

Alaska Federation of Natives

Statewide Weekly Briefing



Week of July 19-23, 2021

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AFN SECURES \$229 MILLION IN ARPA FUNDS FOR ALASKA TRIBES

Through AFN's direct advocacy, the U.S. Treasury Department—for the first time in history—reversed itself after publishing a tribal funding formula, resulting in Treasury establishing a \$1 million employment data allocation minimum for all tribes under the American Rescue Plan Act (ARPA).

After Treasury published its initial funding formula on May 10, AFN President Julie Kitka requested a briefing with Treasury officials on May 17, where she made the case for allowing Alaska tribes to use their respective consortia's employment data by proxy. That briefing was followed up with a white paper, which AFN submitted on May 20. According to a Treasury official, AFN's white paper 'made all the difference.' [Click here](#) to read the white paper.

A special 'thank you' is owed to Kawerak, Inc. President and CEO Melanie Bahnke, who was quick to lend their General Counsel John Bioff to assist with final edits of the white paper. Thank you, Melanie and John!

Following the extension announced by Treasury for tribes to submit their employment data by July 16, AFN worked non-stop on follow up efforts, contacting each of the 78 Alaska tribes who had yet to upload, amend, or affirm their information with Treasury. A week after we joined the coordinated effort that number was decreased to 8 Alaska tribes. AFN was also able to convince Treasury to extend the application deadline from July 16 to July 23, enabling the remaining tribes still on the list to submit their data to Treasury.

AFN FILES SUIT TO PROTECT PCE FUND

On July 19, AFN through a state court filing disputed the legality of Governor Mike Dunleavy's decision to 'sweep' funds from the Power Cost Equalization (PCE) Fund, a program that keeps rural electricity costs on par with urban areas of the state. AFN and other plaintiffs contend that PCE is protected from such budget maneuvers.

“Affordable energy is essential to the survival of Alaska’s rural, Native communities, particularly as our families and individuals recover from the pandemic,” said Julie Kitka, AFN President. “We urge the court to confirm the PCE is not subject to a sweep and let our people continue with their lives.

“It is also our hope that the governor and our congressional delegation will support major federal and state investment into Alaskan communities through affordable energy infrastructure. We must not be left behind in Alaska’s energy transition and the profound changes happening now,” Kitka said.

On July 22, Alaska Superior Court Judge Josie Garton granted our request for an expedited briefing schedule as part of our motion for summary judgment. Oral argument in the matter will now take place on Thursday, August 5, from 2:00-2:45 p.m. The benefit to this order is (hopefully) removing PCE from play during the second Special Session.

AFN ESTABLISHES NAVIGATOR PROGRAM TO CONNECT ALASKA NATIVES WITH PANDEMIC RELIEF

The Alaska Department of Health and Social Services in late June directed \$2.5 million in state CARES Act funds to AFN to assist Alaska Native tribes, regional and village for-profit Native corporations, regional Native not-for-profit organizations and tribal consortia, and individual Indian beneficiaries with COVID-19 recovery efforts to help them navigate the myriad federal and state agencies and departments distributing funds and providing services.

“AFN thanks Governor Dunleavy and his administration for their hard work during this pandemic, the result is saved lives,” said Julie Kitka, AFN President. “We welcome the opportunity to set up a navigator program to help connect our communities to federal

opportunities. Working together will help us all come out of this pandemic as strong as possible.

”The project consists of legal and policy analysis, identification and analysis of opportunities within federal agencies, and communication and translation of information into useable formats for the prevention and mitigation of the further spread of COVID-19 in rural Alaska and among Alaska Natives.

AFN UNDERTAKES TRIBAL EDUCATION SCOPING PROJECT

With a grant secured from the Alaska Department of Education and Early Development in late June, AFN will investigate and identify legal and practical pathways toward a state-tribal compact with Alaska Natives to operate and run public schools in their local communities.

“This is an important step forward for one of AFN’s longstanding priorities, that of ensuring our children have access to the best education for a brighter future,” said Julie Kitka, AFN President.

Under the agreement, AFN will research relevant federal and state laws, regulations, and policy directions, continue to engage with Alaska Natives on current concerns and aspirations for quality education for their children, and design basic compacting seminars for educators and administrators that trace the origins of the federal trust relationship and of self-determination policy. The project will culminate in pathways for the Alaska Native community to engage in a positive and meaningful way to further self-determination and compacting in Alaska. A final scoping document will be presented to the Commissioner, the State Board of Education, and the Alaska State Legislature.

“AFN thanks DEED Commissioner Michael Johnson and his team for their leadership and dedication,” Kitka said. “We are honored to have the opportunity to work with him and his team to advance educational opportunities for our children.”

AFN has a well-established track record of working with the state on a wide range of

legal and technical policy topics including tribal compacting. The historic tribal-state child welfare compact, signed in 2017, is a prime example of the kind of government-to-government agreement that benefits Alaska Natives. This nuanced technical experience of tribal compacting places AFN in a unique position to provide insightful guidance for addressing the necessary components required to form a successful tribal compact.

“We all saw during this pandemic the capability and strength of the Tribal health system, which is an example of compacting,” Kitka said. “The tribal health system saves lives and keeps vital services going. They are an inspiration to us all.”

Self-determination and assuming greater responsibility are critically important to AFN. As with all federal and state programs, local involvement and local control are more effective, efficient, and appropriate to the community the programs serve.

In light of the renewed attention to the tragic history of boarding school education revealed by the discovery of mass graves of Native children in Canada, and the continuing discussions of the boarding school experiences by Alaska Natives, this initiative could not be timelier. Greater involvement in our children’s education can only help us ensure we never repeat the mistakes of the past. We look to a bright future for every child to reach their full potential.

AFN CONNECTS ANCs WITH CARES FUNDING

As you may know, the U.S. Supreme Court in late June decided in favor of ANCs receiving much-needed CARES Act monies. During oral arguments last April, Justices referred to AFN’s amicus brief twice. The issue on appeal was whether Alaska Natives should qualify in full, through ANCs, for pandemic relief under the Coronavirus, Aid, Relief, and Economic Security Act (CARES), which incorporates by reference the Indian Self-Determination and Education Assistance Act (ISDA) definition of ‘Indian Tribe.’

AFN is urging ANCs to not miss this opportunity to claim their fair share of this federal funding. If you have any questions or concerns please contact [Hallie Bissett](#) at Alaska

Native Village Corporation Association, [Kim Reitmeier](#) at ANCSA Regional Association, or [AFN](#).

Below is an updated list as of July 23 from the U.S. Treasury Department of ANCs that have not yet completed the process. Also included are instructions to complete Treasury's portal process. If your ANC is listed below, but your corporation has already completed or is working through the process, please email us.

Please do NOT send banking information over the Internet. You will receive a phone number from Treasury to call.

Afognak Native Corporation

Akiachak Limited

Anton Larsen, Inc.

Arviq Incorporated

Askinuk Corporation

Atxam Corporation

Ayakulik, Inc

Baan o yeel kon Corporation

BAY VIEW INCORPORATED

Bean Ridge Corporation

Beaver Kwit' chin Corp

Becharof Corporation

Bells Flats Natives

Brevig Mission Native Corporation

Chalkyitsik Native Corporation

Chaluka Corporation

Chefarnmute Incorporated

CHIGNIK RIVER LIMITED

Chuloonawick Corporation

Council Native Corporation

Danzhit Hanlaih, Corporation

Deloy Ges Incorporated (Ingalik Incorporated)

Dineega Corporation

Dinyea Corporation

Eklutna, Incorporated

Elim Native Corporation

Far West Inc & Subsidiaries

Gwitchyaa Zhee Corporation

Hee Yea Lingde Corporation

Hungwitchin Corporation

Inalik Native Corporation

Isanotski Corporation

Kasigluk, Inc.

Kijik Corporation

Knikatnu, Inc.

Koliganek Natives Limited

Kotlik Yupik Corporation

Kukulget Incorporated

Kuukpik Corporation

Lime Village Company

Manokotak Natives, Ltd.

NANA REGIONAL CORPORATION, INC.

Napakiak Corporation

Natives of Kodiak, Inc

Nelson Lagoon Corporation

NIMA Corporation

Ohog Incorporated (Ohogamiut/Ohagamiut)

Ounalashka Corporation

Paug-Vik Incorporated Limited

Pilot Station Inc

Pitka's Point Native Corporation

Qemirtalek Coast Corporation

Qinarmiut Corporation

Russian Mission Native Corporation

Saguyak, Inc

Seth-de-ya-ah Corporation

Solomon Native Corporation

St. Michael Native Corporation

Tetlin Native Corporation

Tihtet' Aii, Inc.

Tikigaq Corporation and Wholly owned Subsidiaries

Toghotthele Corp

Tozitna Limited

Tulkisarmute Incorporated

Tununrmiut Rinit Corporation

Ukpeagvik Inupiat Corporation

Unga Corporation

Wales Native Corporation

White Mountain Native Corporation