited federal resources to Alaska Native needs and priorities. Similar positions were previously held by Kim Elton (under Secretary Ken Salazar), Drue Pearce (under Secretary Dirk Kempthorne and Secretary Gale Norton) and by Vernon Reed Wiggins (under previous Secretaries).



Secretary of Interior Sally Jewell.

SECRETARY JEWELL'S RESPONSE: DID NOT SEE A NEED TO FILL THIS POSITION.

INVITATION TO THE SECRETARY TO PARTICIPATE IN AN UPCOMING AFN ALASKA LEADERSHIP RETREAT IN RURAL ALASKA.

> Timeframe: End of January, 2015 or Presidential recess – February, 2015 or during the Congressional recess in March of 2015.

> Most likely location: Kotzebue, Alaska.

> Purpose is to build constructive relationships and discuss innovative ideas for:

- a) Dealing with the real and immediate challenges facing Alaska Natives on food security, adapting to the changing climate and building sustainable economies;
- b) Bringing a balance between the use of resources on public lands and environmental concerns;

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- c) Expanding compacting opportunities and capacity building of Alaska tribes and Native organizations; and
- d) Setting measurable goals to achieve in 2015 and 2016.

SECRETARY JEWELL'S RESPONSE: AGREED TO COME TO ALASKA THIS WINTER AND PARTICIPATE IN AFN'S RETREAT IN KOTZEBUE. THIS WILL BE DURING A CONGRESSIONAL RECESS TO ALLOW PARTICIPATION OF OUR CONGRESSIONAL DELEGATION AS WELL. SHE IS PARTICULARLY INTERESTED IN CLIMATE CHANGE AND UNDERSTANDING THE REAL IMPACTS ON THE GROUND WITH OUR VILLAGES AND REGIONS. SECRETARY JEWELL ALSO AGREED TO JOIN US AND TRAVEL TO SEVERAL OF OUR VILLAGES ON A SECOND DAY OF THE RETREAT.

REQUEST FOR THE SECRETARY TO BEGIN A MAJOR EDUCATIONAL EFFORT IN ALASKA ON LAND TO TRUST

- > Review updated flow chart on issues and timelines
- > Need for the Secretary to begin a major educational effort in Alaska on this issue and its potential ramifications; effort would foster better relationships and hopefully minimize potential litigation.

SECRETARY JEWELL'S RESPONSE: NO RESPONSE

REQUEST FOR THE SECRETARY TO URGE THE PRESIDENT TO ISSUE IMMEDIATELY A PRESIDENTIAL EXECUTIVE ORDER CREATING NATIVE AMERICAN ECONOMIC COUNCIL AS PART OF A TRIBUTE TO THE LATE SENATOR DANIEL INOUE AND HIS LEGACY.

Implementation of Senate Bill 3331 introduced in the 111th Congress by Senators Daniel Inouye, Lisa Murkowski and Mark Begich.

SECRETARY JEWELL'S RESPONSE: NEED MORE CRITICAL INFORMATION ON HOW THIS COULD ENCOURAGE INTER-REGIONAL ECONOMIC DEVELOPMENT AMONG NATIVE AMERICANS. NEEDS CONCRETE EXAMPLES WHY THIS WOULD BE WORTHWHILE.

REQUEST FOR THE SECRETARY TO SUPPORT A PRESIDENTIAL EXECUTIVE ORDER ON CO-MANAGEMENT OF FISH & GAME AND MAKE A COMMITMENT TO DO THIS NOW; AS AN ALTERNATIVE, ISSUE A SECRETARIAL ORDER ON CO-MANAGEMENT IN ALASKA AND BEGIN A MAJOR DEMONSTRATION PROJECT

AFN thanks Deputy Secretary Mike Connor for his announcement at the AFN Convention on co-management and looks for further details



Above: Congressman Don Young, then Senator Mark Begich addressing the Convention floor..

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on how and when this goes forward. AFN notes specific 2014 AFN Convention Resolutions, which support this. Co-management is part of a climate adaptation plan for Alaska Natives and strengthens the capacity of the Native communities.

SECRETARY JEWELL'S RESPONSE: 100% SUPPORTIVE OF SUBSISTENCE AND CO-MANAGEMENT. SEES THIS AS A PRIORITY AND AN AREA WE CAN CLOSELY WORK TOGETHER. WILL ENSURE HER SENIOR TEAM KEEPS IT AS A PRIORITY.

REQUEST FOR THE SECRETARY TO ACKNOWLEDGE US SENATOR LISA MURKOWSKI'S INTEREST IN A STATE CONSTITUTIONAL AMENDMENT TO BRING THE STATE OF ALASKA BACK INTO COMPLIANCE WITH ANILCA.



Above: Senator Lisa Murkowski with Convention delegates.

Urge the Secretary to begin conversations with the Alaska Congressional Delegation on solutions on subsistence, and indicate public interest from the Obama Administration working with the Native people.

SECRETARY JEWELL'S RESPONSE: UNSURE OF WHERE THIS IS COMING FROM. WOULD BE INTERESTED IN MORE INFORMATION.

CLIMATE RESILIENT INFRASTRUCTURE - REQUEST FOR THE SECRETARY TO SUPPORT AN ASSESSMENT BY THE OBAMA ADMINISTRATION OF RURAL INFRASTRUCTURE IN ALASKA, AND THE SUSCEPTIBILITY OF THAT INFRASTRUCTURE TO FAILURE DUE TO CLIMATE-RELATED IMPACTS.

Further request greater infrastructure development in rural areas with innovative public-private financing and support from the Obama Administration for pilot projects in Alaska using social investment bond concepts.

SECRETARY JEWELL'S RESPONSE: INTERESTED. NEEDS TO KNOW HOW SHE CAN HELP. NEEDS MORE CONCRETE INFORMATION.

ARCTIC COUNCIL - REQUEST THE SECRETARY TO CONSIDER THE UPCOMING US CHAIRMANSHIP OF THE ARCTIC COUNCIL AS A MAJOR NATIONAL OPPORTUNITY/ COULD IT CREATE THE OPPORTUNITY FOR THE US GOVERNMENT TO EMPOWER ALASKA NATIVES IN WAYS NOT DONE BEFORE? CAN IT FOSTER FLEXIBLE, GROUNDED INNOVATION, WHICH COULD IMPROVE LIFE OPPORTUNITIES FOR ALASKA NATIVES IN THEIR VILLAGES? CAN IT STRENGTHEN THE CAPACITY OF NATIVE PEOPLE AND FACILITATE GREATER OPPORTUNITIES FOR NATIVE YOUNG PEOPLE? CAN IT CREATE GREATER OPPORTUNITIES TO LEAP FROG TO NEW OPPORTUNITIES, BYPASSING OLD WAYS, WHICH NEVER TOOK HOLD ANYWAYS.

Six specific requests include:

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- a) Request the Secretary to urge the US State Department to recognize and fully support the newly formed Arctic Economic Council. AFN notes a specific 2014 AFN Convention resolution, which supports this.
- b) Request inclusion of an Alaska Native in the US leadership positions in the Arctic Council.
- c) Request full and meaningful consultation with Alaska Natives for research priorities in the creation of a comprehensive development plan that incorporates traditional knowledge in Arctic research and protects subsistence resources.
- d) Request increased efforts to strengthen capabilities of regional Alaska hubs to provide necessary support services including search and rescue; emergency health care, communications and oil spill response.
- e) Request increased collaboration between DOI and other agencies to complete charting & mapping of the Arctic's ocean waterways, coastal and interior lands for better and safer navigation and the identification of ecologically sensitive areas.
- f) Request the Secretary initiate Native hire and Native contracting opportunities for building needed infrastructure, using climate resilient standards.

SECRETARY JEWELL'S RESPONSE: THE ARCTIC COUNCIL WILL BE AN IMPORTANT VENUE FOR ALASKA AND ALASKA NATIVES. WILL WORK WITH US TO ENSURE INVOLVEMENT AT THE MOST IMPORTANT LEVELS. ALSO URGED THAT AFN FOLLOW WHAT THE WHITE HOUSE COUNCIL ON NATIVE AMERICANS (WHICH SHE CHAIRS). SHE SEES THAT AS AN IMPORTANT VENUE TO HIGH-LEVEL DECISION-MAKING AS IT AFFECTS NATIVE AMERICANS. IT IS VERY IMPORTANT TO HER.

VOTING RIGHTS LEGISLATION - REQUEST THE SECRETARY TO CONFER WITH ATTORNEY GENERAL ERIC HOLDER, AT THE DEPARTMENT OF JUSTICE, ABOUT FAST-TRACKING FEDERAL LEGISLATION AND RULE MAKING ON NATIVE VOTING RIGHTS ISSUES.

SECRETARY JEWELL'S RESPONSE: NO RESPONSE

Following the meeting with Secretary Jewell, we traveled to the US Department of Justice and met with Senior officials there on AFN's issues. Present at the meeting was Acting Associate Attorney General Stuart Delery, Asst Attorney General Sam Hirsch and Tracy Toulou, Director of the Office of Tribal Justice.

AFN covered seven main areas:

- 1) An overview of the current status of Alaska Natives; 2) With the gridlock in the Congress, what can be done using executive action, rule-making, agency management and/or convening and creating public-private partnerships to meet the challenges facing Alaska Natives? 3) Voting rights issues; 4) Public safety, violence and abuse; 5) Discrimination in public expenditures; 6) Subsistence and co-management; and 7) Setting measurable goals to achieve together in 2015 and 2016.

The new Acting Associate Attorney General (number 3 in the department) asked a lot of good questions and agreed to continue working closely with us on our priorities. It was a good briefing session. Further follow-up with the Department of Justice in 2015 will be extremely worthwhile.

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CONVENTION DEBRIEF

Leadership, Priorities and Your Input Requested

CO-CHAIRS

AFN's membership this year elected a new co-chair of the organization's board of directors. We are excited to welcome Jerry Issac, longtime Athabascan tribal leader and former President of the Tanana Chiefs Conference, who will now co-chair AFN with Ana Hoffman.

To ensure continuity in our leadership, AFN has moved to staggered terms for co-chairs beginning with this year's election, which means that beginning this year only one co-chair was elected to serve a two-year term.

RESOLUTIONS

A total of 52 resolutions were passed at this year's annual convention. The full text of all our passed resolutions is included with this report as a PDF. The AFN staff and board have already begun the process of following up on and implementing resolutions.

FEEDBACK

You'll find an evaluation form in the next report and available online at: www.nativefederation.org. Please share your feedback to help us make next year's Convention event better!



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CONVENTION DEBRIEF

2014 AFN Awards: Recognizing our heroes and champions, people we respect and honor.

DENALI AWARD

Alice Rogoff is publisher and owner of Alaska Dispatch. From 1985 to 1997, she was chief financial officer of U.S News and World Report. She served at The Washington Post Co. as assistant to publisher Donald Graham, and she was the creator of the Post's National Weekly Edition. Earlier in her career she served in President Jimmy Carter's administration as special assistant to director of the U.S. Office of Management and Budget. Alice is also the founder of Arctic Imperative, a lecture series dedicated to raising awareness of circumpolar north issues. And she is co-founder of a number of other organizations, including the Alaska Native Arts Foundation. One of her duties as Dispatch's publisher is piloting her Cessna 206 in search of great stories and photos around Alaska.



CITIZEN OF THE YEAR AWARD

Marie Kasannaaluk Greene is president and CEO of NANA Regional Corporation, Inc. Greene, a NANA shareholder from Deering, brings a wealth of cultural insight along with many years of senior level leadership experience. Greene works to cultivate the corporation's cultural and economic resources, collaborating with other regional organizations to improve the quality of life for NANA shareholders. Greene works closely with the NANA board of directors, senior team and NANA region communities. Greene serves on boards of several regional and statewide organizations including: OTZ Telephone Cooperative, the Advisory committee for Wells Fargo Bank and the Alaska Federation of Natives. She is co-chair of the Northwest Arctic Workforce Development and Higher Education Consortium and the Northwest Arctic Leadership Team (NWALT). Greene is an appointed member of the five-member Alaska Redistricting Board, responsible for reapportioning the state house and senate districts following the 2010 U.S. Census.



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CONVENTION DEBRIEF

Presidents Awards

Aaron Leggett - Culture Bearer Award

Rita Buck - Della Keats "Healing Hands" Award

Janet Johnson - Eileen Paniegeo MacLean Education Award

Wassillie and Lena Kapotak - Elder of the Year Award

Sarah Nelson - Health Award

Karmen Schaeffer Monigold - Katie John Hunter-Fisher Award

Trinity Standifer - Lu Young Youth Leadership Award

Ruthann and John Elia Senior - Parents of the Year Award

Alaska Senator Donny Olson - Public Service Award

Gerald Patsy - Roger Lang Youth Leadership Award

Eleanor King - Small Business Award

Darrell Hildebrand - Glenn Godfrey Law
Enforcement Award

Frank O. Williams - Dr. Walter Soboleff
"Warriors of Light" Award

Sarah Scanlan - Hannah Paul Solomon
"Woman of Courage" Award

Benno Harry Cleveland - Gin'Tith (Richard
Frank) Military Service Award



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SPECIAL THANKS TO OUR 2014 CONVENTION SPONSORS

DENALI

ExxonMobil GCI Visit Anchorage

KATMAI

Alaska Airlines	Arctic Slope Regional Corporations	NANA - Teck Alaska	Wells Fargo
Alaska Seafood Marketing Institute	Chugach Alaska Corporation	Shell Exploration & Production Company	
Alyeska Pipeline Service Company	Doyon, Limited	Tanana Chiefs Conference	

SUSITNA

Afognak Native Corporation	Bristol Bay Native Corporation	Easy Park	Pebble Limited Partnership
Ahtna, Inc.	CIRI	IBEW Local 1547	Sam's Club
Alaska Energy Authority	Coastal Villages Region Fund	Iilisagvik College	Ukpeagvik Inupiat Corporation
Alaska Native Tribal Health Consortium	ConocoPhillips Alaska, Inc.	KeyBank	
BP	Donlin Gold	Lynden	

TAKU

Alaska Communications	Bristol Bay Native Association	Hilcorp	Spenard Builder's Supply
Alaska Dispatch News	Chenega Corporation	Office of Hawaiian Affairs	U.S. Department of Energy
Bering Straits Native Corporation	First National Bank, Alaska	Southcentral Foundation	

KOBUK

Anchorage Museum	Explore Fairbanks	Mikunda, Cottrell, & Co.	Olgoonik Corporation
BDO USA, LLP	Hotel Captain Cook	Mt. Edgecumbe High School	The Eyak Corporation
Caelus Energy LLC	KPMG LLC		The Tatitlek Corporation

FRIENDS OF AFN

Alaska Cruise Association	American Foundation for Suicide Prevention, AK Chapter	Alaska Travel Industry Association	Kenai Peninsula College
Aleutian Pribilof Island Community Development Association		Costco - Northern Air Cargo	UAA - Continuing Education Department

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CELEBRATING SUBSISTENCE

Congratulations Sandra DeWilde!

AFN called on our community to help us celebrate the beauty of subsistence this year, with the Celebrate Subsistence Call for Photos. Hundreds of people shared amazing photos of themselves, their friends and their family members fishing, berry picking, hunting - you name it - with AFN. Many of these photos were projected large on the walls of the Dena'ina Center during the Convention, transforming the public spaces into a Native cultural celebration and affirmation.

SANDRA DEWILDE WON A ROUND-TRIP TICKET TO ANY US DESTINATION ON ALASKA AIRLINES WITH THIS TOUCHING PHOTO OF FATHER AND SON CUTTING FISH!

Photos and captions generated a flood of activity on AFN's social media accounts throughout September and October. What started as a simple competition, turned into an amazing celebration of our community's pride and dedication to subsistence.



AFN will continue sharing Celebrate Subsistence photos in materials and outreach during the coming year.

AFN 2014 VOTING GUIDE QUESTIONNAIRE BILL WALKER RESPONSES

In regards to the many issues facing the Alaska Native community, what will be your administration's first priority?

There are several issues that are so important that I will address them immediately upon entering office. I will accept Medicaid expansion funds. I will issue a Declaration of Disaster on the cost of energy in Alaska and take immediate steps to reduce the cost of energy in Alaska. I will also put in place a sustainable budget that will allow continued and predicable funding of services for the future.

Do you support ballot measure 2, An Act to Tax and Regulate the Production, Sale, and Use of Marijuana? Yes or No.

No

Do you support ballot measure 3, An Act to Increase Alaska's Minimum Wage? Yes or No.

Yes

Do you support ballot measure 4, An Act Providing for Protection of Bristol Bay Wild Salmon and Waters Within or Flowing Into the Existing 1972 Bristol Bay Fisheries Reserve? Yes or No.

Yes. Based on the information available today, I do not support the Pebble Mine Project. I support ballot measure 4 as it applies to the Pebble Mine.

What is your plan for dealing with Alaska's budget deficit? Where will you make cuts? Where will you increase?

I will offer a fiscal plan that includes spending reduction that puts in place a sustainable budget in relation to the revenue the state generates. Initially, cuts will focus on the capital budget, which has grown immensely in recent years. I make no specific promises to increase funding at this point, but two areas I'm determined to improve are the quality and consistency of public education and adequate public safety throughout Alaska.

Tribal/state relations

Since statehood the complex relationship between the state government and Alaska Natives has ranged from generally positive to generally adversarial.

What are your specific plans for policy and legislation that will improve relations between your administration and the statewide Alaska Native community?

I am will explore options for partnerships and cooperative agreements that would strengthen the state and tribal relationship, especially in areas identified through existing AFN and tribal and other tribal non-profit organizations (subsistence, cheaper energy, improved education including vocational training, aggressive actions to reduce and prevent sexual assault, village safety, infrastructure needs, and many other areas). It is advantageous for tribes to have federal and tribal dollars to match State funds. Matching revenue sources increases our capabilities.

Economic Development

The development of sustainable tribal economies that adequately balance Alaska's rural subsistence economy is key to improving the quality of life for Alaska Native peoples.

How will you encourage economic development in Dillingham and help to secure the basic infrastructure needed to develop, attract, and sustain profitable business ventures here?

One idea that I've been developing is modeled after the X-prize where the state and private investors would work to incentivized competition, that would be open to all Alaskans that pushes the limits of creativity to solve some of Alaska's most daunting challenges, such as home heating, warm low cost housing, improved infrastructure, etc. This A-prize (A for Alaska) would invite teams to compete for cash prizes on specific proposed project ideas and would result in the state working with these entrepreneurs on marketing their product. Additionally, I am committed in reducing the cost of energy in Alaska including Dillingham, not only to make rural Alaska affordable but to allow for value added opportunities throughout the State.

How are you specifically going to change the tax and investment climate in villages like Dillingham to expand private sector opportunities?

I think the cost of energy is probable the biggest driver to encourage investment in Dillingham.

What does a successful economy in places like Dillingham look like to you?

A successful economy in Alaska starts with affordable energy. This would stimulate growth in unimaginable ways. It's followed by an education system that meets Alaskan's specific long-term growth needs, and finally will require leadership to develop infrastructure needs that spur entrepreneurship across Alaska.

What is your plan to ensure resource development in rural Alaska equitably benefits rural Alaskans?

I intend to maximize efforts at truly local hire and local work force training for projects in rural Alaska. I will continue to promote quality educational opportunities in rural Alaska. My administration will support expansion of connectivity as a key to education, medical care, and business development. Finally, I will fight for reduce costs of energy for business and local residents alike.

What is your plan to increase affordable broadband/internet connectivity to advance economic development in rural Alaska villages like Dillingham?

I support continued funding for universal service and rural utility service programs. We also have to be innovative and forward thinkers when it comes to rural Alaska and connectivity; technology moves fast and by the time it reaches rural Alaska runs the risk of being obsolete. Fiber optic and other terrestrial communications – such as microwave – can be very expensive to put in. However the cost of it after installation should be affordable given installation is often built on federal subsidies. Thus in addition to working to expand subsidies to build terrestrial communications throughout rural Alaska, the State should seek to have grants and other incentives tied to competition in the last mile. Ensuring multiple providers have access to reasonable backhaul rates is an important piece to allow effective competition and lower rates. Multiple providers at the local level is critical to encouraging competition in services and rates.

Energy

Rural Alaska's villages are among the most economically depressed communities in the nation. The financial situations in our rural villages are worsening with the highest per capita fuel costs in the U.S. For example, the fuel demands of 176 of the largest communities in rural Alaska with a combined population of 74,500 residents will spend over \$5 billion over the next 20 years for diesel fuel alone. Many of our rural communities are not connected to any regional power grids to offer economies of scale for electrical loads and are dependent on fossil fuels for heating of residential homes and commercial properties, transportation, and electricity generation. In winter months, these costs are exacerbated by the cold, harsh weather. Residents spend almost half their monthly income on energy/heating costs.

What measures you will take to lower the cost of energy in rural Alaska and thereby reduce the cost of living in our villages?

First, upon entering office, I will make a declaration of disaster so the state can focus its efforts on bringing the cost of energy down. I will evaluate all possible options including reducing taxes, compressing natural gas for distribution on Alaska's river system, researching the potential for small gas development in larger rural communities like Bethel, Nome and Kotzebue. Alternative energy sources must also play a prominent role in our energy future. In the longer term, an in-state gasoline will allow distribution of cheaper liquid energy by truck, rail, barge and other methods throughout Alaska. I will also ensuring in-state refineries can purchase State royalty at market price, rather than at a premium, which should help reduce the cost of fuel oil.

What would the first measure you would take?

Reducing the cost of energy would be my first priority as well as accepting the expanded Medicaid.

With diesel fuel at \$10 per gallon and electricity costing \$1 per kilowatt hour, what are you going to do to reduce energy costs?

We must look for local energy solutions across the state. In addition to the items listed above, the State of Alaska can be an effective facilitator of alternative energy solutions, potential spur gas lines, and taking a strong leadership role in removing unnecessary regulations and red tape from potential federal and state agencies.

The Denali Commission is a federal, state and tribal partnership created by Congress to address the needs of Alaska's distressed communities. The Commission works to enhance the economies of our communities by building and maintaining infrastructure projects in Alaska. The Commission also works with the Alaska Energy Authority (AEA) on energy projects and grants in rural Alaska.

Are you committed to ensuring the reauthorization and funding of the Denali Commission?

Yes.

The State of Alaska's support for energy conservation and efficiency gained a lot of new interest in 2008 when energy prices were spiking. *If elected, what will you do to facilitate support of energy conservation, retrofitting and weatherization?*

A one-size fits all approach to energy conservation does not work. I will direct my administration to work with BIA and Tribes to find the best solutions that fit local climates and are affordable. I support

funding for affordable energy projects such as AHFC's weatherization program and the energy rebate program. I believe that all public facilities should be subject to energy audits in order to maximize energy efficiency.

Voting Rights and Elections

Native peoples were among the very last to achieve universal suffrage and continue to experience unequal treatment under the law and discriminatory policies that prevent full access to the ballot box. The challenges facing Alaska Native and rural Alaskan voters are many, from inadequate availability of polling sites for both Election Day and early voting, to inadequate training of rural election office workers, to inadequate language assistance.

Has the State Division of Elections (DOE) done an adequate job protecting all Alaskans' right to vote and ensuring everyone has fair access? If not, how would your administration improve the DOE?

We need to expand access to the ballot for all eligible Alaskan voters by assuring equal access to voting and providing greater opportunities for voter registration. That's why I favor exploring options for mail-in ballot elections in Alaska and increasing access to online voting and absentee ballots (e.g., expanding the number of locations for in-person absentee voting) for all of our residents, while making sure that the sanctity of the ballot is preserved.

Would you support a bipartisan commission for the modernization of the DOE?

My preference is a nonpartisan commission that would put party politics aside and tackles the tough problems that continue to plague our state.

What measures will you take to improve the Language Assistance Program and early voting in the villages?

I believe that we have a duty to provide full language services to Alaska Native speakers, including trained bi-lingual speakers and all voting-related materials in the appropriate language. My administration will expand the number of in-person early voting sites in rural Alaska and make sure that workers are both sufficiently trained and adequately compensated.

*In *Toyukuk v. Treadwell*, the voting rights lawsuit in federal district court, Judge Sharon Gleason recently ruled that the state DOE failed in its duty to assist Native speakers with limited skills in English. Explain why you agree or disagree with Judge Gleason's ruling.*

Please see above answer.

The U.S. Department of Justice (DOJ) is currently consulting with American Indian and Alaska Native tribes about whether to propose legislation that will require tribal input on polling site locations, among other considerations.

Will your administration support this legislation, if enacted, and work with the DOJ in its implementation?

I support limited government overreach. With that in mind, I support working with local and tribal governments to resolve issues of a localized nature. The location of polling site should be resolved locally. I support the self-determination of communities to make these decisions.

Fisheries

Would you support the establishment of the Inter-Tribal Fish Commission for the Kuskokwim and Yukon Rivers? Why or why not?

I am interested in exploring co-management options with federal and tribal entities. As to the specifics of your proposal, I would need to evaluate the specific details to give a precise answer. But, I can say that I will develop a much closer relationship with tribes, tribal non-profits, and corporations to ensure that the state is living up to the promises made during the ANCSA & ANILCA to make sure that we have abundant fish and game resources to meet your subsistence needs. To that end, it is my intent to develop cooperative agreements and partnerships with tribes and corporations that are interested in improving fish and game management on Alaska Native lands.

During the 2013 Legislative session, and again in 2014, Alaska House Bill 77 was considered by our Alaska state legislature. HB 77 takes away the rights of the public, tribes and other entities to apply to reserve water within streams in AFN Gubernatorial Questionnaire order to maintain sufficient flow. Sufficient flow is necessary for various public interests including transportation, fish and wildlife protections, and water quality.

Do you support this legislation and will you support similar legislation in the future?

I am very concerned about governor Parnell's HB77 and its limitation on local input regarding water rights.

Subsistence

Protection of Native hunting, fishing and gathering rights is a part of federal law throughout the United States. Nowhere is it more critical than in Alaska. What we call subsistence is not a relic from the past. It continues to be the foundation of Alaska Native society and culture. A vast majority of Alaska's 120,000 Native people (nearly 20% of the population of Alaska) still participate in hunting, fishing and gathering for food during the year. Subsistence resources remain central to the nutrition, economies and traditions of Alaska's Native villages. The ability of Alaska Natives to continue to pursue their subsistence activities is closely linked to their food security.

Do you believe subsistence fishing and hunting should be an allocation priority?

I will follow the law when it comes to subsistence priorities.

If so, what steps will you take to ensure that those who depend on subsistence will have priority access to resources during times of shortage?

The state of Alaska is squarely at fault for managing a diminishing resource which has led to all user groups fighting over a smaller pie. The state must overhaul the Alaska Department of Fish and Game and seek ways to grow more fish and game to abundant levels so that user groups are not squared off against one another. I clearly see the needs of those living in parts of Alaska where there is a greater need and dependence on fish and game just to survive. Moose are at a 50 year low statewide, but those managing our big game in Alaska are fisheries experts. I am committed to science based management of all of our fish and game resources by those knowledgeable in the applicable resource.

Do you believe the present dual (federal-state) management system for subsistence hunting and fishing should remain or do you think it should be changed? Why or why not? What solution(s) would you pursue in office?

I believe the dual management system has created a tremendous divide among residents of our state, and therefore I do not believe it is the best path forward. My preference would be a single management system. This is a very complicated issue with many stakeholders and numerous lawsuits on each side as a legacy. I would initiate a process that invites all stakeholders to the table to discuss all possible options for resolving this longstanding and difficult issue.

Would you support a federal/tribal/state co-management system on tribal lands?

This is a promising option that must be discussed as we find solutions that work for Alaskans. I think that this certainly a step forward and is already occurring in some areas.

Why or why not?

After some 20 years of litigation, the Katie John subsistence rights case was concluded when the U.S. Supreme Court rejected the state's appeal. In your opinion, why or why not was this the correct ruling? I am still examining details of this ruling. I certainly do not like the "us vs them" position it has placed between Alaska and Alaska Natives. As I continue to learn more about the ruling and the legal positions of each side I will be able to provide a more qualified response. However, perhaps the overriding significance of the decision is the importance of setting aside a strategy of litigation and working to find a common solution.

Do you support a rural subsistence priority on all Alaskan lands and waters? Do you support a Native preference for subsistence?

The reason for a subsistence priority in Alaska was to ensure that Alaska Native subsistence needs would be protected as part of the land claims settlement.

Would you support a constitutional amendment that would enable a rural preference for fishing and hunting resources and a return to state management of all Alaska lands?

See above answer.

Public Safety and Justice

Protecting women, children, and vulnerable citizens from violence and abuse is a key ingredient in ensuring rural Alaskans are safe in their home communities. Following release of the Indian Law & Order Commission's "Roadmap for Making Native America Safer," new opportunities are available for community members, leaders, and lawmakers to work together to increase public safety in Alaska. An entire chapter of the Report is dedicated to reforming justice in Alaska, which receives special attention due to its vastness, Nativeness, and continued exemption from national policy changes.

What is your proposed course of action to address these findings?

First and foremost we all must take personal responsibility of zero tolerance and not allow anyone under the influence to enter and remain in our homes when children, women and Elders are home to ensure the safety of all. We will look to local community members and leadership that will help find solutions and provide the necessary tool to for the solutions to be successful.

Shelter and crisis programs are the cornerstone of the fight against the violence. However, many of our rural communities are unable to sustain a full shelter program and rape crisis center. We need to include this problem in our strategies. Communities will know what is needed, whether it is strengthening support for safe homes, enhancing supporting ties with the regional programs or other solutions unique to their area. A high priority should be given to improving communication between federal domestic violence and sexual assault funders, tribes and the state so precious funds/resources can be considered/ pooled in a comprehensive plan to end the violence against all Alaskans.

Is the state doing an adequate job protecting rural families and in particular Native women and children? Explain why or why not.

Alaska leads the nation in domestic violence and sexual assault. Neither the state, nor federal government are doing a good enough job protecting our women and children throughout the state. This is an area that demands much greater attention and we must work together to find solutions that work.

In the coming four years, how will your administration be part of supporting and empowering the Tribes to effectively provide law enforcement protection for their Tribal members?

I believe that law enforcement in small communities is best handled at the local level, especially for young people and with minor offenses. It would be preferable for these offenses to be handled at the village level when possible thereby keeping offenders accountable to the community and out of the state penal system when possible.

Self-governance

Tribal nations are America's first governments and our role in the American family of governments is written into the Constitution, codified in treaties, executive orders, acts of Congress, and court decisions. Like state governments and foreign governments, Indian tribes have the inherent power to govern their people and their lands.

How do you plan to use your role to improve government-to-government relationships between my tribe and the state government?

Generally I support empowering local communities to govern and police themselves, be that in the form of municipal governments or tribes. However, in order to fully understand the issues, we first need to have a discussion about the issues and the needs. That is how I will begin and will move forward with specifics after that dialogue. In starting that process my administration will review the work of several commissions that have examined state-tribal relations, including the Alaska Natives Report and the Alaska Commission on Rural Governance and Empowerment. I believe that the 2001 Millennium Agreement, calling for regular consultations, is a model to be emulated.

Should tribal court's powers be expanded, kept the same, or reduced? Please explain.

I understand that local control is important and the role of tribal courts in rural Alaska is a critical component of that. As Governor I want to explore ways to bring the State of Alaska legal system and the tribal court system closer together and find more areas of common ground and understanding. I do believe there are ways the State of Alaska and Alaska Natives can benefit from a more viable and

respected tribal court system. Expanding tribal court powers, in line with Alaska law, is not only consistent with my firm held belief that local government is best, it is economically smart.

Health and Wellness

Alaska Natives face many barriers to adequate health care and wellness. There are many terrible statistics that demand attention by our communities and our leaders in all governments.

Alaska leads the nation in deaths by suicide; these numbers demonstrate that Alaska Natives are particularly vulnerable.

What will you do as governor to improve suicide prevention in my village?

Suicide is an unfortunate final decision to a temporary problem that affects families for the rest of their lives. It is not often that we know and hear about the number of attempts that take place but only when it is a completed suicide. The completed number of suicides are just a fraction of the attempts unfortunately. Knowing and understanding those numbers may bring to light the seriousness of the problems, and provide guidance on how to address the totality of the problem.

We must also expand economic opportunities. Productive communities with good opportunity for local employment and small business growth foster success and wellbeing.

How will you address the high rates of obesity and diabetes?

Obesity and diabetes are health care problems that can only be resolved when individuals take better care of themselves. State, local and tribal governments should enhance education programs to empower those susceptible to these conditions. These can usually be resolved with good diets, exercise, and wise health choices.

The Affordable Care Act (ACA) included permanent reauthorization of the Indian Health Care Improvement Act, which brought the entire IHS system, including tribal and urban program and clinics, into the new system of health care delivery. Successful and seamless implementation of the ACA will increase health care access for American Indians and Alaska Natives, support the IHS system of care, broaden services provided in rural communities, and strengthen an integral network of providers.

Do you support the Affordable Care Act?

The ACA is presently the law of the land and I will follow the law in all areas including the ACA.

Will you expand Medicaid coverage in Alaska?

I will expand Medicaid so long as the federal government covers the cost. If and when the federal government substantially reduces its share I will need to re-evaluate it at that time based on what is in the best interests of or State, local communities, and individual Alaskans.

Education

Alaska's public education system is failing Alaska Native children. Alaska Natives constitute 19.5% of the state's population, and 23% of its school population. Alaska Natives students are dropping out of school at a rate of 7.8%, which is twice the rate of other students. Native youth are graduating from high school at a rate of only 47%. In the past several years, regions with Native enrollments greater than 80% often had the lowest proportion of schools meeting the Adequate Yearly Progress (AYP) benchmarks under the No Child Left Behind Act (NCLB), and the percentage of Native students passing the reading, writing and math benchmark exams is below all other students statewide.

These statistics compel us to seek a new approach to education for Alaska Natives. Part of the reason for poor academic achievement among Native students is the lack of culture-based programs and an under representation of Alaska Native teachers.

What policy changes will your administration pursue to improve education for the students of villages like Kake?

We must keep control of our children's learning as local as possible and seek ways to strengthen support for both parents and teachers. We need to use problem solving methods that target root causes to identified problems within our learning environments and stop chasing symptoms from Juneau. Promoting stronger families and more parental involvement, especially from fathers which evidence shows can significantly impact the success or failure of your child in school. Designing an education system that can prepare our children for the lives they want to live and enjoy and that includes skills and knowledge to be successful in their home communities. Not all students choose college as their next step in life beyond high school, but the system is structured to do just that. We need to incorporate more trade and technical opportunities into the entire curriculum statewide.

What measures will you take to reduce the drop-out rates of Alaska Native students in cities like Anchorage, the largest Native "village" in the state?

Addressing high dropout rates of Alaska Native students in urban Alaska is challenging. There are multiple steps that can be taken. Among them: 1) increased cultural awareness training for all educators having contact with students; 2) peer and counseling support strategies; 3) connecting vocational education with opportunities for employment; 4) creation of a climate that welcomes increased parental involvement; 5) active recruitment and retention efforts for Alaska Native teachers as role-models; and 6) support for academic student advocacy programs

My appointments to the state board of education will reflect my concern for these steps. We must maintain high standards and expectations for our children driven by local educators familiar with the practical reality of our communities.

What is your view of the current formula and method for funding Alaska's schools?

Providing education in Alaska is a constitutional requirement. Therefore we must fulfill the constitutional obligation to fund education. As budgets tighten and state revenue experiences sharp declines we will be forced to make sacrifices everywhere. Education must continue to be a top priority and we should do what we can to ensure that we fund education the best that we can afford. I support

inflation proofing future funding formulas to ensure that we don't fall behind, thus causing unnecessary hardships.

What solutions would you pursue to ensure that school funding is fair and equitable?

Current cost of living evaluations must be done in as many areas of Alaska as possible to ensure that an equitable per student calculation is being made. We must seek out solutions to the high cost of energy (utilities) that consumes so much of the resources of many rural schools must. If we can find ways to produce local energy through resource development or alternative sources it could be a benefit to the community as well as a reduced cost burden on the State of Alaska budget.

Do you support a school voucher system? Why or why not?

I don't support vouchers. We are struggling to fully fund the schools we have, so I do not support putting private schools in competition for those resources.

How do you propose to make higher education affordable for more Alaskans?

The university system needs to start leveraging the land that it owns to fund some of its annual expenses. Wasteful bonuses for education public servants must be eliminated especially during times of massive budget shortfalls. The construction of palaces that seem to far exceed functional needs must be reined in during times of fiscal difficulty. Out of state students and those from overseas may have to pay higher tuition costs. We should support Alaska scholarship and student loan programs that encourage accessibility to higher education. And we must look to our student leaders and community leaders to identify ways to reduce the cost of education. Not all answers originate from government.

The Changing Arctic

The United States is an Arctic nation, one of eight in the world. The Alaskan Arctic can be described as an "emerging economy" similar to other countries around the world. Though climate change presents great challenges and the continuing need to adapt, it also presents opportunities to responsibly develop natural resources and infrastructure that can benefit Arctic residents. It is a priority of AFN to advocate for a stable Arctic region, where economic and energy resources are developed in a sustainable manner that benefits Arctic residents while respecting the fragile environment and cultures of indigenous peoples.

What is your plan to mitigate the disastrous effects of climate change, including erosion and annual flooding that has resulted in both the Governor and President Obama declaring certain regions of Alaska a disaster?

We begin by acknowledging that climate change is happening and work in concert with local communities and individuals, and other governmental, private sector and non-profit institutions to evaluate the impacts of climate change and develop appropriate mitigation and adaptation strategies.

What role do you see the State playing as the U.S. assumes the chairmanship of the Arctic Council in 2015, and how will you ensure that those people who live in the arctic are represented in policy-making decisions that affect them?

Alaska is the only reason that the United States is an Arctic country. Alaskans must be involved in every decision that is made impacting the Arctic. Additionally, we must be involved in developing and implementing Arctic policy.

Alaska is ground zero of climate change. The residents of arctic Alaska are a valuable resource for understanding the impact of that change, and their traditional knowledge, life experience and voices will be included in all arctic and climate change policy development in my administration.

The Alaska Arctic Policy Commission is wrapping up its work and will be issuing its report. What is next?

The report will be presented to the 2015 legislature where I expect debate will take place on its proposed policies and action plan.

What economic development opportunities do you see for Alaska with the opening of the Northwest Passage and do you intend to ensure that those affected by increased shipping will benefit economically?

There are three passages that will impact Alaska, the Northern – near Russia, the Northwest – near Canada, and the polar – across the North Pole, and each of these routes result in increased shipping or general transportation through Alaska's waters. We must advocate for sufficient federal support to ensure that our waterways, wildlife, fisheries, and marine mammals are protected, and that we are involved in the economic opportunities that become available. These opportunities include developing Arctic bases to defend U.S. sovereignty, access to shipping and the commercial opportunities they bring, and general Arctic infrastructure development to enhance shipping, resource development, and access to our resources.

Along the lines of increased shipping, even a minor oil spill in the arctic could mean disastrous effects to the ecosystem. How can the State safeguard the natural resources through these international waters?

The state can safeguard our coastal borders with federal actions that include large icebreakers, enhanced Coast Guard support, and one or more Arctic ports that would enable a fast oil spill disaster response.

After the Exxon Valdez spill, Alaska enacted the best oil spill laws in the country. Most are still in place. But we face new challenges with increasing offshore and Arctic activity. We can meet the challenge by requiring swifter spill response times and more spill equipment in place, designed for offshore and the Arctic. We can require regular equipment updates to insure that the best available spill technology is always available. Protecting Alaskan communities and resources must come first. The state can better safeguard our coastal borders with federal support that includes large icebreakers, enhanced Coast Guard support, and possibly one or more Arctic ports that would enable a fast oil spill disaster response.

AFN 2014 VOTING GUIDE QUESTIONNAIRE DAN SULLIVAN RESPONSES

In regards to the many issues facing the Alaska Native community, what will be your administration's first priority?

With respect to the Alaska Native community there are several areas where I will focus. First, the high cost of energy in rural Alaska must be addressed. Far too many rural residents are paying some of the highest prices for gasoline and home heating fuel. I want to work with the Departments of Energy and Agriculture to develop partnerships that spark innovation and investment in rural Alaska to reduce energy costs. Second, the limited housing options in our villages are causing younger Alaskans to move. It is important for the fabric of our communities that we have affordable housing options in our villages. Third, public safety impacts the health of our communities and the ability of our children to do well in school. We need affordable energy, additional housing and strong public safety for healthy communities.

Economic Development

The development of sustainable tribal economies that adequately balance Alaska's rural subsistence economy is key to improving the quality of life for Alaska Native peoples.

How will you encourage economic development in Dillingham and help to secure the basic infrastructure needed to develop, attract, and sustain profitable business ventures here?

My whole career has been about getting results and building new economic opportunities for the people I serve. For instance, I led efforts to establish a historic deepening of the relationship of cooperation between the State of Alaska and the North Slope Borough. This led to increased infrastructure development and job opportunities in the region. I plan to take the same drive to get big things done for Alaska to the U.S. Senate. I believe in developing public-private partnerships where the government can serve as a resource for assessing the needs of our communities and the bridge to the private sector. It is time to create new models that achieve results for the Alaska Native community. For example, we need to reform the Denali Commission to help coordinate public-private investments. It is clear that past practices are not working, and the time for reform is now.

How are you specifically going to change the tax and investment climate in villages like Dillingham to expand private sector opportunities?

Changing the tax structure in rural Alaska, including places like Dillingham, lies at the state level. However, I will aggressively pursue federal policies that can improve the economic climate in rural Alaska, such as creating federal tax incentives for infrastructure investment to make rural Alaska more attractive. Further, working with organizations like the U.S. Chamber of Commerce's Native American Enterprise Initiative to pursue responsible federal tax policy is yet another way to leverage the public-private partnerships discussed in the previous answer. Finally, we need to reduce federal red tape that stifles and delays infrastructure projects throughout rural Alaska, like the King Cove road.

What does a successful economy in places like Dillingham look like to you?

A successful economy in rural Alaska is one that offers affordable energy, available affordable housing, strong public safety, a thriving education system, employment opportunities and fiscal policies that attract investment. In a cash economy, these are important components that help rural Alaskans continue to practice their traditional subsistence activities. We need to pursue federal policies that incorporate all of these elements, instead of the misguided job-killing policies of the last six years.

What is your plan to ensure resource development in rural Alaska equitably benefits rural Alaskans?

Senator Stevens was an aggressive advocate for revenue sharing for development projects in Alaska, and I will pursue those types of benefits with the same tenacity. Further thinking outside the box, I would work to pursue some type of infrastructure bank from the federal share of resource development projects in Alaska to benefit our communities and build the necessary infrastructure to sustain our communities.

What is your plan to increase affordable broadband/internet connectivity to advance economic development in rural Alaska villages like Dillingham?

Connectivity in rural Alaska is critical to sustainable economic development. The information highway is virtual and an efficient way for our residents to do business. Having access to broadband/internet connectivity is the link needed to open up markets for Alaskans. We need to bring dollars home by having the Department of Treasury work with Alaskan BIDCOs to deploy the necessary capital through new market tax credits to build this infrastructure. These dollars have stopped flowing to Alaska, and it is unfortunate that Mark Begich has not used his position on the Commerce Committee to ensure their return.

Do you support revenue-sharing for off-shore oil, specifically ensuring rural communities closest to the sites also enjoy that revenue-sharing, and that such revenue goes directly to these communities rather than as a state pass-through?

I believe that has the potential to be a fair arrangement, particularly for regions most impacted by resource development. I would also look at other models of how such local, community, State, and Federal revenue sharing has worked.

Considering the exceptional economic benefit the 8(a) program has provided for Alaska Native Corporations and their shareholders and the subsequent attacks on ANCs participating in the program, in the form of Section 811 of the NDAA FY10, that in effect discriminate against tribes and ANCs participating in the program by holding them to a higher standard for direct award contracts than any other potential recipients of direct award contracts at a fixed amount, what will you do to eliminate the negative impact caused by this legislation?

I will build a coalition in the Senate that vigorously defends the rights of Alaska Native Corporations, Tribal Enterprises and Native Hawaiian Organizations to participate in the 8(a) program. The attacks on this program by Democrat Senators Claire McCaskill and Ed Markey must be stopped. I am open to discussing how to champion the program to expand contracting opportunities for ANCs, TEs, and NHOs. Section 811 of the NDAA must be repealed, and through my leadership we can accomplish this together. Mark Begich's party continues to attack Native contracting, yet he has not effectively leveraged his high-ranking position in party leadership to repeal this damaging legislation. As a Lieutenant Colonel in the U.S. Marines Corps Reserve, I understand the importance of having capable contractors providing service to the Department of Defense; I value that and will not stop fighting to protect and expand the program.

Energy

Rural Alaska's villages are among the most economically depressed communities in the nation. The financial situations in our rural villages are worsening with the highest per capita fuel costs in the U.S. For example, the fuel demands of 176 of the largest communities in rural Alaska with a combined population of 74,500 residents will spend over \$5 billion over the next 20 years for diesel fuel alone. Many of our rural communities are not connected to any regional power grids to offer economies of scale for electrical loads and are dependent on fossil fuels for heating of residential homes and commercial properties, transportation, and electricity generation. In winter months, these costs are exacerbated by the cold, harsh weather. Residents spend almost half their monthly income on energy/heating costs.

What measures you will take to lower the cost of energy in rural Alaska and thereby reduce the cost of living in our villages. What would the first measure you would take?

The high cost of energy in rural Alaska must be addressed. Far too many rural residents are paying some of the highest prices for gasoline and home heating fuel. I want to work with the Departments of Energy and Agriculture to develop partnerships that spark innovation and investment in rural Alaska to reduce energy costs.

With diesel fuel at \$10 per gallon and electricity costing \$1 per kilowatt-hour, what are you going to do to reduce energy costs?

The high cost of energy in rural Alaska must be addressed. Far too many rural residents are paying some of the highest prices for gasoline and home heating fuel. I want to work with the Departments of Energy and Agriculture to develop partnerships that spark innovation and investment in rural Alaska to reduce energy costs. It is important to also consider public-private partnerships with the State and Federal governments to advance renewable energy that exists in many rural communities, such as harnessing the power of the Yukon near Rampart.

The Denali Commission is a federal, state and tribal partnership created by Congress to address the needs of Alaska's distressed communities. The Commission works to enhance the economies of our communities by building and maintaining infrastructure projects in Alaska. The Commission also works with the Alaska Energy Authority (AEA) on energy projects and grants in rural Alaska.

Are you committed to ensuring the reauthorization and funding of the Denali Commission?

Yes, I will work to reauthorize and reform the role of the Denali Commission. Through the vision and leadership of Senator Stevens, the Denali Commission worked to improve infrastructure in rural Alaska. Under Mark Begich's leadership the program is not being protected and is the target of Congressional attacks.

Voting Rights

Native peoples were among the very last to achieve universal suffrage and continue to experience unequal treatment under the law and overtly discriminatory policies that prevent full access to the ballot box. It is only through working together that all underrepresented people will have the same rights others take for granted. Together with National Congress of American Indians and Native American Rights Fund, AFN supports the introduction of legislative language to replace the voting rights protections stripped from the Voting Rights Act by the Supreme Court.

The U.S. Department of Justice (DOJ) is currently consulting with American Indian and Alaska Native tribes about whether to propose legislation that will require tribal input on polling site locations, among other considerations. Will you support this legislation, if enacted, and work with the DOJ in its implementation?

I look forward to reviewing the results of the consultation.

Would you support a bipartisan commission for the modernization of the State of Alaska Division of Elections?

Yes.

Last year, the U.S. Supreme Court in *Shelby County v. Holder* ruled that the coverage formula in Section 4(b) of the Voting Rights Act (VRA), which was used to determine the states subject to preclearance by the DOJ, was unconstitutional. Alaska is one of six states no longer included in these preclearance protections.

Will you advocate for passage of Voting Rights Act amendments that specifically protect Alaska Native and other minority voters?

I believe no American should be disenfranchised from voting. Voting is a right that many Alaska Native men and women have fought to, and died for, protecting. In 2010 the Democratic Party originally sued to keep Division of Election poll workers from providing a list of write-in candidates to voters if they requested assistance. As your Attorney General, I took this case all the way to the Alaska Supreme Court to defend a voter's right to receive assistance. AFN joined the State of Alaska, and in that election- Alaska Native voters prevailed at the polls. If elected, I look forward to examining the amendments and legislation.

*In *Toyukuk v. Treadwell*, the voting rights lawsuit in federal district court, Judge Sharon Gleason recently ruled that the state DOE failed in its duty to assist Native speakers with limited skills in English. Explain why you agree or disagree with Judge Gleason's ruling.*

Yes, I agree that it is the State of Alaska's responsibility to ensure that election materials must be translated into Alaska Native languages, and that Alaska Native voters should be assisted at the polls in their own languages. As your Attorney General, I settled the *Nick, et al. v. Bethel, et al.* litigation, because I wanted to ensure that Alaska Native voters had the broadest opportunity to participate in elections. I agreed with Judge Gleason's ruling because voting is a fundamental right. Whether you speak Yupik, Athabascan, Haida or Iñupiaq, voting information must be adequately translated.

Fisheries

AFN's North Pacific Fisheries Management Council priorities include:

- North Pacific Fisheries Management Council further reduces the By Catch of Chinook to 15,000 and if possible a lower number.
- Add a voting member to the NPFMC under 16 USC § 1852 (b). This member will be nominated directly by Alaska's tribes and appointed by the Secretary of Commerce.

Do you support NPFMC reduction of the Chinook By-Catch? Yes or No

The Council is actively working to reduce by-catch. I will defer to the Council process.

Do you support adding a tribally nominated voting member to the NPFMC? Yes or No.

The current appointment process provides opportunity for diverse representation of fishery users and Alaska fishing community interests on the Council. Alaska's majority on the Council (6 of the 11 Council members must be from Alaska) is critical to advancing issues such as by-catch management and minimizing impacts of federal marine fisheries on state waters and inland fishery users. I support additional Alaskan seats, but would be concerned about opening up the North Pacific Fishery Management Council composition if it puts the Alaska majority at risk, by other states such as Washington, from attacking it.

Would you support the establishment of the Inter-Tribal Fish Commission for the Kuskokwim and Yukon Rivers? Why or why not?

No, not all the villages on each of the river systems support the establishment of a Commission. I encourage communication and collaboration towards meeting many of the proposal objectives.

Subsistence

Protection of Native hunting, fishing and gathering rights is a part of federal law throughout the United States. Nowhere is it more critical than in Alaska. What we call subsistence is not a relic from the past. It continues to be the foundation of Alaska Native society and culture. A vast majority of Alaska's 120,000 Native people (nearly 20% of the population of Alaska) still participate in hunting, fishing and gathering for food during the year. Subsistence resources remain central to the nutrition, economies and traditions of Alaska's Native villages. The ability of Alaska Natives to continue to pursue their subsistence activities is closely linked to their food security.

Do you believe subsistence fishing and hunting should be an allocation priority? If so, what steps will you take to ensure that those who depend on subsistence will have priority access to resources during times of shortage?

Management regimes for both the State of Alaska and the Federal Government support subsistence as the highest use priority. I support subsistence in Alaska as the highest priority use.

Do you believe the present dual (federal-state) management system for subsistence hunting and fishing should remain or do you think it should be changed? Why or why not? What solution(s) would you pursue in office?

The current system is not working for Alaskans, and I support streamlining the management of our fish and game. We are over-regulated and it is time to reduce our regulatory burden.

Would you support a federal/tribal/state co-management system on tribal lands? Why or why not?

Currently, most tribes in Alaska do not have a land base.

After some 20 years of litigation, the Katie John subsistence rights case was concluded when the U.S. Supreme Court rejected the state's appeal. In your opinion, why or why not was this the correct ruling?

The litigation has provided clarity on the scope of Federal government jurisdiction on the waterways of Alaska. However, the issue of subsistence management of game resources continues.

Do you support a rural subsistence priority on all Alaskan lands and waters? Do you support a Native preference for subsistence?

This is a conversation that must continue to take place across Alaska, with Alaska Natives and other Alaskans. All options should be placed on the table and all parties should come together in good faith to find a solution. I am open to working with the Native community further on this issue.

Would you support an Alaska constitutional amendment that would enable a rural preference for fishing and hunting resources and a return to state management of all Alaska lands?

This is a conversation that must continue to take place across Alaska, with Alaska Natives and other Alaskans. All options should be placed on the table, including a constitutional amendment. Further, we must bring all parties together in good faith to find a solution. I am open to working with the Native community further on this issue.

Will you commit to seeking appropriation in amounts necessary for federal agencies to fulfill the mandates of Title VIII of ANILCA, the Migratory Bird Treaty Act, the Marine Mammal Protection Act and other laws that impact the ability of Alaska Natives to continue to harvest the resources of the land and sea that have sustained them for thousands of years?

Yes. Federal agencies charged with fulfilling congressional intent through Title VIII of ANILCA, the Migratory Bird Treaty Act and the MMPA must be adequately supported by the Obama Administration and Congress.

Will you commit to implementing co-management under the provisions of the marine mammal protection act? Why or why not?

Alaska currently has successful marine mammal commissions. I do agree that they must be adequately funded by the Administration and Congress.

Safe Families, Public Safety

Protecting women, children, and vulnerable citizens from violence and abuse is a key ingredient in ensuring rural Alaskans are safe in their home communities. Following release of the Indian Law & Order Commission's "Roadmap for Making Native America Safer," new opportunities are available for community members, leaders, and lawmakers to work together to increase public safety in Alaska. An entire chapter of the Report is dedicated to reforming justice in Alaska, which receives special attention due to its vastness, Nativeness, and continued exemption from national policy changes.

What is your proposed course of action to address these findings?

Our tribal courts and rural law enforcement must have adequate funding for training, capacity development and equipment. The findings demand further cooperation between the State and the tribes; and as we know, cooperation is key to successful law enforcement. As your Attorney General, I strongly advocated to the Departments of Interior and Justice for increased funding for VPSO training and tribally-funded police officers in Alaska. I am open to working with AFN to participate in a

roundtable to further discuss these issues, find alignment in areas we agree, and work towards positive solutions for our villages.

In 2013, President Obama signed into law the reauthorization of the Violence Against Women Act (VAWA). However, VAWA contained a provision (Section 910) that excluded Alaska Native tribes from the tribal jurisdiction provisions.

Will you work with your fellow Congressional Delegation members to repeal section 910 and protect Alaska Native women?

I support the Violence Against Women Act of 2013. Unlike politicians who only talk about the issue, as your Attorney General I spearheaded the Choose Respect campaign, which focused on ending the epidemic of domestic violence across our state; it has been my highest priority. Regarding Section 910, tribal protection orders are already being honored by the State of Alaska. I will consult with communities on amendments to ensure that the Violence Against Women Act protects Alaska Native women to the fullest extent.

The Safe Families and Villages Act of 2013(S. 1474) would create a demonstration project by which participating tribes would have clearly confirmed authority to enforce tribal laws regarding alcohol and substance abuse, and domestic violence within their village.

Do you support amendment and passage of S. 1474?

As someone who led the charge of dramatically increasing law enforcement in our rural communities, I am committed to, and have a strong record on, the issue of public safety in our Native communities. I have achieved results by doubling law enforcement in rural Alaska. Before I support this bill, I will work with the U.S. Justice Department and AFN to more deeply and fully understand the concept of tribal court criminal jurisdiction over non-members.

Self-governance

Tribal nations are America's first governments and our role in the American family of governments is written into the Constitution, codified in treaties, executive orders, acts of Congress, and court decisions. Like state governments and foreign governments, Indian tribes have the inherent power to govern their people and their lands.

What is your assessment of the state of the relationship between my tribe and Congress and the federal government?

Tribal relations can certainly improve. The Obama Administration fails to act in the best interests of tribes. For example, in the 2012 Ramah decision, the U.S. Supreme Court ruled that the federal government must pay the full contract support costs associated with the Indian Tribal Self Determination and Education Assistance Act Agreements. The Obama Administration was compelled to consult with tribes and pay the full amount of the contract support costs. This only took place after Republican leadership on the Senate and House Appropriations Committees directed the President to take action and correct this funding imbalance.

How do you plan to use your role to improve government-to- government relationships between my tribe and the federal government?

I will ensure that when it comes to federal agencies making decisions about issues impacting tribal governments that they do so with consultation and cooperation, rather than just dictating to our tribes.

Education

Alaska's public education system is failing Alaska Native children. Alaska Natives constitute 19.5% of the state's population, and 23% of its school population. Alaska Natives students are dropping out of school at a rate of 7.8%, which is twice the rate of other students. Native youth are graduating from high school at a rate of only 47%. In the past several years, regions with Native enrollments greater than 80% often had the lowest proportion of schools meeting the Adequate Yearly Progress (AYP) benchmarks under the No Child Left Behind Act (NCLB), and the percentage of Native students passing the reading, writing and math benchmark exams is below all other students statewide.

These statistics compel us to seek a new approach to education for Alaska Natives. Part of the reason for poor academic achievement among Native students is the lack of culture-based programs.

Will you protect Headstart programs and funding?

Headstart programs play a critical part in helping our children get the foundation they need for a lifetime of success.

What can Congress do to improve Alaska's K-12 and higher education?

Engaged parents are the key to any child's successful education, Native or non-Native. There are schools where Alaska Native students are doing well. Examples include the Alaska Native Charter School in Anchorage, Kodiak town and village schools, and the 5-star Chignik Lagoon and Igiugig schools. In districts like the North Slope Borough, Native children are experiencing great growth. Congress needs empower these schools and help others to replicate their success. I will work to empower Alaska's tribes, parents and communities to drive change for their children by making sure they are at the table where decisions are made, and have the data, funding and tools they need to help children succeed.

Health and Wellness

Alaska Natives face many barriers to adequate health care and wellness. There are many terrible statistics that demand attention by our communities and our leaders in all governments, including the nation's highest number of deaths by suicide, and high rates of obesity and diabetes.

How will you address the high rates of obesity and diabetes?

I will support the Special Diabetes Program for American Indians and Alaska Natives because it helps tribes address the high rates of diabetes in their communities through prevention and treatment. Eating more traditional foods, and less processed foods is the key to reducing obesity and diabetes in rural Alaska.

The Affordable Care Act (ACA) included permanent reauthorization of the Indian Health Care Improvement Act, which brought the entire IHS system, including tribal and urban program and clinics, into the new system of health care delivery. Successful and seamless implementation of the ACA will increase health care access for American Indians and Alaska Natives, support the IHS system of care, broaden services provided in rural communities, and strengthen an integral network of providers.

Do you support the Affordable Care Act, yes or no? If so, how will you improve it?

I do not support the Affordable Care Act (ACA). Alaskans are losing their health care plans, and premiums are rising. Small businesses can no longer afford to provide health benefits to their employees and the hidden taxes in the ACA are making it harder for them to create new jobs for

Alaskans. I recognize the Indian Health Care Improvement Act was permanently reauthorized as an amendment to the ACA, but it is time to fix the other provisions of the ACA. I strongly support the Indian Health Service budget and Indian self-determination contract support costs.

Will you support passage of advanced appropriations of Indian Health Service funding?

Advanced appropriations is a Republican led bill in the House and Senate, and it is critical to allowing our tribes to better manage their scarce Indian Health Service funding. Congress has failed to deliver funding on time to tribes and the IHS nearly every year since 1998. Yes, I look forward to working with the Alaska delegation.

What is your view of the current system for funding of the Indian Health Service?

Funding for IHS is inadequate in Alaska and across the country.

Immigration Reform

Alaska has nearly 10,000 undocumented immigrants, including many children, who need legal protection in our country. AFN has an organizational position called First Americans for New Americans.

Where do you stand on immigration reform?

When it comes to immigration, first and foremost we must secure our borders. It is a national security issue. It is a matter of sovereignty. Other countries do it, there's no reason we can't as well. I also do not support executive amnesty. The recent flood of undocumented immigrants at the southern border is about more than just a lack of border security, though. It is symptomatic of a bigger problem. The Obama Administration has consistently shredded the rule of law. Federal agencies single-handedly change the rules when the White House doesn't feel like enforcing the law or answering to the American people. This cuts Alaska's elected officials out of the process and empowers D.C. bureaucrats to ignore Alaskans' concerns. As your U.S. Senator, I will stand up for the rule of law.

Department of the Interior

What is your view of the land into trust option for Alaska tribes?

There are too many outstanding questions that the Department of Interior has failed to address with respect to Alaska to take a position on the issue. Until the litigation on the Akiachak v. Jewell is concluded, land into trust isn't a viable option in Alaska at this time. This should not be a top-down driven initiative by Washington, but something that Alaska Natives must work to come to a consensus before being imposed on Alaska.

What are the top three unanswered questions about the land into trust option?

The first question is where will tribes get their land? The second is about surface and subsurface ownership rights. What happens in the situation where tribes received surface title to lands from their village corporation while the regional corporation owns the subsurface rights and wants to develop those resources and the tribe is not aligned with those goals? Finally, the third question is whether lands conveyed to regional and village corporations through ANCSA are even eligible to be taken into trust? Those are some of the questions the Department of Interior has failed to address.

Will you advocate for increased budgets for the Bureau of Indian affairs programs?

Yes.

The Changing Arctic

The United States is an Arctic nation, one of eight in the world. The Alaskan Arctic can be described as an "emerging economy" similar to other countries around the world. Though climate change presents great challenges and the continuing need to adapt, it also presents opportunities to responsibly develop natural resources and infrastructure that can benefit Arctic residents. It is a priority of AFN to advocate for a stable Arctic region, where economic and energy resources are developed in a sustainable manner that benefits Arctic residents while respecting the fragile environment and cultures of indigenous peoples.

Do you agree that climate change exists and is a problem Americans and Alaskans need to address? If so, what should the federal government be doing to protect the people of my village from the effects of climate change and adapt for the future?

Climate change does exist in Alaska. We see it through erosion of our coastlines, new species migrating north, and thinning ice conditions impacting marine hunting traditions. Although the science is still out on the causes of climate change, I do know we also cannot stop climate change, but we can work to adapt. The federal government's responsibility to Alaska Natives includes healthy communities, and resources should be allocated to ensure our communities most impacted by climate change have the tools necessary to adapt.

What is your definition of Alaska's strategic role -- as part of both the Arctic and Pacific regions -- in American foreign and economic policy?

Alaska is the keystone to America's strategic position within the circumpolar Arctic. Our state is a member of the most powerful nation in the world, and our geographic location positions us for opportunity. It is critical that we leverage that position with the federal government to promote economic development opportunities for our villages and our government contracting entities. Further leverage that position to build the necessary infrastructure to support an increased focus on Arctic transportation, economic development, and protection of our marine environments that support sustainable subsistence traditions. We should use this approach for domestic and foreign Arctic economic policy. As someone with significant and real world foreign policy and military experience, I will be ready on Day One to deal with these and other foreign and economic policy issues for Alaska.

How do you propose to encourage industry to partner with Alaska Native entities to develop a workforce that will participate in all phases of Arctic development?

Traditional knowledge must be incorporated into any resource development that takes place in the Arctic. As your Senator, I will aggressively pursue enactment of economic policy that encourages industry to partner with Alaska Native entities. Native entities are already pursuing those types of arrangements outside of the government. Look at the groundbreaking announcement recently made by Shell and Arctic Iñupiat Offshore, LLC. That was done entirely outside of the government and is a model that has changed the way business is conducted in Alaska. I will leverage my relationships with industry to explore options to partner with Alaska Native entities.

What role do you see the State playing as the U.S. assumes the chairmanship of the Arctic Council in 2015, and how will you ensure that those people who live in the arctic are represented in policy-making decisions that affect them?

I have significant experience working inside the U.S. State Department on issues of national security, so I have a deep understanding of how that department works. I will use my previous experience working for Condoleezza Rice to ensure Alaska has an even more visible and prominent role within

the Arctic Council. Alaska is strategically positioned globally and has a pivotal role in ensuring a successful U.S. Chairmanship. I also support Alaska Native representation inside the policy circle of the Arctic Council.

I further support having the Arctic Economic Council serve as the economic advisory committee to the Arctic Council. This is important because we have the Aleut International Association, Inuit Circumpolar Council, the Gwich'in Council International, and the Arctic Athabaskan Council as permanent participants representing Alaska Natives in both the Arctic Council and the Arctic Economic Council, therefore linking the two is the right thing to do.

With increased shipping and other development activity, even a minor oil spill in the arctic could mean disastrous effects to the ecosystem. How can the federal government safeguard the natural resources through these international waters?

At the domestic level it is important to incorporate traditional knowledge to ensure that voices at the local level are heard and incorporated into the environmental standards for offshore development. This happens when consultation takes place with Alaska Native tribes and corporations, as required by law. At the international level, we must work with the Arctic Council and the Arctic Economic Council to agree upon the appropriate international safeguards are to safely develop our natural resources while protecting our marine mammal resources and environment.

ALASKA FEDERATION OF NATIVES



U.S. DEPARTMENT OF THE INTERIOR BRIEFING

NOVEMBER 18, 2014



ALASKA FEDERATION OF NATIVES
1577 C STREET, SUITE 300
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MEETING WITH DOI & AFN

TUESDAY, NOVEMBER 18, 2014

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MEETING WITH DOI & AFN

TUESDAY, NOVEMBER 18, 2014

AGENDA

WELCOME & INTRODUCTIONS

1. Request for the Secretary to appoint an Alaska Native to serve in the Office of the Secretary of Interior in Washington D.C.

Special Expertise and knowledge of Alaska would aid the Secretary in addressing the many issues facing Alaska Natives and help align limited federal resources to Alaska Native needs and priorities. Previous similar positions were held by Kim Elton (under Secretary Ken Salazar), Drue Pearce (under Secretary Dirk Kempthorne and Secretary Gale Norton) and by Vernon Reed Wiggins (under previous Secretaries).

2. Invitation to the Secretary to participate in an upcoming Alaska Native Leadership retreat in rural Alaska.

> Timeframe: End of January, 2015 or Presidential recess – February, 2015 or during the Congressional recess in March of 2015.

> Most likely location: Kotzebue, Alaska.

> Purpose is to build constructive relationships and discuss innovative ideas for:

a) Dealing with the real and immediate challenges facing Alaska Natives on food security, adapting to the changing climate and building sustainable economies;

b) Bringing a balance between the use of resources on public lands and environmental concerns;

c) Expanding compacting opportunities and capacity building of Alaska tribes and Native organizations; and

d) Setting measurable goals to achieve in 2015 and 2016.

3. Request for the Secretary to begin a major educational effort in Alaska on Land to Trust

> Review updated flow chart on issues and timelines

> Need for the Secretary to begin a major educational effort in Alaska on this issue and its potential ramifications; effort would foster better relationships and hopefully minimize potential litigation.

4. Request for the Secretary to urge the President to issue immediately a Presidential Executive Order creating Native American Economic Council as part of a tribute to the late Senator Daniel Inouye and his legacy. Implementation of Senate bill 3331 introduced in the 111th Congress by Senators Daniel Inouye, Lisa Murkowski and Mark Begich.

5. Request for the Secretary to support a Presidential Executive Order on Co-Management of Fish & Game and make a commitment to do this now; in the alternative issue a Secretarial Order on Co-management in Alaska and begin a major demonstration project. AFN thanks Deputy Secretary Mike Connor for his announcement at the AFN Convention on co-management and looks for further details on how and when this goes forward. AFN notes specific 2014 AFN Convention Resolutions, which support this. Co-management is part of a climate adaptation plan for Alaska Natives and strengthens the capacity of the Native communities.

6. Request for the Secretary to acknowledge US Senator Lisa Murkowski's interest in a state constitutional amendment to bring the State of Alaska back into compliance with ANILCA. Urge the Secretary to begin conversations with the Alaska Congressional Delegation on how to build on their interest in a state constitutional amendment on subsistence, and indicate public interest from the Obama Administration for such an approach.

7. Climate resilient infrastructure - Request for the Secretary to support an assessment by the Obama Administration of rural infrastructure in Alaska, and the susceptibility of that infrastructure to failure due to climate-related impacts. Further request greater infrastructure development in rural areas with innovative public-private financing and support from the Obama Administration for pilot projects in Alaska using social investment bond concepts.

8. Arctic Council – Request the Secretary to consider the upcoming US Chairmanship of the Arctic Council as a major national opportunity/ Could it create the opportunity for the US Government to empower Alaska Natives in ways not done before? Can it foster flexible, grounded innovation, which could improve life opportunities for Alaska Natives in their villages? Can it strengthen the capacity of Native people and facilitate greater opportunities for Native young people? Can it create greater opportunities to leap frog to new opportunities, bypassing old ways, which never took hold anyways. Six specific requests include:

a) Request the Secretary to urge the US State Department to recognize and fully support the newly formed Arctic Economic Council. AFN notes a specific 2014 AFN Convention resolution, which supports this.

b) Request inclusion of an Alaska Native in the US leadership positions in the Arctic Council.

c) Request full and meaningful consultation with Alaska Natives for research priorities in the creation of a comprehensive development plan that incorporates traditional knowledge in Arctic research and protects subsistence resources.

d) Request increased efforts to strengthen capabilities of regional Alaska hubs to provide necessary support services including search and rescue; emergency health care, communications and oil spill response.

e) Request increased collaboration between DOI and other agencies to complete charting & mapping of the Arctic's ocean waterways, coastal and interior lands for better and safer navigation and the identification of ecologically sensitive areas.

f) Request the Secretary initiate Native hire and Native contracting opportunities for building needed infrastructure, using climate resilient standards.

9. Voting Rights Legislation – Request the Secretary to confer with Attorney General Eric Holder, at the Department of Justice, about fast-tracking federal legislation and rule making on Native voting rights issues. DOJ has done some consultations; In Alaska we have *Toyukak v Treadwell* litigation on Native language assistance; fragile system on early voting and under support for remote rural villages; modify use of HAVA funding to allow tribes to apply for unapplied or unused funds by the states.

10. Consultations – Request the Secretary to initiate a government wide, one-stop shopping Internet website for consultation notifications for Native Americans.

11. Other Issues



LAND TO TRUST EDUCATION

Request the Secretary initiate a major education effort among the various stakeholders in Alaska on land to trust issues.

As the Department endeavors to complete and publish a final rule on Alaska trust lands, a major education effort in Alaska is critical to ensure Alaska Natives understand and are capable of making informed decisions. It would be in all the stakeholder's best interests for the Department to simultaneously engage in an effort to educate and provide as much assistance as necessary to Alaska Natives Tribes and corporations to better understand the new rule.

Because trust lands are not as prevalent in Alaska as in the Lower-48 states there is a real need for this education campaign. The Department should consider partnering with statewide and regional Native organizations to assist in disseminating information and facilitating an open dialogue on the lands-into-trust process. Urge that this effort be coordinated at the highest level in the Department to ensure its credibility, and that it include factual case studies, a matrix of what authority and responsibility exists for unincorporated and incorporated communities, federally recognized tribes, ANCSA Native corporations, Native health and housing corporations and other service delivery institutions. Further, that this educational effort reach out to the State of Alaska and showcase examples of positive state-tribal relationships in other states.

ALASKA FEDERATION OF NATIVES LAND INTO TRUST REGULATORY PROCESS TIMELINE – JUDICIAL BRANCH

We are here.

2013

On March 31, 2013, District Court for District of Columbia rules “Alaska exception” is arbitrary and capricious. Akiachak Native Cmty. v. Salazar, 935 F. Supp. 2d 195 (D.D.C. 2013).

2014

State of Alaska’s opening brief, Dec 18, 2014

DOI’s response brief and Akiachak’s response brief, March 3, 2015

2016

Oral arguments, June 2015.

Decision on appeal expected Nov/Dec 2015.

2017

If appealed to U.S. Supreme Court, consideration expected March 2016.

Appealed to D.C. Circuit Court of Appeals.

By order of the court, DOI cannot take land into trust while appeal is pending.

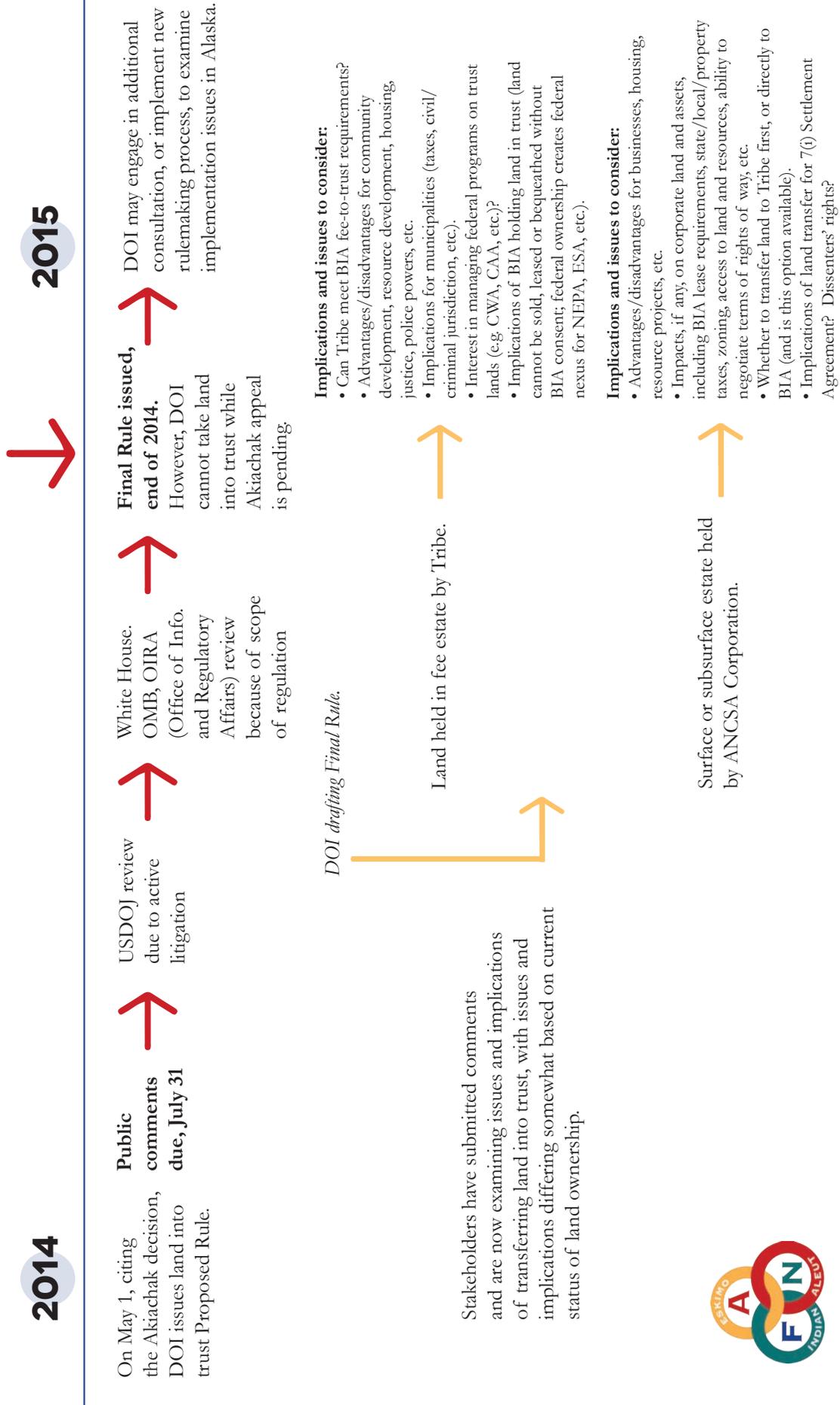
If not granted, it’s over in April 2016.

If Cert is granted by U.S. Supreme Court, briefings, oral arguments and final decision expected by July 2016 or Feb 2017.



ALASKA FEDERATION OF NATIVES LAND INTO TRUST REGULATORY PROCESS TIMELINE – EXECUTIVE BRANCH

We are here.



ALASKA FEDERATION OF NATIVES LAND INTO TRUST REGULATORY PROCESS TIMELINE – LEGISLATIVE BRANCH

We are here.

2014

Alaska congressional delegation engaging with Alaska Native community to understand implications of land into trust rule.

2015

Alaska Natives can consider requesting oversight hearings on DOI's land-into-trust process, if warranted.

2016

Alaska Native tribes, Native corporations, DOI, and other stakeholders can suggest clarifying legislation, if warranted, to ensure process works well in Alaska.

Stakeholders will work with Members of Delegation and other key Members of Congress to understand implications of Aleiachak and land-into-trust rule in Alaska.





November 13, 2014

Honorable Sally Jewell
Secretary of Department of Interior
1849 C Street, N.W.
Washington DC 20240
Via Email

RE: *Senator Daniel K. Inouye Legacy Issue*

Dear Madame Secretary,

On behalf of the Alaska Federation of Natives (AFN), I am writing to request your support and leadership in advancing a special issue, which we consider a legacy issue on behalf of the late US Senator Daniel K. Inouye of Hawai'i. We all know that he was an American hero and dedicated public servant in the US Congress for 54 years. We are saddened by his passing on December 17, 2012. One of the last issues Senator Inouye worked with AFN on was the creation of a Native American Economic Advisory Council.

Senator Inouye, known fondly as Alaska's third senator, introduced with Alaska Senators Lisa Murkowski and Mark Begich Senate Bill 3331 in the 111th Congress to establish a Native American Economic Advisory Council. The Council to be charged with assisting the Executive Office of the President and federal agencies to ensure that Native Americans have: (1) the means and capacity to benefit from economic stimulus and growth; and (2) opportunities to participate in federal economic development and job growth programs.

Although the bill did not go far due to ongoing gridlock in the Congress, the idea of a Native American Economic Advisory Council remains an important building block for Native people. On behalf of the Native people of Alaska, AFN urges President Obama to honor the wishes of Senator Inouye and issue a Presidential Executive Order creating a Native American Economic Advisory Council.

Because you are uniquely familiar with the United States' special political and legal relationship and responsibility to promote the welfare of the Alaska Native and Native American people of the United States, it is appropriate that you play an integral role in the formation of this Council. Please contact me if you have any questions or would like to discuss draft Executive Order language to forward to the White House. Thank you very much for your consideration.

Sincerely,


Julie Gilca
President



November 13, 2014

Honorable John Podesta
Counselor to the President
1600 Pennsylvania Avenue NW
Washington DC 20500
Via Email

RE: *Senator Daniel K. Inouye Legacy Issue*

Dear Mr. Podesta,

On behalf of the Alaska Federation of Natives (AFN), I am writing to request your support and leadership in advancing a special issue, which we consider a legacy issue on behalf of the late US Senator Daniel K. Inouye of Hawai'i. We all know that he was an American hero and dedicated public servant in the US Congress for 54 years. We are saddened by his passing on December 17, 2012. One of the last issues Senator Inouye worked with AFN on was the creation of a Native American Economic Advisory Council.

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Because Secretary Jewell is uniquely familiar with the United States' special political and legal relationship and responsibility to promote the welfare of the Alaska Native and Native American people of the United States, it is appropriate that she play an integral role in the formation of this Council. Please contact me if you have any questions or would like to discuss draft Executive Order language. Thank you very much for your consideration.

Sincerely,

Julie Kitka
President





THE UNITED STATES OF AMERICA

TO ALL WHO SHALL SEE THESE PRESENTS, GREETING:

THIS IS TO CERTIFY THAT
THE PRESIDENT OF THE UNITED STATES OF AMERICA
AUTHORIZED BY ACT OF CONGRESS MARCH 3, 1863
HAS AWARDED IN THE NAME OF THE CONGRESS

THE MEDAL OF HONOR

TO

FIRST LIEUTENANT DANIEL K. INOUYE

FOR

CONSPICUOUS GALLANTRY AND INTREPIDITY AT THE RISK
OF HIS LIFE ABOVE AND BEYOND THE CALL OF DUTY
IN ACTION WITH THE ENEMY

San Terenzo, Italy

on April 21, 1945

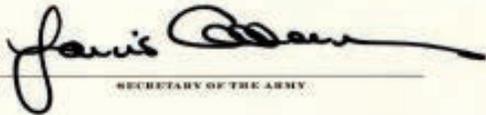
GIVEN UNDER MY HAND IN THE CITY OF WASHINGTON

THIS 21st

DAY OF

June

2000


SECRETARY OF THE ARMY




PRESIDENT OF THE UNITED STATES OF AMERICA





111TH CONGRESS
2D SESSION

S. 3331

To establish a Native American Economic Advisory Council, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 7, 2010

Mr. INHOYE (for himself, Mr. BURGUM, and Ms. MURKOWSKI) introduced the following bill, which was read twice and referred to the Committee on Indian Affairs

A BILL

To establish a Native American Economic Advisory Council, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Native American Eco-
5 nomic Advisory Council Act of 2010”.

6 **SEC. 2. FINDINGS.**

7 Congress finds—

8 (1) the United States has a special political and
9 legal relationship and responsibility to promote the

1 welfare of the Native American people of the United
2 States;

3 (2) evaluations of indicators and criteria of so-
4 cial well-being, education, health, unemployment,
5 housing, income, rates of poverty, justice systems,
6 and nutrition by agencies of Government and others
7 have consistently found that Native American com-
8 munities rank below other groups of United States
9 citizens and many are at or near the bottom in those
10 evaluations;

11 (3) Native Americans, like other people in the
12 United States, have been hit hard by the deepest re-
13 cession of the United States economy in over 50
14 years, causing a significant decline in employment
15 and economic activity across the United States;

16 (4) Native American communities have been de-
17 scribed as “emerging economies” and consequently
18 have been stalled in the efforts of the communities
19 to build sustainable growing economies for the peo-
20 ple of the communities and are being adversely af-
21 fected faster than the rest of the United States;

22 (5) economic stimulus programs to help Native
23 American communities generate jobs and stronger
24 economic performance will require United States fi-
25 nancial and tax incentives to increase both local and

1 expanded investment that is tailored to the unique
2 needs and circumstances of Native American com-
3 munities;

4 (6) the impacts of the ongoing recession and
5 the near collapse of the financial and banking sys-
6 tems require a review of assumptions about the fu-
7 ture, the need for new growth strategies, and a focus
8 on laying the groundwork for economic success in
9 the 21st century;

10 (7) there is a continuing need for direct eco-
11 nomic stimulus, including needs for improving rural
12 infrastructure and alternative energy in rural and
13 Native American communities of the United States
14 and providing Native Americans leaders with the
15 tools to create jobs and improve economic conditions;

16 (8) in light of the role of Native American com-
17 munities as emerging markets within the United
18 States, there are opportunities and needs that
19 should be addressed, including consideration of
20 United States support for the pooling of resources to
21 create an Indigenous Sovereign Wealth Fund that is
22 similar to those Funds created around the world to
23 diversify revenue streams, attract more resources,
24 invest more wisely, and create jobs;

1 (9) Native Americans should be participants
2 when major economic decisions are made that affect
3 the property, lives, and future of Native Americans;
4 and

5 (10) Native Americans should fully participate
6 in rebuilding Native American communities and have
7 necessary tools and resources.

8 **SEC. 3. PURPOSE.**

9 The purpose of this Act is to authorize and establish
10 a Native American Economic Advisory Council to consult,
11 coordinate with, and make recommendations to the Execu-
12 tive Office of the President, Cabinet officers, and Federal
13 agencies—

14 (1) to improve the focus, effectiveness, and de-
15 livery of Federal economic aid and development pro-
16 grams to Native Americans and, as a result, improve
17 substandard economic conditions in Native American
18 communities;

19 (2) to build and expand on the capacity of lead-
20 ers in Native American organizations and commu-
21 nities to take positive and innovative steps—

22 (A) to create jobs;

23 (B) to establish stable and profitable busi-
24 ness enterprises;

25 (C) to enhance economic conditions; and

1 (D) to use Native American-owned re-
2 sources for the benefit of members; and

3 (3) to achieve the long-term goal of improving
4 the quality of Native American life and living condi-
5 tions and access to basic public services to the levels
6 enjoyed by the average citizen and community of the
7 United States by the year 2025.

8 **SEC. 4. ESTABLISHMENT OF NATIVE AMERICAN ECONOMIC**
9 **ADVISORY COUNCIL.**

10 (a) **IN GENERAL.**—There is established a Native
11 American Economic Advisory Council (referred to in this
12 Act as the “Council”) to advise and assist the Executive
13 Office of the President and Federal agencies to ensure
14 that Native Americans (including Native American mem-
15 bers, communities and organizations) have—

16 (1) the means and capacity to generate and
17 benefit from economic stimulus and growth; and

18 (2) fair access to, and reasonable opportunities
19 to participate in, Federal economic development and
20 job growth programs.

21 (b) **MEMBERS.**—

22 (1) **IN GENERAL.**—The Council shall consist of
23 5 members appointed by the President.

24 (2) **INITIAL APPOINTMENTS.**—Not later than
25 180 days after the date of enactment of this Act, the

1 President shall appoint the initial members of the
2 Council.

3 (3) COMPOSITION.—Of the members of the
4 Council—

5 (A) 1 member shall be an Alaska Native;

6 (B) 1 member shall be a Hawaiian Native;

7 and

8 (C) 3 members shall represent American
9 Native groups and organizations from other
10 States.

11 (4) CHAIRPERSON.—The President shall des-
12 ignate 1 of the members of the Council to serve as
13 Chairperson.

14 (c) EXPERIENCE.—Each member of the Council shall
15 be a Native American who, as a result of work experience,
16 training, and attainment, is well qualified—

17 (1) to identify, analyze, and understand the at-
18 tributes and background of successful business en-
19 terprises and economic programs in Native Amer-
20 ican communities and cultures;

21 (2) to appraise the economic development pro-
22 grams and activities of Federal agencies in the con-
23 text of the goals and purposes of this Act; and

24 (3) to recommend programs, policies, and need-
25 ed program modifications to improve access to and

1 effectiveness in the delivery of economic development
2 programs in Native American communities.

3 (d) VACANCIES.—A vacancy on the Council—

4 (1) shall not affect the authority of the Com-
5 mission; and

6 (2) shall be filled in the same manner as the
7 initial appointments to the Council.

8 (e) EXPENSES.—Each Member of the Council shall
9 be allowed travel expenses, including per diem in lieu of
10 subsistence, at the rate authorized for employees of agen-
11 cies under subchapter I of chapter 57 of title 5, United
12 States Code, while away from the homes or regular places
13 of business of the employees in the performance of services
14 for the Council.

15 (f) STAFF.—

16 (1) IN GENERAL.—The Council may, without
17 regard to the civil service laws (including regula-
18 tions), appoint and terminate an executive director
19 and such other staff as are necessary to enable the
20 Council to perform the duties required under this
21 Act.

22 (2) COMPENSATION.—

23 (A) IN GENERAL.—Subject to subpara-
24 graph (B), the Council may fix the compensa-
25 tion of the executive director and other per-

1 sonnel without regard to the provisions of chap-
2 ter 51 and subchapter III of chapter 53 of title
3 5, United States Code, relating to classification
4 of positions and General Schedule pay rates.

5 (B) MAXIMUM AMOUNT.—The rate of pay
6 for the executive director and other personnel of
7 the Council shall not exceed the rate payable
8 for level V of the Executive Schedule under sec-
9 tion 5316 of title 5, United States Code.

10 (g) DETAIL OF EMPLOYEES.—

11 (1) IN GENERAL.—An employee of the Federal
12 Government may be detailed to the Council without
13 reimbursement.

14 (2) CIVIL SERVICE STATUS.—The detail of an
15 employee shall be without interruption or loss of civil
16 service status or privilege.

17 (h) TEMPORARY SERVICES.—The Council may pro-
18 cure temporary and intermittent services in accordance
19 with section 3109(b) of title 5, United States Code, at
20 rates for individuals that do not exceed the daily equiva-
21 lent of the annual rate of basic pay prescribed for level
22 V of the Executive Schedule under section 5316 of that
23 title.

24 (i) ADMINISTRATIVE SERVICES.—The Secretary of
25 Commerce shall provide necessary office space and admin-

1 istrative services for the Council (including staff of the
2 Council).

3 **SEC. 5. DUTIES.**

4 (a) IN GENERAL.—The Council shall advise and
5 make recommendations to Federal agencies on—

6 (1) proposing sustainable economic growth and
7 poverty reduction policies in a manner that promotes
8 self-determination, self-sufficiency, and independence
9 in urban and remote Native American communities
10 while preserving the traditional cultural values of
11 those communities;

12 (2) ensuring that Native Americans (including
13 Native American communities and organizations)
14 have equal access to Federal economic aid, training,
15 and assistance programs;

16 (3) developing economic growth strategies, fi-
17 nance, and tax policies that will enable Native Amer-
18 ican organizations to stimulate the local economies
19 of Native Americans and create meaningful new jobs
20 in Native American communities;

21 (4) increasing the effectiveness of Federal pro-
22 grams to address the economic, employment, med-
23 ical, and social needs of Native American commu-
24 nities;

1 (5) administering Federal economic develop-
2 ment assistance programs with an understanding of
3 the unique needs of Native American communities
4 with the objectives of—

5 (A) making Native American leaders
6 knowledgeable about best business practices and
7 successful economic and job growth strategies;

8 (B) promoting investment and economic
9 growth and reducing unemployment and pov-
10 erty in Native American communities;

11 (C) enhancing governance, entrepreneur-
12 ship, and self-determination in Native American
13 communities; and

14 (D) fostering demonstrations of trans-
15 formational changes in economic conditions in
16 remote Native American communities through
17 the use of innovative technology, targeted in-
18 vestments, and the use of Native American-
19 owned natural and scenic resources;

20 (6) improving the effectiveness of economic de-
21 velopment assistance programs through the integra-
22 tion and coordination of assistance to Native Amer-
23 ican communities;

24 (7) recommending educational and business
25 training programs for Native Americans that in-

1 crease the capacity of Native Americans for eco-
2 nomic well-being and to further the purposes of this
3 Act; and

4 (8) initiating proposals, as needed, for fellow-
5 ship and mentoring programs to meet the economic
6 development needs of Native American communities.

7 (b) **ADDITIONAL DUTIES.**—The Council shall—

8 (1) prepare a compilation of successful business
9 enterprises and joint ventures conducted by Native
10 American organizations, including tribal enterprises
11 and the commercial ventures of Native Corporations
12 (as defined in section 102 of the Alaska National In-
13 terest Lands Conservation Act (16 U.S.C. 3102)) in
14 the State of Alaska; and

15 (2) periodically sponsor and arrange con-
16 ferences and training workshops on Native American
17 business activities, including providing mentors, re-
18 source people, and speakers to address financing,
19 management, marketing, resource development, and
20 best business practices in Native American business
21 enterprises.

1 **SEC. 6. ASSESSMENT OF IMPACTS OF LEGISLATIVE PRO-**
2 **POSALS ON NATIVE AMERICAN ECONOMIC**
3 **PROSPECTS AND OPPORTUNITY.**

4 In preparing and communicating the comments and
5 recommendations of the President on proposed legislation
6 to committees and leadership of Congress, the Director of
7 the Office of Management and Budget and the head of
8 a Federal agency shall include an assessment of the im-
9 pacts of the proposed legislation on the economic and em-
10 ployment prospects and opportunities provided in the pro-
11 posed legislation to improve the quality of living conditions
12 of Native American communities, organizations, and mem-
13 bers to the levels enjoyed by most people of the United
14 States.

15 **SEC. 7. REPORTS.**

16 The Council shall—

17 (1) prepare periodic reports on the activities of
18 the Council; and

19 (2) make the reports available to—

20 (A) Native American communities, organi-
21 zations, and members;

22 (B) the General Services Administration;

23 (C) the Office of Management and Budget;

24 (D) the Domestic Policy Council;

25 (E) the National Economic Council;

26 (F) the Council of Economic Advisers;

- 1 (G) the Secretary of the Treasury;
- 2 (H) the Secretary of Commerce;
- 3 (I) the Secretary of Labor;
- 4 (J) the Secretary of the Interior;
- 5 (K) the Secretary of Energy; and
- 6 (L) members of the public.

7 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

8 There are authorized to be appropriated to carry out
9 this Act such sums as are necessary.

○



CO-MANAGEMENT EXECUTIVE ORDER

STATEMENT OF THE ISSUE: Protection of Native hunting, fishing, and gathering rights is a part of federal law throughout the United States. Nowhere is it more critical than in Alaska, where it continues to be the foundation of Alaska Native society and culture. A vast majority of Alaska’s 120,000 Native people (nearly 20% of the population) participate in hunting, fishing and gathering for food during the year.

Alaska Native leaders sought protection of their hunting and fishing rights in the settlement of their aboriginal land claims, but instead the Alaska Native Claims Settlement Act (ANCSA) extinguished those rights. In 1980, Congress enacted Title VIII of the Alaska National Interest Land Conservation Act (ANILCA), which envisioned state implementation of the federal priority on all lands and waters in Alaska through a state law implementing the priority. The law was crafted to provide a subsistence priority for “rural residents” with the expectation that the State would enact laws that conformed to federal requirements. That system operated for less than a decade before the Alaska Supreme Court ruled that the State Constitution precluded State participation in the program and the State lost regulatory authority over subsistence uses on federal lands. Now the federal government manages subsistence on federal lands and the state manages subsistence on state lands. This dual management system is complex and confusing, and significantly impairs the food security of people who need it the most.

State subsistence law has been effectively gutted – large areas of the state have been classified as “non-subsistence use areas,” where subsistence users receive no priority and “all Alaskans” have been declared eligible for the subsistence priority on all remaining state lands. Subsistence harvests have been marginalized by other users and ineffective management regimes.

ANILCA does not provide long-term protection for the Native subsistence way of life. The system is broken and does not protect the subsistence needs of Alaska Natives as Congress originally intended.

PROPOSED SOLUTION: Establish a federal and tribal subsistence co-management priority throughout the administration via executive order. The executive order would direct the Federal Subsistence Board (FSB) to develop a detailed plan for entering into memoranda of agreement with Alaska Native tribes or tribal organizations from each of the 12 ANCSA geographic regions to co-manage fish, wildlife, and other natural resources for subsistence uses. The State of Alaska shall be invited to indicate their interest in participating. The Departments of Interior and Agriculture will be directed to provide adequate funding and administrative support for the FSB to execute these MOAs with Alaska Native tribes and tribal organizations.

PROS AND CONS: By embracing co-management with Alaska Natives, the federal government could administer a much more responsive and cost-efficient management program. It would reduce the litigation that has plagued the implementation of ANILCA since its passage. It would be consistent with the United States’ obligations under the UN Declaration on the Rights of Indigenous Peoples.

The current State of Alaska administration will oppose efforts to preempt state management authority over subsistence uses on state lands. However, without fundamental changes to the structure, more of our people will lose the right to live a subsistence way of life.

REQUESTED ACTION:

Presidential Executive Order on Co-management of Fish & Game. Make a commitment to do this now, and announce after the mid-term elections.

Alternatively: Secretarial Order (Interior & Agriculture) on Co-management of Fish & Game with a major demonstration project.



INTER-TRIBAL FISH COMMISSION FOR THE YUKON & KUSKOKWIM RIVERS

BACKGROUND:

The Tribes located in the Yukon and Kuskokwim River drainages have depended on salmon stocks since time immemorial to sustain their nutritional, cultural and spiritual way of life. The largest Chinook subsistence salmon harvests in North America occur on these rivers. The Chinook salmon runs in these two major drainages have been in a steep cycle of decline for over a decade. There has not been a commercial Chinook fishery for years, and in recent years Tribal harvests are far below the minimum requires to meet their subsistence needs. The Chinook salmon subsistence fisheries for both rivers were closed in 2014 because of extreme conservation concerns and even then escapement goals were only minimally obtained for the Yukon, and the Kuskokwim Chinook escapement was far below the goal. Tribal members have knowledge gained over countless generations about the river and salmon, yet the Tribes are completely excluded from the dual salmon management system for the rivers.

The Federal Subsistence Board (FSB) manages salmon on the parts of the Yukon and Kuskokwim that flow through or are adjacent to federal lands such as fish and wildlife refuges. The FSB receives recommendations for management from three regional advisory councils, downriver, middle river and upriver, for the Yukon and two councils for the Kuskokwim, thus splitting the river and pitting users on one end against users on the other end. The State of Alaska manages all other parts of the river. This checkerboard system of dual management is failing to conserve and rebuild the Chinook run, and has failed to manage the harvest in a way that fully considers the needs and position of the Tribes.

PROPOSED SOLUTION:

The Association of Village Council Presidents, joined by the Tanana Chiefs Conference, represent the federally recognized tribes in the Yukon River Drainage. AVCP and TCC have begun the process of creating the Inter-Tribal Fish Commissions, one for the Yukon and another for the Kuskokwim. The Commissions will provide the Tribal voice for a Federal-State-Tribal co-management regime for salmon management on the rivers. Modeled after the Northwest Indian Fish Commission and the Columbia River Inter-Tribal Fish Commission, the Commissions would include a strong science arm that incorporates traditional knowledge. The Yukon and Kuskokwim tribes are already a leading partner for a Tribal-State-Federal salmon research organization, the Arctic-Yukon-Kuskokwim Sustainable Salmon Initiative, and would bring this scientific expertise to the co-management table. We ask that the Department of the Interior and the Department of Agriculture reallocate internal resources to increase village capacity to create and operate the Commissions so that they are in a position to enter into a co-management system with the state and federal governments.

Creating and authorizing Inter-Tribal Fish Commissions and a Tribal-State-Federal co-management regime for salmon management for the Yukon and Kuskokwim Rivers will result in greater cooperation and better management that is critical for the future of the Yukon Chinook salmon stocks. Co-management will help build Tribal capacity and create jobs and opportunity for young people, enabling them to stay in their villages. Co-management will unify management throughout the river, thereby discarding ineffective, controversial and artificial jurisdictional boundaries that have nothing to do with the best salmon management practices. Conservation and rebuilding of the Chinook stocks will be the controlling goal for the co-management structure, and will be the common goal for all parties. Co-management will be more efficient and will save federal funds.



Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 2

- TITLE:** CALL FOR ALASKA NATIVE SELF-DETERMINATION IN THE MANAGEMENT OF THEIR HUNTING, FISHING, TRAPPING, AND GATHERING RIGHTS AND RESOURCES
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** Alaska Native hunting and fishing practices, including the harvesting and sharing of fish, game, and other resources and the ceremonies which accompany these practices are essential to the social, cultural, spiritual, and economic wellbeing and survival of the Alaska Native people; and
- WHEREAS:** Alaska's current federal-state dual management system fails to adequately manage resources to meet the traditional, customary, and spiritual needs and practices of Alaska Native peoples and does not adequately provide for Alaska Native participation; and
- WHEREAS:** The Secretary of the Interior recognized this failure in the Department's 2010 Review of the Federal Subsistence Management Program and in the published Findings and Recommended Actions recognized the critical and necessary need for Alaska Natives to be more active in the administration, decision-making, and implementation of the Program; and
- WHEREAS:** The Department of the Interior and the Alaska Director of USFWS has failed to implement the Recommended Actions within the Federal Subsistence Management Program, including but not limited to increased ANILCA Section 809 Agreements with local Tribes to implement the program; and
- WHEREAS:** The State of Alaska does not recognize rural preference as established in ANILCA, nor does it have a mechanism to adequately ensure Alaska Native role in the management of traditional resources, yet it is provided funding by the Federal Subsistence Management to implement rural preference programs; and
- WHEREAS:** Through a series of broken promises by the State and Federal governments, Alaska Natives have been denied the right to manage hunting, fishing and gathering even on the lands conveyed through the settlement of their aboriginal land claims; and
- WHEREAS:** Alaska Natives and their Tribal Governments, Tribal Consortiums, Non-Profits, and Corporations have the expertise, education, and capabilities to adequately manage their traditional lands and resources today and into the future as they have served as stewards for thousands of years maintaining healthy and productive ecosystems.

NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that Alaska Natives have full and equal co-management role along with the State of Alaska and the Federal Government to provide Alaska Natives with a full and equal co-management role of their traditional hunting, fishing, and gathering resources, including the primary authority to manage these resources on their customary and traditional lands and waters conveyed through ANCSA or native allotments or otherwise held for or owned by Alaska Native Organizations; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: TANANA CHIEFS CONFERENCE & ASSOCIATION OF VILLAGE COUNCIL
COMMITTEE ACTION: PRESIDENTS
CONVENTION ACTION: DO PASS
ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 5

TITLE: CALL FOR THE DEPARTMENT OF INTERIOR - BUREAU OF LAND MANAGEMENT (BLM) TO MANAGE THE LANDS SELECTED BY THE STATE OF ALASKA AND ALASKA NATIVE CORPORATIONS FROM THE FEDERAL GOVERNMENT

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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: Upon the passage of statehood, the State of Alaska was granted authorization to select approximately 106 million acres of land for state ownership; and

WHEREAS: As part of the selection process, the State was permitted to "over select" approximately 20% more acreage; and

WHEREAS: Although the "over-selected" land is still owned by the federal government, those lands are not regulated by federal hunting and fishing regulations but instead are regulated by state regulations; and

WHEREAS: As a result of being governed by state regulations, federal subsistence rules and regulations are not being applied to these lands.

NOW THEREFORE BE IT RESOLVED that the delegates OF the 2014 Annual Convention of the Alaska Federation of Natives request the Secretary of Interior and Agriculture to fulfill their statutory responsibilities under Title VIII of ANILCA and manage all federal lands, including State and Alaska Native Corporations over selection whose title is still in federal ownership; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: AHTNA INC.
COMMITTEE ACTION: DO PASS
CONVENTION ACTION: ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 6

- TITLE:** TO SUPPORT THE SWIFT ENACTMENT OF REGULATIONS GOVERNING THE PROCEDURES FOR THE FEDERAL SUBSISTENCE BOARD TO DETERMINE RURAL/TRIBAL COMMUNITY STATUS UNDER TITLE VIII OF THE ALASKA NATIONAL INTEREST LANDS CONSERVATION ACT
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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 continuation of the opportunity for subsistence uses by Alaska Natives on the public lands is essential to Native physical, economic, traditional, spiritual, and cultural existence; and
- WHEREAS:** The continuation of the opportunity for subsistence uses of resources on public and other lands in Alaska is threatened by the increasing population of Alaska, with resultant pressure on subsistence resources, by sudden decline in the populations of some wildlife species which are crucial subsistence resources, by increased accessibility of remote areas containing subsistence resources, and by taking of fish and wildlife in a manner inconsistent with recognized principles of fish and wildlife management; and
- WHEREAS:** The subsistence resources harvest priority guaranteed by the Alaska National Interests Lands Conservation Act (ANILCA) only extends to communities whose residents are deemed "rural" by Federal Subsistence Board regulations published at 36 C.F.R. § 242.15; and
- WHEREAS:** The Federal Subsistence Board's determination of which communities are "rural" has proved problematic, time consuming, and have resulted in wrongful, formulaic determinations ignoring key attributes of individual communities, such as Saaman, Alaska, and other communities along the road system, which maintain customary and traditional harvests of subsistence resources; and
- WHEREAS:** On April 15, 2014, the Federal Subsistence Board acknowledged the deficiencies in the current rural determination process and voted unanimously to recommend to the Secretaries of Agriculture and Interior to implement an administrative rulemaking to amend 36 C.F.R. § 242.15 in a manner to reflect the realities of rural communities in Alaska; and
- WHEREAS:** The Federal Subsistence Board's proposed amendments would restore Alaska Native communities to their rightful rural/tribal community status and/or community within a community regardless of other populations; and

WHEREAS: The Secretaries of Agriculture and Interior are, as of the date of this resolution, yet to initiate the rulemaking proposed by the Federal Subsistence Board; and

NOW THEREFORE BE IT RESOLVED that the delegates of the 2014 Annual Convention of the Alaska Federation of Natives request Secretary of Agriculture Tom Vilsack and Secretary of the Interior Sally Jewell draft and publish, with all deliberate speed, the regulation recommended by the Federal Subsistence Board governing the processes by which Alaska communities classified as "rural" for purposes of ANILCA's subsistence priority; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: NATIVE AMERICAN RIGHTS FUND

COMMITTEE ACTION: DO PASS

CONVENTION ACTION: ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 -41

TITLE: SUBSISTENCE RIGHTS PRIORITY OVER COMMERCIAL AND SPORTS USES FOR FISH AND GAME

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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: Subsistence use of resources, such as fish and game, are vital to feed, clothe, supply basic subsistence needs as food security, and provide for economic security; and

WHEREAS: Subsistence resources have been bartered for others goods as a basis of trade, economy and assistance; and

WHEREAS: Many people and families in Alaska continue to use subsistence resources in this manner; and

WHEREAS: The best and proper use of subsistence resources is to prioritize feeding Alaska residents first; and

WHEREAS: Only once a stock of fish and game is at a sufficient level to accommodate the subsistence needs of Alaska's people, should that stock be made available to commercial or sport uses.

NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that the State of Alaska shall prioritize subsistence rights over commercial and sports uses of Alaska's fish and game; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: ASSOCIATION OF VILLAGE COUNCIL PRESIDENTS

BOARD ACTION: DO PASS

CONVENTION ACTION: ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 42

- TITLE:** PROTECTION OF ALASKA NATIVE TRADITIONAL RESOURCE MANAGEMENT PRACTICES
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** Alaska Native hunting and fishing practices, including the harvesting and sharing of fish, game, and other resources and the ceremonies which accompany these practices are essential to the social, cultural, spiritual, and economic wellbeing and survival of the Alaska Native people; and
- WHEREAS:** Alaska Natives have served as the stewards of their traditional lands and resources maintaining healthy and productive ecosystems for thousands of years, and maintain the belief that human beings are an integral part of naturally functioning ecosystems, not separate from them; and
- WHEREAS:** The National Park Service (NPS) has a proposed rule that “activities or management actions involving predator reduction efforts with the intent or potential to alter or manipulate natural ecosystems or processes (including natural predator/prey dynamics, distributions, densities, age-class distributions, populations, genetics, or behavior of a species) are not allowed on NPS lands in Alaska. Under the proposed rule, the regional director would compile a list updated at least annually of activities prohibited by this section of the proposed rule”; and
- WHEREAS:** This proposed rule is overreaching, vague, and indiscriminant and would further criminalize Alaska Native traditional resource management practices within our traditional use areas now managed by the NPS; and
- WHEREAS:** Other federal agencies such as US Fish and Wildlife Services also apply various rules that interfere with traditional resource management practices that reduce subsistence access.
- NOW THEREFORE BE IT RESOLVED** by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that the National Park Service should not adopt the proposed rule, which would indiscriminately disallow traditional wildlife population management practices, and that government-to-government consultation is held directly with effective area Tribal Governments whose traditional use areas are now managed by the NPS and USFWS to ensure their needs are met in the management of these lands; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY:	TANANA CHIEFS CONFERENCE
BOARD ACTION:	DO PASS
CONVENTION ACTION:	ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 43

- TITLE:** RE-ESTABLISH STATE AND FEDERAL RECOGNITION OF INDIGENOUS SUBSISTENCE RIGHTS IN ALASKA
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** Subsistence rights are key to the way of life and vital to both food and economic security of our tribes as indigenous peoples of the United States and Alaska Native people across the state; and
- WHEREAS:** Alaska Native people have since the beginning always exercised subsistence rights to feed, clothe, supply their basic subsistence needs such as food security, for the continuation of our customary, traditional, and spiritual activities, and provide for economic security; and
- WHEREAS:** Subsistence rights provided trade with Russians, Americans and many other nationalities for goods and/or money as a basis of economy and assistance that continues into today; and
- WHEREAS:** Alaska Native people and families in Alaska continue to respectfully exercise subsistence rights which needs to be recognized and validated; and
- WHEREAS:** Alaska Native people have exercised self-determination by governing themselves through tribal governments and the operation of ANCSA Corporations as tools for managing their communities, the development of their community and statewide economies, and a means for responsibly developing natural resources and protecting subsistence resources; and
- WHEREAS:** ANCSA needs to be amended as the ANKLA changes did not adequately address subsistence rights including hunting and fishing; and
- WHEREAS:** The termination of aboriginal or indigenous hunting and fishing rights in ANCSA is contestable and against the United Nations human rights of indigenous peoples, and treats indigenous peoples in the State of Alaska differently than the rest of tribal America; and
- WHEREAS:** ANCSA was created during the era of federal termination policy of American and Alaska tribes with a modified corporation model with goals of assimilation that is no longer the official US policy which is now self-determination; and
- WHEREAS:** The State of Alaska's non-compliance with federal law has only created more issues and points to the need to re-establish indigenous subsistence rights as the ultimate solution.

NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that recognition of aboriginal or indigenous hunting and fishing rights be restored by the US government in federal law which were wrongly taken; and

BE IT FURTHER RESOLVED that self-determination, including subsistence rights, be honored by all Americans.

BE IT FURTHER RESOLVED Federal definitions that weaken Alaska Native indigenous rights must be modified to recognize the indigenous rights of Alaska Natives; and

BE IT FURTHER RESOLVED that the current definition of "indigenous inhabitants" in the Migratory Bird Treaty protocol amendments of 1996 be restored to its original intent of Alaska's Eskimo, Indians, and Aleuts as described in the Migratory Bird Treaty with Japan; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY:

ASSOCIATION OF VILLAGE COUNCIL PRESIDENTS

BOARD ACTION:

DO PASS

CONVENTION ACTION:

ADOPT AS AMENDED





January 7, 2010

Honorable Kenneth Salazar
Secretary of the Interior
1849 C Street, N.W. Washington, D.C. 20240

Re: Alaska Subsistence Review

Dear Secretary Salazar:

The Alaska Native community greatly appreciates your review of the subsistence management program in Alaska. We have been working with the Department for many years to implement the program, but it is apparent that there are fundamental flaws in the existing program and that it needs to be reformed. Changes are needed both in the governing federal statute and in the program itself.

We are mindful of, and support, the remarks of Special Assistant to the Secretary, Kim Elton, to the 2009 annual convention of the Alaska Federation of Natives including, specifically, the recognition that, under federal law, subsistence management is a Secretarial responsibility. We also agree with the commitments to implement the federal subsistence mandate of the Alaska National Interest Lands Conservation Act (ANILCA) and promptly put in place a system that does not anticipate a return to State management, to recognize and respect (1) the voice of subsistence users in subsistence management, (2) traditional knowledge and (3) the overriding importance of subsistence to the lives of Alaska Natives. We also welcome the pledge that this issue "will not be compromised or relegated to a low-priority status in this administration."

Title VIII, with its priority for subsistence is, of course, a federal law, which has a clear purpose to protect the subsistence uses of Alaska Natives, along with those of other rural residents. It must be administered as a federal law, under federal standards, without improper deference to state law or state management issues and objectives, which are inconsistent with federal requirements. While we will submit a separate response to the comments of the State of Alaska, through the Commissioner of Fish and Game, calling for widespread and specific deference to the State of Alaska's subsistence determinations, practices and policies, we note here our specific objection to deferring key subsistence policies and practices away from the federal government, where they belong, to the State. Our concern over deference on such a fundamental matter as our food supply is particularly meaningful in Alaska, which is one of only a handful of states where special protections are still in place to protect the civil rights of a minority population under the Voting Rights Act.

As noted in the attached history of litigation involving subsistence, and in its own comments calling for deference, the State of Alaska has a long history of opposition to a Native or rural subsistence priority in favor of one for all residents of Alaska, which of course, amounts to no preference at all. This approach is fundamentally inconsistent with ANCSA and ANILCA, and cannot properly be deferred to in administering a federal program of fundamental importance to Native people. After falling out of compliance with Title VIII in 1989, and thus losing authority to manage subsistence uses on federal lands, the State has steadfastly refused to amend its constitution to allow its laws to conform to the compromise reached in ANILCA in 1980, despite the best efforts by the Native community, our Congressional delegation and many Alaskans.

Summarized below are our primary policy suggestions for the Department. Attached is a more detailed memorandum in support of our request that the Obama Administration advance action by Congress to secure Native hunting, fishing and gathering rights. In addition, we recommend administrative changes in the federal subsistence program as currently structured under Title VIII of ANILCA.

The issue is whether our country can learn from its own past - and whether it will finally deal honorably with Alaska's indigenous peoples by giving them meaningful protections for their way of life. What we now call subsistence is not a relic from the past – a holdover from previous times that will inevitably disappear as market conditions take over – it continues to be the foundation of Alaska Native society and culture. A vast majority of Alaska's 120,000 Native people (nearly 20% of the total population of Alaska) still participate in hunting, fishing and gathering for food during the year. The subsistence harvests remain central to the nutrition, economies and traditions of Alaska's Native villages.

Protection of Native hunting, fishing and gathering rights is a part of federal law throughout the United States. The right to food security for oneself and one's family is a human right enumerated in the Universal Declaration of Human Rights of the United Nations Charter. The only reason that there is a priority for subsistence uses in Alaska is because of Alaska Native ownership of the territory transferred from Russia to the United States in 1867. The Treaty with Russia recognized that as the original occupants, Alaska Native peoples had continuing rights to use and occupy all of Alaska. Art. III, Treaty of March 30, 1867, 15 Stat. 539. Those rights were largely ignored until the Statehood Act of 1959, 72 Stat. 339, and the discovery of vast oil reserves at Prudhoe Bay in the 1960s ran up against Alaska Native aboriginal rights. In response to the conflict, Congress in 1971 passed the Alaska Native Claims Settlement Act (ANCSA), Act of December 18, 1971, Pub. L. NO. 92-203, 85 Stat. 689, 43 U.S.C. §§1601 et seq. Although Congress did not expressly protect Native hunting and fishing rights in ANCSA, that Congress expected both the Secretary of the Interior and the State of Alaska to "take any action necessary to protect the subsistence needs of the Natives." S. Rep. No. 581, 92nd Cong., 1st Sess, 37 (1971).

Their expectation was not fulfilled and the current program was established in Title VIII of the Alaska National Interest Lands Conservation Act of 1980, 16 U.S.C. §§ 3111 et seq. (ANILCA), a cornerstone title of that major federal conservation and land management law.

ANILCA's scheme envisioned state implementation of the federal priority on all lands and waters in Alaska through a state law implementing the rural priority. That system operated for a

mere seven years before the Alaska Supreme Court ruled that the State Constitution precluded State participation in the cooperative federalism program. After initial efforts to amend the State Constitution to comply with the ANILCA's compromise and thus have a unified management regime, the State has undermined the system through litigation and by gutting its own subsistence law applicable to state and private lands.

Rather than simply defending a system that no longer serves its intended function, we believe it is time to consider options that reach back to Congress's original expectation that Alaska Native hunting, fishing and gathering rights be protected. Alaska Native peoples have submitted many wise and informative suggestions to you as part of this review process. We held numerous meetings with our constituents in our process of developing these recommendations.

We recommend that the Obama Administration ask Congress to replace the present rural preference with a priority for all Alaska Natives to engage in subsistence uses in Alaska, in addition to maintaining the current rural priority, i.e., a "Native plus rural" or a "tribal plus rural" priority. Congress has the authority to enact legislation, based on the supremacy clause and on its plenary authority to regulate Indian affairs, to provide a Native or tribal subsistence preference on all lands and waters of Alaska. There are already variations of a Native priority in Alaska with respect to marine mammals, halibut and migratory birds. A Native plus rural preference would fulfill the promises of ANCSA and ANILCA, and would be consistent with settled principles of federal Indian law followed elsewhere in the United States. It would also put an end to the otherwise endless litigation concerning the implementation of the current rural priority. ¹

The Secretary should create an Alaska Native Fund, as part of the BIA Rights Protection Program to reimburse the Native community for the millions of dollars we have had to spend defending our aboriginal and human rights. As demonstrated in the attached addendum, many of the subsistence court cases were directly related to forcing the federal agencies to take their responsibilities under Title VIII seriously. One of our most costly cases, the Katie John litigation, was necessitated by the federal government's initial refusal to assert management authority over fishing. Congress very clearly intended our subsistence fishing in Alaska to be protected by Title VIII, and the agencies knew that fishing is the very lifeblood of our traditional way of life. We continue to this day to participate in the litigation to defend the federal regulations put in place to implement that decision.

Congress should extend the geographical scope of ANILCA's jurisdiction to include all marine and navigable waters in Alaska, and all lands conveyed to and owned by Native corporations pursuant to ANCSA as well as the thousands of Native allotments in Alaska.

Cooperative management of fish and game populations with tribal governments has been successful in the implementation of Indian treaty rights in other states and should be replicated in ANILCA as amended.

The Regional Advisory Councils are in need of reform. At a minimum, they should be exempted from the requirements of the Federal Administrative Committees Act (FACA). Section 805 of ANILCA mandates that the secretaries establish regional advisory councils, composed of local subsistence users, with the authority to devise and submit to the Federal Subsistence Board recommendations on proposed regulations. Today, because of FACA, the RACs are required to be composed on at least 30% sport and commercial users. While not a majority, the sport and commercial interests do their best to water down the subsistence priority rather than implementing it.

While our primary focus is on achieving fundamental structural changes to the law, administrative and regulatory changes in the current management system are needed. We stress, however, that a band-aid approach to a system that is broken and that has never worked is not acceptable to the Native community.

We look forward to working with you, the Department of Agriculture, the Congress and the White House to make the changes needed to provide lasting protections for our way of life. We are confident that with your help meaningful changes can be made that will ensure the promises of ANCSA and ANILCA are finally fulfilled.

Sincerely,

Julie Kitka, President
Alaska Federation of Natives

cc:

The Honorable Tom Vilsack, Secretary, U.S. Department of Agriculture
The Honorable David Hayes, Deputy Secretary, U.S. Department of the Interior
The Honorable Larry Echohawk, Assistant Secretary for Indian Affairs, U.S. Department of the Interior
The Honorable Kim Elton, Director, Alaska Affairs, U.S. Department of Interior
The Honorable Pat Pourchot, Special Assistant to the Secretary for Alaska
The Honorable Sean Parnell, Governor, State of Alaska
The Honorable Mark Begich, U.S. Senator, Alaska
The Honorable Lisa Murkowski, U.S. Senator, Alaska
The Honorable Don Young, U.S. Congressman, Alaska
The Honorable Byron Dorgan, Chair, U.S. Senate Indian Affairs Committee, U.S. Senate

RECOMMENDATIONS

SECRETARIAL REVIEW OF FEDERAL SUBSISTENCE MANAGEMENT PROGRAM

General Recommendations concerning the review itself: The Review should be thorough and not constrained by an arbitrarily short deadline. It should integrate the Regional Advisory Councils into the review and recommendation process. Special standing should not be given to comments from the Territorial Sportsmen, the Alaska Outdoor Council and other anti-subsistence groups or to the State of Alaska. An Alaska Native advisor should be hired to assist in the review of the comments and to assist in making the recommendations to the Secretary.

The Secretary and Deputy Secretary of the Department should meet with key Native leadership after all comments are submitted. There should be at least two such meetings to discuss the views of the Department as it develops its position, and there should be full consultation with the Native community on legal and policy issues.

In addition, the Secretary should convene a meeting with key White House officials, including the Domestic Policy Council, and the Department of Agriculture to participate in the Review and in the crafting of a legislative proposal to provide meaningful protections for Native hunting, fishing and gathering rights.

AFN's recommendations and comments are set out below. While many represent views on how to reform the existing system, it is critical to note that fundamental change in the priority from one based on rural residence to a Native priority is essential. The comments are based on the following principles, which are foundational to a successful subsistence program:

1. The subsistence management system must recognize the overriding importance of meeting the needs of subsistence users, over other management issues and objectives.
2. Subsistence is a Native issue - a critical part of the larger historical question about the status, rights and future survival of Alaska's aboriginal peoples. The economic and cultural survival of Native communities is the principal reason why Congress enacted its rural subsistence preference in 1980. By articulating the federal government's traditional obligation to protect indigenous citizens from the political and economic power of the non-Native majority, Title VIII of ANILCA constitutes a landmark of Indian law, but one that has failed to deliver the protection promised.
3. The Obama Administration (the Secretaries of Interior and Agriculture, along with senior White House officials) should press Congress to introduce a legislative package that includes a Native plus "rural", or "tribal plus rural" priority for Alaska Native subsistence uses.
4. The federal system must not defer to the State government on management policies. This is a federal

system, to implement established federal priorities in support of Native hunting, fishing and gathering rights.

5. The heart of Title VIII is the local and regional participation system, the mechanism by which Congress ensured local subsistence users would be given a “meaningful role” in subsistence management. The federal system must recognize the fundamental importance of the input from the Regional advisory Councils, separate from any other “stakeholder” input.

6. The Secretary should undertake a survey of the amount of money spent on litigation involving the interpretation and implementation of Title VIII since 1980, by both the federal government and Alaska Natives that can be used to demonstrate to Congress the need for fundamental statutory changes.

TITLE VIII OF ANILCA IS INDIAN LEGISLATION: The Secretary should encourage President Obama to issue an Executive Order that advises the Federal Subsistence Board and the Office of Subsistence Management that Title VIII is Indian legislation, enacted under the plenary authority of Congress over Indian Affairs, and directs OSM and the FSB to implement a subsistence management program in accordance with the Executive Order. Title VIII was enacted to protect the subsistence way of life of rural Alaska residents, including residents of Native villages. It implements Congress’ long- standing concern for, and obligation to protect subsistence uses of Alaska Natives, and serves to fulfill the purpose of the Alaska Native Claims Settlement Act (ANCSA). 16 U.S.C. § 3111(4). Although the statute provides for a “rural” preference, it is important to remember that the subsistence title would never have been added to ANILCA had it not been for the efforts of Alaska Natives. The Justice Department and the Interior Solicitor’s office should also be directed to take this position in all litigation surrounding Title VIII.

Title VIII expresses an overriding congressional policy of protecting the subsistence rights of Alaska Natives. Congress found that because “continuation of the opportunity for subsistence uses of resources on public and other lands in Alaska is threatened by the increasing population of Alaska . . . [and] by increased accessibility of remote areas containing subsistence resources,” 16 U.S.C. §3111(3) it was necessary and in the national interest “to protect and provide the opportunity for continued subsistence uses on the public lands by Native and non-Native rural residents.” 16 U.S.C. § 3111(4) (5). Title VIII reflects recognition of the ongoing responsibility of Congress to protect the opportunity for continued subsistence uses in Alaska by Native people, a responsibility consistent with the federal government’s well-recognized constitutional authority to manage Indian Affairs. For that reason, the FSB should construe Title VIII and the regulations implementing it broadly to accomplish Congress’ purposes, which were, inter alia, to ensure that the subsistence way of life would be protected for generations to come.

While the FSB takes the position that ANILCA is not Indian legislation,¹ there is no question but that Title VIII is “remedial” legislation. It was intended to remedy the failure of the State and Federal governments to protect

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¹ See, e.g., 72 Fed. Reg. 25688, 25691 (May 7, 2007). The FSB takes the position that Title VIII of ANILCA is not Indian legislation for the purpose of statutory construction based on dicta in *Hoonah Indian Association v. Morrison*, 170 F.3d 1223, 1228 (9th Cir. 1999). However, that dicta is in direct conflict with *Village of Gambell v. Clark*, 746 F.2d 572, 581 (9th Cir. 1984), rev’d on other grounds sub. nom. *Amoco Production Co. v. Village of Gambell*, 107 S.Ct. 1396 (1987). The Supreme Court in *Amoco* implicitly accepted the Ninth Circuit’s holding in *Gambell* that Title VIII is Indian legislation; it simply found that there were no ambiguities to interpret with respect to whether Title VIII applied to waters beyond Alaska’s territorial sea. The case was reversed on other grounds, so the Ninth Circuit’s conclusion in *Gambell v. Clark* on this issue remains good law. Moreover, prior to *Hoonah*, the Court had consistently held that Title VIII of ANILCA is legislation intended to benefit Indians through preservation of Alaska Native hunting and fishing rights and the cultural aspects of the subsistence way of life. See, e.g., *Williams v. Babbitt*, 115 F.3d 657, 666 (9th Cir. 1997), citing *Gambell v. Clark*; *Native Village of Quinhagak v. United States*, 35 F.3d 388, 394 (9th Cir. 1994); *United States v. Alexander*, 938 F.2d 942, 945 (9th Cir. 1991). The dicta in *Hoonah* does not overrule this prior precedent.

the subsistence rights of Alaska Natives and other rural residents who live off the natural resources. And because it is “remedial” legislation, the rules of statutory construction require that Title VIII be broadly construed to accomplish its purposes, *Sutton v. United Airlines, Inc.*, 527 U.S. 471, 504 (1999), which were to ensure that the subsistence way of life would be protected for generations to come.

AMEND TITLE VIII of ANILCA as follows:

1 Replace the “rural” priority with a “Native,” or “Native plus rural” or “tribal plus rural” subsistence priority. ANILCA’s rural preference does not protect legitimate subsistence needs of many Native people who still occupy their ancestral homelands, but whose communities are now designated nonrural due to the influx of people into the surrounding areas. Congress has the authority, based on the supremacy clause and on its plenary authority to regulate Indian affairs rooted in the Indian commerce clause of the United States Constitution, to enact legislation that imposes a Native or tribal subsistence preference on all lands and waters of Alaska. This could be in addition to protecting the legitimate needs of non-Natives who live in rural Alaska who also dependent upon subsistence. Protection for Native hunting and fishing rights in Alaska are already contained in numerous other federal laws, including the Marine Mammal Protection Act, the Migratory Bird Treaty Act, the Fur Seal Treaty, the Endangered Species Act, and the International Whaling Convention. In 2000, the North Pacific Fishery Management Council (NPFMC) authorized a subsistence fishery for halibut in Alaska for rural residents and members of Alaska’s federally recognized tribes. A Native subsistence preference for hunting, fishing and gathering would fulfill the promises of ANCSA and ANILCA, and would be consistent with settled principles of federal Indian law. It would also put an end to the otherwise endless litigation concerning the implementation of the current rural priority.

2 Mandate tribal compacting and contracting of subsistence programs in order to give Alaska Natives a more meaningful role in the management of subsistence uses on federal and Native lands. Here again, examples abound. The Migratory Bird Treaty Act of 1918, as amended, 16 U.S.C. §§703 et seq., and the treaties with Canada and Mexico provide for subsistence uses of migratory birds by the indigenous inhabitants of Alaska and provide for a federal-state-tribal co- management regime to manage the subsistence harvest. The Marine Mammal Protection Act, as amended, 16 U.S.C. §§1361 et seq., governs the management of marine mammals in Alaska and authorizes the Secretaries of Interior and Commerce to enter into cooperative agreements with Alaska Native Organizations to conserve marine mammals and provide co-management of subsistence use of marine mammals by Alaska Natives. One of the earliest examples of co-management in Alaska involves the Alaska Eskimo Whaling Commission, which under the authority of a cooperative agreement between AEWC and the National Oceanic and Atmospheric Administration (NOAA), has taken responsibility for conducting its own research, developing whaling regulations, allocating the national whale quota among participating villages, and enforcing both the quota and the regulations. The North Pacific Fishery Management Council has also authorized agreements with tribal governments for harvest monitoring, local area planning and other issues affecting subsistence uses of halibut.

3 Exempt the Regional Advisory Councils from the requirements of the Federal Administrative Committees Act (FACA). Section 805 of ANILCA mandates that the secretaries establish regional advisory councils, composed of local subsistence users, with the authority to devise and submit to the Federal Subsistence Board recommendations on proposed regulations. Today, because of the requirements of FACA, the RACs are required to be composed on at least 30% sport and commercial users. Congress never intended the RACs to be composed of anyone other than local subsistence users. Application of FACA’s membership requirements contradicts and frustrates the purposes of §805 of ANILCA. Congress should amend FACA (or Title VIII of ANILCA) to exempt the RACs from the requirements of FACA, and the Secretaries should advance such an amendment.

AMEND THE DEFINITION OF PUBLIC LANDS: Extend the geographical scope of ANILCA jurisdiction to include all marine and navigable waters in Alaska, and Native allotments. Provide Alaska Native Corporations the authority to opt into a provision ensuring a federally protected customary and traditional hunting and fishing right on ANCSA fee lands and associated waters for Alaska Natives. ANCSA lands and Native allotments were often selected for their value to the subsistence economy and culture, yet jurisdiction to regulate hunting and fishing on these lands presently lies with the State. Congress obviously intended to provide protection to subsistence uses of fish, which for the most part occurs in navigable waters. Indian treaty rights in the lower 48 states often extend to state and private lands. The Administration should consider this possibility in the review.

ALASKA NATIVE FUND: The Secretary should create an Alaska Native Fund, as part of the BIA Rights Protection Program, to reimburse the Native community for the millions of dollars we have had to spend defending our aboriginal and human rights. As demonstrated in the attached addendum, many of the subsistence court cases were brought by Alaska Natives and were directly related to forcing the federal agencies to take their responsibilities under Title VIII seriously. One of our most costly, the Katie John litigation, was necessitated by the federal government's initial refusal to assert management authority over fishing. Congress very clearly intended our subsistence fishing in Alaska to be protected by Title VIII, and the agencies knew that fishing is the very lifeblood of our traditional way of life. That case took years to litigate and involved several appeals, not to mention the time that was spent in the regulatory processes. We continue to this day to participate in litigation to defend the federal regulations put in place to implement the Katie John decision.

COMPREHENSIVE REVIEW OF ALL SUBSISTENCE REGULATIONS. When the federal subsistence program was adopted, the federal managers blindly incorporated into federal law all existing State license, permit, harvest-ticket and tag requirements – without any assessment of the propriety of imposing these requirements on subsistence users. These types of restrictions should not be imposed upon subsistence users unless necessary under §804 to protect the viability of a species and/or the continuation of subsistence uses. The Federal Subsistence Management system was also put into place before the Secretaries established the local and regional participation scheme mandated by §805(a)-(c). We believe Congress intended that the development of a “permanent” subsistence management program would derive from the local and regional participation system, and would be based on the recommendations flowing through that system. Congress gave the Councils the explicit authority to engage in “the review and evaluation of proposals for regulations, policies, management plans and other matters relating to subsistence uses of fish and wildlife” in each region of the State. Yet, the regional councils had no input (since they were not formed at the time) in important questions like (1) whether the program should be implemented by a federal subsistence board, and if so what its composition should be; (2) the critical “rural” eligibility determinations; (3) the proper approach for determining C&T uses of resources; (4) the content of the initial hunting and fishing regulations that govern the day-to-day resource harvest activities of subsistence users, and many other vital questions important to the management of subsistence. All of these important questions need to be revisited with input from the RACs.

As noted by the Northwest Arctic Borough, by the wholesale incorporation of the State's regulations, the federal system also incorporated the State's long history of commercial hunting/fishing biases. The FSB needs to start fresh with the idea of fulfilling the full intent of ANILCA, which was allow Native communities to be able to retain the opportunity to maintain local subsistence practices and customs.

During the last Administration, in particular, the FSB more often than not aligned its hunting seasons and bag limits with the State's rather than based on subsistence users needs and customary practices. As a

result, in many cases the regulations do not reflect the customary and traditional values of subsistence users. Every regulation should be necessary, consistent with Title VIII, and cause the least adverse impact possible on subsistence uses. Finally, in adopting regulations, local traditional knowledge should be incorporated into the analysis.

COMPOSITION OF THE FEDERAL SUBSISTENCE BOARD: The Federal Subsistence Board should be replaced with a federally-chartered or authorized entity composed of twelve (12) subsistence users from the 12 ANCSA regions or the chairs of each of the Regional Advisory Councils. There is nothing in Title VIII of ANILCA that prohibits the federal government from creating a Federal Subsistence Board structure composed of non-federal members – in fact there is nothing in the statute that mandates the establishment of a Federal Subsistence Board at all. At the very least the Secretaries should increase the size of the Board and make at least 50% of the membership rural residents. The North Pacific Fisheries Management Council is composed of a mix of federal, state and public members.

RURAL/NON-RURAL DETERMINATIONS:

1 Amend the regulatory definition of “rural”. As noted earlier, we believe the rural preference should be amended to expressly protect Native subsistence use. But until that happens, the current definition of rural should be amended and defined as broadly as possible so as to benefit the greatest number of Alaska Natives who wish to continue to pursue a subsistence way of life. The only court decision addressing the question did so in the context of the State of Alaska’s definition of rural, which excluded the entire Kenai Peninsula. *Kenaitze Indian Tribe v. Alaska*, 860 F.3d 312 (9th Cir. 1988), cert. denied, 109 S. Ct. 3187 (1989). In rejecting the State’s definition, the court of appeals cited a number of definitions of rural, ranging from the one used by the census bureau (places with a population of less than 2,500) to one used by Congress in the National Housing Act of 1949, 42 U.S.C. 1490, as amended November 28, 1990 (rural defined to include communities with a population of up to 25,000). Residents of communities on the Kenai Peninsula were thus entitled to financial assistance for a number of rural housing programs but not to the subsistence priority. In light of the federal government’s trust responsibility to Alaska Natives, ANILCA’s rural definition should surely be construed at least as broadly as the National Housing Act.

2 Revise the FSB criteria for assessing rural characteristics in making its decennial reviews of communities’ rural status. The FSB needs to identify fair and workable criteria for making rural determinations. Following the first decennial review the USFWS contracted with the University of Alaska Anchorage’s Institute of Social and Economic Research (ISER) to develop methodologies for identifying rural and non-rural areas, but the FSB arbitrarily rejected the scientific method recommended by ISER which would have used clear, effective and defensible criteria to distinguish between rural and non-rural populations. The FSB’s rejection was due to political pressure from the State to avoid the potential impact the methodology would have on the Kenai Peninsula. The regulations need to be amended to ensure that future rural status reviews do not result in the elimination of rural, subsistence-dependent communities.

3 Military bases should not be considered “rural” but rather separate communities, so that sparsely populated areas such as Delta Junction are not bumped out of the rural priority due to the presence of self-contained military installations like Fort Greely;

4 The FSB should reconsider its decision finding the Organized Village of Saxman to be socially and communally integrated with Ketchikan, and reinstate Saxman’s rural status; alternatively, the Secretary should direct the FSB to reconsider its decision to classify Saxman as nonrural. Saxman has little economic development and few cash jobs – its economic and cultural characteristics are more akin to those of other small rural communities across Alaska.

CUSTOMARY AND TRADITIONAL USE DETERMINATIONS:

The federal subsistence regulations adopted the State's eight criteria for determining customary and traditional uses (C & T) on a species-by-species basis. See 50 C.F.R. § 101.16(b). This means that a community may have C&T use of moose but not sheep, for example, even though sheep are located within that community's traditional uses areas.

We believe a species-by-species approach to C&T determinations is inconsistent with Title VIII of ANILCA. The policy goal of ANILCA is to preserve cultural systems and activities which underlie subsistence uses. A primary component of subsistence use patterns involves opportunistic taking of fish or game as needed and as available. Congress fully expected Native communities to be able to retain the opportunity to maintain local subsistence practices and customs and understood that subsistence use activities were grounded in and by local self-regulating forces:

The phrase "customary and traditional" is intended to place particular emphasis on the protection and continuation of the taking of fish, wildlife, and other renewable resources in areas of, and by persons (both Native and non-Native) resident in, areas of Alaska in which such uses have played a long established and important role in the economy and culture of the community and in which such uses incorporate beliefs and customs which have been handed down by word of mouth or example from generation to generation.

H.R. No. 96-97, 96th Cong., 1st Sess. Part I at 279 (1979).

Subsistence uses historically took place within particular areas customarily used by the Villages. In other words, Alaska Natives used all the resources available to them within their community's traditional use area. Rather than focusing on whether particular species are the subject of C&T use, the regulations should focus on C&T use areas, and provide that all species found within those areas are subject to the subsistence priority, including indigenous, reintroduced and introduced species. Federal district court Judge H. Russel Holland employed the proper methodology in striking down restrictive state regulations in the landmark case of Bobby v. Alaska. Because many Villages are now surrounded by state and private lands, the FSB should implement its C&T regulations and determinations in such a way that ensures communities surrounded by State and private lands will have reasonable access to federal "public lands" in order to harvest all subsistence resources that were customarily and traditionally used by the Native Villages.

TRIBAL COMPACTING AND CONTRACTING: As noted earlier, we believe this should be included in a legislative package in order to ensure meaningful participation in management of subsistence in Alaska. Significant aspects of the federal subsistence program in Alaska could be compacted to tribal organization in Alaska. Meanwhile, Section 809 of ANILCA provides some authority for contracting OSM and FSB functions. It has not been fully utilized and needs to be expanded.

OFFICE OF SUBSISTENCE MANAGEMENT:

1 Remove OSM from USF&WS to the Secretary's office, and consider contracting with a Native organization pursuant to ANILCA §809 to perform the functions the OSM currently operates. Under the current system, the USFWS is designated as the lead agency and as such has too much control over the federal subsistence program. The federal subsistence management program is supposed to be a multi-agency effort, yet USF&WS has garnered almost total control over subsistence management because it receives the funding and hires the personnel to run the OSM. The subsistence management program could be operated out of the Secretary's office in a way similar to the Indian water rights settlement program. In both cases multiple agencies are involved and central coordination is essential.

2 OSM Director. Since the OSM is included in the budget of the USFWS, the Director is hired and answers to the Regional Director of USFWS. In the past, there has been no consultation with the Native community and apparently none or very little with the other federal partners or the Regional Advisory Committees in the recruitment and hiring of key positions within the OSM. In the future, USFWS should consult with the Native community, the RACs and the other federal partners in the hiring of the Director and Deputy Director. Those positions should be filled with individuals who are highly qualified, and who have an understanding and appreciation of the importance of subsistence to the economy and way of life of our people. They should also be committed to meaningful participation and consultation with Alaska Native Tribes and organizations on all issues that impact them. Finally, we recommend consideration of Native candidates for these positions.

3 Native Hire: Increase the number of Alaska Natives in management positions in OSM and the federal agencies. Under the previous administration, the number and authority of Alaska Native OSM employees steadily decreased, reaching a point in June, 2009, where only six Natives, of more than 45 OSM employees remained, and none have an effective role in policymaking decisions. The Secretaries of Interior and Agriculture should conduct an analysis of federal hiring practices in Alaska at USFWS, OSM, NPS, BLM, BIA the Forest Service to determine whether there are inherent barriers to the hiring of Alaska Natives, and address the cause of underrepresentation of Alaska Natives within the agencies.

FEDERAL SUBSISTENCE BOARD

1 Appoint a new FSB Chair, after consultation with tribes & Native organizations and include the RAC's in the nomination and selection process.

2 Revoke the 2008 MOA between the FSB and the State of Alaska and renegotiate it with input from RACs and Alaska's tribes. The agreement was signed in the final days of the Bush Administration and purports to establish guidelines to coordinate the management of subsistence uses on federal public lands. It imports state law requirements into the federal management program. For example, under subparagraph IV(3) of the MOU, the FSB and the State agree to "provide a priority for subsistence uses of fish and wildlife resources and to allow for other uses of fish and wildlife resources when surpluses are sufficient, consistent with ANILCA and AS 16.05.258 (emphasis added). Alaska's statute only requires the State to "provide a reasonable opportunity for subsistence uses," while §802(1) of ANILCA requires that "[t]he use of the public lands in Alaska is to cause the least adverse impact possible on residents who depend upon subsistence uses of the resources of such lands." This is but one example of the problem. It is simply impossible for the FSB to provide a subsistence priority consistent with both federal and state law. It is notable that Alaska law provides for the creation of "non-subsistence use areas," which is nothing more than a vehicle for excluding subsistence uses when politically powerful sport or commercial interests feel the priority interferes unduly with their activities.

3 Revoke Secretary Kempthorne's Letter of June 28, 2007, requiring Regional Directors to be present at key meetings and allow them to decide if they want to serve on the Board or delegate that responsibility to staff who can devote more time to the Federal Subsistence Management System.

4 The FSB should hold some of its meetings in regional locations. Given the importance of subsistence to Alaska Natives living closest to the land and subsistence resources, and the fundamental significance of input of real-life subsistence users, FSB meetings should be held in regional locations to maximize the opportunity for input from subsistence users and real-time, experiential resource evaluations.

5 Make FSB deliberations transparent and eliminate excessive use of Executive Sessions. Executive sessions should be limited to issues involving personnel, litigation and other issues that require confidentiality as a legal matter; deliberations on regulatory matters -- no matter how contentious -- should never take place in executive session. In the past, the Board has held regulatory discussions in executive session simply because

the issue was “controversial.” What made the issue controversial were objections and pressures coming from non-subsistence users and the State of Alaska. The FSB was created to implement Title VIII of ANILCA and to protect subsistence users – not to cater to or negotiate with competing users of fish and game or the State of Alaska.

6 The Federal Subsistence Board Regulatory Cycle: Until 2007, the FSB regulatory cycle was conducted yearly, with annual deadlines for recommendations from RACs and the public. Citing budgetary constraints, the FSB switched to 2-year cycles. This change has meant more “out-of-cycle” and emergency Openings/Closures, which means there is no time to seek RAC recommendations or pay them any deference. Decisions on these actions are made at FSB work sessions or by email, with no or minimum input from the RACs or the public. The RACs should not be limited to participation in the federal regulatory process to only one time every two years. Excluding their input on out-of-cycle and emergency proposals abrogates the role of the RACs and is arguably a violation of Title VIII of ANILCA. The Secretary should direct the FSB to return to an annual cycle, and to seek RAC recommendations on all proposals, including out-of-cycle and emergency openings and closures.

7 Non-voting Seats on the FSB. The State of Alaska has a non-voting seat on the FSB, and its representative has been allowed to sit at the table with the FSB and participate in Board discussions and deliberations. While not entitled to vote, the State is being given too much influence over the decision-making process. We believe the position should be eliminated.

8 Deference to Regional Advisory Council Recommendations: Section 805 is the heart of the reform program designed by Congress to protect subsistence uses of Alaska Natives and other rural Alaskans. It mandates a viable regional participation scheme and requires that deference be given to Regional Advisory Council (RAC) recommendations. The Secretary must follow these recommendations unless he determines a recommendation is “not supported by substantial evidence, violates recognized principles of fish and wildlife conservation or would be detrimental to the satisfaction of subsistence needs.” The FSB has interpreted §805(c) as only requiring deference on regulatory proposals involving the “taking” of fish and wildlife and not on important policy decisions.

The Secretaries should direct the FSB to give deference to the recommendations of the RACs on (1) rural determinations; (2) customary and traditional use determinations; (3) out-of-cycle; and (4) special actions and emergency regulations, as well as any other matter that impacts rural subsistence users’ ability to subsistence hunt and fish on federal public lands and waters. Examples of where the RACs were not given deference include the proposal to close Mahknati Island to commercial herring harvest & the decision to reclassify Saxman as non-rural.

9 Discontinue the use of RAC subcommittees and/or Working Groups unless called for by the RACs themselves. These work groups tend to circumvent the RACs and are usually formed at the request of the State. The FSB has allowed Workgroup reports to become part of its record and deliberation regardless of the RAC response to the Workgroup’s recommendations.

10 Petitions for Reconsideration: Reinstate the Board’s policy of allowing RACs to submit requests for reconsideration of FSB decisions. The SE RAC denied right to request reconsideration of the Saxman nonrural determination. RFRs should be posted on the OSM website prior to the meeting where the issue will be decided.

The FSB should adopt a policy that prevents opponents of subsistence from filing repeated requests for reconsideration of the FSB’s positive C&T determinations. The Policy should state that the Board will only

consider a proposal to modify or rescind a positive C&T determination if the proponent of the proposal has demonstrated substantial new information supporting the claim.

REGIONAL ADVISORY COMMITTEES:

- 1 The Regional Advisory Committees (RACs) need more support and funding. Congress gave the regional councils explicit authority to engage in “the review and evaluation of proposals for regulations, policies, management plans and other matters relating to subsistence uses of fish and wildlife.” §805(a)(3)(A). The full advisory role of the RACs set forth in §805 needs to be recognized in the public hearing, consultation and regulatory process. Instead, the RACs are largely on their own, with little or no professional expertise or sources of information necessary to carry out their role of making recommendations to the FSB and reporting to the Secretaries. This has weakened the grassroots input to the federal system. Despite today’s obvious constraints on the federal budget, the Secretaries should review the budgetary needs of an adequate federal system, which includes a well-funded RAC system, and restore as much of the recent reductions as is fiscally possible. The Councils, to be effective, need to have a separate pool of funding to hire their own staff and participate as full and independent partners with the agencies and their staff.
- 2 Currently, the RACs can no longer hold meetings in rural communities so that affected subsistence users can provide input on issues that will come before the FSB. This policy should be rescinded.
- 3 Contract management of the RACs to an Alaska Native tribally authorized entity.
- 4 Members of the RACs should be appointed by their tribal governments & should be subsistence users.

SCIENTIFIC RESEARCH AND DATA COLLECTION: Additional funding is needed for scientific research and data collection, including for the partnership program and fisheries information service projects. Currently, too much of the federal research funding is going to the State of Alaska. That funding could go to a statewide Native organization. The Secretary should direct OSM and the various agencies to contract and/or compact with Alaska’s Tribes and their organizations to conduct more of this research and data collection. Alaska Natives and their organizations need to be able to participate as full partners. More involvement by Alaska Natives can only improve the overall research.

In fact, given the complexity of dual management now in place in Alaska, depressed stocks and the need to scrutinize diverse fishing pressures on a large number of different stocks and species, there is a need for a statewide Alaska Native umbrella organization that can monitor and coordinate activities statewide, and provide technical assistance to regions and localities that have not yet developed their own resource management capacity. There are numerous working groups, task forces and committees that the State and the Federal Government have established to address natural resource issues that do not have meaningful Native participation because no one is paying attention or has the time or staff to offer the follow-through needed. A well-staffed statewide Native Subsistence Commission could monitor efforts to undermine federal protections for subsistence, act as a clearinghouse on subsistence-related information, and provide administrative and professional help to Alaska tribal governments and their organizations on fish and wildlife issues. While some regions and tribes have begun to develop modern resource management capacity, there is no statewide coordination and no uniform approach on many fish and wildlife issues. Such a Commission would serve to clearly demonstrate the capacity within the Alaska Native community to manage resources using appropriate science and management regimes, including traditional knowledge, so as to disprove the prevailing belief among policy makers and resource managers that there can be no meaningful role for Alaska Natives. "

OSM also needs to obtain RAC, tribal and local input into research priorities so they reflect issues of importance at the local level, and then avail themselves of local, traditional knowledge and expertise in conducting subsistence research.

TRIBAL CONSULTATION: FWS and the OSM has given a very narrow interpretation to EO 13175 in Alaska. They limit consultation to only those issues that affect tribal trust lands or resources that impact tribal self-governance or treaty rights, and see no need to consult on regulations that impact subsistence users and uses. Each of the federal agencies, including the OSM, need to create a meaningful public consultation process which honors the federal government's trust responsibility to Alaska's tribes and that includes consultation on all subsistence policies and regulations.

ANILCA SECTION 810 REVIEWS: Section 810 requires federal agencies to analyze the effect of non-subsistence uses allowed by federal decisions that "withdraw, reserve, lease, or otherwise permit the use, occupancy or disposition of public lands" if those uses would "significantly restrict subsistence uses." Both the National Park Service ("NPS") and Bureau of Land Management ("BLM") have permitted a rapidly increasing number of transporters and outfitters and their growing numbers of sport hunting clients to have almost unregulated access to the federal public lands and waters in the northwest arctic that are under NPS and BLM management. The NPS last performed an 810 analysis in 1986 when it found that the northwest arctic region was too remote for sport hunting to have any adverse effects on subsistence uses. The BLM recently completed an Environmental Impact Statement and a massive Resource Management Plan reaching from the Kobuk Valley north of Kotzebue to the Seward Peninsula south of Nome where it took the position that since the Resource Management Plan did not specifically "withdraw, reserve, lease, or otherwise permit the use, occupancy or disposition of public lands" it did not "significantly restrict" subsistence. It is now preparing a more localized Resource Management Plan for the Squirrel River drainage, which reportedly will include an 810 analysis on the effect of permitted sport hunting on subsistence. The NPS is also reportedly completing a long delayed concession permitting plan for the Noatak Preserve, but has previously taken the position that in part as long as "some" species were available for subsistence uses (such as rabbits or ptarmigan) sport hunting could not be said to "significantly restrict" subsistence uses of caribou. It is probable that these are not isolated lapses. The Secretary should direct all federal land management agencies to review, the agencies' process for the implementation of Title VIII, Section 810. The review should be conducted with the full participation and consultation of the RACs and subsistence users. The review should lead to the adoption of regulations that meaningfully protect the opportunity for customary and traditional subsistence patterns and practices of taking and use, and the opportunity to harvest subsistence resources, as well as the availability of subsistence resources and the maintenance of healthy fish and wildlife populations. The regulations should require an 810 process and analysis that is designed to protect the opportunity to continue the subsistence way of life rather than the narrow and cramped interpretation the agencies currently subscribe to section 810. The regulations and policy should be consistent among all the federal agencies. "

ENFORCEMENT: Citations should be given for wanton waste, illegal methods and means and commercial sale of subsistence taken fish, but not for subsistence users who responsibly follow their customary and traditional practices. The federal subsistence regulations establishing seasons, methods & means and bag limits need to legalize customary and traditional practices and set realistic harvest quotas. All enforcement actions on federal lands and waters should be suspended pending a complete regulatory review, and violations that were issued pursuant to erroneous policies prior to the review should be dismissed, and law enforcement agents directed to return individual's nets, small fishing gear and other essential equipment needed to feed their families.

We also recommend the Department undertake an investigation and report on Federal and State law enforcement aimed at subsistence activities undertaken in 2008 and 2009. We have seen a significant increase in enforcement actions against Alaska Natives. Finally, we recommend that the MOU between the

State of Alaska and the FSB that allows the State to carry out enforcement actions on federal lands be reviewed and possibly suspended.

INTENSIVE MANAGEMENT OF PREDATORS ON FEDERAL LANDS:

The FSB has refused to adopt regulations that would allow for predator control. It adopted a policy in 2004 that states that it has no authority to adopt such measures. The policy states that the FSB is authorized only to administer the subsistence taking and uses of fish and wildlife on federal public lands for rural residents and that the authority over predatory control and habitat management rests with the various land managers (FWS, NPS, BLM, BIA and the Forest Service).

The Secretaries of Interior and Agriculture should direct the various agencies to incorporate predator control measures into their wildlife management plans, and to ensure that decisions are based on local and traditional knowledge as well as the more general biological and social impact data. Section 815(1) of Title VIII of ANILCA infers that the “conservation of healthy populations” is not the same as the “conservation of natural and healthy populations,” which is the standard required for the national parks and monuments. ANILCA §801(4) provides that Congress invoked its constitutional authorities to protect and provide the opportunity for continued subsistence uses on the public lands by rural residents. ANILCA refers to using sound management principles, in accordance with recognized scientific principles and the purposes of each conservation unit. Predator control is a legitimate wildlife management tool and in situations where it does not conflict with the stated purposes of the federal land unit, could be used to manage ungulate populations at a healthy level to “provide the opportunity for continued subsistence uses on the public lands by rural residents.”

Subsistence in the Courts

***Madison v. Alaska Department of Fish and Game, 696 P.2d 168 (1985):** The Alaska Supreme Court overturned the state regulations that limited subsistence uses to rural residents on the grounds that the Alaska subsistence statute did not limit eligibility to rural residents. The decision placed the State out of compliance with Title VIII of ANILCA.

Kenaitze Indian Tribe v. Alaska, 860 F.2d 312 (9th Cir. 1988), cert. denied, 491 U.S. 905 (1989): The State amended its subsistence statute in 1986 to limit the state subsistence priority to "residents of a rural area," and defined "rural area" to mean "a community or area of the state in which noncommercial, customary, and traditional use of fish or game for personal or family consumption is a principal characteristic of the economy of the community or area." The definition had the effect of excluding Native communities located on the Kenai Peninsula. The Kenaitze Indian Tribe sued. The Court of Appeals rejected the State's definition of rural, concluding that the State was simply trying to find a way to "take away what Congress had given, adopting a creative redefinition of the word rural, a redefinition whose transparent purpose is to protect commercial and sport fishing interests.

Bobby v. Alaska, 718 F. Supp. 764 (D. Alaska 1989): This case helped define and clarify the requirements of Title VIII by establishing that the state subsistence regulations (seasons, bag limits, means and methods of harvest) had to be consistent with local, customary and traditional subsistence uses and that regulatory restrictions had to result in the minimum adverse impact possible upon rural residents' customary and traditional uses. The court also held that neither state law nor ANILCA precludes a defendant from challenging the validity of a state hunting regulation as a defense to a criminal prosecution.

***McDowell v. State of Alaska, 785 P.2d 1 (Alaska 1989):** The Alaska Supreme Court invalidated the state subsistence statute's rural residency preference as unconstitutional under several clauses in article VIII of the Alaska Constitution. The decision meant that the State could not comply with the basic requirement in Title VIII that it provide a priority for subsistence uses of Alaska's rural residents. In response to the McDowell ruling and Alaska's inability to comply with the requirements of Title VIII, the federal agencies took over management of subsistence uses on federal lands in 1990. 55 Fed. Reg., 27,114 (1990).

***McDowell v. United States, A92-0531-CV, (D. Alaska, filed June 22, 1990):** The same plaintiffs in the earlier State court McDowell case brought a facial challenge to ANILCA in federal court challenging the constitutionality of Title VIII's rural preference. The district court upheld the constitutionality of Title VIII, and rejected equal protection and 11th amendment challenges, but on reconsideration determined that the plaintiffs' original complaint had been filed prior to the effective takeover of management of the subsistence program and dismissed the case on procedural grounds. The plaintiffs appealed, but voluntarily dismissed their appeal in early 1998.

Kwethluk IRA Council v. Alaska, 740 F. Supp. 765 (D. Alaska 1990): The court struck down state regulations governing subsistence hunting of caribou in western Alaska as inconsistent with customary and traditional harvest patterns of Yupik natives.

*Denotes those cases in which AFN has intervened to defend the federal priority.

John v. Alaska, Civ. No. A85-698 (D. Alaska Jan. 19, 1990)[Order on cross motions for summary judgment]: The court struck down state regulations that restricted subsistence fishing at historic native fish camp on a Native allotment on the Copper River.

U.S. v. Alexander, 938 F.2d 942 (9th Cir. 1991): The court set aside a federal Lacey Act prosecution on the ground that the state subsistence law prohibiting cash sales from being considered subsistence uses was in conflict with ANILCA's protection of customary trade as a subsistence use.

Petrovich v United States, No. 92-0734-CV (D. Alaska): At issue in this case, which is still being litigated, is whether the definition of public lands in Alaska should include the waters within the Tongass National Forest. The plaintiffs claim that the US owns the submerged lands within the Forest as a result of a pre-statehood withdrawal. The case was stayed for years pending a decision in *Alaska v. United States*, 546 U.S. 413 (2006) (No. 128 Original), and was jointly managed with the *Katie John* case. The court in *Alaska v. US* approved the federal government's disclaimer of interest in the Tongass submerged lands, but the plaintiffs argue that the submerged lands within the exterior boundaries of the Forest are either subject to the exceptions in the disclaimer or that the US did not disclaim title to those waters.

State of Alaska v. Morry, 836 P.2d 358 (Alaska 1992): The Alaska Supreme Court held that "all Alaskans," regardless of where they live or what their circumstances, are eligible to travel anywhere in the State and participate in subsistence hunting and fishing on equal terms with local subsistence users. It also held that the "customary and traditional uses" standard does not provide any basis for distinguishing among users, nor does it protect "traditional patterns and methods of taking fish and game for subsistence purposes," or "traditional and customary methods of subsistence takings."

Native Village of Quinhagak v. United States, 35 F.3d 388 (9th Cir. 1994): Several Alaska Native villages were granted preliminary injunctive relief from state regulations that prevented them from fishing for rainbow trout in the navigable portions of rivers in the Togiak National Wildlife Refuge. At the time, the federal government took the position that it did not have jurisdiction over navigable waters. In reversing the lower court's refusal to grant a preliminary injunction, the Court of Appeals found that the district court erred in focusing on whether people were going hungry in weighing the harm to the villages, and held that "the court should have focused on the evidence of the threatened loss of an important food source and destruction of their culture and way of life."

**Olsen v. United States*, A97-0831CV (D. Alaska, filed January 30, 1997): This case alleged the same issues that were plead in *McDowell v. United States* and involved largely the same group of plaintiffs. The case was voluntarily dismissed without prejudice on March 13, 1998, in order to allow the Alaska Legislative Council's case to proceed in the DC Circuit. The DC Circuit had issued an order stating that it would transfer that case to Alaska unless the Olsen case was dismissed.

**Katie John v. United States*, A90-0484-CV (HHH), 1994 WL 487830 (D. Alaska March 30, 1994), consolidated with *Alaska v. Bobbitt*, Nos A92-0264-CV, 94-3548D (D. Alaska, April 20, 1995): In response to the federal agencies decision not to assume management over most navigable waters (only those overlying submerged lands withdrawn before Statehood), Alaska Native elders fishing near the Copper River from a Native allotment

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near Barzulinetas challenged the Secretary's position. They sought to extend federal subsistence management to all navigable waters in Alaska. The State sued, alleging that the federal regulations impermissibly diminished the State's authority to manage fish and game. The two cases were consolidated. Before oral argument on cross-motions for summary judgment, the federal government changed its position and conceded that the priority should extend to waters in which the US has a reserved water right. The district court concluded, based on the federal navigational servitude that federal management should extend to all navigable waters in Alaska in order to fulfill Congress' intent to provide for subsistence needs of rural Alaska residents. Both the State and the plaintiffs appealed.

The court also rejected Alaska's claim that the federal government lacked authority to manage subsistence uses on federal public lands. The State did not appeal this ruling and stipulated to a dismissal with prejudice. The State legislature, along with a group of anti-subsistence advocates attempted to intervene in the Ninth Circuit in order to appeal this ruling, but the Court denied their motion.

**Alaska Legislative Council v. Bobbitt*, 181 F.3d 1333 (DC Cir. 1999): A group of Alaska legislators, having failed in their attempt to intervene in the appeal of the Katie John decision, attempted to challenge the federal exercise of management authority in a separate lawsuit. The case was dismissed on the ground that the Legislature lacked standing to vindicate an alleged injury to the State's sovereignty interests, and the individual plaintiffs had not established their standing to bring their claims.

**Alaska v. Bobbitt (Katie John II)*, 72 F.3d 698 (9th Cir. 1995): The Ninth Circuit reversed as to the navigational servitude and agreed with the plaintiffs' alternative theory that the federal public lands include all federally reserved waters in the State.

Totenoff v. State of Alaska, 905 P.2d 954 (Alaska 1995), cert. denied, 517 U.S. 1244 (1996): The Alaska Supreme Court, in *dicta*, expressed disagreement with the John ruling, creating a conflict between state and federal law on the issue of whether the reserved rights doctrine applies to the state's navigable waters. The court also rejected the argument that *Alexander* and *Bobby* should be read to invalidate the State law that purports to strip subsistence users of "a defense [to a prosecution for a taking violation] that the taking was done for subsistence uses." AS 16.05.259. The court held that only the US Supreme Court can control the decisions of state courts, even on questions of federal law.

State of Alaska v. Kenaitze Indian Tribe, 894 P.2d 632 (1995): Since Alaska fell out of compliance with Title VIII of ANILCA in 1989, its statutory scheme maintains a subsistence priority in name only, as demonstrated by a series of State court decisions. In this case, the Supreme Court upheld the constitutionality of the state's creation of vast non-subsistence areas (Alaska Sta. 16.05.258(c). The court also unanimously invoked McDowell's construction of the "equal access" clauses of the State Constitution to prohibit the Legislature from using "local residency" for any subsistence-priority purpose, even as one of the three "Tier II" criteria of dependence and need to determine which subsistence users should be preferred when a particular fish or wildlife resource is not sufficiently abundant to satisfy all subsistence uses. Section 804 of ANILCA imposes local residency in its scheme to differentiate between subsistence users in times of shortages.

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Native Village of Elin v. State of Alaska, 990 P.2d 1 (Alaska 1999): This case interpreted the state-law subsistence priority as not applying to subsistence fish and wildlife resources throughout their migratory range. The ANILCA priority, by contrast, clearly attaches to such resources throughout their migratory travels. That is, the ANILCA priority prevents resources from being taken for non-subsistence uses in one part of their range if that would deprive rural residents in another part of the range of sufficient resources to satisfy subsistence uses. See, e.g., 50 C.F.R. §5100.10(a) (the Secretary retains “existing authority to restrict or eliminate hunting, fishing, or trapping activities [outside of the] public lands when such activities interfere with subsistence fishing, hunting or trapping on the public lands to such an extent as to result in a failure to provide the subsistence priority.”)

Niitichik Traditional Council v. United States, 227 F.3d 1186 (9th Cir. 2000): The Court deferred to the Federal Subsistence Board’s application of restrictions on subsistence users—ostensibly for conservation purposes, but without first eliminating non-subsistence users. The court found it permissible for the FSB to balance competing aims of subsistence use, recreation, and conservation, but noted that the Board must provide subsistence users with a meaningful use preference, and found the two-day opening for subsistence hunters insufficient.

**John v. US*, 247 F.3d 1032 (9th Cir. 2001) [en banc]: Following publication of the agencies final determination of which waters are subject to the federal reserved water rights doctrine, 64 Fed. Reg. 1276 (January 8, 1999), the State appealed the Secretaries’ action to federal district Judge Holland, who affirmed the Secretarial action as consistent with the Ninth Circuit’s 1995 decision. On appeal, an en banc panel of the court upheld the federal regulations, holding that “the judgment rendered by the prior panel, and adopted by the district court should not be disturbed or altered by the en banc court.” Governor Knowles decided against petitioning for certiorari to the US Supreme Court.

State v. Kenaitze Indian Tribe, 331 P.3d 1060 (Alaska 2004): The Supreme Court rejected a challenge to the implementation of the State’s non-subsistence areas (Alaska Sta. 16.05.250(c), and found that the Joint Boards of Fisheries and Game did not act arbitrarily or capriciously in including Native, subsistence-dependent communities within a large non-subsistence area encompassing almost half the state (Anchorage, the Kenai Peninsula and the Mat-Su Borough).

**Alaska Constitutional Legal Defense Conservation Fund v. Kempthorne*, 2006 US App. LEXIS 21570 (9th Cir. 2006), cert. denied, January 22, 2007: In an unpublished decision, the Ninth Circuit affirmed the district court’s dismissal of plaintiffs’ challenge to the federal regulations implementing Title VIII’s rural priority. The court held that the Federal Subsistence Board acted within its statutory authority under ANILCA by enacting regulations that grant a preference for subsistence hunting to rural Alaskans, and that the preference does not violate the federal Equal Protection guarantee.

Safari Club International v. Dementieff, 227 F.R.D. 300 (D. Alaska 2005): The court ruled that the exclusion of non-subsistence users from regional advisory councils violated the requirement of the Federal Advisory Committees Act (FACA) that committees subject to FACA be “fairly balanced.” The Secretary in October, 2004 adopted a rule that required the RACs to be composed of 30% sport and commercial users. Native tribes and individuals intervened to challenge the rule on the grounds that it violated ANILCA. The Court ultimately ruled that the RACs are subject to FACA, and after additional rulemaking, the FSB adopted a final rule that asks the Board to achieve 30% sport and/or commercial users on each of the RACs.

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Niutkik Traditional Council v. Fieagle, No. 3:06 CV 213 JWS, 2006 U.S. District LEXIS 67753 [D. Alaska 2006]: This lawsuit challenged the failure of the Federal Subsistence Board to provide for a subsistence fishery on federal waters on the Kenai Peninsula. The federal district court denied the tribe's request for a preliminary injunction to set aside the FSB's decision not to approve the Southcentral Regional Advisory Council's recommendation to create the temporary subsistence fishery requested by the Tribe. The Court held that the regulations do not clearly require the FSB to give deference to RAC recommendations when considering a request for special action for a temporary change under 50 C.F.R. 100.19(e), i.e., concluding that 805(C) Of ANILCA only applies to recommendations on actions taken during the annual regulatory cycle.

Alaska v. Federal Subsistence Board, 544 F.3d 1089 (9th Cir. 2008): The Ninth Circuit affirmed the district court's summary judgment dismissal of the State of Alaska's challenge to the FSB's customary and traditional use determination for moose hunting for the relevant game management unit near Chistochina. The State had alleged that because harvest data indicated that customary and traditional use occurred in only a very small portion of the unit, the Board's decision to extend the C&T finding to the whole unit was made without substantial evidence. The Cheesh-na Tribal Council in Chistochina intervened in the case to defend the FSB's C&T determination.

**Katie John v. U.S.*, NO. 3:05-cv-0006-HRB, consolidated with *State of Alaska v. Sabrour*, NO. 3:05-cv-0158-HRB) (Order on Cross Motions for Summary Judgment, September 29, 2009): The State filed suit in federal court in 2005 to challenge regulations adopted by the federal agencies in 1999 to implement the Ninth Circuit Court of Appeals decision (in the original Katie John case), holding that the definition of "public lands" for purposes of Title VIII of ANILCA includes navigable waters in which the US has reserved water rights. AFN intervened on the side of the federal government to support the existing regulations. Katie John filed a separate lawsuit arguing that the federal regulations should have defined water upstream and downstream from Conservation System Units (CSUs) and waters adjacent to Native allotments as public lands for purposes of ANILCA. The cases were consolidated and jointly managed with *Perutrovich v. US*, which asserted that certain marine waters within the boundaries of the Tongass National Forest should have been included within the definition of "public lands."

In May 2007, Judge Holland upheld the federal rulemaking process for determining which waters in Alaska are subject to federal jurisdiction, and on September 29, 2009, issued an order deciding all of the remaining issues in these cases regarding which waters have federal reserved water rights and are thus subject to federal jurisdiction. The court upheld the agencies' regulations which define "public lands" to include (1) waters bordering CSUs, even if they are outside the CSU; and (2) waters adjacent to in-holdings within CSUs. The court also held that selected but not conveyed lands within CSUs are properly treated as public lands until conveyed; and that the method for determining where a river ends and marine waters begin (headland to headland) was reasonable. Unfortunately, the court rejected the claims raised in both *Katie John* and *Perutrovich*, and held that federal reserved water rights do not exist, as a matter of law, in marine waters. In addition, the court upheld as "reasonable" the Secretaries' decision to exclude waters upstream and downstream of CSUs, and waters adjacent to Native allotments that are outside of CSUs from the definition of public lands. The State has appealed the decision to the Ninth Circuit.

*Denotes those cases in which AFN has intervened to defend the federal priority.



November 13, 2014

Honorable Sally Jewell
Secretary of Department of Interior
1849 C Street, N.W.
Washington DC 20240
Via Email

RE: *Senator Daniel K. Inouye Legacy Issue*

Dear Madame Secretary,

On behalf of the Alaska Federation of Natives (AFN), I am writing to urge you to initiate discussions with the Alaska Congressional delegation, in particular, Senator Lisa Murkowski on a range of options to begin to bridge the gap between the federal and state government on subsistence management.

During Senator Murkowski's remarks to the 2014 AFN Convention in October, Senator Murkowski revisited the idea of amending the State of Alaska's constitution as part of a solution which hold potential for bringing the State of Alaska into compliance with Title VIII of ANILCA.

As background, on December 22, 1989, the State Supreme Court ruled that the State law (1978, amended in 1986) granting subsistence priority based solely on residency is unconstitutional under the Alaska State Constitution. The impact of the decision was clear: State law was out of compliance with ANILCA and the federal government was required as a matter of law to take over management of fish and game on its public lands (more than 60% of lands in Alaska).

In 1990, we identified several solutions to recover from the McDowell decision: amend the State constitution, to amend ANILCA, to amend both the State constitution and ANILCA or to do nothing.

From 1990-2000, the Alaska Native community, the Secretary of Interior, the Alaska Congressional delegation, and sometimes the Governor, worked together to get a state constitutional amendment. Six special sessions of the state legislature were called and the issue came up in every regular session. The first try for a constitutional amendment we came up one vote shy. The requirements for an amendment to Alaska's constitution are a 2/3 vote of both houses (14 senators and 27 representatives). Then the amendment must be approved by a majority of voters in a general election. Further, the state legislature must restate a state law to be in compliance.

This is what we pursued vigorously for a decade with solid supports of Alaskans.

After a decade of trying, we gave up. From 2000-now, the Native community has pursued a comprehensive and rational federal management system, which would protect Native hunters and



fishers. We believe co-management systems allows greater participation by Native people at the table which makes decisions which affects our lives so much.

With Senator Murkowski raising the issue of a constitutional amendment again, it is important that the Native community and the Secretary of Interior revisit this option. We urge you to reach out to the Alaska Congressional delegation to explore ideas.

Within the Native community we will be discussing this as well. We look forward to further discussions with you on this.

Sincerely,

Julie Kirtka
President

cc: Senator Lisa Murkowski



ALASKA FEDERATION
OF NATIVES

October 21, 2014

John Podesta, Counselor to the President
White House Office of the Chief of Staff
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. Podesta:

Thank you, again, for your time and attention to matters affecting Alaska Natives. I write to express our very strong support for the climate resiliency initiatives of the Administration and, in particular, of the proposal made by the Alaska Federation of Natives to conduct an assessment of infrastructure in rural Alaska which is particularly susceptible to harmful impacts from a changing climate. We have contacted our congressional delegation and sought support for these initiatives, both for an initial assessment of rural Alaska infrastructure, and also for innovative financing approaches to rural infrastructure to make it more resilient in the face of climate changes.

As you well know, Alaska is experiencing the impacts of the changing climate, with earlier and more intense impacts than we have seen before. We are seeing disruption in many villages, and a real and fundamental concern for the viability of many of our communities. America's arctic communities are at the epicenter of climate change. AFN is concerned about the viability of our rural infrastructure - homes, schools, hospitals, community buildings, and facilities in our rural economic centers of activities. As an organization, we have urged White House-level attention to these issues, as you know, with a request for a specific direction to the various federal agencies to adopt policies and funding practices that take on our infrastructure backlog and need for upgrades. AFN has also expressed strong support for an infrastructure bank model, blending public and private investments and investors. A very promising approach is contained in the "social investment bond" program, which you helped develop.

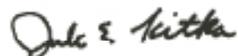
We are respectfully requesting your assistance in securing a direction to conduct an assessment of rural infrastructure in Alaska, and the susceptibility of that infrastructure to failure due to climate-related impacts. We have asked for the support of the Alaska congressional delegation for this assessment as well.

We have also requested that the delegation work with the Administration to advance legislation that fosters greater infrastructure development in rural areas, taking into account the need for innovative public-private financing and second to help support an effort by this Administration to develop pilot projects using the social investment bond concept. Financing of projects is especially difficult in rural Alaska. We will need innovative approaches, and full

cooperation on innovation, to make funding real and available. The leadership of the Administration, and the Alaska congressional delegation, in that effort is critical to the success of rebuilding resilient rural infrastructure in Alaska.

Thank you for your kind consideration of this request. The assistance and leadership of the Administration is critical to the future of many of our communities.

Sincerely,

A handwritten signature in black ink that reads "Julie E. Kitka". The signature is written in a cursive style with a large initial 'J'.

Julie Kitka, President
Alaska Federation of Natives



October 21, 2014

Senator Lisa Murkowski
Hart Senate Office Building, SH-709
Washington, DC 20510-0203

Dear Senator Murkowski:

On behalf of the Alaska Federation of Natives (AFN), I am writing to express our support for efforts to improve and support Alaska's rural infrastructure needs in response to climate-related impacts. To further the goals of safeguarding our nation's economic growth, natural resources, and long-term stability, we request your support in encouraging the Administration to adopt and implement innovative approaches to infrastructure funding in rural areas, even if on an experimental scale. Specifically, we request your assistance in asking the Administration to conduct a baseline assessment of Alaska's rural infrastructure, an effort in which AFN would assist and which would provide a basis for much-needed infrastructure investment and improvement.

As you know, Alaska is on the front lines of experiencing significant climate-related events, with earlier and more intense impacts than we have seen before. Disruptions in many villages are adding to a real and fundamental concern for the viability of our communities, especially in our rural infrastructure. AFN is particularly concerned that our homes, schools, hospitals, community buildings, and facilities in rural economic centers are insufficiently prepared to address and respond to the increased pressures associated with more intense climate-related impacts. Given the remoteness of many Alaskan communities, and their limited access to infrastructure taken for granted elsewhere, unique efforts are needed to address their continued viability and resilience. It is vital that the Administration understand the need for an Alaska-focused strategy to promote resilient rural infrastructure.

As an organization, we have urged White House-level attention to these issues and have requested specific direction to the various federal agencies to adopt policies and funding practices that take on our infrastructure backlog and need for upgrades. Despite the challenges presented by the current funding and political climate, we believe that creative strategies can address and finance rural infrastructure needs. For example, AFN strongly supports an infrastructure bank model, blending public and private investments and investors. Partnerships such as the West Coast Infrastructure Exchange (WCX) could provide a model for financing Alaskan rural infrastructure. However, the WCX is funded through a nonprofit grant, and we believe that dedicated federal funding is ultimately needed to make such an initiative successful.

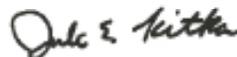
Emerging financial tools such as Social Impact Bonds (SIBs) also provide a promising approach to achieve long-term savings and stability. Through SIBs, the private sector can make upfront and continuing investments in a program; when these initiatives reach successful milestones, the government pays the investors while benefitting from long-term cost-savings. This would allow the government to recognize and address this important issue through an innovative, efficient use of funds.

We respectfully request your assistance, and that of the entire delegation, in (1) working to advance legislation that fosters greater infrastructure development in rural areas, taking into account the need for innovative public-private financing, and (2) expressing to the Administration support of efforts to conduct a baseline assessment of rural infrastructure needs, and efforts to fund those needs through development of pilot projects using the SIB concept.

You know well that financing of projects is especially difficult in rural Alaska. We will need innovative approaches and full cooperation to make funding real and available. Your assistance in that effort is critical to our success. We hope you will join the Congressional delegation in a letter of support to the Administration declaring Alaskan rural infrastructure resilience a priority. If you and the delegation will join in such a letter, we will carry our effort forward to work with the Administration to secure, adopt, and implement a successful infrastructure financing program that can work in rural Alaska. I would be happy to provide details of this request.

Thank you for your consideration of this request, which is critical to the future of many of our communities.

Sincerely,



Julie Kitka, President
Alaska Federation of Natives

cc: Senator Mark Begich
Congressman Don Young



ALASKA NATIVE INVOLVEMENT IN THE ARCTIC COUNCIL

BACKGROUND:

The Arctic Council is an intergovernmental forum to provide a means for promoting cooperation, coordination and interaction among the Arctic States, with the involvement of the Arctic Indigenous communities and other Arctic inhabitants on common Arctic issues, in particular issues of sustainable development and environmental protection in the Arctic. The council is comprised of eight member countries: Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden, and the United States. The Council also has ad hoc observer countries and permanent participants. The permanent participants include:

- Arctic Athabaskan Council (AAC)
- Aleut International Association (AIA)
- Gwich'in Council International (GCI)
- Inuit Circumpolar Council (ICC)
- Russian Association of Indigenous Peoples of the North (RAIPON)
- Saami Council (SC)

The AAC, AIA and ICC are located in Alaska whose members and communities are concerned about management of potential marine disasters with limited emergency response facilities and capacity in the Arctic. These communities are seeking to establish partnerships with appropriate state and federal agencies to execute marine incident prevention and response to ensure food security and the safety of the Arctic region.

REQUESTED ACTIONS:

As the State Department defines the U.S. Chairmanship of the Arctic Council, we request that Alaska Natives be incorporated at all levels of decision making. This would ensure that Alaska Native priorities and traditional knowledge would be fully incorporated in the U.S. Chairmanship. Below are request actions that should be addressed before and during the U.S. Chairmanship:

- The inclusion of an Alaska Native at a high level leadership position in the Arctic Council
- Before the U.S. takes over as Chair of the Arctic Council the White House should mandate co-management agreements between Alaska Native Organizations and all federal agencies
- Full and meaningful consultation with Alaska Natives for research priorities that results in the creation of a comprehensive development plan that incorporates traditional knowledge in Arctic Research and protects subsistence resources.
- Increased activity in the Arctic implies a greater demand for services not currently provided within the region. Increased capabilities of regional hubs is critical to provide necessary support services including search and rescue, emergency health care, communications, and oil spill response.
- Increased collaboration between DOI and other agencies to complete charting and mapping of the Arctic's ocean waterways, coastal and interior lands for better and safer navigation and the identification of ecologically sensitive areas.
- All the Regions now have corporations with the ability to perform and/or manage construction contracts. Any infrastructure development will necessitate the need for an increased response capability and must be built collaboratively with local people and companies, which in Alaska are best embodied by the Regional and Village corporations. Encourage industry to partner with Alaska Native entities to develop a ready and trained workforce that will participate in all phases of Arctic development.



ARCTIC ECONOMIC COUNCIL

BACKGROUND: The Alaska Federation of Natives represents over 130,000 Alaska Natives, including 151 federally-recognized tribes, 134 village corporations, 12 regional for-profit Native corporations and 12 regional non-profit entities. Nearly 1/3 of AFN's membership resides in Alaska's Arctic. The state of Alaska is the reason that the United States is considered an Arctic Nation; and as such, the U.S. is a member of the Arctic Council.

The Arctic Council, under the leadership of its Chair, Leona Aglukkaq, recently created the Arctic Economic Council (AEC). The AEC held its inaugural meeting in Iqaluit, Nunavut, Canada on September 2-3. The absence of a Senior Arctic Official representing the United States was significantly noted; and, the circumpolar Arctic perception is that the United States does not support Alaskan's involvement in the AEC nor does the U.S. support the AEC having access to the Arctic Council, the organization which created the AEC.

The world is looking to Alaska and the Arctic. We appreciate the government's leadership role within the Arctic Council, and the stewardship for the environment within this forum. As Alaska Natives, we have the same desire to safeguard our natural environments because it brings us the bounties of the land and sea to feed our families, and has sustained our people for thousands of years. However, we also desire to have economic stability and growth in our remote communities. This is made possible by economic development activities in the Arctic that provide jobs, livelihoods and pride of being able to provide for our families in a cash economy.

The U.S. will assume the chairmanship of the Arctic Council in April 2015, and it is imperative that the U.S. demonstrate full support of the AEC's involvement with the Arctic Council to ensure that the business interests of the United States, Alaska and Alaska Natives are accurately reflected within that body.

REQUEST FOR ACTION: The Alaska Federation of Natives strongly urges the Obama Administration to recognize the importance to Alaska of embracing the formal relationship between the AEC and the Arctic Council, and to direct the appropriate agency or individuals to engage in the AEC. It is imperative that the U.S. acknowledge and fully support the AEC as an advisory mechanism for the Arctic Council on economic development policies and guidelines for the Arctic. In the larger geo-political arena, the willingness of the U.S. to block access of an advisory committee to the Arctic Council negatively impacts the Alaska Native population because it denies our voice to be heard by the Arctic Council through the AEC.

It is important to understand that Alaska Natives take a balanced and holistic approach to environmental stewardship and economic growth for our remote communities. We cannot separate the two, which is why keeping the AEC and the Arctic Council in silos is a flawed approach. Cooperation and resolution of conflict are Alaska Native values that we practice at home, in our communities and in the work place. We do not seek to create additional barriers; we look to remove barriers for the collective benefit of our people. Establishing and supporting a link between the AEC and the Arctic Council is progress that will positively impact Alaska Native people.

Circumpolar countries are looking at pan-Arctic access and development; we need a seat at that table with the full faith of the United States government supporting the efforts of the AEC and its unique relationship to the Arctic Council. As others focus on transportation challenges across the Bering Strait, homeland security issues resulting from Chukchi Sea development, or Arctic economic development activities, it is important to the Alaska Native community to safeguard our traditional hunting and fishing rights, protect the environment, ensure that development incorporates traditional knowledge, and finally, that sound guiding principles are established for doing business in the Arctic.

We believe that the United States' position and representatives on the AEC are strengthened by the support of the federal government. We respectfully request that the United States government officially support the AEC as the formal mechanism for providing economic information to the Arctic Council.



Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 39

- TITLE:** SUPPORTING THE ARCTIC ECONOMIC COUNCIL
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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 Arctic Council was established in 1996; and
- WHEREAS:** The Arctic Council was established through the *Ottawa Declaration of 1996* to function as a high level intergovernmental forum to promote cooperation, coordination and interaction across the Arctic, with the involvement of Arctic Indigenous communities and people, with a focus on sustainable development and environmental protection in the Arctic; and
- WHEREAS:** The United States of America, Russian Federation, Finland, Norway, Sweden, Kingdom of Denmark (Greenland and Faroe Islands), Iceland and Canada are all member nations of the Arctic Council; and
- WHEREAS:** The great state of Alaska makes the United States a member nation because of its Arctic regions; and
- WHEREAS:** The Permanent Participants of the Arctic Council include the Inuit Circumpolar Council, Aleut International Association, Gwich'in Council International, Arctic Athabaskan Council, the Saami Council, and Russian Association of Indigenous People of the North (RAIPON); and
- WHEREAS:** Alaska Natives are represented in four of the six Permanent Participant organizations; and
- WHEREAS:** In 2013 Canada assumed the chair of the Arctic Council; and
- WHEREAS:** On August 23 2012, the Prime Minister of Canada, Steven Harper, appointed Minister Leona Aglukkaq as the Chair of the Arctic Council during Canada's chairmanship; and
- WHEREAS:** Minister Aglukkaq is an Inuk from Iqaluit, Nunavut, Canada; and
- WHEREAS:** She is the first indigenous person to serve as Chair of the Arctic Council; and
- WHEREAS:** The Alaska Federation of Natives celebrates her appointment and leadership as an indigenous Chair because she fully understands the needs, challenges and benefits of living in the Arctic; and
- WHEREAS:** Minister Aglukkaq recognizes that along with environmental stewardship there must be a balance with responsible development of our natural and human resources; and

- WHEREAS:** As a result of this understanding, Minister Agluktaq took a leadership position to create the Arctic Economic Council; and
- WHEREAS:** The Arctic Economic Council is comprised of the same membership as the Arctic Council; and
- WHEREAS:** The Arctic Economic Council held its inaugural organizational meeting in Iqaluit, Nunavut, Canada on September 3-4, 2014; and
- WHEREAS:** Representatives from the member countries of The United States of America, Russian Federation, Finland, Norway, Sweden, Kingdom of Denmark (Greenland), Iceland and Canada were present; and, representatives from the Inuit Circumpolar Conference, Arctic Athabaskan Council, Gwich'in Council International, and the Saami Council represented the Permanent Participants; and
- WHEREAS:** Druce Pearce, Gail Schubert, Lori Davey, and Bruce Harlan represented the United States at the inaugural meeting in Iqaluit; and, Tara Sweeney represented the Inuit Circumpolar Council-Alaska as Permanent Participant; and
- WHEREAS:** The United States federal government's participation was noticeably absent with no official Senior Arctic Official from the U.S. State Department; and
- WHEREAS:** The representatives from Alaska learned that the United States federal government does not recognize the direct association between the Arctic Economic Council and the Arctic Council; and
- WHEREAS:** The United States federal government, upon the recommendation of the United States State Department, does not support having the Arctic Economic Council serve as a business advisor to the Arctic Council; and
- WHEREAS:** These actions by the United States State Department have an adverse impact on Alaska, the Alaska Native community and the Arctic Economic Council; and
- WHEREAS:** As an Arctic state, Alaska Natives recognize the importance of environmental stewardship balanced with responsible economic development of our natural and human resources; and
- WHEREAS:** The Alaska Federation of Natives supports the position of Minister Agluktaq and her wisdom that recognizes that Arctic indigenous people need both environmental stewardship and responsible economic development to continue to thrive in the Arctic; and
- WHEREAS:** Arctic indigenous people rely on the land and the sea to sustain our traditional lifestyle which defines why we are who we are; and
- WHEREAS:** Arctic indigenous people also rely on the revenue from responsible economic development to maintain our schools, roads, communities, and public service infrastructure; and
- WHEREAS:** Arctic indigenous people also have a wealth of traditional knowledge needed to ensure that responsible policies that impact the Arctic also incorporate that traditional knowledge in order to support thriving Alaska Native communities to have the regional indigenous tribe within the Arctic to have a voting seat on the Arctic Council; and
- WHEREAS:** The absence of the United States federal government's presence at, and support of, the Arctic Economic Council and its direct association with the Arctic Council weakens the indigenous position and Alaska's position within the Arctic Economic Council; and

WHEREAS: The United States federal government should work to empower Alaska and Alaska Natives as a partner in the Arctic Economic Council, not work to diminish the authority.

NOW THEREFORE BE IT RESOLVED that the delegates of the 2014 Annual Convention of the Alaska Federation of Natives call upon the Obama Administration to direct the United States State Department to formally acknowledge the direct association between the Arctic Economic Council and the Arctic Council; and

BE IT FURTHER RESOLVED that AFN requests the Obama Administration direct the United States State Department to also formally acknowledge and support the Arctic Economic Council as the business advisor to the Arctic Council; and

BE IT FURTHER RESOLVED that AFN requests the Obama Administration direct the United States State Department to engage its Senior Arctic Official with the business of the Arctic Economic Council; and

BE IT FINALLY RESOLVED that AFN requests the Obama Administration direct the United States State Department to hold an official signing ceremony in Alaska pledging and certifying its full support for the Arctic Economic Council in the forms described above; and

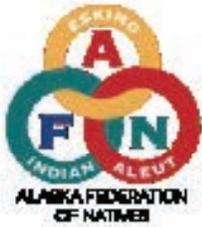
BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: ARCTIC SLOPE REGIONAL CORPORATION

COMMITTEE ACTION: DO PASS

CONVENTION ACTION: ADOPT AS AMENDED





November 13, 2014

The Honorable Sally Jewell
Secretary of Interior
Department of the Interior
1849 C St., N.W.
Washington, D.C. 20240

Re: Safeguarding Native American Voting Rights through Proposed Department of Justice Legislation

Dear Secretary Jewell:

As announced in the enclosed ‘Dear Tribal Leader’ letter, the Department of Justice consulted with federally recognized Indian tribes on August 26, 2014 to determine whether the Department should propose new federal legislation that would mandate any state whose territory includes an American Indian reservation, Alaska Native village, or other tribal lands to administer at least one tribally designated polling place in an attempt to solve the persistent problems associated with American Indian and Alaska Native voters. The recommendations garnered at the consultation, including several comments by revered Alaska Native tribal leaders, heavily favored such legislation.

Our membership—which includes a majority of the 229 federally recognized Indian tribes in Alaska—also strongly supports the Department of Justice’s effort to safeguard Native American voting rights through new federal legislation. We encourage you, therefore, to immediately meet with Attorney General Eric Holder as soon as the Justice Department releases its new proposed legislation to develop and implement a ‘fast tract’ strategy for quickly moving the bill through Congress.

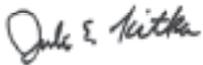
We also hope that you will use your time with Attorney General Holder to discuss whether federally recognized Indian tribes may directly access Helping America Vote Act (HAVA) funds. It is our understanding that the State of Alaska has amassed approximately \$9 million dollars under HAVA, but has refused to use these funds to remove barriers in voting through meaningful election administration reforms. Alaska Native tribes stand ready and able to dispense HAVA monies as Congress intended.

The discrimination experienced by Alaska Native voters is as old as our earliest suffrage laws. The 1915 federal statute that initially bestowed citizenship on Alaska Natives—including the right to vote—subjected Natives to a prejudiced and prolonged application process centered on an assessment of the applicant’s ‘intelligent exercise of the obligation of suffrage’ by village school teachers. While subsequent federal legislation rendered this law obsolete in 1924, the Alaska territorial legislature enacted similar legislation a year later.

Specifically, a 1925 territorial law required Alaska Natives with limited English proficiency to demonstrate that they could 'read and write the English language' as a prerequisite to voting. A literacy test was also embedded in the first constitution for the State of Alaska, in 1956, through a provision that mandated any 'person otherwise qualified to vote in state or local elections be able to read or speak the English language as a prerequisite for voting.' Alaska voters finally repealed this provision in 1970 by margin of roughly 1,500 votes, but the inequality in voting rights between Alaska Natives and Non-Natives remains.

Thank you in advance for your careful consideration of our requests. If you have any questions or comments about this letter, please contact me directly.

Sincerely,
ALASKA FEDERATION OF NATIVES



Julie Kitka
President

Encl. Letter to Tribal Leader from Tracy Toulou, Director, Office of Tribal Justice (July 22, 2014)
Toyukak, et al. v. Treadwell, et al., Order Re Interim Remedies (Sept. 22, 2014)



U.S. Department of Justice
Office of Tribal Justice

Room 2318, RFK Main Justice Building (202) 514-8812
950 Pennsylvania Avenue, N.W. FAX (202) 514-9078
Washington, D.C. 20530-0001

July 22, 2014

Dear Tribal Leader:

As announced in a letter dated June 9, 2014, the Department of Justice is committed to addressing the unique and persistent challenges that American Indian and Alaska Native voters face. The Attorney General would like to initiate formal consultation between officials of federally recognized Indian tribes and Department of Justice officials to discuss whether the Department of Justice should recommend to Congress new legislation that would require any state or local election administrator whose territory includes part or all of an Indian reservation, an Alaska Native village, or other tribal lands to locate at least one polling place in a venue selected by each tribal government.

The attached framing paper outlines the Department of Justice's intent to hold consultations on this matter and raises several questions and issues for your consideration. The consultation schedule follows:

August 26, 2014		In-Person Consultation Session	
10:30 a.m. – 12:00 p.m. Mountain Standard Time		In conjunction with the 22 nd annual Four Corners Indian Country Conference at Twin Arrows in Flagstaff, Arizona (twinarrows.com)	
Wednesday, September 3, 2014		Telephonic Consultation Session	
3:00 – 4:00 p.m. Eastern		Call in number: 1-866-524-3160 (toll-free); ask to be connected to the USDOJ call. You will be asked to provide your name and affiliation.	
Thursday, September 4, 2014		Telephonic Consultation Session	
3:00 – 4:00 p.m. Eastern		Call in number: 1-866-524-3160 (toll-free); ask to be connected to the USDOJ call. You will be asked to provide your name and affiliation.	

In addition, we will accept written comments until the close of business on Friday, September 12, 2014. Please submit them via email to OTJ@usdoj.gov or (if necessary) via regular mail to:

Office of Tribal Justice
Department of Justice
950 Pennsylvania Avenue NW, Room 2318
Washington, DC 20530

If you have questions, please contact the Office of Tribal Justice at (202) 514-8812 (not a toll-free number) or OTJ@usdoj.gov. We hope you will be able to participate in this important government-to-government consultation and look forward to consulting with you on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tracy Toulou', written in a cursive style.

Tracy Toulou
Director, Office of Tribal Justice
U.S. Department of Justice

TRIBAL CONSULTATION ON WHETHER TO PROPOSE FEDERAL LEGISLATION TO SAFEGUARD NATIVE AMERICAN VOTING RIGHTS

The Department of Justice places a high priority on protecting the voting rights of American Indians and Alaska Natives. The Department plans to consult with tribes to determine whether this effort might be significantly advanced by new federal legislation and is providing this framing paper to facilitate the consultation and frame the discussion with the tribes. The framing paper begins by presenting some background on the problem, and then focuses on whether federal legislation to guarantee that American Indian and Alaska Native voters have access to polling places on Indian reservations and in Alaska Native villages can contribute to solving that problem.

Tribal recommendations in these areas, and others, are of course most welcome. This framing paper is designed merely to raise questions about options for tribal leaders to consider. It is not intended to be, nor should it be construed as, a statement of Department policy.

BACKGROUND ON VOTING BY AMERICAN INDIANS AND ALASKA NATIVES AND GAPS IN CURRENT LAW

American Indians and Alaska Natives have faced a distinctive history of discrimination affecting their right to vote. Even after Reconstruction had dramatically expanded the franchise, the U.S. Supreme Court held that Indians living on reservations could not invoke the protections of the Fourteenth and Fifteenth Amendments. *See Elk v. Wilkins*, 112 U.S. 94, 101-03 (1884). And although the Indian Citizenship Act of 1924 conferred U.S. citizenship on all American Indians born within the United States, many states continued to disenfranchise Indians, either by refusing to treat them as state residents or by imposing literacy tests that American Indians and Alaska Natives with limited English proficiency — often the result of the state's failure to provide adequate education — were unable to pass. As recently as 1948, Indians, including veterans who recently had returned from the battlefields of World War II, were barred from voting in Arizona and New Mexico.

In 1975, recognizing the barriers to full participation that American Indians and Alaska Natives continued to confront, Congress not only permanently prohibited literacy tests throughout the United States but also expressly included American Indians and

Alaska Natives within the special protections of the Voting Rights Act. As a result, certain jurisdictions with large American Indian or Alaska Native populations were placed under the preclearance regime of Sections 4 and 5 of the Act and were prohibited from making any changes to their voting laws until they could prove to the Department of Justice or to a three-judge federal court that the change neither had a discriminatory purpose nor would have a retrogressive effect. A number of other jurisdictions with large Native American populations were also covered by Section 203 of the Voting Rights Act, which requires bilingual election materials and assistance in areas with large numbers of citizens with limited English proficiency.

Despite these reforms, participation rates among American Indians and Alaska Natives continue to lag far behind turnout rates among non-Native voters. Estimates suggest that nationwide, while nearly 64% of non-Native adult citizens cast a ballot in the 2008 presidential election, less than 48% of Native American adult citizens voted. Part of that gap is attributable to differences in registration rates; but even among registered voters, the turnout among American Indians and Alaska Natives nationwide falls 5 to 14 percentage points below that of other racial and ethnic groups. And the gap with respect to Alaska Natives is especially large: Turnout among Alaska Natives often falls 15 to 20 or more percentage points below the non-Native turnout rate.

The causes of these disparities are complex. Lingering effects of prior overt discrimination play a role, as do socioeconomic conditions: Among all Americans, political participation is positively correlated with income and education, and Native communities are disproportionately poor. But two factors stand out. The first is that many American Indians and Alaska Natives live far from established polling places. The second is that, in some tribal communities, Native American voters have significant rates of limited English language proficiency. These two factors, alone and in combination, create special barriers to effective political participation by citizens living on Indian reservations and in Native villages.

There are myriad examples of the problems American Indian and Alaska Native voters have faced getting to the polls. Residents of the Cheyenne River Sioux Reservation in South Dakota had to travel up to 150 miles roundtrip to vote until a federal court ordered the establishment of polling places on the reservation. There is ongoing litigation in Montana over several counties' refusal to set up satellite early-voting sites on reservations far from the county seat. And in Alaska, polling places to which Alaska Natives have been assigned are sometimes located across a river or other body of water or across a mountain range that is impassable on Election Day. The Alaska Division of Elections has assigned some Native villages to polling places that are 75 miles away and accessible only by air or boat.

Moreover, although jurisdictions with large numbers of limited English proficiency voters are often covered by Section 203, many jurisdictions with large numbers of American Indian or Alaska Native citizens have failed to provide those materials or adequate assistance at the polls. In Cibola County, New Mexico — the target of a decade’s worth of enforcement litigation by the Department of Justice — the Department was again required to intervene earlier this year to prevent the county’s planned elimination of voting-rights coordinators to train poll-workers and provide election information to Navajo- and Keres-speaking voters.

For some potential voters, the inaccessibility of polling places poses only a minor barrier, since they can instead vote absentee. But that option is far less manageable for American Indian or Alaska Native voters with limited English proficiency, because they receive little or no assistance in navigating the bureaucratic process for obtaining and casting an absentee ballot. In Alaska, for example, the state has designated dozens of Yup’ik-speaking Native villages as “permanent absentee voting” sites where voters must fill out an English-language application to vote absentee in each election.

Currently, federal law does not specifically address the location of polling places, leaving the decision essentially in the hands of each state. States often devolve that responsibility to local jurisdictions, giving counties or municipalities discretion to choose how many polling places to have and where to locate them. While Section 2 of the Voting Rights Act prohibits states from using election procedures, including poll-siting, that deny minority voters an equal opportunity to participate in the political process, *see, e.g., Spirit Lake Tribe v. Benson County*, 2010 WL 4226614 (D.N.D. 2010), Section 2 cases can be complex and costly to litigate.

Until the Supreme Court’s decision in *Shelby County v. Holder*, 133 S. Ct. 2612 (2013), which held invalid the formula used to place jurisdictions under the obligation to preclear their voting changes, the Department of Justice used Section 5 to prevent covered jurisdictions (which included Alaska, Arizona, and two counties in South Dakota with large Indian populations) from making changes in polling places that could have a discriminatory impact on Native American voters. In Arizona, the Department of Justice used Section 5 to prevent a series of efforts by Apache County to close polling places located in the Navajo Nation. Similarly, in 2008, Alaska ultimately withdrew a request to change a number of polling places to which Native villages had been assigned after the Department of Justice issued a “more information” request, asking the state to explain why the changes would not disadvantage Alaska Native voters. Since the Supreme Court’s decision last year in *Shelby County*, Alaska has apparently eliminated in-person voting for more than a dozen Native villages, forcing their residents into “permanent absentee voting.”

Given the continued difficulties faced by American Indian and Alaska Native voters, the Department of Justice is consulting with the tribes about possible federal legislation to fill gaps in federal election laws to better safeguard Native Americans' voting rights.

TRIBAL DESIGNATION OF POLLING PLACES FOR FEDERAL ELECTIONS

The Central Question: Should the Department of Justice recommend to Congress legislation that would require any state or local election administrator whose territory includes part or all of an Indian reservation, an Alaska Native village, or other tribal lands to locate at least one polling place in a venue selected by the tribal government?

Background: The Constitution grants Congress “plenary” power “to legislate in respect to Indian tribes.” *United States v. Lara*, 541 U.S. 193, 200 (2004). Congress’s “unique obligation” toward Indians — in particular, its responsibility to ensure that they are included fully within the “modern body politic” — gives Congress the power to require fair treatment for American Indian and Alaska Native voters. *See Morton v. Mancari*, 417 U.S. 535, 552 (1974).

Moreover, under the Elections Clause of Article I, Section 4 of the Constitution, Congress has additional power to regulate any election conducted at least in part to select Members of Congress. That clause provides that “[t]he Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations”

The Elections Clause has traditionally been interpreted to give Congress virtually plenary power over a wide range of aspects relating to congressional elections. In *Cook v. Gralike*, 531 U.S. 510 (2001), the Court stated that the term “Manner of holding Elections” “encompasses matters like ‘notices, registration, supervision of voting, protection of voters, prevention of fraud and corrupt practices, counting of votes, duties of inspectors and canvassers, and making and publication of election returns.’” *Id.* at 523 (quoting *Smiley v. Holm*, 285 U.S. 355, 366 (1932)). The list of practices that the Supreme Court and the lower federal courts have found within the scope of Congress’s Elections Clause power is broad indeed. *See, e.g., Roudebush v. Hartke*, 405 U.S. 15, 24-25 (1972) (authority to regulate recount of elections); *United States v. Gradwell*, 243 U.S. 476, 483 (1917) (full authority over federal election process, from registration to certification of results); *In re Coy*, 127 U.S. 731, 752 (1888) (authority to regulate conduct at any election coinciding with a federal contest).

Taken together, the Indian powers and the Elections Clause authorize Congress to enact legislation to safeguard the voting rights of Native American voters, particularly in elections conducted in whole or in part to elect Members of Congress. Here, long experience with inaccessible polling places and failures to provide sufficient assistance to American Indian and Alaska Native voters support the conclusion that Congress might rationally impose affirmative obligations on state and local election authorities to enable these citizens to cast their ballots.

The Department of Justice would welcome feedback on the following questions, which may be relevant to both policy considerations and constitutional analysis.

Selection of Polling Places: Should Congress require that states permit tribes to designate a polling place on tribal land if the tribe concludes that such a location would help provide tribal members a fair and equal opportunity to participate in the political process? Should tribes be permitted to designate such polling places for voting only on Election Day itself, or should they be permitted also to designate early-voting sites in jurisdictions that permit early voting (sometimes referred to as “in-person absentee voting”)?

Should there be any requirements tied to the number of potential voters? For example, should tribes with large numbers of voters or dispersed populations be entitled to request more than one polling place? Conversely, should there be a minimum potential voter population to trigger the requirement?

Actual Operation of the Polling Place: For any polling place the location of which is determined by the tribe, how should the polling place be operated? Obviously, the state or local election administrator would be required to equip the polling place with as many ballots and voting machines (on a per-registered-voter basis) as are provided to similar polling places in non-Native communities. But should staff for the polling place be supplied by the tribe, with proper training to be supplied by the state or local election administrator? Such a proposal could help ensure that poll-workers are sensitive to the distinctive needs of tribal voters with respect to assistance in voting, and would accommodate state and local administrators’ concerns about the costs of the proposal.

Scope of the Requirement: Should the requirement apply only to elections held in whole or in part to select candidates for federal office? Or should the requirement apply to all elections for public office or in which ballot propositions are involved?

Voter Registration: Should Congress also require state or local election administrators to designate, upon the request of a federally recognized Indian tribe, a tribal office or agency as a site for voter registration? If so, what procedures should apply to this requirement?

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

MIKE TOYUKAK, et al.

Plaintiffs,

vs.

MEAD TREADWELL, et al.,

Defendants.

Case No. 3:13-cv-00137-SLG

ORDER RE INTERIM REMEDIES

Having reviewed the State of Alaska's Proposal in Response to Court's Order of September 3, 2014, filed September 5, 2014 (Docket 224), and Plaintiffs' Proposed Remedies (November 2014 Election), filed September 10, 2014 (Docket 225), IT IS ORDERED that:

1. To the extent certain tasks relate to the upcoming 2014 General Election and whether or not specifically addressed in this Order, the Division of Elections ("Division") shall perform each of the tasks set forth in the Division's 2014 Language Assistance Program Tasks list, which was admitted as an exhibit at trial as Exhibit CC, in the three census areas at issue in this litigation.
2. For all oral and written translations required by this Order, for both the Dillingham and the Wade-Hampton census areas, the Division shall retain one or more Yup'ik language experts to review the translation and confirm that it is in a dialect that will be understood in that census area. If the dialectical differences for a particular translation from Central Yup'ik are minor (e.g., a few

words or phrases), those differences may be noted through a footnote that identifies the dialect and the differences. The translation for the Limited English Proficient ("LEP") voters in the communities in the Yukon-Koyukuk census area shall be into Gwich'in.

3. On or before September 26, 2014, the Division shall distribute a pre-election announcement to be read by outreach workers in Yup'ik or Gwich'in, as applicable, over the VHF radio stating the voter registration deadlines and the availability of the outreach worker to assist in the completion of voter registration applications.
4. On or before September 26, 2014, the Division shall rewrite the language assistance instructions in the Official Election Pamphlet to explain more clearly that LEP voters may ask their outreach workers for pre-election help in translating the pamphlet.
5. On or before September 26, 2014, the Division shall change the Certificate of Outreach form so that outreach workers are asked to report the number of hours spent assisting voters in pre-election outreach efforts and the number of voters the outreach worker assisted.
6. On or before September 26, 2014, the Division shall prepare a revised cover letter to accompany the election materials sent to tribal councils in the three census areas that directly encourages each council to inform tribal members that it has the materials available for tribal members to review.
7. On or before October 3, 2014, the Division shall draft, translate, and record a new public service announcement for local radio stations in the three census

areas at issue in this litigation to notify voters (1) that outreach worker(s) are available to provide language assistance before the election and (2) that bilingual poll workers will be available to assist voters on Election Day. This public service announcement shall also instruct voters that they can call the Yup'ik assistance hotline for general language assistance and identify the name, location, and telephone number of their local in-person outreach worker(s).

8. On or before October 3, 2014, the Division shall draft and translate a written version of a public service announcement that contains the same information described in paragraph 7 above, for outreach workers to broadcast over VHF in their communities.
9. On or before October 3, 2014, the Division shall also distribute the following translated pre-election announcements to be read by outreach workers over the VHF radio that include the following information:
 - a. absentee ballot application deadlines and the availability of the outreach worker to assist in the completion of absentee ballot applications;
 - b. early voting information including the dates, times, and locations;
 - c. the date, time, and location for the General Election, and other requirements for voting including voter identification;
 - d. the subject matter to be included on the General Election ballot (e.g., what offices are to be filled, bond measures, identification of the subject of each ballot question);

- e. the availability of language assistance before Election Day and on Election Day, including the name of the person(s) and dates and locations when it will be provided; and
 - f. the dates, times, and locations for community meetings to discuss the election information and the name of the person(s) to contact if voters have any questions about the meetings.
10. On or before October 3, 2014, the Division shall include in the outreach worker packets for the 2014 General Election in the three census areas *five copies of a pre-election poster advertising the availability of pre-election language assistance in Yup'ik or Gwich'in, as applicable, with instructions that they post them in public locations such as the school, tribal council office, community store, etc. The posters shall be translated into Yup'ik or Gwich'in, as applicable, and shall state the following:*
- a. You can receive help voting or with any voting-related activity in your Native language;
 - b. The person(s) available to help you is [blank for the name(s) and telephone number(s) to be filled in by the outreach worker];
 - c. Help will be provided in your Native language before the election on [blank for the time and date to be filled in by the outreach worker] at [blank for the location to be filled in by the outreach worker];
 - d. Help will be provided in your Native language during early voting, which begins on October 20, 2014. Contact [blank for the name(s) and

telephone number(s) to be filled in by the outreach worker] for more information; and

- e. Help will be provided to you at the polling place in your Native language during the General Election, which is scheduled for November 4, 2014 and will be held at [blank for the location to be filled in by the outreach worker] from 7:00 a.m. to 8:00 p.m.

11. On or before October 3, 2014, for each of the LEP communities in the applicable census areas, the Division shall include in Election Day packets buttons for poll workers saying "Can I help?" translated into Yup'ik or Gwich'in, as applicable, and Election Day posters translated into Yup'ik and Gwich'in announcing the availability of language assistance.

12. The Election Day posters shall state the following, in English and also translated into the applicable language:

- a. You can receive help voting or with any voting-related activity in your Native language;
- b. The person(s) available to help you are [blank for the names to be filled in by the outreach worker]; and
- c. You also have the right to receive help voting from any person of your choice.

13. In each of the three census areas, the Division shall provide each poll worker with at least two copies of the Election Day poster described above, with instructions that the poll workers are to post them in conspicuous places inside the polling place where they can be seen by voters before they vote.

14. On or before October 10, 2014, the Division shall make available on its website the written Central Yup'ik translations of election materials that the Division already routinely posts as individual audio files on the website, as well as written Yup'ik translations of those same election materials that are (1) in a Yup'ik dialect that is understandable in the Dillingham census area; and (2) in a Yup'ik dialect that is understandable in the Wade-Hampton census area.
15. On or before October 10, 2014, the Division shall send to each of the outreach workers in the three census areas (in addition to the audio translations of ballot measure neutral summaries, pro/con statements, and candidate statements) written translations of the following so as to assist the outreach workers in providing oral translations to LEP voters:
- a. Sample ballots including ballot questions;
 - b. Neutral summaries of each ballot question prepared by the State;
 - c. Statements of cost associated with ballot questions;
 - d. Summary of bond measures;
 - e. Pro and con statements for ballot questions and bond measures;
 - f. Candidate statements (federal and state offices and judicial candidates);
 - g. A copy of the Official Election Pamphlet;¹ and

¹ To the extent the Division maintains it is unable to translate the entire Official Election Pamphlet for the 2014 General Election, it shall make all reasonable efforts to translate as much as possible in accordance with this Order, and shall be prepared to detail in its November 28, 2014 report to the Court the reasons why, despite all reasonable efforts, it was unable to translate the entire pamphlet for the General Election.

- h. A cover letter and updated instruction packet to the outreach workers that emphasizes to each outreach worker that she/he is expected to be available to assist voters to understand all voting information and that encourages workers to call the Division with any questions about performing these tasks.
16. On or before October 10, 2014, the Division shall provide all translations required by this Order to the Plaintiffs' attorneys for their feedback, and the Division shall strive to incorporate any such feedback to the maximum extent feasible.
17. The Division shall make a concerted effort to provide at least one local outreach worker and one in-person poll worker in each of the covered communities in the three census areas for the 2014 General Election and shall file a preliminary report with the Court on its efforts to do so that addresses each of the covered communities by October 10, 2014.
18. The Division shall increase to no fewer than thirty the number of hours for which outreach workers may be paid in the 2014 General Election.
19. On or before October 10, 2014, the Division shall update the outreach worker instructions and list of duties so that the workers are fully informed of their language assistance responsibilities, including all of the duties identified in this Order, such as the translation of the Official Election Pamphlet.
20. On or before October 24, 2014, the Division shall provide a minimum of two teleconference training sessions of at least 30 minutes each for each outreach worker in the three census areas. If an outreach worker is unable to attend both

training sessions, then the Division shall provide one-on-one training to that outreach worker. The training shall be mandatory for all outreach workers and shall include:

- a. Instructions to provide the same information available to English-speaking voters in the Official Election Pamphlet, including how to use the written translations to provide complete, accurate, and uniform translations in the covered language and dialect;
- b. Instructions on how to translate procedural voting materials (forms and instructions); and
- c. Instructions on conducting community outreach meetings before the election to discuss the ballot and voting procedures.

21. On or before November 28, 2014, the Division shall file a comprehensive report to the Court detailing its compliance with this Order.

DATED this 22nd day of September, 2014 at Anchorage, Alaska.

/s/ Sharon L. Gleason
United States District Judge



INDIAN CHILD WELFARE GUIDELINES

Request the Secretary prioritize their commitment to undertake revised guidelines for State Court Judges on implementation of the Indian Child Welfare Act.

In April 2014, the Department announced it would undertake the effort to revise the Indian Child Welfare Act Guidelines for State Court Judges in light of the U.S. Supreme Court's ruling in *Adoptive Couple v. Baby Girl*. To date, however, no proposal has been published. The need for the new guidelines in Alaska is paramount. Recently, in *Native Village of Tununak v. State, Office of Children's Services*, the Alaska Supreme Court held that a priority ICWA placement, a Native maternal grandmother, was ineligible for consideration for the adoption of her granddaughter.

The Court cited the passage from the *Baby Girl* decision that states a party must "formally seek to adopt the child" to trigger 25 U.S.C. Section 1915(a)'s federal placement preferences. This misinterpretation of the *Baby Girl* decision illustrates the necessity of the Department's new guidelines. It is imperative that the Department completes the new guidelines as quickly as possible in order to curb continued misapplications of ICWA and the *Baby Girl* decision.



2014 AFN Convention Resolutions

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Special Recognition



Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 48

TITLE: SPECIAL RECOGNITION OF THE PEOPLE INVOLVED IN THE KATIE JOHN LITIGATION

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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: On March 31, 2014 the Supreme Court of the United States rejected the State of Alaska's petition in the legal case *State of Alaska v Sally Jewell, Secretary of the United States Department of Interior et al*, widely known as one of the Katie John Cases, ending nineteen (19) years of litigation on this matter; and

WHEREAS: Katie John, Doris Charles, Gene Henry and their families brought this litigation forward to protect the subsistence hunting and fishing rights of the Alaska Natives and Ahtna people; and

WHEREAS: The following lawyers were involved on the Katie John Cases: Lawrence Aschenbrenner, Native American Rights Fund; William Caldwell; John Sky Starkey; Robert T. Anderson, University of Washington School of Law; Carol H. Daniel, AFN Counsel; Riyaz A. Kanji and Phillip H. Tinker of Kanji & Katzen, Ann Arbor, MI; Heather Kendall-Miller, Native American Rights Fund; and Carter G. Phillips and Erica Myers of Sidley Austin, Washington, D.C.

NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that AFN hereby bestows a special recognition of these people and organizations for their involvement and support during the duration of the Katie John Cases and for their enduring contributions to the protection of Alaska Natives' cultural and physical survival, and subsistence way of life.

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: AFN BOARD
BOARD ACTION: DO PASS
CONVENTION ACTION: ADOPTED



Subsistence



Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 1

- TITLE:** A RESOLUTION SUPPORTING PROTECTIONS, INCLUDING A COMMUNITY FISHING ASSOCIATION, FOR GULF OF ALASKA FISHERY DEPENDANT COASTAL COMMUNITIES FROM THE NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL AS THE COUNCIL DEVELOPES THE GULF OF ALASKA TRAWL GROUND FISH BYCATCH MANAGEMENT PROGRAM (RATIONALIZATION PROGRAM)
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** Healthy fisheries are the backbone of the economies and cultures for Gulf of Alaska fishery dependent rural and tribal communities, including fishermen, processors, support businesses and community residents; and
- WHEREAS:** The North Pacific Fishery Management Council (NPFMC) is currently considering a bycatch management program for the Gulf of Alaska groundfish trawl fisheries which includes a catch share or "rationalization" program; and
- WHEREAS:** Catch share programs can provide economic and conservation benefits, but past catch share programs have also resulted in significant harm to Gulf of Alaska fishery dependent rural communities and tribal communities in terms of loss of access to locally available fish stocks, vessel consolidation and loss of crew jobs; and
- WHEREAS:** A Gulf of Alaska trawl bycatch reduction/catch share program can achieve bycatch reduction while maintaining Gulf of Alaska Coastal Communities' economies and fisheries access if designed correctly; and
- WHEREAS:** Port specific delivery requirements may inhibit development of local processing capacity in smaller fishery dependent Gulf of Alaska coastal communities; and
- WHEREAS:** Direct allocations of fishing quota to Gulf of Alaska fishery dependent communities can help to ensure coastal fishing communities' economies remain intact under a catch share program by anchoring quota in the community, supporting subsequent generations of fishermen, and providing access opportunities to community residents; and
- WHEREAS:** Community Fishing Associations (CFAs) are currently being considered by the North Pacific Fisheries Management Council for inclusion in the Gulf of Alaska Trawl Ground fish Bycatch Reduction/Rationalization program and initial recipients of ground fish quota.

NOW THEREFORE BE IT RESOLVED that the delegates of the 2014 Annual Convention of the Alaska Federation of Natives request the North Pacific Fisheries Management Council, as part of their Gulf of Alaska Trawl Bycatch Reduction/Rationalization Program, create a Community Fishing Association to protect Gulf of Alaska fishery dependent communities, provide resource access, protect crew and ensure new entry into the fishery and that the NPFMC initially allocate not less than 15% of the Gulf of Alaska Trawl Groundfish to the CFA; and

BE IT FURTHER RESOLVED that the North Pacific Fisheries Management Council recognize the Government-to-Government authority of Gulf of Alaska fishery dependent tribes and ensure that tribes are included in Community Fishing Associations; and

BE IT FURTHER RESOLVED that the North Pacific Fisheries Management Council NOT create port specific delivery requirements as part of its Gulf of Alaska Trawl Groundfish Bycatch Reduction\Rationalization program; and

BE IT FURTHER RESOLVED that AFN directs the regulatory agency to study and explore the broad effects of rationalization from one area in the neighboring regions; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY:	KONIAG-KANA ROUNDTABLE
COMMITTEE ACTION:	DO PASS
CONVENTION ACTION:	ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 2

- TITLE:** CALL FOR ALASKA NATIVE SELF-DETERMINATION IN THE MANAGEMENT OF THEIR HUNTING, FISHING, TRAPPING, AND GATHERING RIGHTS AND RESOURCES
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** Alaska Native hunting and fishing practices, including the harvesting and sharing of fish, game, and other resources and the ceremonies which accompany these practices are essential to the social, cultural, spiritual, and economic wellbeing and survival of the Alaska Native people; and
- WHEREAS:** Alaska's current federal-state dual management system fails to adequately manage resources to meet the traditional, customary, and spiritual needs and practices of Alaska Native peoples and does not adequately provide for Alaska Native participation; and
- WHEREAS:** The Secretary of the Interior recognized this failure in the Department's 2010 Review of the Federal Subsistence Management Program and in the published Findings and Recommended Actions recognized the critical and necessary need for Alaska Natives to be more active in the administration, decision-making, and implementation of the Program; and
- WHEREAS:** The Department of the Interior and the Alaska Director of USFWS has failed to implement the Recommended Actions within the Federal Subsistence Management Program, including but not limited to increased ANILCA Section 809 Agreements with local Tribes to implement the program; and
- WHEREAS:** The State of Alaska does not recognize rural preference as established in ANILCA, nor does it have a mechanism to adequately ensure Alaska Native role in the management of traditional resources, yet it is provided funding by the Federal Subsistence Management to implement rural preference programs; and
- WHEREAS:** Through a series of broken promises by the State and Federal governments, Alaska Natives have been denied the right to manage hunting, fishing and gathering even on the lands conveyed through the settlement of their aboriginal land claims; and
- WHEREAS:** Alaska Natives and their Tribal Governments, Tribal Consortiums, Non-Profits, and Corporations have the expertise, education, and capabilities to adequately manage their traditional lands and resources today and into the future as they have served as stewards for thousands of years maintaining healthy and productive ecosystems.

NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that Alaska Natives have full and equal co-management role along with the State of Alaska and the Federal Government to provide Alaska Natives with a full and equal co-management role of their traditional hunting, fishing, and gathering resources, including the primary authority to manage these resources on their customary and traditional lands and waters conveyed through ANCSA or native allotments or otherwise held for or owned by Alaska Native Organizations; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY:	TANANA CHIEFS CONFERENCE & ASSOCIATION OF VILLAGE COUNCIL PRESIDENTS
COMMITTEE ACTION:	DO PASS
CONVENTION ACTION:	ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 3

- TITLE:** REDUCTION OF CHINOOK AND CHUM SALMON BYCATCH IN THE BERING SEA POLLOCK FISHERY
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** Chinook salmon are the cornerstone for nutritional, cultural, spiritual, and economic survival of the Native Villages located on the Yukon and Kuskokwim River Drainages; and
- WHEREAS:** Dramatically low Chinook runs and harvests in recent years have caused severe impacts to the people in our villages and the Chinook stocks upon which they depend; and
- WHEREAS:** For the first time in history, directed subsistence fisheries for Chinook salmon on the Yukon and Kuskokwim Rivers were completely closed in 2014; and
- WHEREAS:** Commercial Chinook salmon fisheries have been shut down for years on the Yukon and Kuskokwim Rivers, and summer chum salmon fisheries have been restricted to protect Chinook salmon; and
- WHEREAS:** Even State determined minimum amounts necessary for subsistence have not been met on the Yukon River since 2008 and on the Kuskokwim since 2011- 2012; and
- WHEREAS:** Chinook salmon federal commercial fishery disasters were declared for the Yukon River for 1997, 1998, 2000-2002 and 2009-2012 and for the Kuskokwim for 2011-2012; and
- WHEREAS:** Despite these restrictions the Yukon River Chinook salmon Canadian escapement goal has only been met in 3 out of the last 9 years and mean run size of Canadian-origin Chinook salmon (which comprise approximately 50% of the run) declined 45% for the period 1998-2010 compared to 1982-1997; and
- WHEREAS:** The Bering Sea pollock fishery catches these same salmon as bycatch; catching over 122,000 wild Chinook salmon in 2007 and over 700,000 chum salmon in 2005; and
- WHEREAS:** According to the best available scientific information, as much as 73% of the Chinook salmon taken as bycatch are of Western Alaska origin; and
- WHEREAS:** The management measures adopted in April 2009 by the North Pacific Fishery Management Council (the Council) provide for a 47,591 bycatch level in most years, with the potential for the fleet to reach 60,000 in two out of every seven years without consequence, despite

continuous subsistence closures on the Yukon river and more recent subsistence closures on the Kuskokwim river; and

WHEREAS: Although Chinook bycatch has been below the cap in recent years, bycatch has averaged around 14,500 over the last several years demonstrating that the Bering Sea Pollock fleet can take their quota without approaching the 60,000 bycatch level they are allowed under the Council's regulations; and

WHEREAS: Under the current management regime there is nothing to prevent the Pollock fleet from catching as many as 60,000 Chinook salmon as bycatch next year even if subsistence fisheries remain closed or border passage obligations are not met and the Chinook stocks continue to decline; and

WHEREAS: In these times of severe Chinook salmon declines, all sources of mortality must be reduced and all harvesters of salmon must bear equitably in conserving Chinook salmon.

NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives request that the North Pacific Fishery Management Council act immediately to reduce the overall hard cap for Chinook bycatch from 60,000 to 20,000 and the performance standard from 47,591 to 14,500; and

BE IT FURTHER RESOLVED that the Alaska Federation of Natives requests that the North Pacific Fishery Management Council use its emergency regulatory authority to implement these changes; and

BE IT FURTHER RESOLVED that the Alaska Federation of Natives requests that the Bering Sea/Aleutian Islands pollock industry act immediately to set a voluntary limit on Chinook salmon bycatch for 2015 not to exceed 14,500 Chinook and to take every action possible to reduce bycatch towards zero; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: TANANA CHIEFS CONFERENCE & ASSOCIATION OF VILLAGE
COUNCIL PRESIDENTS

COMMITTEE ACTION: DO PASS

CONVENTION ACTION: ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 4

- TITLE:** RESOLUTION FOR STRONGER AND MORE LASTING PROTECTION OF TRIBAL SUBSISTENCE RESOURCES IN THE NORTHERN BERING SEA AND TO ENSURE TRIBAL SELF-DETERMINATION FOR DECISIONS IMPACTING THESE RESOURCES
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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 ancestral teachings of Alaska Natives are based on respect for what the ocean provides. Respectful actions are rewarded by hunting success and disrespectful actions have negative consequences. Alaska Natives are taught never to waste what the Creator has given, to share food with the community and to listen to Elders because they acquired wisdom over a long life, through sharp observation and through historical knowledge passed down by ancestors; and
- WHEREAS:** While technology has changed, traditional values, such as hunting, fishing and gathering, remain the foundation of Alaska Native culture. Respect for the natural world and caring for natural resources are necessary for our people to continue thriving off the ocean and land, and for providing these resources and opportunities to our children as their inheritance; and
- WHEREAS:** Climate change threatens our way of life, including the potential expansion of trawling in the northern waters, which would have a negative impact on the waters; and
- WHEREAS:** Federal fishery managers recognized the importance of the Northern Bering Sea and the threat by trawling by establishing a boundary to prevent large-scale fishing fleets from moving into northern waters where they have not operated before and where uses of marine resources are essential to the nutritional, economic, spiritual, and cultural way of life of the Native Villages that have used this area and its resources since time before memory; and
- WHEREAS:** Federal fishery managers specified that before trawling would be considered in the future, they would first study and consider effects on marine mammals, seabirds, crab, endangered or threatened species and the opportunity to continue the subsistence way of life; and
- WHEREAS:** Federally recognized tribes and Indigenous People have an extremely limited role or voice in the current federal management regime with authority over our traditional territory and resources, despite the national and international declarations and policies that recognize the injustice and inequity in excluding tribes in such decision-making; and
- NOW THEREFORE BE IT RESOLVED** by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that:

1. The federal government should strengthen existing policy that prevents the future expansion of trawl fisheries into the Northern Bering Sea to protect marine resources and habitat that provide for the continuation of the nutritional, economic and cultural way of life of the Native Villages and promote the self-determination of our People in the future management of these resources and habitat; and
2. The federal government should engage in formal government-to-government consultation that will result in the implementation of stronger and lasting protection for the Northern Bering Sea and recognition of the right to tribal self-determination in protecting the Northern Bering Sea.
3. That the Alaska Federation of Natives will continue to work for the establishment of a tribal seat on the North Pacific Fisheries Management Council.

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: ASSOCIATION OF VILLAGE COUNCIL PRESIDENTS
COMMITTEE ACTION: DO PASS
CONVENTION ACTION: ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 5

TITLE: CALL FOR THE DEPARTMENT OF INTERIOR - BUREAU OF LAND MANAGEMENT (BLM) TO MANAGE THE LANDS SELECTED BY THE STATE OF ALASKA AND ALASKA NATIVE CORPORATIONS FROM THE FEDERAL GOVERNMENT

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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: Upon the passage of statehood, the State of Alaska was granted authorization to select approximately 106 million acres of land for state ownership; and

WHEREAS: As part of the selection process, the State was permitted to “over select” approximately 20% more acreage; and

WHEREAS: Although the “over-selected” land is still owned by the federal government, those lands are not regulated by federal hunting and fishing regulations but instead are regulated by state regulations; and

WHEREAS: As a result of being governed by state regulations, federal subsistence rules and regulations are not being applied to these lands.

NOW THEREFORE BE IT RESOLVED that the delegates OF the 2014 Annual Convention of the Alaska Federation of Natives request the Secretary of Interior and Agriculture to fulfill their statutory responsibilities under Title VIII of ANILCA and manage all federal lands, including State and Alaska Native Corporations over selection whose title is still in federal ownership; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: AHTNA INC.
COMMITTEE ACTION: DO PASS
CONVENTION ACTION: ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 6

- TITLE:** TO SUPPORT THE SWIFT ENACTMENT OF REGULATIONS GOVERNING THE PROCEDURES FOR THE FEDERAL SUBSISTENCE BOARD TO DETERMINE RURAL/TRIBAL COMMUNITY STATUS UNDER TITLE VIII OF THE ALASKA NATIONAL INTEREST LANDS CONSERVATION ACT
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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 continuation of the opportunity for subsistence uses by Alaska Natives on the public lands is essential to Native physical, economic, traditional, spiritual, and cultural existence; and
- WHEREAS:** The continuation of the opportunity for subsistence uses of resources on public and other lands in Alaska is threatened by the increasing population of Alaska, with resultant pressure on subsistence resources, by sudden decline in the populations of some wildlife species which are crucial subsistence resources, by increased accessibility of remote areas containing subsistence resources, and by taking of fish and wildlife in a manner inconsistent with recognized principles of fish and wildlife management; and
- WHEREAS:** The subsistence resources harvest priority guaranteed by the Alaska National Interests Lands Conservation Act (ANILCA) only extends to communities whose residents are deemed “rural” by Federal Subsistence Board regulations published at 36 C.F.R. § 242.15; and
- WHEREAS:** The Federal Subsistence Board’s determination of which communities are “rural” has proved problematic, time consuming, and have resulted in wrongful, formulistic determinations ignoring key attributes of individual communities, such as Saxman, Alaska, and other communities along the road system, which maintain customary and traditional harvests of subsistence resources; and
- WHEREAS:** On April 15, 2014, the Federal Subsistence Board acknowledged the deficiencies in the current rural determination process and voted unanimously to recommend to the Secretaries of Agriculture and Interior to implement an administrative rulemaking to amend 36 C.F.R. § 242.15 in a manner to reflect the realities of rural communities in Alaska; and
- WHEREAS:** The Federal Subsistence Board’s proposed amendments would restore Alaska Native communities to their rightful rural/tribal community status and/or community within a community regardless of other populations; and

WHEREAS: The Secretaries of Agriculture and Interior are, as of the date of this resolution, yet to initiate the rulemaking proposed by the Federal Subsistence Board; and

NOW THEREFORE BE IT RESOLVED that the delegates of the 2014 Annual Convention of the Alaska Federation of Natives request Secretary of Agriculture Tom Vilsack and Secretary of the Interior Sally Jewell draft and publish, with all deliberate speed, the regulation recommended by the Federal Subsistence Board governing the processes by which Alaska communities classified as “rural” for purposes of ANILCA’s subsistence priority; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: NATIVE AMERICAN RIGHTS FUND

COMMITTEE ACTION: DO PASS

CONVENTION ACTION: ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 -41

- TITLE: SUBSISTENCE RIGHTS PRIORITY OVER COMMERCIAL AND SPORTS USES FOR FISH AND GAME
- WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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: Subsistence use of resources, such as fish and game, are vital to feed, clothe, supply basic subsistence needs as food security, and provide for economic security; and
- WHEREAS: Subsistence resources have been bartered for others goods as a basis of trade, economy and assistance; and
- WHEREAS: Many people and families in Alaska continue to use subsistence resources in this manner; and
- WHEREAS: The best and proper use of subsistence resources is to prioritize feeding Alaska residents first; and
- WHEREAS: Only once a stock of fish and game is at a sufficient level to accommodate the subsistence needs of Alaska's people, should that stock be made available to commercial or sport uses.
- NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that the State of Alaska shall prioritize subsistence rights over commercial and sports uses of Alaska's fish and game; and
- BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.
- SUBMITTED BY: ASSOCIATION OF VILLAGE COUNCIL PRESIDENTS
BOARD ACTION: DO PASS
CONVENTION ACTION: ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 42

TITLE: PROTECTION OF ALASKA NATIVE TRADITIONAL RESOURCE MANAGEMENT PRACTICES

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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: Alaska Native hunting and fishing practices, including the harvesting and sharing of fish, game, and other resources and the ceremonies which accompany these practices are essential to the social, cultural, spiritual, and economic wellbeing and survival of the Alaska Native people; and

WHEREAS: Alaska Natives have served as the stewards of their traditional lands and resources maintaining healthy and productive ecosystems for thousands of years, and maintain the belief that human beings are an integral part of naturally functioning ecosystems, not separate from them; and

WHEREAS: The National Park Service (NPS) has a proposed rule that “activities or management actions involving predator reduction efforts with the intent or potential to alter or manipulate natural ecosystems or processes (including natural predator/prey dynamics, distributions, densities, age-class distributions, populations, genetics, or behavior of a species) are not allowed on NPS lands in Alaska. Under the proposed rule, the regional director would compile a list updated at least annually of activities prohibited by this section of the proposed rule”; and

WHEREAS: This proposed rule is overreaching, vague, and indiscriminant and would further criminalize Alaska Native traditional resource management practices within our traditional use areas now managed by the NPS; and

WHEREAS: Other federal agencies such as US Fish and Wildlife Services also apply various rules that interfere with traditional resource management practices that reduce subsistence access.

NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that the National Park Service should not adopt the proposed rule, which would indiscriminately disallow traditional wildlife population management practices, and that government-to-government consultation is held directly with effective area Tribal Governments whose traditional use areas are now managed by the NPS and USFWS to ensure their needs are met in the management of these lands; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY:	TANANA CHIEFS CONFERENCE
BOARD ACTION:	DO PASS
CONVENTION ACTION:	ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 43

- TITLE:** RE-ESTABLISH STATE AND FEDERAL RECOGNITION OF INDIGENOUS SUBSISTENCE RIGHTS IN ALASKA
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** Subsistence rights are key to the way of life and vital to both food and economic security of our tribes as indigenous peoples of the United States and Alaska Native people across the state; and
- WHEREAS:** Alaska Native people have since the beginning always exercised subsistence rights to feed, clothe, supply their basic subsistence needs such as food security, for the continuation of our customary, traditional, and spiritual activities, and provide for economic security; and
- WHEREAS:** Subsistence rights provided trade with Russians, Americans and many other nationalities for goods and/or money as a basis of economy and assistance that continues into today; and
- WHEREAS:** Alaska Native people and families in Alaska continue to respectfully exercise subsistence rights which needs to be recognized and validated; and
- WHEREAS:** Alaska Native people have exercised self-determination by governing themselves through tribal governments and the operation of ANCSA Corporations as tools for managing their communities, the development of their community and statewide economies, and a means for responsibly developing natural resources and protecting subsistence resources; and
- WHEREAS:** ANCSA needs to be amended as the ANICLA changes did not adequately address subsistence rights including hunting and fishing; and
- WHEREAS:** The termination of aboriginal or indigenous hunting and fishing rights in ANCSA is contestable and against the United Nations human rights of indigenous peoples, and treats indigenous peoples in the State of Alaska differently than the rest of tribal America; and
- WHEREAS:** ANCSA was created during the era of federal termination policy of American and Alaska tribes with a modified corporation model with goals of assimilation that is no longer the official US policy which is now self-determination; and
- WHEREAS:** The State of Alaska’s non-compliance with federal law has only created more issues and points to the need to re-establish indigenous subsistence rights as the ultimate solution.

NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that recognition of aboriginal or indigenous hunting and fishing rights be restored by the US government in federal law which were wrongly taken; and

BE IT FURTHER RESOLVED that self-determination, including subsistence rights, be honored by all Americans.

BE IT FURTHER RESOLVED Federal definitions that weaken Alaska Native indigenous rights must be modified to recognize the indigenous rights of Alaska Natives; and

BE IT FURTHER RESOLVED that the current definition of “indigenous inhabitants” in the Migratory Bird Treaty protocol amendments of 1996 be restored to its original intent of Alaska’s Eskimo, Indians, and Aleuts as described in the Migratory Bird Treaty with Japan; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY:	ASSOCIATION OF VILLAGE COUNCIL PRESIDENTS
BOARD ACTION:	DO PASS
CONVENTION ACTION:	ADOPT AS AMENDED



Health, Safety & Welfare



.Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 7

TITLE: SUPPORTING A REVIEW OF THE STATE OF ALASKA ADULT PROTECTIVE SERVICES TO BETTER SERVE RURAL ELDERS

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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 of Alaska Adult Protective Services (APS) Office currently receives reports to staff located in Anchorage or Fairbanks, and the reports and situations are reviewed by telephone with Elders or assigned to overburdened law enforcement personnel such as Troopers for investigation; and

WHEREAS: Faster response time on APS reports is needed to ensure safety of our Elders and vulnerable adults particularly in rural areas.

NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that the State of Alaska conduct a review of the APS services to better serve rural Elders to prevent abuse including taking of advantage of finances; and

BE IT FURTHER RESOLVED that the State of Alaska establish APS offices in each regional hub community and/or remote community to facilitate Elder assistance and investigations of reports in a timely manner; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: NATIVE VILLAGE OF KOTZEBUE

COMMITTEE ACTION: DO PASS

CONVENTION ACTION: ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 8

TITLE: SUPPORTING WELLNESS IN PUBLIC AND TRIBAL ASSISTANCE PROGRAMS TO PROMOTE DRUG-FREE LIFESTYLES

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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: Tribes and regional nonprofit organizations operate various public and tribal assistance programs which provide much needed resources to Alaskan families; and

WHEREAS: Wellness needs to be integrated into all aspects of assistance programs so that healthy self-sufficiency is promoted among current and future generations; and

WHEREAS: Drug free lifestyles are necessary for all families to function in communities and work places.

NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that wellness education and promotion among public and tribal assistance programs be supported such as promoting drug-free/alcohol-free/tobacco-free lifestyles, encouraging parents to ensure regular school attendance of children, and funding for village-community based wellness groups to work with families on public-tribal assistance; and

BE IT FURTHER RESOLVED that a workgroup be convened to develop a culturally appropriate model policy that can be shared with tribes and regional nonprofit organizations to support family responsibility and necessary treatment and/or recovery options; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: NATIVE VILLAGE OF KOTZEBUE

COMMITTEE ACTION: DO PASS

CONVENTION ACTION: ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 9

TITLE: UNIVERSAL DOMESTIC VIOLENCE SCREENING

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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 Alaska Federation of Natives has been working for many years to improve the socio-economic status of Alaska Native people, especially for Native women and children in our villages; and

WHEREAS: Despite the best efforts of many people, including Alaska Native leaders, there remains a serious problem of violence, child abuse and neglect, and drug addiction in our state; and

WHEREAS: Women of Alaska experience more domestic violence than women in the Lower 48, one in every four women will experience domestic violence in her lifetime, and an estimated 1.3 million women are victims of physical assault by an intimate partner each year; and

WHEREAS: The extreme remoteness of many Alaskan communities and villages remains the major obstacle to providing services to victims in these areas. The Alaska rape rate is 2.5 times the national average, while child sexual assault is almost six times the national average; and

WHEREAS: More than one out of every three American Indian and Alaska Native women will be raped in her lifetime, 27% of Alaska Native women reported being forced to take part in an unwanted sexual activity and one-half of Alaska Native women (51%) were victims of one or both sexual assault and physical violence; and

WHEREAS: More than 3 out of every 4 American Indian and Alaska Native women will be physically assaulted in her lifetime, in 2009 47% of Alaska Native Women reported they have ever experienced domestic violence, and

WHEREAS: Over one out of 4 Alaska Native men (27%) have experienced physical and/or sexual violence; and

WHEREAS: More than half of women in the Alaska Tribal Health System (ages 15-40) were screened for DV/SV in 2012; and

WHEREAS: Health care settings provide a unique opportunity for screening and intervention because of relationships, confidentiality, and being away from the abuser; and

WHEREAS: Screening for domestic violence is recommended for all women and provides a critical opportunity for disclosure of domestic violence and provides a woman and her health care provider the chance to develop a plan to protect her safety and improve her health; and

WHEREAS: A facility is more likely to screen if it has policies and procedures for domestic violence, and

WHEREAS: Universal screening is defined as a clinician or provider screening every patient through the age of 64 for domestic violence as only opposed to screening certain patients because of risk factors or warning signs; and

WHEREAS: The Joint Commission on the Accreditation of Hospitals and Health Care Organizations, American Medical Association, American Congress of Obstetrician Gynecologists, American Nurses Association, and the U.S. Prevention Services Task Force all recommend routine interpersonal violence Screening; and

WHEREAS: Alaska Native peoples have the right to safety and resources to prevent or mitigate domestic violence and sexual assault; and

WHEREAS: Domestic Violence screenings provides women with valuable opportunities to get support and assistance.

NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that all agencies with responsibility for health care, including but not limited to, The Bureau of Indian Affairs, Indian Health Service, and Alaska Native Medical Providers will have policies and procedures regarding providing Universal Domestic Violence Screenings; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: ARCTIC SLOPE NATIVE ASSOCIATION

COMMITTEE ACTION: DO PASS

CONVENTION ACTION: ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 10

TITLE: SUPPORT FOR INDIAN HEALTH SERVICE ADVANCE APPROPRIATIONS

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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 federal government has a trust responsibility to provide for the health of Alaska Natives and American Indians (AN/AIs), established by the U.S. Constitution, Treaties, U.S. Supreme Court decisions and federal legislation; and

WHEREAS: Alaska Tribes and Tribal organizations have assumed responsibility for all direct health services of the Indian Health Service (IHS) in Alaska and serve approximately 145,000 Alaska Natives and American Indians (AN/AIs) in the state; and

WHEREAS: Funding for IHS is less than 60 percent of the level of need despite the fact that AN/AIs suffer from among the worst health disparities in the United States compared to the general population; and

WHEREAS: Only once since fiscal year (FY) 1998 were full year IHS appropriations authorized in the Interior, Environment and Related Agencies Appropriations bill by the beginning of the FY; and

WHEREAS: The health services provided to AN/AIs are negatively affected when IHS appropriations are not authorized prior to the beginning of the FY, and even more so during federal government shutdowns, due to the difficulty tribal health programs incur as a result of cash flow issues; and

WHEREAS: Congressional hearings have been held on bills that have been introduced in both the House, H.R.3229, and Senate, S.1570, that would provide discretionary budget authority for IHS one-year in advance starting with FY 2015; and

WHEREAS: Congress has provided advanced appropriations authority for medical care programs to the Veterans Administration (VA) through the Veterans Health Care Budget Reform and Transparency Act of 2009 (P.L. 111-81); and

WHEREAS: IHS and tribal health programs are the only other federal programs that provide direct health services, they should be afforded the same budgetary certainty and protections that are extended to the VA.

NOW THEREFORE BE IT RESOLVED that the delegates of the 2014 Annual Convention of the Alaska Federation

of Natives urge Congress to pass H.R. 3229 or S.1570, or any successor bills introduced in the next session of Congress, that provide for one-year advanced budgetary authority for IHS;

BE IT FURTHER RESOLVED that AFN invites all tribes, tribal organizations, and regional and intertribal organizations to join in this effort to ensure the federal government fulfills its trust responsibility to tribes by providing adequate resources to tribal health programs; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUTMITTED BY:	COUNCIL FOR THE ADVANCEMENT OF ALASKA NATIVES
CONVENTION ACTION:	DO PASS
CONVENTION ACTION:	ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 11

- TITLE:** SUPPORT FOR MEDICARE-LIKE RATE CAP FOR NON-HOSPITAL SERVICES PURCHASED BY INDIAN HEALTH SERVICE AND TRIBAL HEALTH PROGRAMS
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** Funding for the Indian Health Service (IHS) is less than 60 percent of the level of need despite the fact that Alaska Natives and American Indians suffer from among the worst health disparities in the United States compared to the general population; and
- WHEREAS:** Alaska Tribes and Tribal organizations have assumed responsibility for all direct health services of the Indian Health Service (IHS) in Alaska and serve approximately 145,000 Alaska Natives and American Indians in the state; and
- WHEREAS:** IHS and Tribal health programs use Purchased/Referred Care (PRC) (formerly, Contract Health Services) funds to purchase health services that are not available through IHS and Tribal health programs; and
- WHEREAS:** The PRC program is perpetually underfunded with an estimated need of \$770 million more to meet all PRC needs; and
- WHEREAS:** IHS and Tribal PRC programs often pay full-billed charges for non-hospital services, which leads to an early depletion of the limited funds available for PRC and a situation where PRC health services for Alaska Natives and American Indians have to be delayed or deferred; and
- WHEREAS:** An April 2013 Government Accountability Office (GAO) report estimated that IHS paid 70% more than Medicare and other federal payers for non-hospital services and could save \$23 million per year and use the savings to purchase an additional 253,000 patient visits annually if Medicare-Like Rates were extended non-hospital services purchased by the IHS PRC program; and
- WHEREAS:** Tribal health programs administer more than half of the IHS budget and savings estimated in the GAO report would likely be double the amount estimated for only the IHS PRC program; and
- WHEREAS:** Congress has already enacted a law that established a Medicare-Like Rate cap for hospital services purchased by IHS and Tribal PRC programs; and

WHEREAS: On June 11, 2014 Rep. Betty McCollum introduced, H.R. 4843, the Native Contract and Rate Expenditure (CARE) Act,” which would cap payment to Medicare participating providers and suppliers at Medicare-Like Rates for care purchased by IHS and Tribal PRC programs; and

WHEREAS: Medicare, the Veterans’ Administration and the Department of Defense all have authority to pay much lower rates for care purchased for their beneficiaries; and

WHEREAS: The GAO report recommended that “Congress should consider imposing a cap on payments for” non-hospital services made through the IHS PRC program that is consistent with other federal agencies; and

WHEREAS: The administration has concurred with the GAO report recommendation and proposed in its FY 2015 Presidents Budget Request to Congress that legislation should be put forth to extend the cap for Medicare-Like Rates for non-hospital services purchased by IHS and tribal health programs.

NOW THEREFORE BE IT RESOLVED that the delegates to the 2014 Annual Convention of the Alaska Federation of Natives urges Congress to pass H.R. 4843, the Native CARE Act, or any successor bills introduced in the next session of Congress, that would cap payment to Medicare participating providers and suppliers at Medicare-Like Rates for non-hospital services purchased by IHS and Tribal PRC programs; and

BE IT FURTHER RESOLVED that AFN invites all tribes, tribal organizations, and regional and intertribal organizations to join in this effort to ensure the federal government fulfills its trust responsibility to tribes by providing adequate resources to tribal health programs; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUTMITTED BY: COUNCIL FOR THE ADVANCEMENT OF ALASKA NATIVES

CONVENTION ACTION: DO PASS

CONVENTION ACTION: ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 12

- TITLE:** SUPPORT FOR MAKING INDIAN HEALTH SERVICE CONTRACT SUPPORT COSTS A PERMANENT MANDATORY APPROPRIATION
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** Alaska Tribes and Tribal organizations have assumed responsibility for all direct health services of the Indian Health Service (IHS) in Alaska and are serve the approximately 145,000 Alaska Natives and American Indians (AN/AIs) in the state; and
- WHEREAS:** The U.S. Supreme Court has repeatedly held that the federal government must pay the full contract support costs (CSC) due to tribes and tribal organizations under their “638” contracts with the federal government; and
- WHEREAS:** The legal obligation of the federal government to provide full payment for CSC is the type of obligation that the federal government normally funds on a mandatory basis; and
- WHEREAS:** CSC is currently funded on a discretionary basis, as part of the IHS annual lump sum appropriations, which does not guarantee full CSC funding and has for many years resulted in underpayment of CSC which forced tribal health programs to reduce the amount of essential health services to their beneficiaries; and
- WHEREAS:** Due to inability of IHS to accurately predict CSC for the fiscal year (FY) the IHS sent an August 29, 2014 letter to Congress notifying it of its intent to reprogram \$48 million from other budget line items, many direct care, for FY 2014 to pay full CSC; and
- WHEREAS:** There is no current method to accurately predict discretionary CSC a year in advance; and
- WHEREAS:** The right of tribes and tribal organizations to full CSC should not negatively affect appropriations for other IHS services or direct service tribes.
- NOW THEREFORE BE IT RESOLVED** by the delegates to the 2014 Annual Convention of the Alaska Federation of Natives that AFN work with the United States Congress and the administration to get legislation enacted that would make IHS CSC mandatory appropriations; and
- BE IT FURTHER RESOLVED** that AFN invites all tribes, tribal organizations, and regional and intertribal organizations to join in this effort to ensure the federal government fulfills its trust responsibility to tribes by providing adequate resources to tribal health programs; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUTMITTED BY: COUNCIL FOR THE ADVANCEMENT OF ALASKA NATIVES
COMMITTEE ACTION: DO PASS
CONVENTION ACTION: ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 13

TITLE: SUPPORT FOR FULL FUNDING OF VILLAGE BUILT CLINICS

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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 federal government has a trust responsibility to provide for the health of Alaska Natives and American Indians (AN/AIs), established by the U.S. Constitution, Treaties, U.S. Supreme Court decisions, and federal legislation; and

WHEREAS: Alaska Tribes and Tribal organizations have assumed responsibility for all direct health services of the Indian Health Service (IHS) in Alaska and serve approximately 145,000 AN/AIs in the state; and

WHEREAS: A key component of the Alaska Native health care system is the Community Health Aide Program (CHAP), which provides primary health care and referrals in clinics throughout rural Alaska; and

WHEREAS: The CHAP health aides and practitioners—often the only health care professionals in remote villages—require adequate clinic facilities to deliver their critically needed services; and

WHEREAS: In the 1970s, IHS established the Village Built Clinic (VBC) lease program to fund rural health clinics; and

WHEREAS: Over the years, the cost of operating and maintaining VBCs has skyrocketed due to the rising costs of heating fuel, electricity, insurance, and other costs, yet IHS has not raised the majority of VBC lease rentals since 1989; and

WHEREAS: By 2006, a study showed that lease rentals paid by the IHS to the villages covered only 55% of operating costs, and that figure is even lower now; and

WHEREAS: Due to lack of maintenance, in many villages the CHAP operates in unsafe facilities; and

WHEREAS: IHS has a legal duty as well as a trust responsibility to provide an effective CHAP program, which requires adequate VBC facilities; and

NOW THEREFORE BE IT RESOLVED by the delegates to the 2014 Annual Convention of the Alaska Federation of Natives that AFN urges IHS to identify and pay the full costs of operating and maintaining VBCs throughout Alaska at a safe and effective level commensurate with similar facilities in the lower 48 states; and

BE IT FURTHER RESOLVED that AFN urges Congress to appropriate sufficient funds to IHS to fully fund VBC leases without reducing any other program; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUTMITTED BY:	COUNCIL FOR THE ADVANCEMENT OF ALASKA NATIVES
COMMITTEE ACTION:	DO PASS
CONVENTION ACTION:	ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 14

- TITLE:** REQUESTING MORE RESTRICTIVE LAWS REGULATING THE SALE AND ISSUANCE OF TRAMADOL AND OTHER ADDITIVE SUBSTANCES TO INDIVIDUALS IN ALASKA AND ASSISTANCE IN DEVELOPING ADDICTION TREATMENT SERVICES
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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 abuse of the drug Tramadol is an example of many similar synthetic drugs that are becoming very prevalent in our villages; and
- WHEREAS:** Tramadol is an “opioid” which means it has similar effects on the user as opiates, thus making it a synthetic opiate; and
- WHEREAS:** Laws have been enacted in the state of Alaska to regulate or prohibit the use of synthetic marijuana and other harmful synthetic drugs; and
- WHEREAS:** Tramadol can produce a morphine- or heroin-like high, and according to public health officials, is in the running to compete with OxyContin addiction; and
- WHEREAS:** Thousands of Tramadol and similar substances overdose cases arrive at emergency medical centers every year, and hundreds more are seeking treatment; and
- WHEREAS:** Physical tolerance can occur as the body becomes accustomed to a particular drug, thus, more of the drug is needed to produce the original desired effect; and
- WHEREAS:** Individuals with a tolerance to Tramadol and similar substances are at risk of overdose due to the consumption of increased amounts of the drug and it is further recommended that people who have been taking drugs should not stop using the drug immediately, as this can precipitate withdrawal symptoms; and
- WHEREAS:** Common symptoms of drug abuse withdraws includes the following: nausea and vomiting, upset stomach, cold sweats, cravings, diarrhea, fatigue, tremors, depression, irritability, agitation or aggressiveness, muscle and joint pain, seizures and restless legs; and
- NOW THEREFORE BE IT RESOLVED** that the delegates to the 2014 Annual Convention of the Alaska Federation of Natives request the congressional and legislative delegation to introduce bills outlawing the immediate over-the-counter and telephonic sales of Tramadol and similar substances.

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution

SUBMITTED BY: ASSOCIATION OF VILLAGE COUNCIL PRESIDENTS

COMMITTEE ACTION: DO PASS

CONVENTION ACTION: ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 15

- TITLE:** A RESOLUTION OPPOSING BALLOT MEASURE 2 LEGALIZING MARIJUANA
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** Ballot Measure 2 would legalize, commercialize, and industrialize recreational marijuana in the State of Alaska for adults 21 and over; and
- WHEREAS:** Ballot Measure 2 as written includes the legalization of all forms of marijuana, including potent and dangerous chemical concentrates and drug-infused edibles that appeal to children; and
- WHEREAS:** The use of marijuana has been found to have negative physical, mental, behavioral, educational, social, and health consequences on children, youth and adults; and
- WHEREAS:** The health and safety of our children, youth, communities and villages, are at risk; and
- WHEREAS:** Ballot Measure 2 provides that regardless of community or village preferences, the possession, use, display, purchase or importation of marijuana into the village, or the growing, processing or transporting up to 6 marijuana plants shall not be an offense, thereby precluding the local option ability of communities and villages to decide to be “dry” on marijuana, marijuana concentrates, or marijuana infused edibles; and
- WHEREAS:** The legalization of marijuana is predicted to produce significant net economic costs to villages, municipalities and cities in the areas of public safety, emergency services and other health and social services; and
- WHEREAS:** Ballot measure 2 ignores the significant problems that have been created by the legalization of recreational marijuana in other states, including public health hazards such as butane hash oil explosions and death from edibles; and
- WHEREAS:** The use and delivery of marijuana is still a violation of federal law under the Controlled Substances Act; and
- WHEREAS:** The initiative will result in pervasive marijuana advertisements that will be seen by our children, families, and more to encourage use, among other strategies, and
- WHEREAS:** The rates of use by our Youth will increase of marijuana use, including shatter, butane hash oil, and edibles, and are especially harmful to the brain development of our youth, and

WHEREAS: The initiative will not eliminate the illegal trafficking of marijuana to youth, there will be illegal export of marijuana and to the adult population will thrive illegal sales as well, and

WHEREAS: The initiative is not in the best interest of our children or future generations.

NOW THEREFORE BE IT RESOLVED that the delegates of the 2014 Annual Convention of the Alaska Federation of Natives oppose and reject the Act to Tax and Regulate the production, sale, and use of marijuana which will be on the November 4 General election ballot and urge voters to defeat Ballot Measure 2; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: NATIVE VILLAGE OF NAPASKIAK, EMMONAK CORPORATION, AKIAK IRA COUNCIL, AND ASSOCIATION OF VILLAGE COUNCIL PRESIDENTS

COMMITTEE ACTION: REFER TO BOARD

CONVENTION ACTION: ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 16

TITLE: A RESOLUTION ENCOURAGING STATE AND FEDERAL FUNDING FOR SUICIDE PREVENTION PROGRAMS AND SUPPORT SERVICES

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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 suicide rate in rural Alaska is twice the national average; and

WHEREAS: The people of the rural Alaska suffer from disproportionately higher rates of suicide; and

WHEREAS: Suicide continues to be an urgent social and health concern for Alaska Natives; and

WHEREAS: Local governments and tribes cannot afford to meet the needs of rural Alaskans through suicide prevention and support services without funding assistance from state and federal sources; and

WHEREAS: The Alaska Federation of Natives is in a unique position to advocate for funding for suicide prevention and support services for rural Alaskans.

NOW THEREFORE BE IT RESOLVED by the delegates to the 2014 Annual Convention of the Alaska Federation of Natives that the Alaska Federation of Natives supports funding for rural Alaskan governments to implement suicide prevention and support services; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: EMMONAK CORPORATION
COMMITTEE ACTION: DO PASS
CONVENTION ACTION: ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 17

- TITLE:** REAFFIRM SUPPORT TO URGE CONGRESS TO ENACT THE ALASKA SAFE FAMILIES AND VILLAGES ACT
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** All women, children and families have the right to be free of physical, emotional, and mental abuse and neglect; and
- WHEREAS:** Alaska Native Villages and Tribal governments have the inherent authority to ensure that their communities are safe, healthy, and free from violence; and
- WHEREAS:** Alaska Native women are two and a half times more likely to be victims of domestic violence and assault than non-Native women; and
- WHEREAS:** Alaska Native women comprise 47% -- nearly one-half -- of the reported rape victims in Alaska, yet Alaska Native people constitute less than 20% of the state's population; and
- WHEREAS:** In many Alaska villages, a majority of the Native women have been sexually assaulted at some point in their lives; and
- WHEREAS:** 95% of all crimes committed in rural Alaska are alcohol-related; and
- WHEREAS:** One of the factors that compound the problem of violence against women and children in rural Alaska is the delayed response of state law enforcement, which is centralized in hub cities one or more flights away from most Native villages; and
- WHEREAS:** Effective local tribal law enforcement and tribal civil court remedies are hampered by the absence of state recognition of tribal jurisdiction in Native villages, which has left a gap, or lack of resources and services that cannot be filled by state law enforcement, state courts, and state child protection services operating out of regional centers; and
- WHEREAS:** On August 8, 2010, Senator Mark Begich introduced the Alaska Safe Families and Villages Act (S.3740), providing for a demonstration project that would allow Tribes to locally enforce their laws regarding alcohol and substance abuse, domestic violence, child abuse and neglect, using a grant program to support the project; and
- WHEREAS:** At AVCP's 2011 convention, the delegates adopted a resolution fully supporting the Alaska Safe Families and Villages Act; and

WHEREAS: Since 2011, AVCP has actively advocated for solutions to the serious problems caused by the lack of local resources to address the high rate of domestic violence and suicides in Alaska villages; and

WHEREAS: On August 1, 2013, S. 1474 , a newly proposed Alaska Safe Families and Villages Act, was introduced by Senator Mark Begich, co-sponsored by Senator Lisa Murkowski, which would:

- recognize the authority of qualified and participating Alaska Tribes to exercise jurisdiction, concurrent with the State of Alaska, in matters relating to child abuse and neglect, domestic violence, drug-related offenses, and alcohol-related offenses;
- define the local village community in which such jurisdiction would apply;
- assure that tribal jurisdiction reaches all perpetrators residing or located in the village;
- require tribal governments to comply with the Indian Civil Rights Act;
- specify the sanctions participating tribal governments could impose;
- establish strict qualifications for tribal governments to participate in the project, including a detailed planning phase and ultimate certification by the US Attorney General;
- assure maximum notification and opportunity for the State to comment on any tribal application;
- require the US Attorney General to report to Congress annually on the Project, setting forth the US Attorney General's assessment and recommendations, and requiring the US Attorney General to consult with the participating Tribes and with the State; and
- assure that nothing in the law would be deemed to alter any preexisting jurisdiction of the State, nor to diminish any pre-existing jurisdiction of any participating Tribe;
- assure that the Project will not create any "Indian country" jurisdiction that may not already exist;
- assure that a participating Tribe's authority would be limited to civil jurisdiction, absent an inter-governmental agreement with the State providing otherwise;
- assure tribal access to Bureau of Indian Affairs funding otherwise available to 'Lower 48' Tribes for tribal court and law enforcement programs;
- authorize the US Attorney General to conduct training and provide technical assistance to Alaska Tribes on tribal court development;
- repeal section 910 of the Violence Against Women Act (which limited VAWA's application to Alaska), and
- facilitate tribal-state inter-governmental agreements.

NOW THEREFORE BE IT RESOLVED that the delegates of the 2014 Annual Convention of the Alaska Federation of Natives reaffirm support to solve the problem created by the lack of local law enforcement and judicial resources, and urges the prompt enactment of the Alaska Safe Families and Villages Act, and direct AFN staff and representatives to take all measures possible to advance this bill's enactment in the current Congress, and in the event this measure is not enacted, to continue to press for its enactment in the next Congress; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: ASSOCIATING OF VILLAGE COUNCIL PRESIDENTS
COMMITTEE ACTION: DO PASS
CONVENTION ACTION: ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 45

- TITLE:** INCREASING THE SAFETY OF ALASKA NATIVE WOMEN
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** we, the members of the Alaska Federation of Natives, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Native nations, rights and benefits secured and to which we are entitled consistent with the federal trust responsibility and government-to-government relations, to enlighten the public toward a better understanding of Alaska Native tribes and people, to defend centuries old Native customs and traditions that have survived contact with foreign governments, and otherwise promote the health, safety and welfare of Native people, do hereby establish and submit the following resolution; and
- WHEREAS:** Alaska Native peoples honor, respect, and hold sacred Native women; retain our inherent right to live according to our life-affirming customs and traditions which regulates respectful boundaries for all of our relationships; and
- WHEREAS:** Alaska is home to 229 or 40% of federally recognized tribes; one Native village-based women’s shelter, the Emmonak Women’s Shelter, operating since 1979; one tribal nonprofit domestic violence and sexual assault coalition, the Yup’ik Women’s Coalition operating since 2006; and the Alaska Native Women’s Resource Center, a nonprofit dedicated to ending violence against women; and only 78 villages are served by State law enforcement who need culturally appropriate training on how to work with tribes and Native peoples; and
- WHEREAS:** the Federal government has a trust responsibility to Alaska Native tribes and should consult with Alaska Native tribes on violence against Native women; and
- WHEREAS:** the findings, including the statistics from Chapter 2 of the Indian Law and Order Commission Report released November 2013, entitled Reforming Justice for Alaska Natives: The Time Is Now, provide compelling justification for immediate implementation of the Report’s recommendations; and
- WHEREAS:** the Commission Report statistics include the following: Alaska Natives are disproportionately affected by crime, and these effects are felt most strongly in Native communities, including Alaska Native women over-represented in the domestic violence victim population by 250 percent, Native women represent 47 percent of reported rapes or at least seven times the non-Native rate, and in Native villages, reported rates of domestic violence are up to 10 times higher than the rest of the United States; and

- WHEREAS: Alaska Native villages suffer disproportionately from crimes rooted in a disruption of Native customs and traditions, which is evident with the highest rates of domestic and sexual violence, alcohol/substance abuse, suicide, homicide, teen pregnancy, removal and separation of children from their families, and diseases such as diabetes, cancer, and cirrhosis of the liver; and
- WHEREAS: the rates of missing and murdered Alaska Native women and women and girls have been ignored by the current health and justice systems and law enforcement; and
- WHEREAS: given the high rates of crimes and other issues, an equitable formula set aside for Alaska Native tribal governments is required of Federal and state resources for tribes to develop, implement and sustain local, culturally relevant solutions to immediately and comprehensively address the health, safety and welfare of its members and hold offenders accountable; and
- WHEREAS: the Federal government and the State of Alaska have not allocated resources equitably to Alaska Native tribes, especially those in rural, remote, off-road communities, including, but not limited to, funding under the Family Violence Prevention and Services Act, the Violence Against Women Act, and the Victims of Crime Act. In fact, federal and state laws, policies, and practices have limited tribal government's authority to protect and ensure the health and well being of our citizens; and
- WHEREAS: the State of Alaska has not complied with Sec. 2265 of the Violence Against Women Act addressing full faith and credit of protection orders, thus failing to protect victims with tribal orders; and
- WHEREAS: the State of Alaska has not complied with the Violence Against Women Act of 2013 amendments requiring the State to consult and coordinate with all 229 Alaska Native tribes in the development of the State's STOP Violence Against Women Formula Grant Implementation Plan; and
- WHEREAS: the Reauthorization of the Violence Against Women Act of 2013 contained a Special Rule for the State of Alaska in Section 910, which thereby applied sections 904 and 905 of VAWA only to the Metlakatla Indian Community, Annette Island Reserve; and

NOW THEREFORE BE IT RESOLVED by the delegates to the 2014 Annual Convention of the Alaska Federation of Natives that:

- 1) The United States recognize and immediately respond to the human crisis confronting Alaska Native women due to the laws and policies that have left Alaska Native women vulnerable to perpetrators of rape, domestic violence, murder, sex trafficking, and hate crimes by:
 - Providing Alaska Native women the same protections under the Violence Against Women Act as other women in the United States specifically:
 - Assisting in the repeal of the Special Rule on Alaska contained in section 910 of VAWA 2013;
 - Require the State of Alaska Court system, Alaska State Troopers, and local police departments to recognize Alaska tribal court protection orders under the VAWA Full Faith and Credit, 18 USC 2265, and enter Alaska Native village protection orders into the National Protection Order Registry;
 - Require the State of Alaska to comply with VAWA 2013 to consult with Alaska Native Villages in the development of the State implementation plan required for the state to receive formula grant funds from OVW and coordinate with tribes in the implementation of the State plan; and

- Open an Alaska Office on Violence Against Women to provide the same access for the 229 Alaska Native Villages as Indian tribes within the lower forty-eight states to ensure equitable access of critical resources to Alaska tribes, and ensure meaningful access to Alaska Natives who are Limited English Proficient (LEP) and challenged by consistent Internet access.
- Providing Alaska Native women the same protections under the Family Violence and Prevention Services Act as other victims of domestic violence in the United States specifically:
 - Provide separate annual, non-competitive formula funding specifically to Alaska Native tribes for life-saving services for advocacy, shelter and victim services calculated based on the village tribal enrollment;
 - Release a solicitation for a regional domestic violence resource center developed in partnership with the Alaska Native Women’s Resource Center to Increase the Safety of Native Women, as provided under the Family Violence Prevention and Services Act of 2010; and
 - Provide resources for the Alaska Native Women’s Resource Center to work in partnership with the AFN to organize a Unity Meeting to Increase the Safety of Alaska Native Women annually and prior to the AFN Annual Convention beginning with the 2015 Convention.
- 2) The Alaska Federation of Natives will work with the Alaska Native Women’s Resource Center to host an annual Unity Meeting to Increase the Safety of Alaska Native Women and prior to the Annual Convention beginning in 2015.
- 3) The Alaska Federation of Natives will work with the Alaska Native Women’s Resource Center to establish a Task Force dedicated to addressing the emerging issues preventing the safety of Alaska Native Women.

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY:	TANANA CHIEFS CONFERENCE
BOARD ACTION:	DO PASS
CONVENTION ACTION:	ADOPT AS AMENDED



Education



Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 18

- TITLE:** REQUEST FOR ALASKA NATIVE TRIBES, VILLAGES, AND REGIONAL NON PROFITS TO COORDINATE, COLLABORATE AND WORK TOGETHER TO IMPROVE RURAL EDUCATION AND KEEP RURAL SCHOOL OPEN
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** Education is the key to a better future for Alaska Native peoples; and
- WHEREAS:** Education of Alaska Native children is a high priority and an essential foundation for building strong Alaskan Native leadership; and
- WHEREAS:** Case studies and qualitative studies have demonstrated the educational benefits of a culturally based education; and
- WHEREAS:** Alaska’s tribes and villages are harmed when villages school close and the effects of a school closure are devastating; and
- WHEREAS:** Resources are used efficiently and effectively when Villages, Regional Nonprofit Organizations, and other Alaska Native Education Stakeholders come together with local boards of education to build partnerships, share information, and develop strategies.
- NOW THEREFORE BE IT RESOLVED** that the delegates of the 2014 Annual Convention of the Alaska Federation of Natives request that Tribes, Villages, Regional Nonprofits, and Alaska Native Education Stakeholders work together with local boards of education and coordinate in sharing information, strategies, and best practices that will bring about positive and culturally relevant education change to Alaska Native students; and
- BE IT FURTHER RESOLVED:** that the Alaska Federation of Natives request that Tribes, Villages, Regional Nonprofits, and Alaska Native Education Stakeholders work together with local boards of education and coordinate in sharing information, strategies, and best practices to keep rural school open, thereby keeping villages strong; and
- BE IT FURTHER RESOLVED** that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

Submitted by: TANANA CHIEFS CONFERENCE
COMMITTEE ACTION: DO PASS
CONVENTION ACTION: ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 19

- TITLE:** TO AMEND THE ALASKA NATIVE EDUCATION EQUITY ACT AND UTILIZE ALL LEGISLATIVE TOOLS TO ENSURE THAT FUNDING IS ADMINISTERED BY ALASKA NATIVE ORGANIZATIONS
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 regional corporations, and 12 regional nonprofit and tribal consortiums that contract and 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 Alaska Native Education Equity Act was enacted by Congress in 2002 and provides approximately \$33 million per year in funding for programs across the State that address the needs of Alaska Native students—from early childhood education to secondary school preparation programs; and
- WHEREAS:** The Bureau of Indian Education (BIE) does not contribute funds to the education of Alaska Native students; and
- WHEREAS:** The Alaska Native Education Equity Act authorizes the use of funds under the Act for the development of curriculum and educational programs that reflect and are aligned with the cultural diversity, language and contributions of Alaska Native people and for other supplemental educational programs that support Alaska Native college and career readiness; and
- WHEREAS:** The Alaska Native Educational Equity Act states that it is the policy of the Federal Government to encourage maximum participation by Alaska Native people in the planning and management of Alaska Native Education programs; and
- WHEREAS:** The Act also authorizes the Department of Education to fund programs under this act administered by Alaska Native Organizations and tribes, educational entities and cultural and community-based organizations; and
- WHEREAS:** Assessments of grant funding reflects the following:
- Fewer awards granted to Alaska Native Organizations and tribes
 - More awards to school districts, University of Alaska, and other organizations, and
 - Alaska Native Organizations and tribes may be identified as “Partners” with school districts, University of Alaska, or other organizations, but in actuality have little to no control or oversight of the grant development, implementation, and programs; and
- WHEREAS:** Because of the pressure by Congress, the Department of Education, for the first time, used only the priorities listed in the legislation, and has attempted to implement quality controls to

ensure “meaningful partnerships,” but school districts and universities still received the bulk of the grants in FY14; and

- WHEREAS: The Department of Education has not yet adequately defined “meaningful partnerships” such that Alaska Native Organizations and tribes provide the leadership; and
- WHEREAS: School Districts and Universities have access to other funding for which Alaska Native Organizations and tribes are ineligible to apply; and
- WHEREAS: The Act specifically prioritizes funding for Alaska Native regional nonprofit organizations or consortia that include such Alaska Native Organizations and tribes; and
- WHEREAS: Native Cultures and Languages have been documented to serve as resilience factors in youth, and inclusion of such content in meaningful ways can support academic success; and
- WHEREAS: Alaska Native corporations, organizations, and tribes throughout the State of Alaska are working to improve Native Education through intentional and strategic programs that utilize culturally relevant curricula; and
- WHEREAS: Over the last ten years, Alaska Native Organizations and tribes have successfully demonstrated that they can provide programs that improve academic performance of Alaska Native students; and
- WHEREAS: Alaska Native Organizations and tribes have also offered programs that offer social, emotional and technological supports that demonstrate proven student success in addition to language and culture; and
- WHEREAS: Alaska Native Organizations and tribes, working in partnerships with Schools, Universities, or other Organizations as the lead can ensure the success of Alaska Native students; and
- WHEREAS: The term Alaska Native Organization has the following definition in the current legislation:
“ALASKA NATIVE ORGANIZATION.—The term ‘Alaska Native organization’ means a federally recognized tribe, consortium of tribes, regional nonprofit Native association, and another organization that—
(A) has or commits to acquire expertise in the education of Alaska Natives; and
(B) has Alaska Natives in substantive and policymaking positions within the organization;” and
- WHEREAS: Though not typically considered Alaska Native Organizations, local boards of education consisting of a majority of Alaska Native Members fit the definition of an Alaska Native organization.

NOW THEREFORE BE IT RESOLVED that the delegates of the 2014 Annual Convention of the Alaska Federation of Natives support the continuation of Alaska Native Education Equity Act funding in order to meet the dire needs of Alaska Native students, and urges the Alaska delegation to pursue every means possible to ensure inclusion and continuation of the Alaska Native Education

Equity Act in the Reauthorization of the Elementary and Secondary Education Act and to ensure that sufficient funding for the program is appropriated and authorized; and

BE IT FURTHER RESOLVED that the Alaska Federation of Natives further urges Congress to take action to ensure that grants funded by the Alaska Native Educational Equity Program are administered through Alaska Native Organizations and tribes and as lead grantees with partners, and that the Department of Education consults with Alaska Native Organizations and tribes to identify programmatic priority areas for future funding; and

BE IT FURTHER RESOLVED that the Alaska Federation of Native calls upon the Department of Education to require evidence of meaningful partnerships including memorandums of agreement, evidence of shared budgets and costs, and partner involvement in planning and implementation.

BE IT FURTHER RESOLVED that the Alaska Federal of Natives requests that the Congressional delegation take action to ensure that the Department of Education issues a Request for Proposals for FY 2015, rather than using the applications from FY2014 to distribute the over \$20 million in grants for FY15.

BE IT FURTHER RESOLVED that AFN advocate for full inclusion of tribes and tribal education departments in all funding opportunities; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUTMITTED BY:	COUNCIL FOR THE ADVANCEMENT OF ALASKA NATIVES
COMMITTEE ACTION:	DO PASS
CONVENTION ACTION:	ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 20

Title: SUPPORTING EXPANDED STATEWIDE FUNDING FOR EARLY LEARNING

Whereas: From earliest times, Alaska Native people in all the cultures active in AFN have understood young children's innate capabilities for learning and have demonstrated their love and caring for children, and

Whereas: Today, more than 50% of Alaska children enter school unprepared to read or learn, yet it is well known that to make sure no child is left behind, no child should start behind; and

Whereas: Research shows brain connections grow dramatically from birth to age 6, affecting lifelong learning capability, and parents, child care providers and educators who read, tell stories and have positive daily interactions with young children promote children's brain development; and

Whereas: Investments in quality early learning programs can return from \$7 to \$17 for every dollar spent as participating children have higher literacy rates, increased graduation rates and better attitudes toward school, and, as adults, are less likely to commit crimes and are more likely to earn higher salaries; and

Whereas: Pre-Kindergarten pilot programs have demonstrated significant impact of early learning programs, including 70% readiness for kindergarten after rigorous evaluation ; and

NOW THEREFORE BE IT RESOLVED that the delegates of the 2014 Annual Convention of the Alaska Federation of Natives support expanding the early learning funding across the state to make the most important investment in the next generation by:

1. Increasing the engagement of parents, grandparents and extended family in their child's learning by providing resources and incentives.
2. Developing and increasing access to quality, culturally engaging reading materials.
3. Increasing proven, family centered programs by partnering with other organizations.
4. Distributing Alaska's Early Learning Guidelines in family friendly formats.
5. Implementing a quality rating and improvement system to help parents evaluate child care and early learning programs and to guide program improvement.
6. Increasing the professional development opportunities and qualifications for early childhood educators and provide appropriate compensation.
7. Developing and fully fund a statewide system of voluntary early childhood education.
8. Educating Alaskans about the social imperative of preparing children from birth to age 6 to be ready to read and learn.

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: COUNCIL FOR THE ADVANCEMENT OF ALASKA NATIVES
COMMITTEE ACTION: DO PASS
CONVENTION ACTION: ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 21

TITLE: SCHOOL SUPPORT RESOLUTION

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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: Mt. Edgecumbe High School (MEHS), Galena Interior Learning Academy, and other rural schools in Alaska provides a unique educational setting for students, whether rural or urban, who want more course offerings or more individualized attention and smaller class sizes, and

WHEREAS: Many MEHS and other rural school graduates have found a variety of post-secondary successes due to the education they received at MEHS and other schools; and

WHEREAS: All rural schools in Alaska are facing incredible challenges as energy infrastructure in rural Alaska is lacking forcing rural schools to expend up to forty percent into heat and electricity taking away essential dollars from students; and

WHEREAS: Some of our rural schools have closed down due to minimum enrollment requirements compromising quality professional education for our rural students; and

WHEREAS: When the Department of Education and Early Development was required to reduce its budget and due to the flat funding of the Base Student Allocation, MEHS and other rural schools were forced to cut teaching positions, causing an increase in class size and potentially reducing the quality of education; and

WHEREAS: This budget shortfall has resulted in fewer course offerings and larger teacher-student ratios; and

WHEREAS: Every year, there are a decrease of funds available from federal grants to fund MEHS and other rural schools; and

WHEREAS: The graduates and parents from across Alaska appreciate the education offered at Mt. Edgecumbe High School and rural schools do not want to see the quality of an MEHS education or rural schools diminish due to budget cuts; and

WHEREAS: Supporters of MEHS and rural schools also support the teachers; and.

NOW THEREFORE BE IT RESOLVED that the delegates of the 2014 Annual Convention of the Alaska Federation of Natives advocate for a restoration of needed funding to Mt. Edgecumbe High School to maintain its prior level of services to students and restore funding to re-hire the much needed teachers; and

BE IT FURTHER RESOLVED that AFN requests that the honorable members of the Alaska State Legislature pass a legislative resolution providing for a meaningful yearly increase in the Base Student Allocation, which keeps up with inflation and rising fuel costs in order that MEHS and rural schools may continue to provide a consistent level of service and high quality education for Alaskan students; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution

SUBMITTED BY: COUNCIL FOR THE ADVANCEMENT OF ALASKA NATIVES

COMMITTEE ACTION: DO PASS

CONVENTION ACTION: ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 44

- TITLE:** INITIATIVES TO REVERSE THE STATUS OF ALASKA NATIVE LANGUAGES AS ENDANGERED LANGUAGES
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** Alaska Native languages embody our cultures, worldview, and the knowledge of our ancestors; and
- WHEREAS:** Alaska Native languages exemplify the richness of our land and define our group orientation and kinship; and
- WHEREAS:** Alaska Native languages personify our tangible and intangible relationship to our land, wildlife and universe; and
- WHEREAS:** Linguistics have classified Alaska Native languages as deteriorating and nearing extinction; and;
- WHEREAS:** No Alaska Native language group is producing new speakers with a Native language as their first language except perhaps in rare instances; and
- WHEREAS:** At the time America was colonized more than 300 Native American languages were spoken, but today the number of Native languages spoken has dropped to just over half of the original number and most are identified as endangered; and
- WHEREAS:** Federal programs have been enacted to support Native American, Alaska Natives and Pacific Islander communities to facilitate language preservation and revitalization activities; and
- WHEREAS:** In 2012 the total federal dollars spend on all Alaska Natives and American Indian languages was \$14.6 million; and
- WHEREAS:** These federal dollars are totally inadequate to support and reverse the status of Alaska Native and American Indian languages as endangered; and
- WHEREAS:** The State of Alaska enacted An Act establishing the Alaska Native Language Preservation and Advisory Council in 2012; and
- WHEREAS:** The State of Alaska enacted An Act Adding Alaska Native languages as official languages as of the State; and
- WHEREAS:** The State of Alaska failed to allocate any funds under these Acts for language revitalization programs; and

WHEREAS: The State of Alaska established the University of Alaska Native Language Center in 1972 for the documentation of Alaska Native languages; and

WHEREAS: Studies and data have conclusively demonstrated that the integration of Native languages into schools enhances the academic achievement of Native students that result in further and numerous benefits to Alaska Natives and the State of Alaska.

NOW THEREFORE BE IT RESOLVED that the delegates of the 2014 Annual Convention of the Alaska Federation of Natives urge the President and Congress to adopt the following initiatives:

1. Adopt a Proclamation and Policy that declares that Alaska Native languages are endangered and provide funds to reverse the status of Alaska Native languages as endangered.
2. Issue an Executive Order that Alaska Native Languages are endangered and that the Order shall direct government agencies to support Alaska Native Languages through their agency funding, programs and activities.
3. Provide additional funding for Head Start and early childhood education programs dedicated for the integration of Alaska Native languages into these program.
4. Direct the National Science Foundation and the National Endowment for the Humanities to expand its language grants to provide for Alaska Native Organizations and tribes to work with first language speakers to document the full and contextualized meaning of Alaska Native languages.

BE IT FURTHER RESOLVED that the Alaska Federation of Natives urges the Governor and the Alaska State Legislature to adopt the following initiatives:

1. Adopt a Proclamation and Policy that declares that Alaska Native languages are endangered and provide funds to reverse the status of Alaska Native languages as endangered.
2. Issue an Executive Order that Alaska Native Languages are endangered and that the Order shall direct state governmental agencies to support Alaska Native Languages through their agency funding, programs and activities.
3. Provide funding for Alaska Native Language Restoration grants to Alaska Native Organization and tribes including funds to integrate Native languages into Head Start and early education programs under the auspices of the Alaska Native Language Preservation and Advisory Council.
4. Direct the Alaska Department of Education to promote the integration of Alaska Native languages into Alaska schools.
5. Direct the University of Alaska Native Language Center to establish the revitalization of Alaska Native Languages as its highest priority in funding and allocation of resources and to provide for funded professional development and training in language restoration teaching methods that support potential and current Alaska Native teachers' ability to be successful as teachers.

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: SEALASKA CORPORATION, CENTRAL COUNCIL OF TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA SOUTHEAST ALASKA VILLAGES

BOARD ACTION:

CONVENTION ACTION: ADOPT AS AMENDED



Land & Natural Resources



Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 22

- TITLE:** PROTECT TRANSBOUNDARY RIVERS IN THE ALASKA/BRITISH COLUMBIA REGION BY REQUESTING THE UNITED STATES TO IMPLEMENT THE BOUNDARY WATERS TREATY THROUGH INTERNATIONAL JOINT COMMISSION (IJC) INVOLVEMENT
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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 Alaska Federation of Natives (AFN) fully supports all of its members in all aspects of their self-determination, health and well-being; and
- WHEREAS:** Transboundary rivers of the Northwest British Columbia and Southeast Alaska region, including the Taku, Stikine and Unuk rivers, are of tremendous and unique ecological, customary and traditional use (subsistence), cultural and recreational value and are some of the most productive salmon rivers on the entire North American west coast; and
- WHEREAS:** Salmon, Hooligan, and other traditional foods are the foundation of our cultural existence and economic welfare and these transboundary rivers have nourished our tribal communities since time immemorial; and
- WHEREAS:** Healthy wild salmon populations in these river systems are a priority to our tribal nations and tribal citizens' community health, cultural existence, and sovereignty; and
- WHEREAS:** Alaska Native Tribes and other organizations concerned about protecting water quality and salmon must be an integral to any transboundary watershed development decision making; and
- WHEREAS:** The United States must uphold its trust responsibility and obligation to consult with Tribes and protect our interests and citizens; and
- WHEREAS:** The Boundary Waters Treaty between the United State and Canada states that “waters flowing across the boundary shall not be polluted on either side to the injury of health or property on the other” and provides a mechanism for the United States and Canada to address transboundary river concerns known as the International Joint Commission.
- NOW THEREFORE BE IT RESOLVED** by the Delegates of the 2014 Annual Convention of the Alaska Federation of Natives that AFN strongly urges the United States government to uphold its trust responsibility to Alaska Tribes and to work with the Canadian government by referring the transboundary development and downstream concerns to the to the International Joint Commission and to

utilize any and all powers under the Boundary Waters Treaty to ensure that our cultural existence and community health are not harmed by upstream development in BC; and

BE IT FURTHER REOLVED, that affected tribal governments be consulted with and represented in any policy discussion related to impacts to United States waters and communities per Executive Order 13175 and the United Nations Declaration on the Rights of Indigenous Peoples; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY:	CENTRAL COUNCIL TLINGIT & HAIDA INDIAN TRIBES OF ALASKA
COMMITTEE ACTION:	DO PASS
CONVENTION ACTION:	ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 23

TITLE: INCLUSION OF ALASKA NATIVES IN RESOURCE DEVELOPMENT

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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: Alaska Native people have always had the most at stake when it comes to resource and commercial development occurring in our surrounding homelands; and

WHEREAS: Alaska Native peoples have the traditional, intimate and longstanding knowledge and relationships with the Alaskan ecosystem, communities and environment better than any other people; and

WHEREAS: Resource and commercial development is best accomplished with the full engagement and involvement with the indigenous peoples of Alaska including proper involvement in the planning, development, employment and economic benefits; and

WHEREAS: Resource and commercial development continues to accelerate, and Alaska Natives can provide perspective, expertise, and traditional knowledge into the decision making process; and

WHEREAS: Official Alaska Native representation on the resource and commercial development process should include representation from both tribes and Alaska Native corporations to support fully voiced perspectives and concerns.

NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that resource developers consult with Alaska Native Tribes and Corporations on resource development projects; and

BE IT FURTHER RESOLVED that AFN recommends that Alaska Native Tribes and Corporations develop guidelines for businesses and corporations to use to engage in meaningful consultation with Alaska Native Tribes and Corporations regarding resource development projects taking place in their respective regions; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: NATIVE VILLAGE OF KOTZEBUE
COMMITTEE ACTION: DO PASS
CONVENTION ACTION: ADOPT AS AMENDED



Economic



Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 24

- TITLE:** ESTABLISHING FUNDING FOR ESSENTIAL MARINE TRANSPORTATION AT THE NATIONAL LEVEL AND FUNDING PRIORITY FOR ALL RURAL ESSENTIAL MARINE TRANSPORTATION FACILITIES
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** Alaska is a vast state with millions of acres of wilderness and has few transportation options with ground transportation non-existent to most rural Alaskan communities; and
- WHEREAS:** The majority of Alaska’s rural, off-road system communities are either ocean or riverine based; relying on marine transportation to freight heavy cargo; such as fuel, building materials for housing and public buildings, groceries, vehicles and dry goods; and
- WHEREAS:** Alaska’s marine coastal communities also rely on marine facilities to support valuable resource based industries such as fishing, tourism and logging and that such facilities are necessary to sustainable economic development and growth as well as to remove accumulations of solid waste from rural communities; and
- WHEREAS:** The United States Government has recognized the importance of Essential Air Service in that it provides a vital link that connects, sustains, and maintains our communities, however, the United States Government has not formally recognized nor established a program of Essential Marine Transportation that formally recognizes the critically important nature of marine transportation in Alaska; and
- WHEREAS:** Many of our rural coastal communities do not receive regularly scheduled freight or ferry services resulting in no regular marine shipping services for Alaska’s rural, marine-based communities. This in turn causes an exorbitantly high cost of living relating to the cost of shipping fuel, vehicles, groceries, and staples, a very high cost of construction of new housing and public buildings due to mobilization and shipping costs, and the high cost of maintaining large accumulations of solid waste with no ability to remove them, including materials that can be recyclable; and
- NOW THEREFORE BE IT RESOLVED** by the delegates of the Annual 2014 Convention of the Alaska Federation of Natives that it strongly recommends the creation of an Essential Marine Transportation Program by the United States Government to provide marine transportation subsidies, including the shipment of fuel to support regular, vital, shipping services to Alaska’s coastal and riverine communities; and

BE IT FURTHER RESOLVED that AFN strongly urges the State of Alaska to provide consistent ferry services to all rural ports that can support the safe docking of ferries; and

BE IT FURTHER RESOLVED that in all transportation Planning by the State of Alaska adequate consideration be given to marine projects such as docks and harbors for Alaska's rural communities that are considered essential to supporting all Essential Marine Transportation and resource-based industries.

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution

SUBMITTED BY:	KONIAG-KANA ROUNDTABLE
COMMITTEE ACTION:	DO PASS
CONVENTION ACTION:	ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 25

- TITLE:** A RESOLUTION URGING THE UNITED STATES FEDERAL GOVERNMENT AND STATE OF ALASKA TO REQUIRE NO LESS THAN 75% OF NON-SKILLED LABOR AND 25% OF SKILLED POSITIONS ON FEDERAL AND STATE FUNDED PUBLIC WORKS AND CONSTRUCTION PROJECTS IN RURAL ALASKA TO BE LOCAL COMMUNITY HIRE
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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 of Alaska and United States Federal Government have invested and continue to invest in rural Alaska public works and construction projects; and
- WHEREAS:** Congress has a responsibility to provide for the economic betterment of Alaska Natives and has held numerous hearings over the years to address the overwhelming poverty, unemployment, and lack to basic infrastructure Alaska Natives experience; and
- WHEREAS:** The vast majority of rural Alaska community residents are Alaska Natives; and
- WHEREAS:** Several attempts to mandate local hire were ruled unconstitutional in both the Alaska Supreme Court and the U.S. Supreme Court, resulting in AS 36, 10.150 – Employment Preference Determination, which states that areas of Alaska with unemployment rates substantially higher than the national rate will be designated zones of underemployment and Alaska resident preference in hire will be practiced for projects that are 100 percent funded with state or local dollars; and
- WHEREAS:** Governor Parnell recently reversed the Employment Preference Determination in several regions in Alaska citing an increase in employment rates; and
- WHEREAS:** The July 2013 not seasonally adjusted unemployment rate in rural Alaska regions were as high as 23.9%, as reported by the State of Alaska Department of Labor and Workforce Development; and
- WHEREAS:** Nonresidents account for as much as 78.5% of the workforce in rural Alaskan communities, according to the Residency of Alaska Workers report that was published by the State of Alaska Department of Labor and Workforce Development; and
- WHEREAS:** Rural Alaskan communities are experiencing a dramatic rise in outmigration as people leave rural Alaska in search of employment; and

WHEREAS: Additional training opportunities are needed in rural Alaska to help prepare residents for some positions; and

WHEREAS: Contractors and subcontractors regularly secure work for state and federally funded contracts in rural Alaskan communities and bring their own workforce from other communities and states to perform the work.

NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that the United States Federal Government and the State of Alaska are urged to require no less than 75% of non-skilled labor and 25% of skilled professional and management positions on federal and state funded public works and construction projects to be local community hire in rural communities where the unemployment rates are higher than the national rate; and

BE IT FURTHER RESOLVED that the United States Federal Government Department of Labor and State of Alaska are urged to require contractors and sub-contractors who secure federal or state funded public works and construction projects in rural communities to provide the local community no less than 90 days notice of the type of positions that will be hired for the project to enable communities time to recruit for open positions; and

BE IT FURTHER RESOLVED THAT the United States Federal Government and the State of Alaska are urged to set aside training funds for rural Alaskan communities to enable communities to fund group and individual trainings to ensure residents receive the required trainings to secure skilled positions in public works and construction projects; and

BE IT FURTHER RESOLVED that AFN staff will work with the State of Alaska Department of Labor and Workforce Development, the Governor's Office, and the Alaska Delegation to enact the recommendations in this resolution; and

BE IT FURTHER RESOLVED THAT the State of Alaska and the Federal Government will report back to the general public on the status of the local hire goal. This report will explain whether the goal was met and why; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: KONIAG-KANA ROUNDTABLE

COMMITTEE ACTION: DO PASS

CONVENTION ACTION: ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 26

- TITLE:** SUPPORT LEGISLATIVE AMENDMENTS TO STRENGTHEN PUBLIC LAW 102-477 PROGRAMMING BY UPHOLDING TRIBAL MANAGEMENT OVER FEDERAL AGENCY FUNDS IN AN INTEGRATED EMPLOYMENT AND TRAINING PROGRAM AND URGE TRANSFER OF THE 477 PROGRAM FROM DOI INDIAN ENERGY AND ECONOMIC DEVELOPMENT TO INDIAN SERVICES AT BIA.
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 118 federally-recognized tribes, 133 village corporations, 13 regional corporations, and 11 regional nonprofit and tribal consortiums that contract and 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:** P.L. 102-477, the Indian Employment, Training and Related Services Demonstration Act of 1992, has proven to be an exceptional success in making existing federal programming more effective in meeting the employment, training, education and welfare reform needs of Tribes and Tribal Organizations; and
- WHEREAS:** P.L. 102-477 substantially reduces the administrative cost and time to manage integrated programs, promotes efficiency, and expands ability to provide services; and
- WHEREAS:** P.L. 102-477 promotes increasing the cooperation and coordination of federal agencies with regard to Tribes and Tribal Organizations; and
- WHEREAS:** P.L. 102-477 fully embodies the concepts of Tribal Self-Governance and Self-Determination found in the Indian Self-Determination and Education Assistance Act; and
- WHEREAS:** 61 contractors and compactors, representing 264 Tribes and Tribal Organizations, have successfully adopted P.L. 102-477 in the administration of Tribal employment, training, education and welfare reform programs; and
- WHEREAS:** Alaska Native Tribes and Tribal organizations run 17 of the 61 programs and include 217 of the 264 Tribes and Tribal Organizations in the 477 program.
- WHEREAS:** the P.L. 102-477 program received one of the highest Program Assessment Rating Tool (PART) rating in the Department of the Interior Indian Affairs by the Office of Management and Budget; and
- WHEREAS:** despite the record of Tribal success with P.L. 102-477, the U.S. Department of Health and Human Services has historically resisted, without appropriate Tribal consultation, to fully participate in the P.L. 102-477 Program; and

- WHEREAS: Tribes and Tribal Organizations have been forced to withdraw their proposed 477 plans because DHHS denies or significantly delays approval to the detriment of Tribal employment and training programs; and
- WHEREAS: the Office of Management and Budget through mid-year compliance guidelines to Circular A-133 in 2009 retroactively required Tribes and Tribal Organizations to account for 477 funds by funding source, contrary to the intent of the P.L. 102-477 legislation; and
- WHEREAS: the Department of Education is an identified federal partner according to the law, but has not entered into agreements as required by the law; and
- WHEREAS: the attempts by federal agencies to undermine the intent of P.L. 102-477, and the will of Congress, damages Indian Self-Governance and Self-Determination, the 477 demonstration project and the concept of Tribal program integration; and
- WHEREAS: The Department of Interior has planned to move the 477 Program from its current home in the Division of Workforce Development, Indian Energy and Economic Development, to the Bureau of Indian Affairs, Human Resources for over four years without any action having yet been taken.

NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that AFN does hereby strongly urge the US Senate and House of Representatives to pass HB 5617 and SB 1574 (which has passed out of the Senate Committee on Indian Affairs), with the intent of clarifying any questions or doubts or lingering loopholes exploited by DHHS or any federal agency to the detriment of Tribal programming; and

BE IT FURTHER RESOLVED that AFN supports the proposed legislative amendments of the P.L. 102-477 Tribal Work Group to make P.L. 102-477 a permanent piece of federal legislation, include other federal agencies, require funding through Public Law 93-638 contracts and compacts and eliminate any audit requirements for separate accounting by funding source; and

BE IT FURTHER RESOLVED that AFN urges the immediate and categorical withdrawal of OMB Cross-Cutting Guidelines that require that tribes and tribal organizations account for programs by individual CFDA numbers; and

BE IT FURTHER RESOLVED that AFN urges the Department of Health and Human Services to issue its opinion that HHS funds are eligible for the flexibility allowed under PL 102-477; and

BE IT FURTHER RESOLVED that AFN urges the immediate transfer of the 477 division within DOI from the Division of Indian Energy and Economic Development, Division of Workforce Development to the Bureau of Indian Affairs Office of Indian Services; and

BE IT FURTHER RESOLVED that AFN requests the US Senate and House of Representatives to pass SB 1574; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY:	COUNCIL FOR THE ADVANCEMENT OF ALASKA NATIVES
COMMITTEE ACTION:	DO PASS
CONVENTION ACTION:	ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 27

- TITLE:** SUPPORT FULL FUNDING AND REAUTHORIZATION FOR THE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF DETERMINATION (NAHASDA)
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 118 federally-recognized tribes, 133 village corporations, 13 regional corporations, and 11 regional nonprofit and tribal consortiums that contract and 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 Native American Housing Assistance and Self-Determination Act (NAHASDA) created the Indian Housing Block Grant (IHBG) and the Indian Community Development Block Grant (ICDBG) which is the primary source of funding for affordable housing for Alaska Native and American Indian families; and
- WHEREAS:** NAHASDA allocates \$98 million each year to Alaskan Tribes and communities; and
- WHEREAS:** NAHASDA empowers Tribes and Tribally Designated Housing Entities (TDHEs), also known as Regional Housing Authorities, with local decision making which enables the creation of housing programs that are specific to each region or community; and
- WHEREAS:** Private sector housing construction and development in rural Alaska is almost non-existent; and
- WHEREAS:** Tribes and Regional Housing Authorities (RHA) have an established record of effectively partnering with the State of Alaska, non-profit agencies, and private sector investors to leverage NAHASDA funds; and
- WHEREAS:** Tribes and RHAs, on an average annual basis, have used NAHASDA funds to construct 190 new homes (\$45 million), rehabilitate 740 existing homes (\$20 million), weatherize 1,220 homes (\$23 million), employ 1,145 full-time jobs (\$57 million), pay Alaskan businesses and contractors for services (\$84 million), thereby contributing to our rural economies; and
- WHEREAS:** Despite the many successes over the past 15 years with NAHASDA housing programs, housing conditions remain inferior, and demand for affordable housing remains unmet in nearly every Alaskan community; and
- WHEREAS:** Alaska Tribes, the Association of Alaska Housing Authorities (AAHA), and the National American Indian Housing Council (NAIHC) must work diligently each year to lobby members of Congress and powerful Congressional committees on the importance and the success of

NAHASDA to ensure continued funding and to protect NAHASDA funds from elimination or reductions;

WHEREAS: NAHASDA provides a 5-year reauthorization schedule and is currently being considered by Congress for reauthorization in the 114th Congress (2014).

NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of Alaska Federation of Natives that Congress and the President approve the Indian Housing Block Grant (NAHASDA) funding at NO LESS THAN \$700 million, and funding for the Indian Community Development Block Grant (ICDBG) at the President's proposed amount of \$100 million; and

BE IT FURTHER RESOLVED by the Delegates to the 2014 Annual Convention of Alaska Federation of Natives Inc., that Congress and the President reauthorize the Native American Housing Assistance and Self-Determination Act (NAHASDA); and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: COUNCIL FOR THE ADVANCEMENT OF ALASKA NATIVES; ASSOCIATION OF ALASKA HOUSING AUTHORITIES

COMMITTEE ACTION: DO PASS

CONVENTION ACTION: ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 28

- TITLE:** SUPPORTING THE RE-INSTATEMENT OF FUNDING BY THE STATE OF ALASKA FOR THE VILLAGE ENERGY EFFICIENCY PROGRAM (VEEP)
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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 Village Energy Efficiency Program has been operated in one form or another by the Alaska Energy Authority since 2005 and has had a well-documented track record of reducing energy costs across the state; and
- WHEREAS:** In the Alaska Energy Policy Act of 2010 under AS 44.99.115 the state committed to: instituting a “comprehensive and coordinated approach to support energy efficiency and conservation.” The Village Energy Efficiency Program (VEEP) has been their most successful and well documented method of accomplishing this statute; and
- WHEREAS:** The VEEP program has a proven track record of saving the state of Alaska Power Cost Equalization (PCE) Endowment and State Dept. of Education funding. This amounts to documented savings of \$3-\$5.50 in savings for every \$1 invested; and
- WHEREAS:** In FY14 there were 86 applications for the VEEP from rural communities across the state, documenting the high need for the program, but only 7 of these 86 proposals were funded; and
- WHEREAS:** The high cost of energy in rural communities threatens the ability of our public facilities across rural Alaska to keep their buildings heated and their lights on; and
- WHEREAS:** In FY14 the state of Alaska funded the Village Energy Efficiency Program through the Alaska Energy Authority via the governor’s proposed capital budget but then removed the line item in FY15.
- NOW THEREFORE BE IT RESOLVED** by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives request that the Governor of the State of Alaska recognize the importance of the Village Energy Efficiency Program in reducing costs and saving energy in rural communities. We request that the Governor return funding in his proposed FY16 budget for the Village Energy Efficiency Program. The VEEP program accomplishes the state’s goal of investing wisely to save money in the future and provides opportunity for all of Alaska.

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: TANANA CHIEFS CONFERENCE
COMMITTEE ACTION: DO PASS
CONVENTION ACTION: ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 29

- TITLE:** A RESOLUTION ENCOURAGING THE STATE TO CONTINUE THE POWER COST EQUALIZATION PROGRAM AND URGE THE STATE AND FEDERAL GOVERNMENT TO PURSUE ALTERNATIVE ENERGY TECHNOLOGY
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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 cost of power in rural Alaska is prohibitively expensive; and
- WHEREAS:** Communities in rural Alaska experience kilowatt-hour charges that are often three to five times higher than the average kWh rate for Anchorage, Fairbanks, or Juneau; and
- WHEREAS:** The Power Cost Equalization program was established in 1985 as a component of a statewide energy plan to provide economic assistance to customers in rural Alaska; and
- WHEREAS:** Alaskans living in rural Alaska benefit from the Alaska Energy Authority's Power Cost Equalization Program and are able to pay a more reasonable and affordable rate for energy as a result of the program; and
- WHEREAS:** Without the Power Cost Equalization program, many residents would not be able to afford power; and
- WHEREAS:** The energy policy for rural Alaska, even with the Power Cost Equalization program, is not sustainable; and
- WHEREAS:** The State and Federal governments must fund alternative energy technology such as wind, hydro programs suitable for Alaskan rivers, solar, and other programs in order to meet the needs of rural Alaska.
- NOW THEREFORE BE IT RESOLVED** by the delegates to the 2014 Annual Convention of the Alaska Federation of Natives that the Alaska Federation of Natives seeks the continuation and expansion of the Power Cost Equalization program and advocates for increased funding and funding for alternative energy technology for rural Alaska; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: EMMONAK CORPORATION
COMMITTEE ACTION: DO PASS
CONVENTION ACTION: ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 39

- TITLE: SUPPORTING THE ARCTIC ECONOMIC COUNCIL
- WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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 Arctic Council was established in 1996; and
- WHEREAS: The Arctic Council was established through the *Ottawa Declaration of 1996* to function as a high level intergovernmental forum to promote cooperation, coordination and interaction across the Arctic, with the involvement of Arctic Indigenous communities and people, with a focus on sustainable development and environmental protection in the Arctic; and
- WHEREAS: The United States of America, Russian Federation, Finland, Norway, Sweden, Kingdom of Denmark (Greenland and Faroe Islands), Iceland and Canada are all member nations of the Arctic Council; and
- WHEREAS: The great state of Alaska makes the United States a member nation because of its Arctic regions; and
- WHEREAS: The Permanent Participants of the Arctic Council include the Inuit Circumpolar Council, Aleut International Association, Gwich'in Council International, Arctic Athabaskan Council, the Saami Council, and Russian Association of Indigenous People of the North (RAIPON); and
- WHEREAS: Alaska Natives are represented in four of the six Permanent Participant organizations; and
- WHEREAS: In 2013 Canada assumed the chair of the Arctic Council; and
- WHEREAS: On August 23 2012, the Prime Minister of Canada, Steven Harper, appointed Minister Leona Aglukkaq as the Chair of the Arctic Council during Canada's chairmanship; and
- WHEREAS: Minister Aglukkaq is an Inuk from Iqaluit, Nunavut, Canada; and
- WHEREAS: She is the first indigenous person to serve as Chair of the Arctic Council; and
- WHEREAS: The Alaska Federation of Natives celebrates her appointment and leadership as an indigenous Chair because she fully understands the needs, challenges and benefits of living in the Arctic; and
- WHEREAS: Minister Aglukkaq recognizes that along with environmental stewardship there must be a balance with responsible development of our natural and human resources; and

- WHEREAS: As a result of this understanding, Minister Aglukkaq took a leadership position to create the Arctic Economic Council; and
- WHEREAS: The Arctic Economic Council is comprised of the same membership as the Arctic Council; and
- WHEREAS: The Arctic Economic Council held its inaugural organizational meeting in Iqaluit, Nunavut, Canada on September 3-4, 2014; and
- WHEREAS: Representatives from the member countries of The United States of America, Russian Federation, Finland, Norway, Sweden, Kingdom of Denmark (Greenland), Iceland and Canada were present; and, representatives from the Inuit Circumpolar Conference, Arctic Athabaskan Council, Gwich'in Council International, and the Saami Council represented the Permanent Participants; and
- WHEREAS: Drue Pearce, Gail Schubert, Lori Davey, and Bruce Harlan represented the United States at the inaugural meeting in Iqaluit; and, Tara Sweeney represented the Inuit Circumpolar Council-Alaska as Permanent Participant; and
- WHEREAS: The United States federal government's participation was noticeably absent with no official Senior Arctic Official from the U.S. State Department; and
- WHEREAS: The representatives from Alaska learned that the United States federal government does not recognize the direct association between the Arctic Economic Council and the Arctic Council; and
- WHEREAS: The United States federal government, upon the recommendation of the United States State Department, does not support having the Arctic Economic Council serve as a business advisor to the Arctic Council; and
- WHEREAS: These actions by the United States State Department have an adverse impact on Alaska, the Alaska Native community and the Arctic Economic Council; and
- WHEREAS: As an Arctic state, Alaska Natives recognize the importance of environmental stewardship balanced with responsible economic development of our natural and human resources; and
- WHEREAS: The Alaska Federation of Natives supports the position of Minister Aglukkaq and her wisdom that recognizes that Arctic indigenous people need both environmental stewardship and responsible economic development to continue to thrive in the Arctic; and
- WHEREAS: Arctic indigenous people rely on the land and the sea to sustain our traditional lifestyle which defines why we are who we are; and
- WHEREAS: Arctic indigenous people also rely on the revenue from responsible economic development to maintain our schools, roads, communities, and public service infrastructure; and
- WHEREAS: Arctic indigenous people also have a wealth of traditional knowledge needed to ensure that responsible policies that impact the Arctic also incorporate that traditional knowledge in order to support thriving Alaska Native communities to have the regional indigenous tribe within the Arctic to have a voting seat on the Arctic Council; and
- WHEREAS: The absence of the United States federal government's presence at, and support of, the Arctic Economic Council and its direct association with the Arctic Council weakens the indigenous position and Alaska's position within the Arctic Economic Council; and

WHEREAS: The United States federal government should work to empower Alaska and Alaska Natives as a partner in the Arctic Economic Council, not work to diminish the authority.

NOW THEREFORE BE IT RESOLVED that the delegates of the 2014 Annual Convention of the Alaska Federation of Natives call upon the Obama Administration to direct the United States State Department to formally acknowledge the direct association between the Arctic Economic Council and the Arctic Council; and

BE IT FURTHER RESOLVED that AFN requests the Obama Administration direct the United States State Department to also formally acknowledge and support the Arctic Economic Council as the business advisor to the Arctic Council; and

BE IT FURTHER RESOLVED that AFN requests the Obama Administration direct the United States State Department to engage its Senior Arctic Official with the business of the Arctic Economic Council; and

BE IT FINALLY RESOLVED that AFN requests the Obama Administration direct the United States State Department to hold an official signing ceremony in Alaska pledging and certifying its full support for the Arctic Economic Council in the forms described above; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: ARCTIC SLOPE REGIONAL CORPORATION

COMMITTEE ACTION: DO PASS

CONVENTION ACTION: ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 40

- TITLE:** A RESOLUTION URGING THE UNITED STATES GOVERNMENT AND STATE OF ALASKA TO HONOR NATIVE AMERICAN FEDERALLY NEGOTIATED INDIRECT RATE COST AGREEMENTS
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** These Native Organizations are facing significant and critical hardship in providing services due to Federal and State funding sources *not honoring* Federally Negotiated Indirect Cost Rate Agreements; and
- WHEREAS:** Greatly rising administrative overhead costs and operational costs without built in cost of living increases create significant financial gaps and shortfalls, and Native Organizations are operating at significant loss because they are not permitted to cover the actual cost of the funded program services, including the rising administrative overhead and operational cost from the programs; and
- WHEREAS:** Native Organizations have already done due diligence and have already followed the required processes to negotiate and come into an agreement with the Federal Government of the United States to determine an approved Indirect Rate Cost to administer essential services for Tribal people in the United States; and
- WHEREAS:** The United States Government and State of Alaska should honor Federally Negotiated Indirect Rate Cost Agreements; and
- NOW THEREFORE BE IT RESOLVED** by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that the *obligation* of the United States Government to honor formal agreements and treaties with the Native American people of the United States, specifically for this resolution to honor Federally Negotiated Indirect Rate Cost agreements with all Native American Tribes and Native Organizations with all Federal and State funding agencies; and
- BE IT FURTHER RESOLVED** that the Federal Government of the United States give direction to existing funding agencies to remove inappropriately capped or limited administrative cost limitations for both existing and future funding for Tribes and Native Organizations, and honor the Federally Negotiated and Approved Indirect Rate Cost Agreements with each Native American Tribe and Native Organization; and
- BE IT FURTHER RESOLVED** that AFN continues to support and pursue appropriate action with the Alaska State Legislature, Alaska Congressional Delegation, and National Congress of American Indians, to honor and allow federal negotiated indirect rate cost agreements in federal and state funds; and

BE IT FINALLY RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: ALEUTIAN PRIBILOF ISLAND ASSOCIATION
BOARD ACTION: DO PASS
CONVENTION ACTION: ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 49

- TITLE:** PROMOTING TOURISM THAT PROVIDES BENEFITS TO ALASKA NATIVE ARTISTS, BUSINESSES, CORPORATIONS, TRIBES AND THE STATE OF ALASKA
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** Millions of visitors are attracted to Alaska to view and experience Alaska’s pristine land and environment and its Native culture and arts; and
- WHEREAS:** Tourism is a major economic industry in the State of Alaska but is dominated by non-Alaskan corporations; and
- WHEREAS:** Tourist companies have changed the focus of tourism from locally-owned and run businesses and to their own auxiliary tours and shop and those offered by partner firms and have developed mechanisms to control the flow of visitor to these destinations; and
- WHEREAS:** The State of Alaska invests over \$16 million to promote tourism in Alaska and many communities have invested significantly in their infrastructure to support the massive influx of people during the summer months, but Alaskan and locally-owned businesses receive minimal benefits from these investments; and
- WHEREAS:** Shops opened by out of state owners often sell counterfeit Alaskan Native arts and craft made in Asia that further marginalizes Alaskan Native artists; and
- WHEREAS:** The Silver Hand Program which was established by the State to promote authentic Alaska Native handicrafts and artwork receives minimal funding and has been routinely abused by businesses who sell counterfeit items; and
- WHEREAS:** The State of Alaska has established an Alaska Loyal program which emphasizes the importance and need to support Alaskan made products; and
- WHEREAS:** The tourist industry generates money and jobs, but an economic impact study of one tourist bound community found that only 10 cents of every dollar spent in that community remained in the local economy; and
- WHEREAS:** According to a Forest Service case study, one out of four jobs in the statewide leisure and hospitality industry went to nonresident workers in 2002; and

WHEREAS: Native artists and businesses could benefit from the tourism industry through sales of their artwork and Alaskan products; and

WHEREAS: Partnerships between tourism companies and Alaska Native businesses and tribes could ensure cultural sensitivity and authenticity of tourist attractions and can provide significantly more insight and education to visitors while also creating jobs for residents and revenues for Alaskan businesses; and

WHEREAS: The success of these agreements can be seen with the Alaska Native Voices Program started by a Native corporation that provides cultural education to tourists while employing their shareholders and tribal members.

NOW THEREFORE BE IT RESOLVED that the delegates of the 2014 Annual Convention of the Alaska Federation of Natives request the Alaska State Legislature and the State of Alaska to adopt a policy that ensures its annual investment in tourism provides a direct and tangible benefit and return to Alaska and to assess and implement measure to ensure that the tourist industry provides greater benefits to Alaskans including Alaska Native artists, Native business, corporations and tribes; and

BE IT FURTHER RESOLVED that the Alaska Federation of Natives requests the State of Alaska to engage with the tourist companies and cruise line to encourage them to initiate changes in their operations that provides for the use and sale of Alaska services and products in both its "on-board" and "on-shore" activities; and

BE IT FURTHER RESOLVED that the Alaska Federation of Natives requests the State of Alaska to utilize a portion of the tourism related marketing to develop a publicity campaign promoting authentic Alaska Native handicrafts and artwork as well as other Alaska made products and to disparage visitors from purchasing souvenirs that violate the intellectual property of Alaska's Native people; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: SEALASKA CORPORATION AND CENTRAL COUNCIL OF TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA SOUTHEAST ALASKA VILLAGES

BOARD ACTION: DO PASS

CONVENTION ACTION: ADOPT



ANCSA/Tribal



Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 30

- TITLE:** A RESOLUTION URGING THE ALASKA STATE GOVERNMENT TO ELIMINATE THE REQUIREMENT FOR ALASKA’S TRIBES TO WAIVE THEIR SOVEREIGN IMMUNITY IN ORDER TO ACCESS STATE FUNDING
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** Sovereign immunity is a preexisting inherent authority that the federal, state, and tribal governments can retain in order to protect them against suit and the potential loss of limited resources; and
- WHEREAS:** When Tribes waive their sovereign immunity they do so by carefully weighing the legal risks versus the benefits and draw clear language that narrows any waiver of immunity; and
- WHEREAS:** All requests to waive sovereign immunity should be well thought out and negotiated prior to any official action; and
- WHEREAS:** The State of Alaska currently requires that any Alaska Tribe sign a waiver of sovereign immunity in order to accept State funding; and
- WHEREAS:** The State of Alaska has not made any attempts to work mutually with Tribes to discuss the requirement to waive immunity in order to access State funding; and
- WHEREAS:** Alaska’s Tribes continually provide necessary services for their people and often times are the sole functional government within a community; and
- WHEREAS:** Alaska’s Tribes have been successfully administering federal grant funding, providing services and conducting business in Alaska professionally for generations; and
- WHEREAS:** Having access to State funding will only strengthen Alaska’s tribal governments and maximize resources in order to provide the best possible services to Alaska’s residents; and
- WHEREAS:** Many States throughout America work collaboratively with their Tribes in order to mutually agree upon issues that jointly affect them.
- NOW THEREFORE BE IT RESOLVED** that the delegates to the 2014 Annual Convention of the Alaska Federation of Natives urge the State of Alaska immediately and permanently remove the requirement for Alaska’s Tribes to waive their sovereign immunity in order to access State funding; and

BE IT FURTHER RESOLVED that the State of Alaska be urged to convene discussions with Alaska’s tribal leaders to mutually agree upon any decisions made that affect tribal people and tribal communities; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: KONIAG-KANA ROUNDTABLE
COMMITTEE ACTION: DO PASS
CONVENTION ACTION: ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 31

- TITLE:** REQUESTING THAT ALL STATE OF ALASKA PROGRAMS AND SERVICES RECOGNIZE TRIBAL ENROLLMENT CARDS ISSUED BY A FEDERALLY-RECOGNIZED TRIBE AS A VALID PRIMARY FORM OF IDENTIFICATION
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** Legal and valid forms of personal identification are necessary for travel, to obtain many goods and services and for legal purposes; and
- WHEREAS:** The Bureau of Indian Affairs (BIA) no longer issues and not all Alaska Native residents have a federally issued BIA card, nor does this federally-issued form of identification contain all the items necessary to be accepted as a valid form of identification for some purposes; and
- WHEREAS:** Many rural post offices are not properly equipped to be able to issue valid primary forms of identification, such as passports; and
- WHEREAS:** Some rural Alaska communities do not have their own zip code or a federal post office to obtain all postal services, such as obtaining a passport; and
- WHEREAS:** Nearly all rural Alaska residents have significant challenges in obtaining a valid primary form of state identification, such as a driver's license or state identification card, due to lack of state services, remoteness, license fees, and transportation issues; and
- WHEREAS:** Some rural communities do not have federal or state offices that are able to issue valid primary forms of identification; and
- WHEREAS:** At least one State of Alaska program (LIHEAP) accepts a Tribal Identification Card as an acceptable form of identification; and
- WHEREAS:** Tribal governments are federally-recognized, equally accessible to most communities in Alaska, keep accurate tribal enrollment records and have been issuing valid primary forms of identification for their tribal members.
- NOW THEREFORE BE IT RESOLVED** by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that the State of Alaska have uniform policies and regulations which allow a tribally issued identification card be accepted as a valid form of identification when in the course of conducting State business a form of identification is required; and

BE IT FURTHER RESOLVED that the State of Alaska unequivocally and clearly recognize tribes as governments per the findings of the 1999 and 2013 Rural Governance Commission.

SUBMITTED BY: COUNCIL FOR THE ADVANCEMENT OF ALASKA NATIVES
COMMITTEE ACTION: DO PASS
CONVENTION ACTION: ADOPT AS AMENDED



Other



Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 32

- TITLE:** A RESOLUTION OF SUPPORT FOR ALASKA LEGAL SERVICES CORPORATION
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** Alaska Legal Services Corporation's (ALSC's) twenty-seven lawyers in eleven offices around the state serve a population of over 168,000 Alaskans living below 200% of the poverty threshold, including more than 40,000 Alaska Natives; and
- WHEREAS,** Alaskans potentially eligible for ALSC's services face approximately 65,000 legal problems each year and ALSC's current resources only stretch far enough to help about 6,300 people each year; and
- WHEREAS,** Each year ALSC must turn away over 600 qualified individuals with critical legal needs due to its limited resources; and
- WHEREAS:** The vast majority of ALSC's cases involve the basic human necessities of family safety, shelter, food, access to medical care, and income maintenance; and
- WHEREAS:** Although the May 2000 Alaska Supreme Court Access to Civil Justice Task Force Report recommended that ALSC be funded at \$5 million annually, ALSC's actual funding is far less than that at only \$3.6 million; and
- WHEREAS:** Several regional nonprofits including: Bristol Bay Native Association, Association of Village Council Presidents, the Tanana Chiefs Conference and Maniilaq Association currently partner with ALSC to support local ALSC offices and staff in the communities of Bethel, Dillingham, Fairbanks and Kotzebue; and
- WHEREAS:** Several regional for-profits have provided significant financial and in-kind support to ALSC's regional offices: including Arctic Slope Regional Corporation, CIRI, Bering Straits Native Corporation, Bristol Bay Native Corporation, Doyon, Limited, and the Sitnasuak Native Corporation; and
- WHEREAS:** Several tribal governments including the Central Council of Tlingit-Haida Indian Tribes of Alaska, the Kenaitze Indian Tribe, the Inupiaq Community of the Arctic Slope, the Nome Eskimo Community, and Orutsararmiut Native Council have also provided financial support for and partnered with ALSC; and
- WHEREAS:** The State of Alaska did make an appropriation to ALSC for FY 2014, approved by Governor Parnell, in the amount of \$550,000, but this amount is far less than needed to assure that all

Alaskans have access to equal justice and it is unclear whether this will be sustained in future fiscal years; and

WHEREAS: For every additional \$100,000 of funding enables ALSC to directly benefit 182 more people.

NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that AFN urges the Governor of Alaska to retain and increase the appropriation for ALSC in his proposed FY 2015 budget, and urges the Alaska Legislature to appropriate that funding, and urges Congress to award sufficient funding to the federal Legal Services Corporation to support Alaska Legal Services Corporation's mission of providing free legal services on vital issues to low income Alaskans.

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY:	BRISTOL BAY NATIVE ASSOCIATION
COMMITTEE ACTION:	DO PASS
CONVENTION ACTION:	ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 33

TITLE: SUPPORTING PUBLIC STREET SIGNS IN ENGLISH AND OUR ALASKA NATIVE LANGUAGES

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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 of Alaska is built upon the heritage and lands of Alaska Native peoples and communities, and our languages are in need of revitalization to reverse language loss and outmoded policies from the past that discouraged the use of our heritage languages; and

WHEREAS: Alaska Native languages have significantly declined in contemporary use and need revitalization in modern ways to promote the increased use during everyday life in multiple settings to support use and speaking; and

WHEREAS: public street signs translated into our Alaska Native languages can be an important opportunity to promote usage and provide a means to preserve our cultures while also giving all citizens pride in our rich heritage; and

WHEREAS: The State of Alaska has recognized Alaska Native languages as official languages of our state; and

WHEREAS: The State of Hawaii is an excellent model in the usage of their heritage languages for street names and public signs that encourages residents and visitors to use their languages.

NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that the State of Alaska, Borough, and City Governments and Tribal Governments work together to have bilingual public, street and road signs in English and Alaska Native languages to express and preserve our identity, cultures and languages; and

BE IT FURTHER RESOLVED that Alaskan communities also consider renaming streets in communities in the heritage language of the Native people with the aim to introducing visitors and future generations to come in all ways possible that will help promote appreciation for our languages and cultures; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: NATIVE VILLAGE OF KOTZEBUE
COMMITTEE ACTION: DO PASS
CONVENTION ACTION: ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 34

TITLE: SUPPORTING THE USE AND SPEAKING OF NATIVE LANGUAGES DURING THE AFN ANNUAL CONVENTION

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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: AFN supports tribal values including knowledge of language; and

WHEREAS: AFN is aware that multiple efforts are needed to revitalize our Alaska Native languages and create opportunities for hearing our languages in contemporary settings; and

WHEREAS: AFN promotes the use of Alaska Native languages so that Elders and fluent speakers can clearly understand the issues that are presented to the delegates at the Annual Convention.

NOW THEREFORE BE IT RESOLVED by the delegates to the 2014 Annual Convention of the Alaska Federation of Natives that the AFN Annual Convention provide translators and translation equipment so that speakers and delegates can honor, use, speak and support our Native languages during the Convention to better understand issues that are submitted to the delegates during the Convention and promote the revitalization of our languages in today; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution

SUBMITTED BY: NATIVE VILLAGE OF KOTZEBUE

COMMITTEE ACTION: REFER TO BOARD

CONVENTION ACTION: NONE





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 35

TITLE: SUPPORTING THE DEVELOPMENT OF NATIVE AMERICAN MILITARY CEMETERIES WITHIN THE STATE OF ALASKA

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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: Native Americans have traditionally served at the highest rate per capita out of any ethnic group; and

WHEREAS: Native Americans are proud of their veterans and their tradition of military service for their country; and

WHEREAS: As Natives Americans we wish to honor and respect the sacrifices that our Native Veterans made to defend our country; and

WHEREAS: Currently there are no cemeteries in Alaska which allow for both a traditional native burial ceremony and a military funeral; and

WHEREAS: There exist no Native American Veteran Cemeteries within the State of Alaska with which to honor Native Alaskan Veterans; and

WHEREAS: As Native Americans we wish to honor our veterans and to ensure that they are buried both with military honors and their traditional Native American Ceremonies; and

NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of the Alaska Federation of Natives that the Alaska Congressional delegation work with AFN and tribal leaders to support the creation of Native American Veterans cemeteries within the State of Alaska; and

BE IT FURTHER RESOLVED that the development of such cemeteries must be done in cooperation with the Alaska tribes and village organizations to ensure cultural relevance and design; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: MONTANA CREEK NATIVE ASSOCIATION INC.
COMMITTEE ACTION: DO PASS
CONVENTION ACTION: ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 - 37

- TITLE:** A RESOLUTION SUPPORTING ALASKA’S CURRENT SYSTEM OF SELECTION AND RETENTION OF STATE COURT JUDGES
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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 Alaska Judicial Council (AJC) is an independent citizens’ commission established by the Alaska Constitution to screen applicants for judicial vacancies, nominate the most qualified applicants for appointment by the governor, evaluate the performance of sitting judges, recommend to voters whether judges should be retained, and conduct research related to the administration of justice in Alaska; and
- WHEREAS:** The Alaska Constitution provides that the AJC shall have seven members, including three attorneys appointed by the Alaska Bar Association, three non-attorneys appointed by the governor and confirmed by the legislature, and the Chief Justice of the Alaska Supreme Court, who acts as the chairperson; and
- WHEREAS:** Through the AJC process the Alaska Constitution created a merit-based system for appointing judges while retaining accountability to the voters, and this Alaska system is widely considered to be one of the best state judicial selection processes in the United States; and
- WHEREAS:** AFN does not support any amendments that would change Alaska’s merit- based system for selecting judges into a partisan political process controlled by the governor and in the long term would inevitably diminish the quality and fairness of the state judiciary; and
- WHEREAS:** Alaska Native Tribes, tribal organizations, and individual Alaska Natives subjected to Alaska’s civil or criminal judicial system are best served by an independent state judiciary, selected on merit.
- NOW THEREFORE BE IT RESOLVED** that the delegates of the 2014 Annual Convention of the Alaska Federation of Natives support Alaska’s current system of selection and retention of state court judges; and
- BE IT FURTHER RESOLVED** that the Alaska Federation of Natives opposes any attempt to amend the Alaska Constitution to alter the composition of the Alaska Judicial Council to politicize the judicial selection process; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: Bristol Bay Native Corporation, Bristol Bay Native Association, Aleut Corporation, CIRI
COMMITTEE ACTION: DO PASS
CONVENTION ACTION: ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 38

- TITLE:** RESOLUTION SUPPORTING JUVENILE JUSTICE REFORM IN THE 2015 LEGISLATIVE SESSION
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** Senate Bill 64 passed on July 16, 2014, established the Alaska Criminal Justice Commission, whose membership includes a member from the Alaska Native Justice Center, tasked with evaluating criminal justice practices; and
- WHEREAS:** There is also a recognized need to evaluate and reform the juvenile justice system, including the disproportionate number of Alaska Native Youth in the juvenile justice system; and
- WHEREAS:** It is important to ensure that victims, witnesses, parents, foster parents, guardians and juvenile offenders are treated with dignity, respect, courtesy, and cultural sensitivity throughout all legal proceedings and are assured fair legal proceedings during which constitutional and other legal rights are recognized and enforced; and
- WHEREAS:** Juveniles currently have no statutory right to a speedy trial or to a jury trial without notice restrictions, are shackled without cause in the courtroom, are held in solitary confinement for weeks and months when charged as adults, among other concerns; and
- WHEREAS:** The goals of improving the outcomes in the lives of Alaskan children in crisis, reducing juvenile recidivism, and improving public safety have not been fully realized.
- NOW THEREFORE BE IT RESOLVED** that the delegates of the 2014 Annual Convention of the Alaska Federation of Natives Convention express their support for Alaska juvenile justice reform; and
- BE IT FURTHER RESOLVED THAT** AFN requests that state political leaders support and actively work to reform the Alaska Juvenile Justice System; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: ASSOCIATION OF VILLAGE COUNCIL PRESIDENTS AND NATIVE VILLAGE OF KOTZEBUE
COMMITTEE ACTION: DO PASS
CONVENTION ACTION: ADOPT AS AMENDED



Endorsements



Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 46

- TITLE:** RESOLUTION ENDORSING MARK BEGICH AS CANDIDATE FOR THE OFFICE OF THE UNITED STATES SENATOR FOR ALASKA
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** Senator Mark Begich is a born and raised Alaskan who, like his father before him, Congressman Nick Begich, understands the unique challenges of rural Alaska and fights to address them; and
- WHEREAS:** Senator Mark Begich, throughout his career of public service to our state as Anchorage assembly member, mayor of Anchorage, and Alaska’s U.S. Senator, has time and again shown his deep appreciation and respect for Native culture and traditional lifestyle; and
- WHEREAS:** Senator Mark Begich, during his time as Mayor, appointed the first-ever rural liaison to his administration to serve the needs of the growing Anchorage Alaska Native population. He also honored the first people of Cook Inlet by naming the Anchorage Convention Center the Dena’ina Center; and
- WHEREAS:** Senator Mark Begich travels extensively throughout rural Alaska, to both the hubs and surrounding villages, to hear directly from Alaska Native and rural people in their homelands; and
- WHEREAS:** Senator Mark Begich consistently advocates for Alaska Native hunting, fishing, and subsistence rights and passed his *Traditional Foods Nourishment Act* as part of the recent Farm Bill to promote Native rights and increase access to our traditional foods; and
- WHEREAS:** Senator Mark Begich opposes the Pebble Mine project that would jeopardize vital salmon fisheries in Bristol Bay; and
- WHEREAS:** Senator Mark Begich, as chair of the Commerce Subcommittee on Oceans, Fisheries, and Coast Guard, advocated for and included tribes and subsistence users in his proposed reauthorization of the Magnuson-Stevens Act (MSA). Senator Begich held multiple hearings throughout Alaska to hear directly from subsistence users, and as a result of his work, tribes and subsistence users will be included in MSA for the first time in the bill’s history; and
- WHEREAS:** Senator Mark Begich has been a top advocate to protect and enhance access to traditional and customary foods for all subsistence users. He championed increased whaling quotas for North

Slope communities and secured disaster relief for fishermen on the Yukon and Kuskokwim Rivers after the king salmon decline, resulting in an initial payment of \$7.5 million; and

WHEREAS: Senator Mark Begich strongly defends our Second Amendment rights, which are critical to rural Alaskans who depend on guns for subsistence activities to feed our families; and

WHEREAS: Senator Mark Begich recognizes that rural Alaska is ground zero for climate change. He has introduced legislation to study the effect of coastal erosion on Arctic communities and the needs of Arctic residents as they adapt to climate change. In addition, Senator Begich has been a strong advocate for Alaska communities on the international stage to make sure our needs are being heard on a global scale; and

WHEREAS: Senator Mark Begich condemns the Supreme Court's decision to gut the *Voting Rights Act* and supports restoration of the law's vital protections to make sure all Alaskans, no matter what language they speak or where they live, can exercise their right to vote; and

WHEREAS: Senator Mark Begich introduced legislation, *The Native Voting Rights Act of 2014*, to defend the voting rights of Alaska Native and Native American people by protecting rural polling locations, requiring translation of important election information into Native languages, and affording equal treatment for tribal identification; and

WHEREAS: Senator Mark Begich secured a permanent reauthorization of the Indian Health Service, the first reauthorization in over twenty years. He also secured historic full funding for IHS Contract Support Costs to Alaska Native tribal facilities this year, including back payments totaling almost half of a billion dollars thus far; and

WHEREAS: Senator Mark Begich has successfully advocated for Joint Venture Construction Projects between the IHS and Alaska Native Tribal Health Organizations, which has resulted in new hospitals and clinics in Barrow, Fairbanks, Wasilla, Kenai, and Copper Center; and

WHEREAS: Senator Mark Begich has led the fight to defended the 8(a) program, which provides important contracts to Alaska Native Corporations that create jobs and sustain economic growth across the state; and

WHEREAS: Senator Mark Begich successfully persuaded the Senate Appropriations Committee this year to include an amendment forcing the Department of Defense, for the first time ever, to provide information on the chilling effect section 811 has had on 8(a) entities, including Alaska Native Corporations. This is the first step towards Senator Begich's goal of fully repealing section 811; and

WHEREAS: Senator Mark Begich took action for rural public safety by introducing the *Alaska Safe Families and Villages Act of 2014* and amendments to support local authority to prosecute misdemeanors in rural Alaska; and

WHEREAS: Senator Mark Begich included in the *Safe Families* bill a full repeal of Section 910 of the *Violence Against Women Act*, which unfairly excluded Alaska Tribes from expanded jurisdiction; and

WHEREAS: Senator Mark Begich advances Alaska Native self-determination by supporting the option to allow Alaska Native and their Tribal Governments to take land-into-trust; and

- WHEREAS: Senator Mark Begich utilized his position on the Senate Homeland Security and Governmental Affairs Committee to ensure the United States Postal Service maintains bypass mail and standard rates for rural Alaska, which are critical to our communities. Senator Begich has helped protect \$76 million in annual subsidies for bypass mail despite senators from both parties attempting to roll back the program; and
- WHEREAS: Senator Mark Begich has fought to lower energy prices in villages and rural Alaska. He has a plan to provide \$5,000 in tax credits for residents of areas with extremely high energy costs who are looking to increase the efficiency of their home heating and cooling; and
- WHEREAS: Senator Mark Begich was the only member of the Alaska delegation to vote for the *American Reinvestment and Recovery Act*, which brought \$2.3 billion to Alaska. The *Recovery Act* provided much need funds for infrastructure build out in rural Alaska, such as the new hospital in Nome, the Kotzebue breakwater, and the Yakutat Senior Center; and
- WHEREAS: Senator Mark Begich fought for important programs to promote cleaner and more efficient energy in the *Recovery Act*, which has brought \$92.2 million to Alaska communities, including over \$18 million for home weatherization assistance; and
- WHEREAS: Senator Mark Begich recognizes that 82% of Alaska communities are off the road system, and has protected vital transportation routes and services by defending the Essential Air Service program, which provides \$14.7 million in annual subsidies to Alaska air carriers; and
- WHEREAS: Senator Mark Begich helped deliver over \$180 million in improvements to rural broadband to provide education and health services and encourage small business growth; and
- WHEREAS: Senator Mark Begich secured \$100 million over ten years to plan and develop remote and subsistence harbors, including a deepwater Arctic port, by gaining unanimous support in the Senate for his amendment to the *Water Resources Development Act of 2013*; and
- WHEREAS: Senator Mark Begich has introduced the *Alaska Adjacent Zone Revenue Sharing Act* to give Alaska the same share of oil production revenues that some southern states have received since 2006, before Begich was elected. The bill would, for the first time, allow tribes to share in these revenues along with the state of Alaska, Alaska Native Corporations, and municipalities. If his bill had been enacted in 2006, Alaska would have received over \$900 million already; and
- WHEREAS: Senator Mark Begich promotes and protects benefits for all military service members, retirees, veterans, and their families. Senator Begich successfully secured reinstatement of pension payments for members of the World War II-era Alaska Territorial Guard and passed an increase to veterans' benefits to keep up with the cost of living; and
- WHEREAS: Senator Mark Begich has improved the quality of the VA hospitals in rural Alaska and facilitated 30 historic agreements to allow veterans to receive local care without having to travel to Anchorage or Seattle; and
- WHEREAS: Senator Mark Begich secured important access to Space-A seats on military planes for our National Guard and Guard Reserve members and their families, rolling back a policy that denied them the same privilege as active-duty soldiers; and
- WHEREAS: Senator Mark Begich co-sponsored the *Native Language Immersion Student Achievement Act*,

which if passed would create a grant program to fund Native language educational programs; and

WHEREAS: Senator Mark Begich has been a strong supporter of the Head Start Program, which provides important educational day care opportunities for young Alaskans, and secured an annual increase of \$1.7 million for the Head Start program in Alaska; and

WHEREAS: Senator Mark Begich helped secure a waiver for Alaska Schools from the *No Child Left Behind Act*, a bill causing substantial negative impacts on rural students, especially Alaska Native students; and

WHEREAS: Senator Mark Begich has been a stalwart advocate for increased rural education resources, introducing his *Rural Educator and American Community Housing Act* to provide \$50 million to build housing and improve living arrangements for educators in rural areas; and

WHEREAS: Having two Alaska Senators seated on the Appropriations Committee and the Indian Affairs Committee ensures Alaska Native priorities are heard and addressed on a national level. Having two senators from Alaska in each of the major parties ensures that Alaska's, and especially Alaskan Natives', needs are being heard by congressional leadership and the White House no matter which party is in charge; and

WHEREAS: Senator Mark Begich is currently 63rd in seniority in the Senate and after this election, he will rise to 55th in seniority. This ensures that Alaska's delegation to Washington, D.C., will have the clout it needs to fight and deliver for Alaska.

NOW THEREFORE BE IT RESOLVED that the delegates to the 2014 Annual Convention of the Alaska Federation of Natives endorse Mark Begich for re-election to the office of United States Senator; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: BRISTOL BAY NATIVE CORPORATION

COMMITTEE ACTION: NONE

CONVENTION ACTION: ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14 – 47

- TITLE:** RESOLUTION ENDORSING BILL WALKER AND BYRON MALLOTT FOR GOVERNOR AND LIEUTENANT GOVERNOR OF THE STATE OF ALASKA
- WHEREAS:** The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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:** Byron Mallott and Bill Walker were both candidates for the position of Governor of the State of Alaska; and
- WHEREAS:** In early September 2014, Walker and Mallott made a historic decision to join forces to create the “Unity Ticket” as a strategic initiative to secure the highest political offices in the State of Alaska; and
- WHEREAS:** Byron Mallott is well-known for his lifelong commitment to addressing the issues of importance to the Alaska Native Community, and Bill Walker has shown a commitment to the economic and energy needs of the State of Alaska; and
- WHEREAS:** Byron Mallott is a former President of the Alaska Federation of Natives, the former Director of the Alaska Permanent Fund, the former President of the First Alaskans Institute, the former President of Sealaska Corporation, the former Mayor of both Juneau and Yakutat, Alaska, and has held many other important positions that have impacted the lives of Alaskans and Alaska Natives; and
- WHEREAS:** Bill Walker has also made a commitment to economic stability and sustainability for all of Alaska, and has expressed his support for the needs of our rural Alaskan villages, particularly in the areas of affordable energy, education and subsistence; and
- WHEREAS:** Bill Walker and Byron Mallott have identified a clear alignment on issues of importance to Alaska, and will work together on all issues of importance to Alaska and the Alaska Native community, including the economy, energy, education, public safety, and subsistence; and
- WHEREAS:** Bill Walker and Byron Mallott have committed to having a true partnership as the Governor and Lieutenant Governor of the State of Alaska, despite the different titles that each will hold in the State government; and
- WHEREAS:** In the past, the Alaska Federation of Natives has endorsed candidates for statewide public office.

NOW THEREFORE BE IT RESOLVED by the Delegates of the 2014 Annual Convention of the Alaska Federation of Natives, Inc. that the Alaska Federation of Natives appreciates the commitment of Candidates Bill Walker and Byron Mallott to put Alaska First and to make efforts to address those issues of importance to the Alaska Native community; and

BE IT FURTHER RESOLVED that the delegates of the 2014 Annual Convention of the Alaska Federation of Natives hereby endorse Bill Walker and Byron Mallott for the positions of Governor and Lieutenant Governor of the State of Alaska; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: SEALASKA CORPORATION AND CENTRAL COUNCIL OF TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA SOUTHEAST ALASKA VILLAGES

BOARD RESOLUTION: NONE

CONVENTION ACTION: ADOPT



Elders and Youth



Alaska Federation of Natives
2014 Annual Convention
Resolution 14-50

TITLE: Alaska Native Youth Homelessness

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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: While youth are the highest homeless demographic in Alaska, Alaska Native youth comprise 40% of the homeless youth compared to 33% of Caucasian youth; and

WHEREAS: Almost all Alaska homeless shelters focus their efforts on adults, thereby leaving many youth without a safe living environment; and

NOW THEREFORE BE IT RESOLVED the delegates of the 2014 Annual Convention of the Alaska Native Federation of Natives request that Alaska Native Corporations, private non-profits, tribal governments, Alaska Housing Authorities, and the AFN Directors work together to create a task force with youth to identify unmet needs, funding opportunities, and help build capacity for youth shelters; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: 2014 Elders & Youth Conference

COMMITTEE ACTION: AFN BOARD- PASS TO FLOOR

CONVENTION ACTION: ADOPT AS AMENDED





Alaska Federation of Natives
2014 Annual Convention
Resolution 14-51

TITLE: Commercialized Marijuana Harmful to Youth & Native Community

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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 use of marijuana has been found to have negative physical, mental, behavioral and social health consequences, particularly in our youth, negatively affecting their academic and social success in our communities; and

WHEREAS: Alaska youth are faced with this pressure at an early age and it is commonly perceived as harmless and Alaska already struggles with some of the highest rates of substance abuse and suicide; and

WHEREAS: Ballot measure 2 would legalize, commercialize, and industrialize recreational marijuana in the State of Alaska for adults 21 and over, legalizing not only marijuana but also potent and dangerous chemical concentrates and drug-infused edibles that appeal to children; and

WHEREAS: The legalization will have detrimental consequences for Alaska Native individuals, families, and communities, specifically youth and Elders; and

NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of the Alaska Native Federation of Natives that this body oppose the passage of the initiative to legalize recreational marijuana in Alaska; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: 2014 Elders & Youth Conference
COMMITTEE ACTION: AFN BOARD- PASS TO FLOOR
CONVENTION ACTION: ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14-52

TITLE: Helping Demystify and Clarify Elder Care Services

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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: Too often Elders are not able to access the assisted living, short or long term, or therapeutic care services they require because the process is so difficult, confusing, or creates penalties that are unnecessary or unjust; and

WHEREAS: When Elders own lands, materials or financial resources that they have a cultural obligation to or they accumulated to sustain them in their elderly years these resources are often used against them and create barriers to access the services they need due to being “over-income”, even if only by a few dollars.

NOW THEREFORE BE IT RESOLVED the delegates of the 2014 Annual Convention of the Alaska Native Federation of Natives encourage Alaska Native organizations to educate families about existing protections (ie. Miller Trusts), to pursue amendments to existing law, and propose new ways to protect Alaska Native Elders and their cultural properties (lands, materials, and the like); and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: 2014 Elders & Youth Conference

COMMITTEE ACTION: AFN BOARD- PASS TO FLOOR

CONVENTION ACTION: ADOPT





Alaska Federation of Natives
2014 Annual Convention
Resolution 14-53

TITLE: Restore Native Names to Native Youth Olympic Games

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 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: Native games of endurance have been around since time immemorial; and

WHEREAS: Native games had original names in the indigenous languages from across the state; and

WHEREAS: Restoring these original names will inspire Native youth to learn more of their languages; Native knowledge embedded in concepts about our lands, animals, behavior patterns; and the interaction between our peoples and our lands; and

WHEREAS: When they learn it, they become inclined to protect and perpetuate it.

NOW THEREFORE BE IT RESOLVED by the delegates of the 2014 Annual Convention of the Alaska Native Federation of Natives that the renaming of these games into Native languages, as appropriate for each cultural group or in respect to the host area, should be implemented by the people, organizations, and hosts of these games, and the use of the Native names encouraged amongst all athletes, coaches, volunteers, audience members, and community members that play, watch, or host these Native games; and

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY: 2014 Elders & Youth Conference

COMMITTEE ACTION: AFN BOARD- PASS TO FLOOR

CONVENTION ACTION: ADOPT

