

# **WRITTEN TESTIMONY**

**SUBMITTED**

**TO**

**THE ALASKA NATIVES COMMISSION**

**AT**

**ANCHORAGE, ALASKA**

**OCTOBER 15-17, 1992**

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**ALASKA NATIVES COMMISSION**  
JOINT FEDERAL-STATE COMMISSION  
ON  
POLICIES AND PROGRAMS AFFECTING ALASKA NATIVES  
4000 Old Seward Highway, Suite 100  
Anchorage, Alaska 99503

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ANCHORAGE TESTIMONY - OCTOBER 15, 1992

DEPOSITION EXHIBIT #1 - TESTIMONY OF CHARMAINE V. RAMOS

ANCHORAGE NATIVE CONCERNS COMMITTEE  
Public Testimony on Urban Native Issues in Anchorage

1. Establishment of a Native Community Center
2. Substance Abuse Subcommittee Recommendations
3. Alaska Native Women Concerns Subcommittee Findings

October 15, 1992  
Egan Convention Center  
Anchorage, Alaska

Good morning, Thank you for giving me this opportunity to speak to you, the Alaska Native Commission. I am Charmaine V. Ramos, and I work for the Municipality of Anchorage, Department of Health and Human Services. I am charged with addressing Urban Native Issues in Anchorage. First, I will introduce the Anchorage Native Concerns Committee (and its priorities) and second, I will share the health and social facts we have heard to date.

To help me address these large, complex health and social issues in Anchorage, a 22 member committee, the Anchorage Native Concerns Committee (ANCC), was formed in December of 1991. The membership represents both community and statewide leaders in Native and non-Native organizations. The membership list is attached for your information.

The Committee's mission is to identify issues affecting Alaska Native and Native American people in Anchorage and to recommend responses that empower these peoples to address their needs through:

Cooperation, commitment to others  
Awareness  
Respect, responsiveness  
Empowerment, education, economic and  
Spirituality

The first several meetings of the Committee involved introducing the members to Anchorage issues such as: homelessness, public inebriates, and mental illness; and specifically, addressing the Native population within these areas. The presenters were the providers of these services including John Titus, founder of the Fort Yukon Spirit Camp, who informed the Committee on the history of the Camp and where it is today. After these presentations, the Committee identified and prioritized its concerns into the following categories: health, education, employment, homelessness and attitudes. The first four categories are self-explanatory, and the fifth category identified issues such as lack of self-esteem,

racism, transition, values, and spirit of the Native people.

To address these identified concerns, the Committee formed several subcommittees such as: the Substance Abuse committee, the Alaska Native Women Concerns subcommittee, and an executive committee. Each subcommittee is in a different stage in addressing its assigned issue, from investigation to draft recommendations. In addition to identifying their concerns, the Committee explored various solutions to address them. One of the solutions was the establishment of a community center which the Committee has chosen as its priority. A Community Center Subcommittee was formed to address this priority.

Former Mayor Tony Knowles stated "Anchorage is the largest Native village in Alaska". I would like to state that unlike the small villages we are not a "Native Community". As one committee member stated, "We do not get together, we do not have a center for activities, we do not influence the political or economic structures of Anchorage as a group, and we do not provide a unified voice for change. Until we can form into a community with a unified voice and a structure to advocate for our social, emotional, cultural, spiritual, political and economic needs, our needs will not be considered a priority by the policy makers and the people who control the purse strings."

This is not the first time Natives in Anchorage have tried to establish a center. Mr. Emil Notti, President of Alaska Native Foundation (ANF), stated Nick Gray started working on establishing a center 30 years ago, and in the last four years, ANF has lobbied in Juneau for funding of the center. In 1990, State Legislators passed a bill supporting the center's funding; however, Governor Cowper vetoed it. This past year, ANF applied to the Administration of Native Americans (ANA) for funding; however, Anchorage did not qualify for funding. The ANF proposal states "the ANCSA regional corporation system was designed to localize service provision and administrative functions. The BIA and Indian Health Service contract with Native Regional non-profit corporations which have the mandate to respond to the needs of Natives who are enrolled to (or shareholders of) their respective regions. This system implements federal law and rightly gives authority to tribal entities, but it has also prevented federal "urban Indian" funds from coming to Alaska, because of the federal interpretation that with the regional system and the absence of reservations there are no "urban Indians" in Alaska by definition."

Not to be discouraged by this definition and not qualifying for ANA funding, the Committee defined the goal of the center to directly and indirectly address the health and social issues of Natives in Anchorage, those in transition to Anchorage from rural Alaska, and those visiting Anchorage. To meet this goal, the Committee Center Subcommittee developed general guidelines for the establishment of the center and divided them into three stages. These guidelines

were adopted by the full committee.

Knowing that Natives as a people generally do not request services and/or do not know what services are available from them, the first phase is to immediately meet the needs of as many Natives in the best way possible by establishing a Native welcome-social-referral-advocacy center with a large multi-purpose room and a kitchen for public use. A counseling program would be developed serving individuals and families with an information and referral service, advocacy on their behalf, and a place for them to socialize. In addition, appointment setting at agencies and transportation services for those in need will be provided.

These services would be provided by agencies, programs, and organizations that are already offering the services in Anchorage, i.e. non-profit health corporations, Native Outreach, Association of Stranded Rural Alaskans in Anchorage (ASRAA), and Central Council of Tlingit and Haida Indian Tribes of Alaska, as well as church organizations. The social activities will target Native families, teenagers, and individuals.

Phase Two in the development of the center includes the scheduling of cultural activities, training activities, and "Urban Survival Skills" classes. These skills include but are not limited to:

- Landlord/tenant laws,
- How to protect yourself against crime,
- How to handle culture shock,
- How to work with depression,
- How to catch a bus,
- How to register children and youth in the Anchorage School District system,
- How to connect household utilities, and
- How to find, research, and screen daycare homes and centers.

Phase Three is the expansion of the counseling program to include long-term (6-18 months) case management leading to economic independence for the Native client. Also in this phase would be researching and obtaining of a crisis/assistance money for clients in need.

General discussion around the Community Center includes the following: first, the Center would be for all age groups; second, it should be alcohol and drug-free; third, the Center's location should be away from downtown and 4th Avenue in order to be alcohol and drug-free; fourth, as stated by one Committee member, "communication, between all the various organizations, is a vital part of the planning process. It is a key requirement for success of the Center and in serving the client's needs." She continued by stating "One way to alleviate some of the obstacles for the establishment of the Community Center is to inform the agencies,

clients, and communities of the Center's purpose. Once they understand what the Committee is trying to accomplish, it will be that much easier to gain overall acceptance and participation from all involved."

As a member of the ANCC, RurAL-CAP took the lead in getting the word out and gaining support for the establishment of the Center by sponsoring the first reception this week. Over 150 service agencies and/or individuals representing the Anchorage area or statewide agencies were invited to the reception. The ANCC and its Community Center Subcommittee plan to continue to define the Center and gain support for its establishment here in Anchorage.

The second part of my testimony is to share the health and social facts we have heard to date. I will start by reading the draft summary of the Substance Abuse Subcommittee recommendations.

During the months of July and August 1992, the Substance Abuse Subcommittee met with various substance abuse treatment program providers to ascertain services offered and to clarify additional needs as seen by those providers.

The Subcommittee was formed due to concerns expressed by various members of the Native community regarding the lack of cultural sensitivity and programming by substance abuse treatment programs. Preliminary results of the interviews with providers indicated that such is the case. Most programs do not offer culture-specific activities for their Native clients although there was general consensus among the providers that such programming is needed. The Subcommittee supports such programming as a major factor in the increased treatment success of Native clients.

Throughout the interviews, several points were emphasized and reiterated by the providers and with subsequent Committee discussions, they are listed below:

1. Increase funding for intermediate care treatment beds (including short-term and long-term beds).
2. Explore the formation and operation of "urban Spirit Camps" as an option for substance abuse treatment for Native people.
3. Establish funding for and mechanisms to provide post-treatment support services (money to set up households, transportation, "babysitter pools", and counseling).
4. Increase outreach services to Native people to provide information about various substance abuse programs and other resources available to help.
5. Increase the cultural awareness and sensitivity of providers (counselors, administrators, program directors, and volunteers).

6. Increase funding for transitional housing to support those who have completed treatment and are attempting to live a drug-free lifestyle in the community.

7. Increase awareness of employment services and training opportunities for those who are leaving treatment and establishing themselves in the community.

8. Provide employment opportunities for clients once they have completed treatment.

In general, substance abuse clients in publicly funded programs need either rehabilitation (the relearning of socially acceptable skills and behaviors which have been unused or forgotten) or habilitation (the learning of socially acceptable skills and behaviors). For those needing rehabilitation, less structured forms of treatment, such as Outpatient Services or short-term residential care, may be successful. However, for those needing habilitation, longer term treatment in a more structured residential setting has proven to be most effective.

Last week, the Subcommittee decided to follow-up on the providers' presentations by interviewing the clients of the same substance abuse treatment programs. The goals have stayed the same, that is, to ascertain services offered and to clarify additional needs as seen by those clients.

Also at this meeting, the Subcommittee arrived at six essential directions to explore which it believed would aid in addressing alcohol and drug abuse issues among Native peoples. These are, in order of general priority: one, the development of an "urban Spirit Camp" model; two, support existing treatment programs while recommending that they become more "culturally sensitive" to the needs and values of their Native clientele; three, emphasize the importance of family involvement in substance abuse recovery by supporting such activities within existing treatment programs and by exploring the possibility of "family camps" revolving around recovery; four, rethink the way in which alcoholism is viewed in terms of providing treatment services; five, concentrate on prevention and education activities for Native people; and last, look at developing an improved system of emergency services to care for those inebriated or incapacitated due to alcohol consumption. The Subcommittee's recommendations are still evolving as it continues its research into the field of alcohol and drug abuse.

One consideration being discussed is how adequately and appropriately to address the needs of persons who may have organic brain syndrome (damaged brains) due to alcohol consumption. Another area yet to be explored is that of Fetal Alcohol Syndrome/Fetal Alcohol Effects adults who may need care other than that which is currently provided by treatment programs. More innovative and creative approaches to care for this yet-



unidentified population need to be developed and supported financially.

Since the Spirit Camp concept has been mentioned several times by many people, I have started discussion with Gordon Pullar, Director, Alaska Native Human Resource Development Project. We will form a steering committee in November to further look into this concept.

The third subcommittee just formed has met once to address the Alaska Native Women Concerns in Anchorage. At the first meeting, Jewel Jones, Social Services Manager, Department of Health and Human Services, Municipality of Anchorage, opened by stating that these Native women on 4th Avenue are beyond "at risk" and are victimized the most of all the street people. In addition, she thought they were the toughest group to crack in terms of addressing their addictions such as alcohol and/or drug abuse, physical abuse, and mental abuse, just to name a few.

Jewel stated she wanted to find out what's available for these women, not to dump this issue on the committee. The question is: what can we do for these women?

Two presentations were made at the first meeting, one by Lt. Bill Gifford, Person Crimes, Anchorage Police Department, and the other by Mike Huelsman, Planning Officer, Municipality of Anchorage.

Lt. Bill Gifford stated the days of APD preventive patrol on 4th Avenue are gone because they no longer have the staff available to do it. Street people are called the "throw-aways" by the officers because no one wants them.

Gifford reported that the APD caseload is high: 77 of the 217 adult sexual assaults reported were Native women which represents 35% of the reported assaults, which is higher than the Native women population percentage in Anchorage. He continued by stating that these women are being "selected" and there are many target areas on 4th Avenue such as dark alleys where the women could be attacked.

Gifford noted that of the last four female homicides, two of them were Alaska Natives connected to 4th Avenue. The study focused on 54 participants, with 80% being minorities. The study reported that, on the average, one violent incident occurred every 63 days per person. However, individuals reported the incident to the police department only 16% of the time. Many of the victims of crime were Native women who were raped.

Huelsman stated that these women are highly dependent on men for their protection. He said what needs to occur is to have these women removed or separated from the men for their own development and increased self-esteem.

Huelsman continued his presentation by summarizing a study currently being conducted by Dr. Dennis Fisher, Center for Alcohol and Addiction Studies, University of Alaska Anchorage. The purpose of the study is to track drugs used, how they are used, and how these factors may relate to HIV. Of the 350 participants, 51 were Native women. About 50% of these women reported that they have injected their drug, usually cocaine. This action puts these women at high risk of becoming HIV-positive. I would like to add there is the thought that some of these women return to their villages during the summer months.

I would like to call your attention to an article by the Anchorage Daily News, dated October 4, 1992, titled "Her Mean Streets, Homeless Woman has Reason to Fear". This article gives an overview of a Native woman's life on the streets of Anchorage. The issues conveyed are:

1. What society thinks about her. She is labeled an "outcast" and they loathe her.
2. How society treats her. She is treated as their scapegoat; she is beaten, raped, and maybe even murdered.
3. What she thinks about herself. Her self-esteem has plummeted and she thinks that assault is part of the price of living on the streets. In order to survive the street life she has emotionally numbed herself.
4. What she thinks of society. She thinks you can't trust people.

"Bean knows that this isn't really the way she should live, but right now it's home". But "I don't know how I can get out of this place", she says.

The Alaska Native Women Concerns Subcommittee will continue to meet to address this identified issue.

In summary, the Committee recognizes all too well that there are many issues of significance to and greatly impacting the quality of life of Native persons in Anchorage. The Committee also recognizes that it had to establish priorities to address these issues otherwise it would be overwhelmed by these concerns. However, knowing this, the Committee decided to remain open and receptive to hearing and discussing additional needs to be explored and addressed in the future.

I thank the Municipality of Anchorage for giving me this opportunity to help Native people in Anchorage. I also thank the Anchorage Native Concerns Committee for their hard work and guidance. And once again, I thank this Commission for giving me this time to speak of these issues.

ANCHORAGE NATIVE CONCERNS COMMITTEE  
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DEPOSITION EXHIBIT #2 - TESTIMONY OF DAVID JONES

SUPPLEMENT TO THE TESTIMONY

"An Oral Health Survey of Head Start Children in Alaska: Oral Health Status, Treatment Needs, and Cost of Treatment". By:

David B. Jones, DDS, MPH  
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Kathy R. Phipps, MPH, DrPH  
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(4 page document)

DEPOSITION EXHIBIT #3 - TESTIMONY OF JIM CHRISTENSEN

Good morning. My name is Jim Christensen and I am the Director of the North Slope Borough Department of Public Safety, the 2nd largest municipal police agency in the State of Alaska. By way of introduction, I have lived in rural Alaska for the past 30 years. I have lived in Cantwell where I completed grade school in a one room school house, Bethel, where I graduated from high school and Fairbanks, where I graduated from the University of Alaska.

For the past 16 years, I have lived and worked in Barrow. I am married to Jeanette Kittick, an Inupiat, and together we have 4 small children.

I am pleased to provide testimony today about Health, social and cultural issues which are impacted by the State and Federal agencies and policies. There are 3 topics I would like to briefly comment on which may be of assistance to you as you gather data for your deliberations. These topics are: Drug and Alcohol Abuse, the Criminal Justice System, and Corrections.

Drug and alcohol abuse is, in my opinion, the leading contributor to crime occurring within the North Slope Region. Sexual assaults, child abuse, elder abuse and domestic violence are just some of the resultant behavior which is caused by drug and alcohol abuse. These types of crimes have a very obvious and devastating impact on the health of rural Alaskans, both mental and physical. Suicide and suicide attempts are reaching epidemic proportions. Recent surveys have suggested that the overall suicide rate among Alaskan Natives is 4 times the national average. Today, 54% of all reported crimes against person within the North Slope Borough involve the use of alcohol or other controlled substances.

The citizens of the North Slope have worked hard to reduce the problems related to alcohol and drug abuse. Several communities have voted themselves dry. Leaders have been elected to key positions of responsibility who have taken a moral and public stand against alcohol abuse. The North Slope Borough Assembly has passed a sweeping, safe-work place plan which is the first of its kind in Alaska to address problems of alcohol and drug abuse in the work force. This plan includes an opportunity for the employee to receive a wide variety of counseling services as necessary, including family counseling.

We in the police profession look at our participation in these programs as vital to the success of maintaining the health and cultural identities of communities in which we live. In addition to maintaining enforcement efforts, we have intensified the prevention and education activities of all of our members. In Barrow, a police officer works in the school system full time in the Drug Abuse and Resistance Education program (or D.A.R.E. as it is nationally known). This is by a cooperative agreement with the

North Slope Borough School District. The local public safety officers in every village on the North Slope participate in their community's school activities by sharing with the youth their knowledge about the results of drug and alcohol abuse.

Some of our greatest hopes to combat the problems of drug and alcohol abuse are within our youth. I would like to strongly recommend that the State and Federal agencies increase their financial contributions to communities who have similar partnerships with the common goal of each partner being to educate their youth about drugs and alcohol. We believe that the preventive education training has a very important role in reducing not only drug and alcohol abuse but crime that comes with it.

Another topic that I would like to address is improving the criminal justice system to meet the needs of rural Alaskan Natives. The agencies which comprise the criminal justice system are not adequately funded to fulfill their obligations. For example, in Barrow and some other larger communities, there is no Victim Witness Coordinator position funded and yet in the urban cities there are several of these positions. Even if the positions are funded, there is a critical shortage of housing in the rural communities and therefore, the position may be unfilled. The role of a Victim Witness Coordinator in guiding people through the maze of the current criminal justice procedure is invaluable. This is especially true when one considers that the current court system may be totally foreign to the victim or witness who is experiencing it for the first time in their life. The prosecutors, defense attorneys and judges do not speak the Native language. In fact, the adversarial approach used in the state court system often exposes the victims and witnesses to traumatic experiences.

Because the current criminal justice system is not capable of adequately addressing all criminal matters in a culturally relevant manner, the police are often left to explain to citizens why certain disruptive behavior cannot be addressed by the bureaucracy. One example that comes readily to mind is the abuse of the citizen band radios. There is no state law governing CB abuse and yet it is a perceived public safety problem in virtually every village on the North Slope. The Federal Communications Commission regulates airwaves under federal law and has on numerous occasions indicated that the use of profanity and vulgarity by people using the CBs is in fact a violation of federal law. However, they do not have the time or the resources to deal with what they perceive to be a minor problem.

Another example of the inability of the criminal system to deal with problems is in the area of Minors Consuming Alcohol. If we want to work with our youth by providing early intervention to prevent negative drinking patterns from becoming reinforced, one of the only tools available to the police is the Minors Consuming Alcohol state law. The District Attorneys in court systems are

often too busy to pay attention to these particular low-level misdemeanors, so the youth involved in drinking are not helped or counseled. Thus, the behavior continues until the offender commits some serious crime. Then, the court system will address the serious crime but not all of the problems that led up to it.

I would like to recommend to the commission that alternative methods of dealing with local disputes be explored. A recent publication by the Alaska Judicial Council titled Resolving Disputes Locally; Alternatives for Rural Alaska, dated August 1992, discusses the results of three such programs: the Minto Tribal Court, the Sitka Tribal Court, and PACT in Barrow which is a community organization of volunteers trained in mediation and conciliation. These methods of conflict resolution can assist communities where the State Justice System fails. This method of using elders from the communities as judges to resolve issues which might otherwise be bogged down or ignored in the State Judicial System merits further analysis. This appears to me to be an excellent technique of involving respected elders who are sensitive to the cultural issues being faced by our youth in solving some of our community problems.

In short, then, I would recommend that State and Federal agencies increase funding opportunities to communities who are willing to develop unique community solutions to augment the State and Federal judicial system.

Another concern is the State corrections system. There are weaknesses in the treatment and rehabilitation of offenders. Today, there are over 100 North Slope residents incarcerated in the State Correctional system. A recent news article reported that 33% of the State's jail population is made up of Alaskan Natives. The Alaskan Native population within the State is approximately 15%. An examination of state programs will show that none are designed to meet the unique social and cultural needs of the Alaskan Natives incarcerated therein. In my opinion, Alaska Natives are being warehoused in correctional institutions which are too distant from their home communities. How can offenders participate in family counseling as treatment therapy when the family and offenders are separated by over 750 miles? How can those who are incarcerated in the current State Correctional system stay in touch with their communities and loved ones and maintain their cultural identity? What do we really think the chances of successful rehabilitation of an Alaskan Native offender will be after several years of no contact with their communities and extended families?

Thus, if we are going to operate within the State Judicial System as it now exists, then we must do a better job with rehabilitation efforts. On the North Slope, we have need for a local regional correctional facility. This will allow for locally designed programs so inmates can be closer to their families. We can develop rehabilitation programs that would gradually reintegrate

the offender, with his/her cultural identity intact, back into the community. We are currently conducting a study on the feasibility of a rehabilitation center on the North Slope. We need to have the State join us in a partnership on this project. We may design culturally sensitive rehabilitation facilities but without the partnership of the State and Federal governments in the efforts, it is fiscally unmanageable. Therefore, I would like to recommend to the Commission that they consider this need in corrections and to recommend that funding be available not only for the North Slope but for other communities which are likewise attempting to work on the problem of corrections and of trying to provide rehabilitation and yet at the same time maintain cultural identity.

As I stated earlier, rural Alaska has unique needs and I would hope that the State and Federal agencies will allow the communities the latitude to devise unique solutions. For example, when agencies have funding available for assistance, these grants should allow for innovation. The grant proposals should foster inter-agency partnerships and cooperation in the development of long term solutions to problems of rural communities and Alaskan Natives. The problems mentioned here today are not the fault of any one agency and neither can they be solved by any one group.

In closing, thank you for your time this morning.



DEPOSITION EXHIBIT #4 - TESTIMONY OF JAMES PATLAN

October 15, 1992  
Submitted by James Patlan, Pomo Tribe  
To the Alaska Natives Commission

I would like to thank the Commission for allowing me to make this presentation. My testimony this morning is on the issue of young Alaskan Native women who have small children and no home to go to at night. Here in the urban locale away from the Village lifestyle many of these young people are having trouble with the way "City Living" is making them survive. Many of these young native women are having pre-marital sex and children. These people are between the ages of 14-20 years of age. Many of these young people are being rejected by their families and parents due to the fact that they have had small children and the fathers of them reject the fact that they have fathered these young infants. Once alone on the streets they have no place to stay and travel the streets seeking a place to stay for the evening. They travel the streets seeking shelter from the elements and some just to feed their children as well as bathe them. Many of these infants have severe rashes and have not made their appointments for check-ups and their shots. These young mothers just travel around and seek any place to stay for the evening, at times in any type of home with all types of individuals. In one community of 18,000 people, there are about 35 young mothers with infants wondering the streets at night hoping to be accepted with their children, only for the warmth and shelter of their child. They will not go to any established service that is open mainly because they feel discriminated against and put down by the system that's in place and available. None of these services have Native staff on board and what's in place are not adequately trained in Native culture or lifestyle. All of the services available and the local Native organizations are not prepared to handle these types of problems and even the BIA are not working in this area! This problem is not unique only to Anchorage and is one that will not easily go away by themselves, but perhaps we may curb this issue and resolve it if we:

1. Look at the programs and services available to see what can be done to convert the services into a model that can be managed and operated by Native personnel.
2. Coordinate native needs with the Municipality of Anchorage to the community for research into what's available.
3. Place these programs where the needs exist the most.
4. Insure training of Alaska Natives to train others with an emphasis on infants and pre-school ages.
5. Establish these services in a Family Resource Center, where all areas of the community could be addressed on issues of sex and

child development and what to do if one should become pregnant.

This issue will not go away by itself, and we may be able to do something if we empower ourselves and help our own in order to incorporate Native values in the social services structure in Anchorage, and if we help now before its too late, but we got to make the effort.

DEPOSITION EXHIBIT #5 - TESTIMONY OF HARRY R. LANG

Re-Establishment of Mt. Edgecumbe, Chemawa, Sheldon Jackson, Wrangell Institute type schools:

1. Communications: The transition to Tribal Governments-Corporations-State and Government representation-AFN, etc. was made easy because of Mt. Edgecumbe, Wrangell Institute and Sheldon Jackson. The communication was there. Everyone knew everyone else, either as classmates, schoolmates, school rivals and such, from Barrow to Metlakatla there was communication.
2. School Spirit: finishing education/cutting down drop-out rates. The ANEC has more or less admitted, as almost all of us already know, the Molly Hootch Schools are a disaster.  
School Spirit:
  - a. A good big school attendance
  - b. Wanting to finish with your class.
3. Competing Among Ourselves: and not having to always compare to whites or white accomplishments. We have never had trouble competing academically, athletically, or ethnically in our own schools - S.J./M.E.S./Chemawa/W.I./Haskell, etc. It is our innate fear of comparing to whites that holds back a lot of our young people in white schools. With our own schools we had no shortage of academically outstanding youngsters who became leaders. We had no shortage of outstanding athletes. We had no shortage of religious leaders. Where are they now - buried in the Maw(?) of the White School System or stuck in a Molly Hootch School with no chance to shine in their particular expertise.
4. Getting the older pols(?) to admit we made a mistake - there are a number who see this not as a victory for our children, but a victory over the state. A pyrrhic(?) victory, but a victory nevertheless. And they don't want to admit a mistake no matter the impact on our children.
5. The language in school issues could be much more easily solved and carried out in this atmosphere.
6. Drop-out Rates: discipline - supervised or curfewed activities. The unsupervised activities or lack of activity at home, the alcohol consumption, drug abuse, pregnancy rate, would drastically be changed from unsupervised youth to supervised-disciplined-structured education. The logging camp schools do much academically and personality-wise because of their almost boarding school approach. Their lack of teachers (in numbers) does not seem to inhibit either the children or the teachers - and - the discipline is there.
7. I am an S.J. man. Our discipline and grading was the best. Discipline was such that the military seemed easy. We had no trouble in the military. Almost all of the officers, CEO's,

Representatives, Council and Tribal Officials are a product of this system.

8. Re-unions being held

9. Look at the realities. Competing among ourselves brings out the best in us -

Mr. Bob Singyke  
Bud Ivey, head of PHH Indian Health  
Mary Jane Fate, M.E.  
Byron Mallot, S.J.  
Roger Lang, S.J.

The leadership is almost a littany of this type of school - do we have anything coming up -

a brain in North Pole, unfortunately, is known as a brain only in North Pole.

10. The loss of the Alaska School was not an-etched-in-stone decision. We were told later that we simply did not protest or fight the closure. Oregon fought, Kansas fought, New Mexico fought, Oklahoma fought, we didn't.

11. What do we have coming up that would keep open the lines of communications between peoples, tribes, governments and corporations unless we know each other.

12. I have never heard a dissenting word in discussions on this subject, with elders, students, etc.

Harry R. Lang  
616 Bierka Street  
Sitka AK 99835  
Ph# 747-8892

DEPOSITION EXHIBIT #6 - TESTIMONY OF DAVID HENSON

Supplement to the Testimony

"Credit Headcount by Ethnicity, Fall Closings, UAA - Anchorage Campus". Data Source: UAA-OIR, Closing Reports, Fall 1987-1991

"UAA - Ethnic Minority Enrollment (Headcount)"

"UAA - Ethnic Minority % of Participation"

(3 pages of data)

DEPOSITION EXHIBIT #7 - TESTIMONY OF CHARLES HUBBARD

Dee Hubbard  
Legislative Chair  
337-6370  
FAX 337-6370 (auto send)

ANCHORAGE COUNCIL OF PTAs

RESOLUTION

PARENT NOTIFICATION PROGRAM

- WHEREAS, The National PTA works to promote the safety and welfare of all children and youth; and
- WHEREAS, The National PTA passed a resolution in 1985 encouraging "its states, councils, districts, and local units to seek and support state legislation requiring school districts to establish policies for parent notification"; and
- WHEREAS, Child abduction can happen as a child is going to school and a parent could be unaware of that event until the child failed to return home from school at the proper time; and
- WHEREAS, Up to 1,500,000 children are reported missing from their homes each year, and between 20,000 and 50,000 children who have been reported missing each year are still missing at the end of the year; and
- WHEREAS, Statistics show that the sooner the parents know that a child is missing and the faster the police respond, the better the chances are of recovering a child in danger before harm can be done; and
- WHEREAS, In addition to abduction, children can fall prey to assault or medical emergency, or be truant; and
- WHEREAS, Alaska has long, dark and very cold winters; and
- WHEREAS, The majority of all parents now work outside the home, leaving many children to get themselves off to school in the morning; and
- WHEREAS, The Foundation Formula for school funding allocates funds per educational unit based on enrollment during two brief periods in the fall and the spring rather than average daily attendance as in many states, and therefore does not motivate school districts to account for unexplained student absences; and

WHEREAS, PTA volunteer parent notification programs have not proven always to be reliable or successful on a continuous basis, due to lack of consistent and responsible volunteer support, lack of space, lack of a telephone line, lack of ongoing motivation for coordination of a program, lack of cooperation from staff, expense and liability concerns; and

WHEREAS, The Anchorage Council of PTAs supports equal protection for all children; and

WHEREAS, The coordination and review of safety programs for children is one of the 1992-1993 goals of the Anchorage Council of PTAs; therefore be it

RESOLVED, The Anchorage Council of PTAs endorse the development of a district-wide plan for accountability of student absences for protection purposes at the elementary level; and be it further

RESOLVED, The Council encourage and support state legislation requiring local school districts to establish policies for parent notification; and be it further

RESOLVED, The Council encourage Anchorage School District to implement such a plan by (?) policy  
(1) for requesting parents to notify the school when their child is to be absent, and  
(2) whenever possible for parents of (?) (?) children to be contacted as soon as possible on the day of the absence, if parents have not already notified the school.

DEPOSITION EXHIBIT #8 - TESTIMONY OF MARY SHAWBACK

Concern I have is with the fishing in the Bering Sea and Unalaska with the 100 to 150 trawlers. They are scrapping the bottom. They are taking anything that moves in the water. There is no time limit. They fish 7 days a week all year long. There is no limit on how much they can take, either daily or monthly.

I have a motel, the Ponderosa Inn. Spotters come and stay there who say the fishermen are taking fish they shouldn't be taking. They (?) the illegal catches but nothing is ever done. There are times when Fish & Wildlife come by to check but the fishermen throw overboard the fish that shouldn't be used for sermery(?). These boats are anywhere from 150 to 300 feet long and are stripping the area.

If we are not careful Bristol Bay will be just like Kodiak and Southeastern where fishermen compete with the seals. I am concerned that if nothing is done to correct these abuses that the Bristol fishery will be ruined.

There should be a time limit when these foreign-based and Seattle-based fishermen are allowed to fish and a limit placed on what they are allowed to take.

Mary Shawback  
Box 234  
King Salmon, AK 99613  
(907)-246-3360



DEPOSITION EXHIBIT #9 - TESTIMONY OF GEORGE GUTHRIDGE

George Guthridge  
Asst. Professor  
UAF - Bristol Bay

Text:

My name is George Guthridge. I am currently an assistant professor of English and General Studies at the University of Alaska Fairbanks, Bristol Bay. I also teach graduate education courses.

From 1982 to 1990 I taught at Gambell, on St. Lawrence Island; and at Elim. During that time my Eskimo students won eight state and three national championships in some of the most academically demanding competitions open to young people.

What can we learn about Native teaching - and learning - styles from those accomplishments?

Most teachers teach City Thinking ... "Try and try again" ... and use a four-step method: get students interested (Creativity), present the overall picture (Conceptualization), show the component parts (Familiarization), and then have students retain what is important (Memorization).

Unfortunately, that is not the way people learn in real life. The country kid learning to hunt, the city kid learning to drive ... both memorize what the adult teaches, familiarize themselves with their tools, conceptualize about such things as weather and animals (including those behind the wheel), and then use "creativity" to refine their skills. In that order. It's the rural philosophy of our forefathers: "Be sure you're right, then go ahead."

Is such "Reversed Instruction" only for learning where mistakes can mean disaster? Isn't that also how you taught your children to wash dishes? Reversed Instruction, a project-based teaching method I have developed that grew out of bicultural education in the Bush rather than being imposed upon it, systematizes that natural process into four steps similar to those in constructing a house or learning on the job:

STEP 1. FOUNDATION (Knowledge) - we must identify and succinctly define ten "kernels" for each unit - concepts important to lifelong learning. Teach are taught with Superlearning - a fun, high-powered memorization method from Bulgaria - but without immediate explanation. Just as a building cannot be visualized only by its foundation, we want to give students a solid base and let them think for themselves for a day or two, so our "answers" validate rather than indelibly color their ideas.

STEP 2. SHELL (Training) - we then raise reading comprehension and

math computation by combining decoding skills with world knowledge. Knowing what words mean is only part of the battle in teaching students to reach; we must simultaneously teach context.

STEP 3. INTERIOR (Performance) - we next teach creative thinking, problem solving, and writing simultaneously, in a step by giving students a step-by-step writing process they use from pre-school through grad school. The process teaches Task Analysis, Definition, Substantiation, Example, and Logic in one hour, and allows students to create quality writing - often award-winning writing - regardless of age or assignment. It also avoids the trap that is currently handicapping students trained in methods that place great emphasis on personal-experience writing ... the trap of treating personal experience as an end in itself rather than what it is - one form of proof for explaining a point, among a variety of types of proof.

STEP 4. DECOR (Evaluation) - finally, we assess, provide correction, and reassess learning according to Mastery Learning principles, and provide lasting enrichment.

In summary, the accomplishments of the students from Gambell and Elim were not a fluke, as was first supposed; nor were the students "special", which was the next excuse; nor, the third excuse, was it because of the teacher. Rather, the accomplishments were the result of hard student work, careful instruction, and - most important of all - an instructional method that reversed the "usual" educational method and allowed learning style to become correlated with a natural problem-solving style.

Every year we hear about new educational methods, and we try those methods, in an effort to "save" Alaska Native education. I think we're looking at the problem from the wrong direction. We don't need modern education to save Alaskan Native learning. We need Alaskan Native learning to save the rest of American education.

#### RECOMMENDATIONS:

- (1) Identify teachers with outstanding success in the Bush, and get their methods to other teachers.
- (2) Pressure school districts to dramatically reduce inservices taught by "experts" from Outside. Use experts with Alaskan Bush experience.
- (3) Hire education professors with Alaskan Bush experience.
- (4) Identify methodologies that have come out of bicultural situations rather than being imposed upon bicultural situations.

Thank you.

DEPOSITION EXHIBIT #10 - TESTIMONY OF FELIX HESS

TESTIMONY BEFORE THE ALASKA NATIVES COMMISSION  
Statewide Hearing in Anchorage, Alaska  
October 15, 1992

Good afternoon, my name is Felix Hess and I am chairman of the Board for Calista Corporation. We would like to thank the Alaska Natives Commission for holding statewide hearings today. We feel this is a good opportunity to hear the ideas of Alaska Natives throughout Alaska. We would also like to thank you for the time and effort that you took to hold an August public hearing in Bethel. We hope that the testimony you heard at that particular hearing will be the basis for developing recommendations and identifying solutions which address the problems facing the Yupik people.

During the last two months you have been conducting hearings throughout Alaska. As you hear the recommendations and suggestions of the Alaska Native people we hope the Commission will take to heart what is being said and concentrate on making recommendations to Congress which benefit the Alaska Native people and regions of the state with the greatest needs.

It is recognized that as a whole Alaska Natives face a wide range of problems and the culture is under a tremendous amount of stress and pressure to change. However, the problems and pressures are much greater in some regions of the state than others. For example, in Anchorage, most Alaska Natives live in homes with sewer and running water; health care services are within a cab ride away at the Alaska Native Medical Center; and the Anchorage School District is one of the best funded school districts in the country. There are jobs available, although finding one may take a bit of effort. In contrast, however, Alaska Natives living in most villages in western Alaska and the Calista region do not even begin to have any of these services. The sewer facilities are honeybucket systems if that; health care comes from a community aide, if there is one or else it is a plane ride away; there are no jobs, unless you are a school teacher or the village store clerk; and the school systems are unable to provide an education comparable in quality to Anchorage's schools.

I know this is a reiteration of the litany of problems facing Alaska Natives, but there is a point to be made here. The point is the Alaska Native Commission must focus and target recommendations the areas of the state with the greatest needs, and the recommendations must be designed to benefit the Alaska Natives most in need. It should be a goal of this Commission to recommend program and policy changes which will ensure that all Alaska Natives are able to live in the villages without fear of their health, safety and economic well-being. In a perfect world there would be resources enough to take care of all Alaska Native needs.

We all know however that resources are limited. Consequently, this is the basis of our recommendation that effort to get the most needy to speed with the rest of the state should be the emphasis of this Commission.

The Calista Corporation has already testified at the Bethel hearing and prepared a detailed report on the condition of the Yupik people living in the Calista region. In the book, The Calista Region: A Gentle People, A Harsh Life, at Commission hearings, and via Martin B. Moore at Economic Task Force meetings, we have made suggestions and recommendations on how to help the Yupik people. We sincerely hope the Commission will take the time to review the recommendations made in the book, Calista Region: A Gentle People, A Harsh Life. These recommendations and the ones we will be submitting at the hearing on Saturday are actions which will greatly benefit both the Yupik people and other Alaska Natives as well.

The Yupik people of the Calista region need programs and funding to develop a better education system, improve health and social programs, increase economic opportunities in the villages, and develop the region's natural resources. The introduction of sewer and water facilities alone in the villages in the Calista region would have a monumental impact on improving health and living conditions in the villages.

Just recently, the Anchorage Daily News did a five day series on the sewer and water safety problems facing villages in rural Alaska. It wasn't just a coincidence that the examples and stories were focused on villages in the Calista Region. These communities were selected because they are the ones experiencing the problems. Problems of this magnitude simply do not occur in communities like Anchorage, Ninilchik, Nenana, Seward or Ketchikan. It is for this reason alone we keep telling the Commission that the recommendations developed by this Commission must focus on the areas of the state with the problems. Generic, broad-range programs are no longer the answer. In this time of limited funding and tight financial budgets, programs and monies must be targeted to areas and people where they can do the most good and the most needed. Priorities for implementing programs and providing funding must be based on need, not on which region or entity has the greatest political clout.

Reports have been compiled on a statewide basis which address the social and economic difficulties facing Alaska Natives. These studies are not designed to compare or identify those areas of the state with the best or worst living conditions. As a result it appears that all Alaska Natives and all villages share the same problems, when in reality that is not the case. If the reports were written so that they compared different areas of the state, the results would show that regardless of the problem - suicide, alcoholism, unemployment, lack of economic growth, substandard

sanitation facilities, inadequate infrastructure, etc. - the Calista region consistently has the most extreme set of problems and is always at the bottom of any ranking based on good to bad.

The fact that studies use the Calista villages as examples of the problems of extreme living conditions facing Alaska Natives today is no coincidence. By adding the statistics for the Calista region to any analysis on Native problems and issues, it skews the numbers enough to show that the native community or a whole has serious problems, yet in fact that is not the case. The bulk of the problem is in one region alone - the Calista region.

For example, of the communities lacking sewer and water facilities more than half of the villages are in the Calista region. It is the Calista region which has the highest incidence rate for hepatitis in the state. The Calista region also is the region most impacted by Section 22(g) of ANCSA which gives the USF&WS the right to control development and use of lands in national wildlife refuges owned by the village corporations. Of the 22 villages affected by this section of ANCSA, 16 of the villages are in the Calista region. The 22(g) language has been used by USF&WS to justify lower values for village lands being appraised for land exchanges. We have identified over 20 recommendations, including actions to be taken, to address problems such as the ones I have just mentioned. We request that the Commission review these recommendations and include them in the final set of recommendations to be submitted to Congress.

Calista Corporation is taking an active role in identifying possible solutions to the problems facing the Yupik people. So that you may better understand life in the Calista Region and see why we are recommending specific actions to be taken, I would like to briefly describe to you the Calista region.

The Calista region is in economic and social distress. The people in the region are coping with rapid transition from a traditional subsistence-based culture to a way of life that combines cash and subsistence economies. This change is impacting every facet of life in the region including the growth of the villages, population patterns, the environment, education, development of infrastructure systems, employment opportunities, and the social well-being of the Yupik people.

We have found that three major attributes influence change in the Calista region. They are the Yupik way of life, availability of human and natural resources, and institutional structures.

The Yupik way of life is the heart and soul of the Calista Region. Subsistence remains at the center of the Yupik culture and society. As a result, it must be protected. In recent years, the Yupik people have been plagued by alcoholism, suicide, domestic violence and child abuse. Now murder and assault are common events in the

villages. These are all signs of a culture under extreme stress and in dire need of help. If help is not provided, in 20 years, there will be no Yupik culture as we know it. Much of the change now occurring in the villages is a result of no jobs, lack of response to compete in today's world, and few opportunities for future growth and development.

In the villages, more and more of the young people leave never to return. The reasons - there are no jobs to sustain them. There is no housing for them to live in to start their own families. The one thing still keeping most Yupik people in the villages is their ability to continue living a subsistence lifestyle. However, even that is being threatened by political disputes over who has the right to practice subsistence and where it can occur.

Natural resources found in the Calista Region are not easily developed because they are far from roads or ports. Consequently, there is little economic development occurring in the region so people are still very dependent on subsistence for food. But subsistence only provides a small portion of what is needed to live in a village. The rest of the necessary goods and services must be paid for with cash. For the Yupik people, public assistance, food stamps, Permanent Fund dividends, income from commercial fishing and the occasional construction job are the sources of cash found in the Calista region.

In our region, there are no Red Dog mines or world-class commercial fishing grounds such as that found in the Bristol Bay area. There is no timber or oil. There are no roads connecting us to the outside to bring in commerce or reduce transportation costs. The Calista Corporation and Yupik people would like to see the federal and state government implement programs and incentives which encourage economic development in depressed areas of the state.

Even though the Yupik people have made social and economic gains, they still have not caught up with the rest of the state. So the problems confronting the Yupik people persist. The dimensions of our problems are broad and complex. There are no quick or easy solutions to the problems facing the Yupik people. While joblessness is high and income levels are low for all Alaska Natives, these conditions are far worse for those Alaska Natives living in villages in the Calista region. The same applies to health and social problems. They may be poor for all Alaska Natives, but nowhere are they greater than in the Calista Region.

Finally, while other villages and areas of the state are also limited in their opportunities for economic and natural resource development, these opportunities are virtually absent in the Calista Region. In light of this, time must be taken to examine the economic and social conditions of the Calista region. An effort must be made to document the severity of the problems so that decisions can be made on how to remedy the existing problems, while

keeping the problems from getting worse, thereby allowing the Yupik people to work toward improving their situation. It must be recognized that the Calista Region does not have the same level of resources to deal with its problems. There are no tax revenues coming in from property tax or taxes on the oil industry. No matter how hard this region tries, unless policies and programs change drastically, you will never see an elementary school such as that which was just recently opened in Barrow.

Unless things change dramatically, the Calista region is likely to continue to experience severe economic difficulties while the rest of Alaska begins a gradual recovery. There are no easy answers to the problems, especially those involving economic development. Profitable resource development has been an elusive goal in the Calista Region, even when the State of Alaska was wealthier. If programs and funding are not targeted to the Calista Region there will be more unemployment, lower incomes, and a decline or even disappearance of some villages.

The recommendations the Calista Corporation will be submitting to the Commission outline actions which can be taken to improve income levels and employment opportunities in the Calista Region. The development of a strong regional economy, when coupled with other improvements related to education and health, can lead to significant improvements in the quality of life for Alaska Natives, in particular the Yupik people.

In the absence of any change to the Calista Region's economy to counter the current conditions and trends, the net result will be continued unemployment, with little or no gain in personal income, and continued decline of the social well-being of the residents of the Calista Region. In the future, the plight of the villages will only get worse in the absence of systematic efforts to address the problems. There will be even more people looking for fewer jobs because the population and labor force are growing. A major obstacle to grappling with the plight of the Alaska Native people is that no one quite knows what to do or what will work. Because we are familiar with the Yupik people and the Calista Region we feel we have a good idea of what will work in our region. With that in mind, we ask that the Commission seriously consider recommending the actions that Calista Corporation presents to this Commission.

A long-term commitment to implement a long-term comprehensive program addressing the problems facing the Yupik people is necessary to make a noticeable change. A solution to many of the region's social, health and economic problems will not be found until efforts are made to focus on and specifically help the Yupik people. Without that assistance few, if any, changes will be made. A comprehensive, long-term cooperative effort by this Commission, other Native entities, and the state and federal government is necessary to deal with the overwhelming conditions in the Calista

region.

I would like to thank you for your time and attention with respect to listening to our concerns. We hope the Commission will think about what we have said today and act on it. You are one of the last sources of hope for the Yupik people in terms of finding solutions and gaining support for helping the Yupik people survive into the next century.



DEPOSITION EXHIBIT #11 - TESTIMONY OF RAYMOND JOHNSON

Supplement to the Testimony.

"Centennial Accord between the Federally Recognized Indian Tribes in Washington State and the State of Washington". August 4, 1989. (3 page document)

"Traditionalism and the Redevelopment of Native Economies". (2 page document)

"Improving Services to Indian Elders". South Puget Intertribal Planning Agency, Raymond "R.J." Johnson. Project Brief (17 pages)

"Improving Services to Indian Elders". South Puget Intertribal Planning Agency, Raymond "R.J." Johnson. Final Report (35 pages)

DEPOSITION EXHIBIT #12 - TESTIMONY OF BESSIE O'ROURKE  
DIRECTOR, HOUSING DEPT., NORTH SLOPE BOROUGH

October 26, 1992

Alaska Natives Commission  
4000 Old Seward Highway Suite 100  
Anchorage Alaska 99503

RE: Testimony for Alaska Natives Commission

To Whom It May Concern:

What follows are comments additional to those I presented orally to the Commission hearing on October 15. Thank you for the opportunity to address the Commission concerning these issues.

I am the Housing Director for the North Slope Borough, and my office manages the Tagiugmiullu, Nunamiullu (formerly ASRC) Housing Authority, which encompasses the same region as the Borough.

I would like to address housing issues within our region, which encompasses Barrow and seven outlying villages, none accessible by road, and all subject to extreme climactic conditions. Within this generation there were families living in sod houses in our region. Housing quality has improved dramatically, but there remain many families living several generations to one home, or living with abuse or substance abuse, or living in terribly substandard units. There is not enough decent housing in our region, and the existing programs need to be flexible enough to meet a broader spectrum of the need.

Housing shortages contribute to and perpetuate a wide range of social ills. Both federal and state programs should take into account the fact that our region, and likely other regions of the state, lack an adequate supply of decent housing, one of the most basic needs of our residents, and indeed of people everywhere.

Our communities include HUD Indian and public housing, in the form of the Mutual Help Homeownership and Low Rent programs, and more development under those two programs is planned. However, federal regulations for each of those programs too often have no relevance to life in the arctic.

For instance, the income limits for the HUD programs, while theoretically set to reflect our costs of living, do not do so adequately. The remoteness of our villages, as well as the extreme climate, contribute to the high costs of living. One cost of living index, using Seattle as 100, places Ketchikan at 125, and Barrow at 385. That is, an item that costs \$100 in Seattle, would cost \$385 in Barrow. The seven villages outside of Barrow within our region experience even higher costs, on an average, as distance

and logistics add to transportation costs. The highest of the income limits for both our HUD-subsidized programs is \$59,050, for a family of eight members. Given our costs of living, that annual income makes it very difficult for any family to survive, much less a large family, such as one with eight household members.

Payment calculations as well as eligibility determinations currently include the value of all household members' permanent fund dividends, as well as any longevity bonus income in the household. Not only must income limits be reviewed and reset, so as to allow for further participation in the programs, but so must these unique Alaskan benefits be excluded from the payment and eligibility determinations.

It makes a significant difference to eligibility and affordability to include these types of income. It frequently makes the substantive difference between being eligible and not being eligible for our programs.

Moreover, these state benefits are intended to help our residents to make ends meet, and often they do. The effect of HUD's treatment of them is that the family may find its monthly payment increased, so that the benefit is not realized, or the family may find that it is not eligible to participate in the HUD-assisted program at all because of these programs, which were intended to help. These are substantive and often critical differences which a regulatory change could remedy.

By joint resolution last session, the Alaska legislature urged HUD to exclude the longevity bonus and permanent fund dividend income from payment calculations. While Senator Stevens has stated he supports that action, which would require a regulatory change, indications are that HUD does not consider such a change a priority. While a regulatory change may be a cumbersome process, and not to be undertaken lightly, I think it is time that HUD recognize that the unique circumstances of Alaska do merit special treatment in the regulations. Unique state benefits designed to ease our lives, and special expenses associated with subsistence are but two examples of areas in which such reconsideration is needed. In fact, without such tailored regulations, the availability of the very programs HUD manages for the benefit of our eligible population is reduced.

HUD's regulations do not allow for the special concerns of rural Alaska, insofar as either the unique state benefits, or the unique costs of living. Moreover, Alaska Natives' substantial expenses for subsistence activities are not recognized under the federal regulations. HUD's approach to such unique needs appears to be inflexible, despite the fact that these needs and concerns are well documented, and despite the fact that because of this regulatory inflexibility the value and intent of the HUD programs are diminished.

Finally, it is not unusual to find that HUD's regulations, which were written with the lower 48 in mind, and apparently urban areas of the lower 48, have absolutely no bearing on life in our communities. Nonetheless, when a regulation is "on the books", we are told we must abide by it, despite its admitted inapplicability to our region.

Such regulations as those which are intended to avoid the concentrations of low income people in public housing (which have apparently given rise to slums, and drug war zones in urban areas) really have no relevance to our residents. Forcing compliance with regulations simply paralyzes the Housing Authorities, arbitrarily denies the benefits of the programs to residents, and can result in findings against the Housing Authorities. All these results only serve to make our programs less available to the very people the programs were intended to benefit.

To make matters worse, HUD staff has been heard to say they have no idea of how to implement such regulations, but are compelled to bring them up and require compliance. HUD staff on occasion has admitted that such regulations clearly have no bearing on our programs, but they are helpless to advocate for us to Washington, helpless even to make official note that the Housing Authority's efforts to work with meaningless regulations are bound to be futile.

The housing needs of the Native, rural residents deserve fuller and fairer attention from the federal government. There needs to be a recognition of our unique circumstances and the dire shortage of decent housing we have, to better address this basic human need.

If there is any additional information I can provide, please do not hesitate to let me know.

Sincerely,

Bessie O'Rourke

cc: Mayor Jeslie Kaleak  
Housing Authority Board of Commissioners

ANCHORAGE TESTIMONY - OCTOBER 16, 1992

DEPOSITION EXHIBIT #1 - TESTIMONY OF RAY BARNHARDT

Robert Mahuta  
Centre for Maori Studies and Research  
Tainui Maoni Trust Board  
University of Waikato  
Hamilton, New Zealand

Jan Henry Keskitalo  
Sami Institute/Sami Parliament  
Kautikeno, Norway

Robert Peterson  
Greenland Home Rule Government  
Nuuk, Greenland

George Erasmus  
Royal Commission on Aboriginal Affairs  
Government of Canada  
Ottawa, Canada

Eileen MacLean, President  
Inuit Circumpolar Conference

Ovide Mercedi, Chairman  
Assembly of First Nations  
Ottawa, Canada

Tugak Curley  
Nunavut Government  
Iglavik, Northwest Territories, Canada

DEPOSITION EXHIBIT #2 - TESTIMONY OF DAVID McKEE

Supplement to the Testimony

"Flashpoint: A Newsletter Ministry of Texe Marrs"  
Living Truth Ministries, Special Edition  
(3 page document)

ANCHORAGE TESTIMONY - OCTOBER 17, 1992

DEPOSITION EXHIBIT #1 - TESTIMONY OF MICHAEL HUELSMAN

Supplement to the Testimony

Statistics from the Municipality of Anchorage's Department of Health and Human Services: (6 pages of Statistics)

- Community Service Patrol Blood Alcohol Concentrations, 1991
- Sleep Off Center, Total Number of Bed-Nights, 1989-91
- Comparing Substance Abusers with Non-Substance Abusers
- The Cost of Alcohol in Anchorage (adjusted for inflation)
- Average Blood Alcohol Level and Ethnicity
- Destination of Clients leaving Sleepoff/Transfer Station

DEPOSITION EXHIBIT #2 - TESTIMONY OF GLEN LANKARD JR.

EYAK TRADITIONAL ELDERS COUNCIL  
RESOLUTION 92-1

The Eyak Traditional Elders Council was reunited to defend and protect our rich heritage, culture, language and ancestral lands from becoming completely assimilated.

**WHEREAS:** The Eyak Indians existence is quickly and quietly being erased of all physical evidence, except written record. The Eyak Indians were the last "rediscovered tribe" in North America in 1933 by Fredrica deLaguna, we will also have the ironic honor of being the first native tribe in Alaska to lose their native language.

**WHEREAS:** The Eyak Indians ancestry dates back 3500 years to the Athabascan tribes of the Interior of Alaska. Every recorded map indicates existence along the southern coastline of Alaska, from Yakutat to Cordova.

**WHEREAS:** Alaska's "body of law" clearly points out that in 1741, when the Russian fur traders came here to exploit our resources, this land was Eyak Territory. In 1867, when the United States purchased approximately 240 acres of Russian trading posts and the Russians right to trade for 7.2 million dollars, this land was Eyak Territory. In 1889, when the first canneries blocked off the traditional salmon runs on the Copper River Delta to the Eyak Indians, this land was Eyak Territory. In 1906, when Cordova, the city, was founded and the "Railroad Invasion" began by Michael J. Heney, this land was Eyak Territory. In 1959, when the United States declared our "Indian Country" the 49th State, this land was Eyak Territory. In 1971, when Congress enacted the Alaska Native Claims Settlement Act law, this land was Eyak Territory.

**WHEREAS:** In 1992 the Eyak Indians are forced to defend and protect our fundamental human rights, our cultural right of existence and our sacred ancestral land from further unwarranted destruction.

**WHEREAS:** In the present Eyak Village Council and the Eyak Village Corporation the traditional Eyak Indians do not hold any of the leadership positions that control our ancestral recognition. At this time we cannot apply for native language grants, cultural or heritage preservation grants or protect our sacred burial sites from being clearcut or sold.

**WHEREAS:** The Eyak Indians cultural artifacts and sacred ancestral lands including our religious beliefs which we have preserved for thousands of generations is on the verge of being destroyed completely and irresponsibly. At this rate, there will be nothing to pass on to our children except our Eyak spirit.



**THEREFORE:** The Eyak Indians ask for mercy and respect from the great tribal nations of Alaska. We do not want to die. We ask for support and recognition before it is truly too late.

**THEREFORE BE IT RESOLVED THAT:** The Alaska Federation of Natives find heart to recognize the Eyak Indians cry for survival and help to protect this distinct native tribe from being assimilated. Our culture and heritage enriches and contributes to all the native tribes of Alaska.

**THEREFORE BE IT FINALLY RESOLVED THAT:** The loss of the Eyak Indians culture, heritage and language is a loss not only to the Eyak people, but to all native tribes of Alaska.

Signed by: THE EYAK TRADITIONAL ELDERS COUNCIL  
ON OCTOBER 17, 1992 IN ANCHORAGE, ALASKA

**SIGNATURES:**

Chief: Marie Smith Jones  
10/17/92

Tribal Member: Faye Dahl  
10/17/92

Tribal Spokesman: Glen E. Lankard Jr. (Dune)  
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10/17/92

NOTE: Following pages are documents that  
back-up Resolution 92-1's content.

SUPPLEMENT TO THE TESTIMONY

DEPOSITION EXHIBIT #3 - TESTIMONY OF ELIZABETH LeBLANC

DRAFT RECOMMENDATIONS FOR ACTION  
SUBMITTED TO THE ALASKA NATIVES COMMISSION  
BY CALISTA CORPORATION  
LAND & NATURAL RESOURCES DEPARTMENT

ALASKA NATIVE COMMISSION HEARINGS  
OCTOBER 17, 1992

Over the last twenty years, the Calista Corporation has dutifully tried to implement the Alaska Native Claims Settlement Act and ensure that Calista Corporation and the Yupik people of the Calista region receive the full value of their entitlement under ANCSA. The battle has been long and expensive. Unfortunately, Calista Corporation and the village corporations have faced obstacle upon obstacle in this process. And as of today, the corporations are not any closer to solving the problems of the Yupik people than they were twenty years ago.

During the last four years, Calista Corporation has been a strong advocate for finding solutions to the problems facing the Yupik people and other Alaska Natives. Calista Corporation has taken this advocacy role because the Calista region and Yupiks living in the region are the ones most affected by the problems endemic to Alaska Natives. No other region suffers the extreme living and economic conditions found in the Calista Region and western Alaska.

How well Alaska's villages can survive in the coming years has long worried Native leaders and others, including Calista Corporation. After careful analysis and research, the Calista Corporation has determined that if the villages in the Calista Region are to survive to the next century they will need viable economies, and the Native Corporations must be strong and financially stable. The corporations and villages must possess the necessary resources - human, financial and natural - to pursue opportunities and implement programs and policies to mitigate the problems now affecting Alaska Natives, especially the Yupik people.

The following is a series of recommendations for the Commission to consider recommending to Congress as actions to take to address the various issues the Commission is focusing on. Some of the recommendations are very simple and would require little in the way of funding or program changes; others, however, require the revamping or development of new programs and funding sources. The range of actions are broad and, in many cases, are interdependent upon one another or will have a trickle-down effect. For example, by ensuring safe sewer and water systems in the villages many health problems can be brought under control.

The basis of our recommendations is to identify actions which can be taken to create more self-sufficient village economies by

preserving the subsistence sector, expanding market and resource development activities, and giving the Native corporations the means by which to become strong, viable, competitive business entities. Under each general policy recommendation we have identified several specific actions which can be taken to mitigate the various problems affecting Alaska Natives, especially the Yupik people. If these actions are not pursued it is very probable that village residents will leave the villages, and the welfare of the remaining village residents will decline.

#### DRAFT RECOMMENDATIONS AND ACTIONS

1. **Protect Subsistence Rights for Alaska Natives.** The state and federal government need to continue to work with Alaska Natives to ensure that Alaska Natives continue to have the right to practice subsistence activities. Subsistence activities are an integral part of the Alaska Native culture and the foundation of the village economic system. Without subsistence the life as we know it in Alaska Native villages will not survive. In order to ensure the continuation of subsistence, improved opportunities for managing subsistence resources must be implemented. Village economies based on resource harvesting activities with fewer limitations on access, control and commercial use of subsistence resources could support a significant population in rural Alaska. This may be accomplished by taking the following actions:

- \* Ensure more participation by Alaska Natives in subsistence management decisions and granting more local village control over subsistence activities. This may be accomplished by requiring that Alaska Natives be appointed to advisory boards and commissions which establish policies, directives and regulations affecting subsistence activities.

- \* Protect subsistence preference rights for Alaska Natives by enacting legislation which continues the protections and provisions established by Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA).

- \* Continuing the rural preference for subsistence activities on public lands is essential to protecting the rights of Alaska Natives to practice the subsistence lifestyle common to village residents.

- \* Amend the Migratory Bird Treaty Act to allow for spring subsistence hunts. In the spring before fishing begins, meat is in very limited supply. Returning migratory birds are one of the few protein sources available during that time of year.

- \* Reauthorize the Marine Mammal Protection Act so that Alaska Natives can continue to hunt marine mammals for sustenance and

subsistence purposes. The act's current provisions and policies should not be repealed.

**2. Ensure that Alaska Natives receive full economic value for their lands received under ANCSA.** There are 22 village corporations, 16 of which are in the Calista Region, affected by Section 22(g) of the Alaska Native Claims Settlement Act (ANCSA). When these lands are appraised to establish a land-value for land exchange purposes, Section 22(g) is considered an encumbrance on the land. It requires all Native-owned lands within the boundaries of a national wildlife refuge to remain subject to the laws and regulations governing use and development of the refuge. The 22(g) language is used to protect refuge interests at the expense of the Native corporations' right to freely develop their lands and receive full economic value for the land. This language gives the USF&WS ultimate control over Native-owned lands.

This provision of ANCSA has been used to substantially decrease the value of Native-owned lands within refuge boundaries. The USF&WS appraisers have assigned lower fair market values to lands subject to 22(g) on the basis that land use and development activities cannot occur on 22(g) lands without prior approval from the USF&WS. Although these lands are considered private lands, the Native corporations are not allowed to develop and use the land as they see fit. Typically, lands appraised by the USF&WS not subject to Section 22(g) have higher fair market values than lands subject to Section 22(g) requirements. This practice by the USF&WS results in the agency assigning discounted values to Native lands encumbered by Section 22(g) in land exchanges and acquisitions of ANCSA land.

Another type of land which is devalued during the appraisal process are those lands identified as "in-lieu" selections. Many village corporations throughout Alaska were not able to select their entire ANCSA entitlement within their original withdrawal area. Village selections made outside the withdrawal area were made from areas withdrawn under Section 11(a)(3) of ANCSA are known as deficiency lands or "in-lieu" lands. Those villages which have in-lieu selections include: a) village corporations within established national wildlife refuges and parks which were limited by Section 12(a) of ANCSA to select on 69,120 acres of land within the withdrawal area surrounding the village, although their entitlements were much larger; b) village corporations which did not have enough unappropriated land in their withdrawal area from which to select; and c) village corporations with small withdrawal areas resulting from their proximity to a meridian or the coast, thereby reducing the amount of land available for selection.

The village of Toksook Bay, located in the Calista Region, is affected by all of the above conditions. It is a 22(g) village because it was located within the boundaries of the former Clarence

Rhodes National Wildlife Refuge; about 1/3 of it's original withdrawal area is in the water; and because of it's proximity to other villages there was not enough unselected land in it's withdrawal area, consequently about half of it's selections were made in deficiency selection areas many miles from the village. In recent appraisals, land selections in deficiency areas have been assigned lower values on the basis that they are far from the village, therefore their economic value is not as great as those lands immediately adjacent to the village. This village did not ask to make selections in a deficiency area far from the village. It was required to do so under the terms and conditions of ANCSA. The village corporations are being penalized simply because their lands are located within a deficiency area. No other place in the state are there so many villages similarly penalized by the selection requirements of ANCSA, as in the Calista Region.

The following actions should be taken to ensure that the economic value of the land received under ANCSA is not diminished because of unfair appraisal practices:

\* Amend Section 22(g) of ANCSA so that the language removes federal agency control over the use and development of corporation lands within national wildlife refuges. The language should restore to the corporations their right to use their land as they prefer or to compensate them for the loss of their development rights. Such an amendment would enhance the usefulness of Native-owned land and increase Native control over the lands they own.

\* Establish a policy to prohibit the practice of discounting land values for land subject to the provisions of Section 22(g) of ANCSA. Corporations seeking to exchange or sell lands affected by Section 22(g) should not have the fair market value of their lands reduced simply because they are subject to development restrictions under Section 22(g) of ANCSA. It is not reasonable to say 22(g) lands are less valuable for economic development or other activities, therefore it has a lower fair market value for exchange or acquisition purposes. The economic and resource values of the land remains the same whether or not the land is subject to Section 22(g).

\* Enact legislation which establishes the fair market value for "in-lieu" ANCSA lands to be the same value as those lands within the original township withdrawal area, when included as part of a land exchange or sale with the federal government. The practice of discounting in-lieu lands results in the real value of a corporation's land settlement being significantly diminished, even though the villlage had no choice but to select land far from the village in a deficiency selection area.

**3. Lower unemployment rates in the villages by encouraging local hire of Alaska Natives.** Jobs are very scarce in villages,

consequently, hiring just one or two people from outside the village can mean village residents go without work. The lack of employment opportunities have a significant negative impact on a village. Under the current labor laws, employers have absolutely no incentive or requirement to hire Alaska Natives. Local hire laws were commonplace during the construction of the Trans-Alaska pipeline and proved to be both necessary and instrumental in ensuring that Alaska residents were hired for jobs on the pipeline projects.

The following actions could be taken to encourage the practice of hiring Alaska Natives:

- \* Enact laws which require employers to give Alaska Natives preference for jobs in the villages. For example, PL 93-638 provides for Native preference when filling positions funded under PL 93-638. This type of provision could be incorporated into other federal and state programs benefitting Alaska Natives.
- \* Develop a bonus system to reward companies or contractors who hire Alaska Natives to work on projects in the villages. The bonus could be similar to the cash bonus awarded when a project is completed ahead of schedule by a contractor.
- \* Implement regulations which require state and federal contracts to contain a provision which requires contractors and businesses working in rural Alaska to hire Alaska Natives for state and federally funded projects, if qualified Alaska Natives are available to work on the project.
- \* Implement a rating system for state and federal jobs which gives Alaska Natives living in economically disadvantaged areas a preference for qualifying for a job. The rating system could be modeled after veteran's preference ratings or special preferences given to individuals with handicaps.
- \* Require Native preference on resource development and construction projects occurring on federal lands in economically depressed regions of the state. This preference right could be modeled similarly to Alaska hire provisions implemented during construction of the Trans-Alaska pipeline.
- \* Establish a policy to encourage Native hire in state and federal government positions.
- \* Provide training in how to apply for federal or state jobs. The paperwork involved in getting on state and federal registers is overwhelming and difficult to understand for many people, particularly those with little or no experience in dealing with bureaucratic paperwork. Simplified forms and information booklets geared to the education levels and cultural perspectives of Alaska Natives would make applying for federal and state jobs less

intimidating to Alaska Natives.

- \* Require that a percentage of the labor force on state and federally funded capital projects in the villages be Alaska Natives living in the village. Policies and regulations promoting local hire must be implemented to ensure that Alaska Natives are given priority in filling jobs in the villages.

- \* Give special incentives (e.g., staff training, money for on-the-job training, technical assistance) to agencies and private businesses which hire Alaska Natives.

- \* Establish state and federal personnel offices in regional centers easily accessed by village residents to provide assistance to Alaska Natives in applying and qualifying for jobs, getting job training, and qualifying for unemployment benefits.

- \* Implement a policy requiring state and federal government to hire a certain number of Alaska Natives over the next ten years. The policy could be modeled after the quota systems used by universities and colleges to recruit and admit minority students.

**4. Promote and encourage mineral exploration in remote and undeveloped areas of Alaska.** It is current public policy to not spend public dollars to do mineral exploration on private lands. This policy, however, does not benefit the people of Alaska. Large tracts of ANCSA land which may have sizeable deposits are going unexplored. The Native corporations do not have the cash reserves and expertise needed to pursue exploration and there are few incentives that encourage private industry to explore on these lands. The lack of interest in western Alaska is due largely to the difficulty and high costs associated with doing exploration in an undeveloped, under-explored, minimally mapped, and geographically isolated region.

Virtually all of the land in the proximity of villages needing economic and energy assistance is owned by ANCSA corporations. The discovery of mineral deposits or oil and gas on ANCSA lands could provide economic opportunities, jobs, and scarce energy resources that do not exist presently, but are desperately needed in these regions of the state. Due to the land selection patterns under ANCSA the villages are now surrounded by private land (i.e. Native corporation lands). Normally, exploration work using federal and state money is conducted on public land, therefore little exploration work occurs near communities surrounded by private lands. In recent years, the USGS has spent millions of dollars doing exploration work in southeast Alaska, but almost no money for exploration work in the Yukon-Kuskokwim region. The regions which need exploration work done in order to encourage economic development are being overlooked because they are dominated by private corporation lands, and there are little state-owned land in

the region.

A new perspective is needed - one which realizes that exploration work done on Native-owned land benefits all Alaskans (if a world class mineral deposit or oil reserve is found), not just the Native community. A good example is the Red Dog Mine which is providing jobs, contributing money to the state's coffers, putting Alaska on the map as a world class mineral producer, and helping improve life for people living in western Alaska. More projects and joint cooperative ventures like Red Dog are needed in rural Alaska.

The primary focus, however, should be the fact that such a program might result in the creation of numerous long-term jobs in areas that desperately need them. If exploration activities using public funds lead to the creation of one mine in western Alaska the money will have been well spent. A single mine, as we have seen with the Red Dog Mine, can make a substantial impact on employment levels and help establish an economic base in a region thereby reducing the need for government assistance in the region.

There is a critical need for increased mineral exploration in rural Alaska and particularly in western Alaska. For example, vast areas of the Calista region remain largely unexplored for hardrock minerals and oil and gas. In the Calista region alone, three major oil and gas basins are virtually unexplored. In an oil and gas basin with a geographical area comparable in size to the state of Oklahoma, only one test hole for oil has been drilled. In addition, there has been only limited seismic or reconnaissance work completed in any of the oil and gas basins within the Calista region.

The following actions should be considered for encouraging mineral exploration and development on Native-owned lands:

- \* Allow public agencies, such as the USGS, Bureau of Mines, and State Department of Natural Resources, to conduct mineral exploration and research on Native-owned lands in Alaska. Since Native corporations own 44 million acres of land (12 percent of the land in Alaska), it is in the public's best interest to not write these areas off for exploration simply because they are privately owned lands.

- \* Provide incentives through tax breaks for mineral and oil and gas exploration or development activities in economically depressed areas. Private companies need incentive to invest money in high-risk areas with little known mineral potential. Without a financial incentive they are going to invest in more accessible areas with better known potential, and fewer environmental constraints. Currently, natural resource development companies are more likely to go explore in Russia than they are Alaska because of the state's environmental regulations, high tax rates on oil companies, and lack of financial support in terms of providing loans developing natural resources in economically unstable areas



of the state.

\* Implement a state and federal policy requiring federal and state agencies to focus a portion of their mineral exploration, research and mapping budgets on those areas of Alaska which have not been explored and are economically depressed. Agencies such as the Bureau of Mines and U.S. Geological Survey have spent millions of dollars doing work each year in areas like southeast Alaska, yet western Alaska goes unvisited and unexplored year after year. It would greatly benefit western Alaska if these agencies invested more work in this part of the state. Until there is a good body of knowledge about the resource potential of the more undeveloped areas of Alaska, there will be very little natural resource development activity in those parts of the state. Because of market conditions and high cost of exploration, private industry is less willing to invest large amounts of time and money in conducting exploration work in unknown, unexplored areas.

\* Implement a joint federal-state program which allows public funds to be set aside and used by agencies such as the Department of Natural Resources, USGS and Bureau of Mines to do exploration on ANCSA lands in regions with large numbers of economically depressed villages.

**5. Strengthen Local Village Government.** ANCSA did not abolish the Indian Reorganization Act (IRA) or traditional council governments in Alaska; it only settled outstanding aboriginal land claims. IRA and traditional council governments are recognized forms of government indigenous to Alaska Natives and other Native Americans. The state of Alaska has been reluctant to recognize these governments or establish a government to government relationship for grant funding, granting police powers, contracting, or distributing revenue sharing funds.

Many villages would prefer to follow either an IRA or traditional council form of government, rather than the municipal government implemented in state law. Those villages which do not have a municipal government organized under state law are ineligible for revenue sharing and receiving various forms of grants from the state of Alaska for operating a local government. Recognition of the IRA's and traditional councils as an acceptable form of local government will lead to more effective local government. It will eliminate the need for more than one form of government in the villages, and will eliminate confusion as to who has the authority to govern and make decisions in the villages. It will also lead to greater participation in local government and would give village residents a greater sense of control over their own destiny and affairs.

The following actions should be taken to give Alaska Natives greater voice and control over local government in the villages and

ensure that they receive adequate funding to carry on the day-to-day operations of the village's local government:

- \* Recognize for purposes of contracting, using police powers, applying for grants for community projects and participating in the local government process, IRA and traditional councils as a form of local government with the same rights and authorities as cities and municipalities in Alaska.

- \* Allow villages which are organized as IRA government or traditional councils to receive municipal revenue sharing funds. Most of these villages are very small and have no way to generate revenue from a local tax base. State revenue sharing monies are greatly needed in these communities to carry out the responsibilities and obligations required of local governments.

**6. Ensure that there is safe and affordable housing in the villages.** Housing is woefully inadequate in the villages of Alaska. The quality of housing is substandard. Over-crowding is commonplace. Waiting periods for new housing are dependent on timing of new multiple unit projects and supply lags behind need and demand. Even new houses may lack running water and indoor plumbing if these systems do not exist in the village they are constructed in. Poorly maintained heating systems cause excessive home heating costs.

The current programs and policies for providing housing to Alaska Natives in rural Alaska are not meeting the needs of the people. The need for housing in rural villages is rapidly increasing. Rather than bring in companies from outside the villages to build houses within the village, programs should focus on using resources and people in the villages to construct homes or make renovations. Such an approach would provide badly needed jobs in the villages, promote pride in home ownership, and provide on-the-job training. Housing programs in rural villages, if properly implemented and organized, can become a form of economic development employing local workers in an on-going project that would include both new construction and maintenance of existing housing project units.

The following actions should be taken to improve existing housing programs:

- \* Revise CFR 7(b) laws that require Native hire for federal housing programs to mandate that contractors hire local workers. Construction jobs for housing projects are important sources of employment in villages where few jobs exist.

- \* Design smaller, longer-term housing projects that require completion of fewer units per year over a longer project time span. Pattern these projects after the regional housing authorities' "burn-out" program where small projects using local builders or

groups work on two or three units in a village each year. Completion of a few units each year over several years, instead of up to 24 units all at once, would provide a stable program of sustained employment achievable by local construction crews who would develop a good working knowledge of their village's housing construction.

- \* Implement more flexible building codes and specs for the use of materials and construction which allow for the use of innovative technologies and designs developed to meet the climatic conditions and needs of different parts of the state. The standardized material and design specs required by financial institutions for meeting loan requirements and federal regulations relating to construction and design minimize, and sometimes even prevent, the use of alternative materials or construction techniques. More flexible specs and building codes for construction in rural areas would make it easier to adapt home designs and materials to local areas.

- \* Revise federal and state contracting procedures for housing projects so that regional housing authorities can contract with village corporation, IRA or traditional councils, or individuals to construct houses in the village. These entities are more likely to hire local village residents than construction companies from outside the village.

- \* Bring housing units in the villages up to acceptable health and safety standards. A program should be established which allows individuals and the regional housing authority to get grants to bring homes into compliance with state safety, health, energy and building codes.

- \* Implement a homeowners education program which teaches individuals how to maintain a home and do simple home repairs. Modify HUD and Alaska State Housing Programs so that individual homeowners can perform repair work following program guidelines and codes. The necessity for importing non-village labor for repair work would be eliminated and individuals could obtain skills necessary to maintain their homes. Such a program could be coordinated through BIA, IHS, ASHA and (?).

- \* Educate the Alaska State Housing Authority and federal housing programs, with the goal of creating flexibility in housing loan and program funding criteria to allow for alternative or innovative housing construction technologies. New energy-saving and cost-effective technologies with demonstrated application in rural Alaska are pre-empted from housing programs because borrowers cannot get loans to build or purchase houses using these technologies.

- \* Continue the funding of programs which encourage energy conservation and home weatherization so that homes are made energy-

efficient, thus helping reduce power costs in the villages both to individuals and to the community.

- \* Give contractors who build houses in villages under federal and state housing programs a financial incentive to hire locally, and whenever possible, buy materials and supplies from local businesses and suppliers. Construction jobs for housing projects can be a very important source of local employment in villages that have few jobs available.

- \* Promote using local contractors and hiring village residents to work on housing projects. If the construction design of a house is labor intensive, it should use local labor and materials rather than bringing in materials and workers from outside of the region.

**7. Provide job training to Alaska Natives so that they may compete in today's workplace and receive useful skills.** A variety of job training and apprenticeship programs are already in place, however, they are not meeting the needs of Alaska Natives because they focus on training individuals for jobs in the urban areas or in trades and industries not located in the villages. It doesn't do much good to train a man to be a crane operator if there isn't a crane in the village for him to operate. It is unrealistic to expect people in the villages to leave their families, change their cultural values, and forsake the Native lifestyle so they can move to Anchorage or Fairbanks for a job or to get job training.

The following actions should be taken to improve job training opportunities for Alaska Natives:

- \* Provide funding and training for jobs in the villages, e.g., power plant operation, carpentry, plumbing, electrical work, fisheries-related skills such as hanging nets and building boats, building repair and maintenance, small engine mechanics, cannery and fish processing skills, teacher's aide, bookkeeping, health aide, child care specialists, elderly care specialists, dieticians, to name a few. Emphasis on technical training should begin in the high schools in the region. People often don't leave the village for training because the training they receive will not qualify them for a job in the village. Simply sending people to voc-tech training in Seward or elsewhere is not the answer. Training must provide a usable skill that will qualify the trainee for jobs needed and present in the village today.

- \* Provide financial incentives to contractors and businesses who provide on-the-job training to village residents on construction projects being undertaken in the village. For example, an employment program can pay part of a worker's wages (similar to JTPA or on-the-job training programs).

- \* Provide vocational and apprenticeship programs in areas accessible to the villages. For example, a job training center

could be established in Bethel, Dillingham, etc. Since many people have family and friends in regional centers, the move for training wouldn't be nearly as expensive or stressful as going to Anchorage or Seward. It is very expensive for people to go to the Skill Center in Seward, consequently, many people do not go for training.

\* Establish a post-secondary vocational education facility in the Calista region. The University of Alaska's Kuskokwim campus is underutilized. This facility could be used to conduct vocational training classes and develop work-study or job training programs that teach students skills which can be used in the villages.

\* Provide employers and Alaska Natives with cross-cultural training to familiarize each other with job expectations and what it takes to succeed in the work force. For example, where appropriate, promote the use of two-week on/two-week off work schedules; allow time off for traditional activities such as funerals for extended family members, subsistence hunting and fishing; allow flexible work hours which permit individuals to care for children or elderly family members (many people live in extended family situations); or take classes which improve job skills or education level.

**8. Use of land exchanges to encourage economic development on native-owned lands.** Land exchanges provide two types of benefits. First, they would provide an affordable means for the federal acquisition of Native-owned inholdings within national wildlife refuges, parks and wilderness areas. In exchange for these lands, Native corporations would enter into land exchange agreements similar to the CIRI or Chugach land exchanged agreements, whereby villages receive land, credits, cash or some combination thereof for their lands. These exchanges would allow the Native corporations to select land with more immediate development potential or land that could be used to generate cash for the corporations. In turn, revenue earned from these lands would be reinvested by the corporations or be used to create jobs or business ventures in industries such as commercial fishing, mining, or real estate development.

Land exchanges have been a very effective tool for helping some regional corporations become more financially stable. For example, lands Cook Inlet Region, Inc. received have been leased and are now producing natural gas. Arctic Slope Regional Corporation leases oil and gas rights on lands they received as part of a land exchange. The importance of land exchanges should not be overlooked because they benefit not only Alaska Natives, but all residents of Alaska and the nation because it gives the government a methodology for acquiring privately-owned lands needed to protect valuable wildlife resources. In turn, lands are made available for development that might not otherwise be developed.

The following action should be taken to encourage land exchange between Native corporations and the federal government:

- \* Promote use of land exchanges to encourage economic development. Encouraging land exchanges in western Alaska is especially critical for the Native corporations since few opportunities for economic development exist at this time.

**9. Give Priority to and target programs and funding to areas of the state which are the most economically depressed or in the greatest need.** In today's world of shrinking money for capital projects, infrastructure and economic development, it is important to put the money and programs where there is the greatest need and they can do the most good. It is no longer feasible to operate and fund large general programs in education, health care or capital spending. Recently, the Anchorage Daily News published a series of articles on the sewer and water crisis in western Alaska. Because of the grave danger to public health and safety, future funding for sewer and water projects should be targeted to those areas which have chronically unsafe conditions. The following policies should be implemented to focus attention and assistance on communities and regions most in need of assistance:

- \* Develop and implement a system for determining community need levels for programs and capital project funding. A ranking system would rank communities from least to greatest need based on unemployment rates, suicide rates, homicide and accidental death rates, health statistics, and income levels in the communities.

- \* Create separate programs, qualification criteria, and funding sources for villages and regions with critical health, social and economic development needs. Economically disadvantaged villages should not have to compete with urban communities for funding and programs for services such as sewer and water facilities. Funding should automatically focus on communities with identified needs for infrastructure such as sewer and water systems, health clinics and housing.

- \* Implement a standard policy requiring programs and assistance be given to regions and groups most in need. Areas in critical need, such as western Alaska, should receive first priority and funding necessary to raise living and economic standards to comparable levels in other parts of the state.

- \* Undertake a comprehensive, state-wide study to determine the needs of rural communities in Alaska. The object of the study would be to identify which communities are in the greatest need and establish priorities for providing assistance and programs to bring these areas up to minimum living standards.

**10. Foster Native corporation participation in programs affecting the social and economic well-being of Alaska Natives.** The ANCSA village and regional corporations are an existing vehicle in rural Alaska capable of fostering economic and social programs if given the opportunity and funding needed to implement programs, services, and start up business ventures. This may be accomplished by taking the following actions:

- \* Encourage the state and federal governments to use the Native corporations as conduits to stimulate economic development and deliver services to village residents. This can be broadening laws and programs to allow the Native corporations to administer programs, receive grants, and provide services commonly administered by state and federal agencies or non-profit corporations.

- \* Modify grant and program regulations to allow for-profit Native corporations to receive grants and funding for job training and economic development. Currently, most programs require funding to go through a non-profit organization. This isn't always efficient because the emphasis of the non-profits tends to be on social services (education, health care, child welfare). Non-profits usually don't have staff trained in business decision-making and investments. The ANCSA corporations were created to function as businesses and provide economic development opportunities to Alaska Natives. However, their for-profit status prohibits use of state and federal grant monies ear-marked for economic development programs and projects.

- \* Provide low-interest loans, tax incentives, and loan forgiveness programs for creating pilot programs, investing in developing technologies or starting businesses in rural areas of Alaska. Financial incentives must be provided to corporations, private businesses, and industries to encourage investment in the villages. Because of the high financial risks and start-up costs associated with business ventures and development in rural Alaska, companies are not willing to invest or risk large sums of capital in the villages. Under the present system, the Native corporations are limited in their ability to finance business ventures or participate in the development of fledgling industries. The Native corporations have fiduciary responsibility to shareholders to pursue business investments and projects which are profit-making, therefore they must minimize their involvement in high-risk business ventures. These types of incentives could be the difference between a business being profitable or losing money.

- \* Include the Native corporations in the development of state-wide economic development plans. State agencies do not always solicit comments or participation by Native corporations on these issues, even though they may have valuable insights and knowledge. Typically, projects go to consultants or non-profit groups who lack experience, knowledge and expertise in the area of business or

general economic development. For example, the regional Native corporations, from Calista's experience, have had virtually no role in the development of the ARDORS in Alaska. This does not make sense since the ANCSA corporations are regional entities whose primary mission is to undertake business ventures, encourage economic development and function in the world of business and development.

\* Implement target programs with ANCSA corporations that focus on economically depressed areas in order to improve the standards of living and provide economic development assistance to communities developing local industries such as bottomfishing, fish processing, boat building, cottage industries, tourism, and light manufacturing.

**11. Provide low-cost, environmentally safe energy power to villages.** Supplying electrical power to villages in rural Alaska is very expensive due to the high costs of shipping bulk fuel to remote areas to operate electric generators. Under the current utility structure, village residents have no choice but to rely on diesel generated electricity and diesel fuel for heating. Diesel fuel is expensive, the power plants require continual maintenance and maintenance and repair costs are high, fuel spills are common, fuel storage facilities are outdated and unsafe, and the cost of producing electricity is expensive. If power cost equalization did not exist in Alaska most village residents could not afford to pay for electricity and even with this program many families are unable to afford electricity. It is not uncommon for villages utilities to be running in the red and constantly on the verge of breakdown.

With recent changes to the Clean Air Act, the likelihood of cuts in the state's power cost equalization program and increasing fuel prices, the cost of providing electricity to western Alaska has skyrocketed. In turn, the lack of affordable power has affected economic development in the region. Industries such as mining and fish processing, need affordable, and reliable, energy sources of power for their operations. Without reliable power they cannot and do not operate. Furthermore, villages are completely dependent on outside fuel sources for generating electricity. There is a real need in western Alaska for consolidation of power generation so that it can be produced more efficiently and more cheaply than at present with small, individual diesel generators located in each village.

The following are actions which may be taken to bring more affordable and efficient power to western Alaska:

\* Investigate the use of alternative energy systems in fuels in village Alaska. Pilot projects using local resources such as hydro, coal and natural gas should be tried in communities adjacent to such resources. The cost of using diesel fuel is becoming



extremely risky to the environment and expensive. Soon it may be impossible to provide non-subsidized electricity to the villages.

\* Implement a study to evaluate the true cost of providing power to rural communities using existing power generation systems. The use of diesel generators is very costly, environmentally unsound, and inefficient. The full cost of this energy source in rural Alaska has never been adequately documented since many costs are hidden and as yet unquantified. A good example would be fuel leakage. When no one enforces or monitors hazardous material laws regarding these spills, how are we to know what the costs will be to those communities in the future to remediate the problems often associated with fuel spills.

\* Develop regional power generation and distribution facilities in rural Alaska in order to improve the level, quality and efficiency of providing power to villages. Power generation facilities and lines which interconnect and provide power to many communities from a single source should be encouraged because once in place such systems are more efficient, reliable and cost-effective than separate diesel fired generators in each village. Regional power systems are commonplace in southcentral and interior Alaska, but little has been done to develop these type of systems in western Alaska. Interconnecting lines between villages from a central generating facility would eliminate the need for individual electrical generating facilities in each village; thereby reducing maintenance costs; ensuring the provision of power from a reliable, energy-efficient central utility; providing a way to keep the cost of power to village consumers affordable; and minimizing numerous hazardous waste problems as well.

\* Study the feasibility of using regional utilities, similar to Chugach Electric or Golden Valley Electric, in rural Alaska. A regional utility or electric cooperative has the potential to be more efficient in electrical utilities management and providing affordable service. The current system in which a village or traditional government or some other local entity runs the electrical plant in the village simply is not efficient or cost-effective. Every process or action is done on a piece-meal basis and there is a tremendous duplication of expenses for collecting utility bills and operating the generator plants. If feasible, a funding program using loans, grants and joint-ventures should be established to assist in the setting-up of regional utility companies/cooperatives in rural Alaska.

\* Develop a statewide program promoting research, development and use of alternative energy systems, including but not limited to: small coal-fired plants, run-of-the-river hydro, shallow gas exploration, and grant programs supporting research and development. Without incentives, companies have little reason to pursue new technologies that could provide affordable power to rural Alaska. Affordable power would help make housing more

affordable, provide jobs and encourage development of resources in remote areas of Alaska. It would also lead to the continued delivery of electricity to many communities after power cost equalization ceases to exist and Clear Air Act requirements close small diesel plants.

\* Provide funding to study the potential of alternative energy resources (geothermal, low-head hydroelectric, run-of-the-river hydroelectric, solar, wood, coal, natural gas, and wind) to produce power in remote areas of Alaska. Funding should be made available for implementing pilot projects using developing technologies and/or alternative energy resources. Development of new technologies and alternative energy resources is the key to providing low-cost power to rural areas of Alaska.

\* Consolidate existing electrical utility delivery systems. Currently there are many small electrical utilities existing in isolated villages throughout the Y-K delta. These utilities serve just one village and are able to operate only because of subsidies received from the state of Alaska as part of the state's power cost equalization program. These systems are expensive to operate, subject to frequent breakdowns, environmentally unsound, and inefficient in terms of management and providing power. Consolidation could be accomplished by providing funding and technical assistance to create and operate a regional utility management entity (company, cooperative, electric authority) which would take over the operation, maintenance and management of the various utility operations being operated independently throughout the Yukon and Kuskokwim river areas.

\* Evaluate the power needs of villages and restructure the rural power system in Alaska to best meet the needs so that power can be provided to the villages at an affordable level using local resources, interties, and modern technology.

**12. Establish an education delivery system which meets the specific needs of Alaska Natives in western Alaska.** The existing village school systems, for the most part, do not adequately prepare students for the competition and the social and cultural lifestyle they will encounter in larger communities and urban areas. Nor do they promote pride in the Alaska Native cultures which provide the survival skills necessary to function in today's changing world and village life. The present educational system with primary and secondary schools in every village is not working. The quality of education in village schools is declining rather than improving, while the cost of providing education in the villages is escalating.

The following actions should be considered as a way to improve education in village Alaska:

\* Evaluate the effectiveness of bush schools to prepare students to compete at the college or university level or complete vocational training.

\* Examine the benefits to be gained from establishing a regional junior and senior high schools in regional centers, rather than locating a junior/senior high school in every village. Larger schools can provide more variety in classes, offer different levels of instruction (special education, gifted classes, culturally adapted classes), attract better quality teachers, and operate more cost-effectively. Also, students will be in a learning environment that will prepare them for the environment they will encounter when they attend college or voc-tech schools.

\* Continue Head Start and other early childhood development programs in elementary schools in the villages. Elementary education should continue at the local level because children should remain at home during the formative years developing culturally and personally within the family and village society.

\* Establish a Vista or Peace Corps type program, similar to Teachers for America now operating in the lower 48 states. The Department of Education must look at alternative methods for attracting dedicated teachers into the rural communities and provide these teachers with incentives to stay in the communities. One way to do this is to provide forgiveness benefits to teachers who stay and teach in the villages for five years or more.

**13. Plan and implement a statewide program for building a regional transportation system (i.e., roads, airstrips, ports) in economically depressed areas of Alaska.** The State of Alaska must focus on building a transportation system which links economically depressed regions of the state to more prosperous areas of the state or even within a region. Sometimes just connecting villages provides certain opportunities because of the expanded markets created by united villages. The state's present transportation system is woefully inadequate because it does not facilitate the movement of goods and provide easy, convenient access to remote areas with resource development potential.

The transportation needs of village and rural Alaska are very different from the needs of Railbelt towns or large cities like Anchorage, Juneau and Fairbanks. Villages and rural areas of Alaska should not have to compete for the same pot of money as these other parts of the state. In the future, if the state is to grow, it must begin to expand its rural transportation system. An improved transportation system would aid resource development and help resource transportation costs and reliance on air services for moving people and goods between villages and to and from other parts of the state.

Specific actions which should be taken to improve the state's

infrastructure system in undeveloped areas of Alaska include:

- \* Prepare and implement a statewide transportation plan for economically depressed areas of Alaska which identifies priorities and provides for development and construction for roads, landing strips, ports, and loading facilities within or near communities which have commercial, industrial, recreational or resource development potential.

- \* Build local interconnecting roads between villages. For example, villages along the middle Kuskokwim could be connected by a local road system from Aniak. Such a system would allow goods and heavy freight to be brought into Aniak by barge and then transported by local vehicles to nearby villages. A road system would reduce the need for these villages to import everything they need by air freight and would be the most direct means of reducing transportation costs for goods into these communities.

**14. Stimulate village economies and promote economic development in economically depressed regions of the state.** Attracting industry and economic development into economically depressed areas, such as western Alaska, should be a primary goal of both the state and federal government as a means of creating jobs. Creative, innovative, and long term programs are going to be needed to attract private industry into these areas of the state. Private industry and development businesses must have a reason to come to these areas and their economic risks in investing in rural communities must be minimized.

Mining is an industry that can be adaptable to the lifestyle of the Alaska Native because it is an industry where work is done outdoors and jobs can be scheduled on a rotating basis, thereby allowing individuals to still continue subsistence activities but also have a paying job which can support a family. Development of infrastructure systems for western Alaska can be phased in over a period of time so that the costs are incremental and not excessively burdensome to the state or federal government.

A commitment by the state and federal government would show that the state is sincere in supporting the development of natural resources at least as far as these areas of the state are concerned. In turn, infrastructure systems aid the Native corporations in attracting investors into rural areas of the state. A cooperative effort is needed if natural resources in western Alaska are to be successfully developed. So long as the costs of infrastructure development and site preparation remains uneconomic there will be little exploration or development of natural resources in remote areas such as the Calista region.

Incentives which have been successfully used in other states or in

the past in Alaska include: tax incentives such as reduced capital gains taxes; increased tax deductions for investment in infrastructure or natural resource exploration activities; long-term, low-interest development loans; accelerated amortization schedules; state funding for roads, airstrips and other infrastructure; enterprise zones; and investment credits for tax purposes. These same types of incentives should be considered for encouraging economic growth and development in rural Alaska.

All incentives should be designed to encourage industries and businesses to build, joint venture, support or do business with village businesses, Native corporations, and village residents. Programs and incentives which are implemented should do the following:

- \* Identify most depressed villages and concentrate on providing incentives to make these villages attractive to outside industry and businesses.
- \* Make existing village resources attractive (improve sewer and water systems in coastal villages so fish processing facilities can be built and capitalize on the growing bottomfish industry).
- \* Use manpower available in the villages (ensure that local residents have adequate skills and education to work in local industries).
- \* Make locally produced products competitive.
- \* Give sole source contracts on state and federal projects to businesses based in the villages.
- \* Reduce expense to developers of projects by funding road construction or building of transportation facilities such as docks, airstrips and landing facilities to haul goods in and out of a community.
- \* Provide low-interest loans, with forgiveness benefits if the project succeeds, for development of high risk industries such as mining, commercial fishing or light-manufacturing.
- \* Provide loan guarantees on projects in rural Alaska, so that banks and others may be more willing to loan money for development projects in rural areas.
- \* Restructure tax laws to provide tax breaks to businesses and companies investing or engaging in business in economically depressed areas. Tax incentives are a proven way to aid Alaska Natives (i.e., the NOL tax provisions saved several Native corporations from bankruptcy and gave others much needed cash to keep operating or invest in profitable business ventures. Without

the NOL's, several corporations would not have survived).

Specific actions which could be taken to promote economic development and assist economically depressed areas of Alaska include the following:

- \* Promote and support the creation of service-related industries and light manufacturing businesses in Alaskan villages on a scale suitable or compatible for each community. The state of Alaska, via the Department of Commerce and Economic Development, should educate the business community about the untapped potential and the benefits of encouraging business and economic development in rural Alaska.

- \* Implement programs and policies using economic development grants, long-term low-interest loans, long-term purchase agreements for goods and commodities produced in economically depressed areas, service contracts, tax incentives and moratoriums, utility subsidies, assistance with infrastructure costs through the sale of bonds or other financing. Assistance and incentives would have to be long term to give businesses an opportunity to amortize their investment, recapture startup costs, establish a solid market, and learn the business operation.

- \* Develop a federal and state supported statewide infrastructure plan to build roads and transportation links between communities and provide clean water, affordable power and safe sanitation facilities in villages in rural Alaska that are economically depressed or that are without such facilities and services. Safe, reliable infrastructure systems are necessary if industries are to be attracted to rural Alaska. For example, fish processing plants need a reliable, safe, clean water supply to process fish. Mining companies need roads into mining areas so that they can transport supplies, move equipment, and move the product to market. Currently, many areas of Alaska with sizable mineral deposits go undeveloped because there are no power grids, airstrips, ports, roads or other means of access into the area.

- \* Develop special loan, grant and revolving fund programs for funding infrastructure, pilot projects, and business ventures in severely depressed areas, such as the Calista region. Entities such as the Alaska Energy Authority, Alaska Industrial Development Authority, or the Small Business Administration could act as the administrative agencies for such programs. Assistance could be in the form of grants, long-term, low-interest loans, utility or infrastructure subsidies, technical assistance and other services to companies and businesses which pursue economic development in economically disadvantaged regions of Alaska. It must be recognized that businesses and companies will need financial support and/or incentives to go to remote or depressed areas of the state.

\* Promote natural resource exploration on federal, state and private lands. Much of the state of Alaska still remains unexplored or tested in terms of mineral and oil and gas potential. Private businesses need a receptive political climate if they are to be attracted to the state to do exploration work. Alaska has a reputation of being anti-development. If natural resource development is to continue in the future, this image must be dispelled.

\* Finance exploration on federal, state and Native-owned lands. By identifying and establishing the quality and quantity of Alaska's mineral resources it will be easier to attract mineral companies into the state to develop the resources. Exploration on state and federal lands has a spill-over effect; adjacent Native corporation lands may also become attractive for mineral exploration if Native-owned land is known to be of similar geologic character or proximal to major deposits. Natural resource development can lead to well-paying jobs near villages. However, if there is to be resource development in areas such as the Calista region, action must be taken to make exploration and development attractive to private industry.

\* Promote and encourage the development and expansion of industries, such as the bottomfish industry, in economically depressed areas, in particular, western Alaska. This can be accomplished by: maintaining the use of special catch quotas (exclusive fishing rights and quotas); giving tax-breaks/incentives to processing facilities locating in these areas; granting low-interest loan programs to businesses, corporations and individuals for boats, processing facilities, equipment and start-up costs. Already these kinds of policies are beginning to work and need to be continued and expanded.

Villages in western Alaska, which have been guaranteed rights to a specific amount of the pollack catch (CDQ's), have become very attractive places for investing in the bottomfish processing industry. Major trawling and processing companies have developed partnerships with western villages to harvest and process the fish granted to these communities under the new allocation system for bottomfish. Prior to the establishment of the quotas, these communities previously had little or no economic base. They now have a commodity to sell and develop. The commercial fishing industry is a natural industry to promote in the villages because many village residents are already commercial and subsistence fisherman. The commercial fishing industry also lends itself naturally to the traditional lifestyle of Alaska Natives. This single program has the potential to bring millions of dollars into villages that only a year ago had no hope in terms of economic development. Similar programs for halibut, cod, herring, crab and other fish species should be considered.

\* Promote and encourage the development of mariculture and

aquaculture in Alaska. This has the potential to provide both needed jobs and a new protein source to the villages.

\* Expand the limited entry program for commercial salmon fishing to allow Alaska Native fishermen to enter into the commercial salmon, herring, or halibut fishing industry. Commercial fishing is one of the few profitable economic activities that individuals in Alaska can enter. However, the prohibitive cost of permits keeps many Alaska Natives from commercial fishing because they cannot afford to buy a permit and gear, and they have little means of obtaining financing for purchasing a permit.

**15. Assure that the value and integrity of the Alaska Native Claims Settlement Act is maintained.** The Alaska Native Claims Settlement Act was meant to be the vehicle by which Alaska Natives would become economically self-sufficient. It's success has been limited. The Native corporations have spent years and millions of dollars trying to implement the settlement act and obtain their entitlements under the terms of the settlement. The money given to the Native corporations under the settlement was used primarily for implementing the settlement and correcting inconsistencies and inequities resulting from the language incorporated into the Alaska Native Claims Settlement Act. This is especially true for village corporations. The Alaska Federation of Natives and individual Native corporations have had to go to Congress to obtain legislative changes to ANCSA to make it more equitable and ensure that Alaska Natives would get what was promised to them under ANCSA.

Once again, the settlement act must be examined and amended so that Native corporations can achieve the greatest benefit from and control their lands received under the settlement act. The following technical changes should be made to ANCSA:

\* Promote the use of land exchanges to fulfill the terms of ANCSA and ensure that Alaska Natives get a fair and just land settlement. Many land exchanges are pending and should be approved or at least elevated to a level that the issue of land exchanges is once again reviewed keeping in mind the original purpose of ANCSA and looking at these exchanges as an option or opportunity to meet these original goals. The land settlement has proven to be less than equitable for a variety of reasons cited in earlier testimony and the 1985 study on ANCSA. Land exchanges can be used to realign ANCSA land selections so Native corporations receive land more suitable for subsistence activities and economic development.

\* Allow Native corporations to exchange Native-owned lands for lands more useful for subsistence activities and with greater development potential. The land selection process created an artificial pattern of land use and ownership that doesn't reflect the true needs of Alaska Natives. Village corporations had to



select lands far from areas of traditional use. These lands are of little use for subsistence because they are too far away from the villages; they have little subsistence value; and they usually have little or no natural resource potential. In essence, the land is of minimum value, yet it is supposed to be the cornerstone for economic development for Natives corporation.

A second inequity in terms of the ANCSA land selections is that artificial boundaries and barriers affected land selection patterns. In some places, withdrawal areas for village selections were shrunk by coast lines or meridian boundaries which shrank the size of a township from 36 sections to six sections. This resulted in many Calista village corporations having smaller withdrawal areas than other villages. Villages were limited to selecting lands only within a contiguous township area around the village, yet the normal pattern of use along the rivers was contrary to the requirement to make selections within the withdrawal areas. This has resulted in villages owning land inland from the rivers and coast which is not easily accessible nor of great value to the village. In more developed areas of the state with road connections, this was not a problem because the land has development potential. However, in the Calista region these lands are of little value except for subsistence activities and in some areas it is even doubtful if the lands have any subsistence value.

Village corporations such Eklutna, Ninilchik, Hoonah, Seldovia, Klukwan, Kotzebue and other more urban villages have been much more successful because of their proximity to transportation facilities; their lands have high economic development potential; or they own substantial surface resources, such as timber. The small rural villages typical of western Alaska are floundering at best and if policies and regulations are not implemented to make things easier in terms of managing their lands and corporations, bankruptcy will be inevitable.

\* Allow village and regional corporations which are underselected to select lands outside of their original withdrawal areas so that they may select lands needed for subsistence or which may have resource development potential. The Bureau of Land Management just approved an action to allow the Village of Anaktuvak Pass to make underselections to fulfill their entitlement under ANCSA. Other villages and regional corporations should be given the same opportunity given to Anaktuvak Pass.

**16. Implement a policy of joint cooperation between the state and federal governments and Alaska Natives to resolve conflicts on land and development issues.** The state of Alaska has had a long standing history of conflict with the Alaska Native corporations on land and development issues. Over the years the corporations have gone to court repeatedly to protect Alaska Native interests. Recently, litigation involved subsistence rights and

reapportionment of election districts. In the past, litigation concerned navigability of rivers and lakes on Native-owned lands and easements across ANCSA lands, and state protests of Native Allotment claims throughout the state. The Native corporations should not be treated as an adversary, but as landowners which deserve the same treatment and respect that is given to other landowners in Alaska.

\* Work cooperatively with Alaska Natives to develop policies which foster cooperative management of land and resources on state, federal and Native-owned lands.

**17. Simplify state and federal grant application and administration processes and programs.** Although the state of Alaska and the federal government both have a wide variety of grant programs which could benefit Alaska Natives, much of these funds never reach Alaska Natives that are in the greatest need. Many Native organizations do not get grants because they do not have staff experienced in completing grant applications or administering grants. The bureaucratic red-tape involved in the various grant programs simply overwhelms most Native organizations or traditional governments. Because grants are an important source of money for health and social services, building and maintaining community facilities, job training programs and other activities, the state and federal governments have an obligation to ensure that Alaska Natives and their organizations have the skills to apply for, manage and fully use available grant and funding programs. In essence, what is needed is greater flexibility in grant programs directed at Alaska Natives. In order to do this the following actions can be taken:

\* Provide training and technical assistance in grant writing and management to Native organizations and IRA and traditional governments.

\* Amend grant regulations so that Native corporations can apply for grants to implement programs they might not otherwise get involved in, such as job training or setting up a pilot program for cottage industries in a village. As for-profit businesses, Native corporations are well suited to undertake economic development projects, make investments in business ventures or act as a business partner it makes more sense to fund economic development programs administered by them than it does to have them administered by non-profit as in many cases tribal governments. It has been said ANCSA was a "grand experiment". Let's experiment more with the "child" created by ANCSA and see if it can be the proper vehicle for positive change in some of the villages.

\* Encourage the use of grant money as seed money for long-term economic development. The non-profits typically focus on social, education and health-related programs. There have been instances

of non-profits supporting the adoption of policies that make it very difficult and cumbersome to initiate economic development in a region. Although, on the surface the policy may appear to provide benefits by protecting the environment, it is actually harming village residents because it is impeding natural resource development, thereby, discouraging industry or businesses from coming into the region.

- \* Simplify the grant application for programs benefitting Alaska Natives i.e., paperwork reduction, easier to understand applications, less cumbersome requirements for administering the grant, greater ease in implementing accounting and reporting requirements, and more flexibility for giving grants to first-time recipients.

**18. Provide safe water and sanitation facilities in all communities with substandard or nonexistent systems.** The need for safe sewer and water systems in many villages has hit a critical level. Inadequate and antiquated systems present in most villages in western Alaska have already resulted in one death and countless cases of illness. This is no longer a "pork barrel" funding issue; it is one of life and death. Providing safe water and sewer systems must become a number one priority for state and federal agencies responsible for providing such community services and protecting public health, safety and welfare. At a minimum, the following actions must be taken:

- \* Institute a program for funding workable village sewer and water projects for all communities which either do not have a water or sanitation disposal system or the system is considered substandard by modern health and safety standards and codes. Federal and state funding agencies need to collaboratively plan with villages and regional entities to identify and construct cost effective systems and implement ongoing maintenance programs to keep them operating safely.

- \* Implement a program which ensures that every community has continuous and consistent access to technical assistance and training for utility managers and operators. Funding on these activities must be provided at realistic and practical levels on an on-going basis.

- \* Insure continuance of the Indian set-aside program for wastewater facility construction and re-establish the set-aside amount for Alaska at the previous level of one percent. This money specifically should be dedicated to funding projects in Alaska.

- \* Convince EPA to make funding available for installing code-approved water and sewage systems and upgrading marginal systems to acceptable health and sanitation codes.

19. **Protect Alaska Native Corporations from liability for hazardous wastes on corporation lands.** Land in many villages have been contaminated over the years by fuel oil spills, garbage dumps, sewage lagoons, military disposal sites, and other activities. In addition, some lands transferred by the federal government to Native corporations under ANCSA have been found to be contaminated with hazardous substances. These contaminated lands present safety, economic, legal, and liability problems which significantly undermine the intent of ANCSA. They jeopardize the health and well-being of village residents, not to mention place a potentially impossible financial burden on the Native corporations and village governments if they are held responsible for conducting clean-up operations.

It is unreasonable to expect the Native corporations to clean up lands which they had no part in contaminating, and at the same time they shouldn't be held liable for spills and hazardous substances which occurred or were placed on the land before it was transferred to the Native corporations. One liability lawsuit or clean-up operation would bankrupt most Native corporations in the state. The government has an obligation to protect the Native corporations from liability claims and litigation stemming from activities for which they had no knowledge or did not participate in.

This potential for liability has caused corporations, including Calista Corporation, not to accept title to lands they selected. For example, the Kuskokwim Corporation (TKC) and Calista Corporation are entitled to lands in the Red Devil area, but have refused to take conveyance to these lands in spite of their mineral potential because of the potential presence of hazardous materials left on the lands from historic mining activities. Under the current strict liability laws, if Native corporations takes title to these lands, the corporation could be held liable for any future cleanup associated with these lands. A clean-up of this magnitude is beyond the financial capabilities of TKC or Calista Corporation. So long as these liability laws remain in effect, the liability risks are too great for Native corporations to accept.

The following actions should be taken to address the problem of hazardous wastes on Native-owned land:

- \* Pass and implement legislation which requires the government to remove hazardous substances from Native-owned lands or replace contaminated lands transferred by the government to the Native corporations with land of equal value which is contaminant free.
- \* Pass legislation protecting Native corporations from liability under state and federal hazardous waste laws in situations where they are not responsible for the activity leading to contamination of the land or had no reason to be knowledgeable about the presence of hazardous wastes on corporation lands.

\* Interim Conveyance (IC) & patent deeds need indemnification language in new deeds - maybe even reissuance of old deeds with this language. Need it at least in all past patent deeds since they are final deed to us. May not be as crucial in IC if policy of US is to indemnify.

### CONCLUSION

A long term commitment to implement a comprehensive set of policies, programs and sources of funding to address the problems facing the Yupik people and other Alaska Natives is necessary to make a noticeable change. A solution to many of the Calista's region's social, health and economic problems will not be found until efforts are made to focus on and specifically help the Yupik people. Although Calista Corporation will continue to try to make changes, it will never come close to meeting the region's tremendous needs. Some power or powers greater than Calista Corporation must make a commitment to help the region and Yupik people. Without that assistance few, if any, changes will be made. A comprehensive, long-term cooperative effort by the Alaska Natives Commission, other Native organizations, and the state and federal governments is necessary to deal with the overwhelming conditions in the Calista Region.

As the Commission prepares its final recommendations to Congress, we hope the Commission will review and consider including the recommendations and actions we have outlined in this report. This Commission is one of the last sources of hope for the Yupik people and culture to survive into the next century. We hope the Commission will concentrate on making recommendations to Congress which benefit the Alaska Native people and regions of the state with the greatest needs.

It should be a goal of this Commission to recommend programs and policies which will ensure that all Alaska Natives are able to live without fear of their health, safety and economic well-being. In a perfect world there would be resources enough to take care of all Alaska Native needs. However, it is common knowledge that resources are limited. Consequently, the recommendations from the Alaska Natives Commission should ensure that the most needy are brought up to the same level with the rest of the state.

DEPOSITION EXHIBIT #4 - TESTIMONY OF HANK OSTROSKI

Supplement to the Testimony

"OHANA REUNION", re: Hawaiian Sovereignty  
(1 page flyer)

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