



2012 AFN CONVENTION RESOLUTIONS FOLLOW-UP SUMMARY REPORT

This summary describes follow-up actions on the resolutions considered and passed by the delegates to the 2012 Annual Convention of the Alaska Federation of Natives (AFN). Each resolution is listed numerically, in the same order considered by the delegates, followed by a description of follow-up actions taken. Responses received, if any, are included in the summary.

12-04: A RESOLUTION URGING THE FEDERAL COMMUNICATIONS COMMISSION TO WORK WITH ALL ALASKA STAKEHOLDERS INCLUDING AFN, TRIBAL ORGANIZATIONS, VILLAGE AND REGIONAL CORPORATIONS, LOCAL BOROUGH GOVERNMENTS AND THE ALASKA CONGRESSIONAL DELEGATION AND ALL OF ALASKA'S CARRIERS IN REGARD TO REFORM OF THE UNIVERSAL SERVICE FUND, TO ENSURE THE CREATION OF A ROBUST AND AFFORDABLE BROADBAND NETWORK IN ALASKA

AFN staff sent a letter to the Federal Communications Commission Chairman Julius Genachowski. President Kitka included this resolution in her testimony in the Indian and Alaska Native Affairs Subcommittee chaired by Alaskan Congressman Don Young on the implementation of the Federal Communications Commission's (FCC) rule on the Universal Service Fund (USF). The resolution was also added to the 2012-2013 AFN Federal Priorities Transition paper.

12-06: TO AMEND THE ALASKA NATIVE EDUCATION EQUITY ACT AND UTILIZE ALL LEGISLATIVE TOOLS TO ENSURE THAT FUNDING IS ADMINISTERED BY ALASKA NATIVE ORGANIZATIONS IN ORDER TO IMPROVE EDUCATION FOR ALASKA NATIVE YOUTH AND MAXIMIZE LEADERSHIP AND INVOLVEMENT OF ALASKA NATIVE ORGANIZATIONS IN SUCH EFFORTS

AFN sent a letter to Alaska's Congressional Delegation. This letter was combined with resolution 12-09 with similar intent. The resolution was also included in the 2012-2013 AFN Federal Priorities Transition paper.

12-09: AMEND THE ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA) TO ALLOW ALASKA NATIVE ENTITIES TO OPERATE ESEA TRIBAL PROGRAMS

AFN staff sent a letter to Alaska's Congressional Delegation. This letter was combined with resolution 12-06 with similar intent. The resolution was also included in the 2012-2013 AFN Federal Priorities Transition paper.

12-10: SUPPORTING THE DEFINITION OF "SIGNIFICANTLY ALTERED" FOR THE PURPOSES OF THE MARINE MAMMAL PROTECTION ACT TO PREVENT FURTHER OVERZEALOUS LAW ENFORCEMENT PRACTICE

AFN included this issue in the AFN 2012-13 Priorities-Presidential & Congressional Transition White Paper in December 2012.

AFN staff wrote to Assistant Secretary David Hayes on December 27, 2012, and subsequently met him and the Director of Fish and Wildlife, Daniel Ashe, as well as with the Alaska Congressional Delegation over the need to resolve the conflict over the regulatory definition of “significantly altered” as it applies to the creation and sale of authentic Native handicrafts authorized by the MMPA. Instead of adopting language that was crafted by IPCoMM and USFWS at a workshop in 2012, the USFWS on 3/1/13, released a request for comment on a draft document clarifying the interpretation of the terms “significantly altered”, “coastal dwelling” and “mass produced” as they apply to Alaska Native handicrafts, and also initiated tribal consultations. On August 2, 2013, AFN staff filed extensive comments opposing the FWS efforts to redefine these terms and urged the agency to adhere to the definition of significantly altered supported by IPCoMM. On August 5, AFN also wrote to Dan Ashe, with copies to the Alaska Congressional delegation asking FWS to abandon its efforts to redefine these terms and to work with its co-management partners to address any ambiguity in the statutory or regulatory terms. Senator Murkowski and Congressman Young met with USFWS Director Dan Ashe on October 17, and expressed their strong concerns with the current language proposed by USFWS. He agreed not to go forward with the current version of the language and agreed to engage with them in a follow up meeting to “fix” the draft language. They provided Director Ashe with the draft language that was crafted by IPCoMM/USFWS in 2012, and asked him to expedite the resolution of this issue. The Director agreed that he would move the process along, and will be meeting with the delegation to follow up on the issue later in October.

12-11: EXEMPTION FROM THE PROHIBITION ON THE SALE OR PURCHASE OF MIGRATORY BIRD PARTS (INCLUDING FEATHERS) FOR ALASKA NATIVE HANDICRAFTS

Working with the Native members of the Alaska Migratory Bird Co-Management Council, AFN called upon the Congressional delegation to introduce legislation that would allow the use of bird parts in Native Art, clothing and handicrafts. On September 17, Congressman Young introduced H.R. 3109, which would amend the Migratory Bird Treaty Act to exempt Native Handicrafts from the prohibitions against the sale of items containing non-edible migratory birds.

12-21: ELDERS 65 YEARS AND OVER EXEMPTION FROM SUBSISTENCE RESTRICTIONS AND CLOSURES

AFN included this issue in its 2012-2013 Action Plan. In response to the Resolution, and at the urging of AVCP and others, the Board of Fish agreed to a slight change in the regulations to allow an exemption for tribal elders in the event Chinook salmon fishing is close to the edge in terms of meeting escapement goals.

12-18: CALLING FOR A CONGRESSIONAL OVERSIGHT HEARING ON SELF-DETERMINATION, INCLUDING ALASKA NATIVE HUNTING AND FISHING RIGHTS

At the 2012 Annual Convention, AFN committed to the long-term goal of achieving full and lasting federal protections for the Alaska Native hunting, fishing and gathering way of life, and a co-equal role in the management of subsistence resources. Working with the congressional delegation, we were able to obtain, for the first time since enactment of ANILCA, a congressional oversight hearing in the Senate

Committee on Energy and Natural Resources on September 19, 2013, to address subsistence management issues in Alaska. Leading up to the oversight hearing, Senator Murkowski also held listening sessions in Bethel in April and Copper Center in May, and the transcripts of those sessions will be included in the hearing record.

Senator Begich is hosting a field hearing for the Senate Committee on Indian Affairs on October 26, and Open Forum: Food Security and Viability of Alaska Native villages, in Fairbanks during the AFN Convention.

12-38: REQUESTING THE REVIEW AND REVISION OF THE YUKON RIVER SALMON TREATY TO INCLUDE PROVISIONS FOR LOW-CHINOOK SALMON PRODUCTIVITY YEARS

On November 23, 2012, AFN sent a letter to State Department Secretary Clinton, regarding the resolution and provided background to the issue.

12-17: SUPPORTING THE ALASKA CONGRESSIONAL DELEGATION AND THE STATE OF ALASKA'S EFFORTS TO ENACT DISASTER DECLARATION FOR CHINOOK SALMON THROUGHOUT VARIOUS SALMON MANAGEMENT AREAS TO INCLUDE THE ARCTIC YUKON KUSKOKWIM REGION (AYK), KODIAK, AND THE COOK INLET REGIONS AND FURTHER DIRECTION OF FEDERAL APPROPRIATIONS TO VARIOUS ORGANIZATIONS LIKE THE AYK SUSTAINABLE SALMON INITIATIVE

AFN requested the Governor and the Alaska congressional delegation declare a disaster over the statewide Chinook salmon crash of 2012, and to appropriate funding for research. AVCP and Western Alaska Native groups are taking the lead on this issue, with support from AFN. Senators Begich and Murkowski included \$120 million in funding in the 2014 Commerce budget for the 2012 Fishing Disaster.

The State Senate passed a Resolution calling on the NPFMC to take action to reduce Chinook salmon bycatch in the Gulf of Alaska and Bering Sea trawl fisheries by setting new limits in the Gulf of Alaska trawl fisheries and lowering the existing limits in the Gulf of Alaska and Bering Sea Pollock fisheries to at least half of the current limits.

In AFN's letter to the Department of State Secretary Clinton, AFN also urged her support for the introduction and enactment of legislation to appropriate no less than \$4 million per annum to the AYK Sustainable Salmon Initiative for a minimum of eight years (one full Chinook salmon lifecycle) to address salmon research and restoration needs throughout the AYK regions in Alaska and others as needed.

12-13: A RESOLUTION URGING THE UNITED STATES CONGRESS TO EXEMPT APPROPRIATIONS FOR THE BUREAU OF INDIAN AFFAIRS AND OTHER DEPARTMENT OF INTERIOR PROGRAMS FOR NATIVE AMERICAN AND ALASKA NATIVE PEOPLE FROM SEQUESTER, RESCISSION, AND OTHER POTENTIAL ACROSS-THE-BOARD FUNDING REDUCTIONS IN FY 2013 AND BEYOND

AFN sent a letter to Alaska's Congressional Delegation and the Secretary of Interior. This letter was combined with resolutions 12-14/15/27 with similar intent. This resolution was also included in a resolution to the 2013 NCAI mid-year conferences regarding the exemption of Indian programs from sequester. Resolution 12-13 was also included in the 2012-2013 Federal Transition priority paper.

12-14: A RESOLUTION URGING THE UNITED STATES CONGRESS TO EXEMPT APPROPRIATIONS FOR TITLE VII OF THE ELEMENTARY AND EDUCATION ASSISTANCE ACT ESPECIALLY THE ALASKA NATIVE EDUCATION PROGRAM (ANEP) AND OTHER DEPARTMENT OF EDUCATION PROGRAMS FOR NATIVE AMERICAN AND ALASKA NATIVE PEOPLE FROM SEQUESTER, RESCISSION, AND OTHER POTENTIAL ACROSS-THE-BOARD FUNDING REDUCTIONS IN FY 2013 AND BEYOND

AFN sent a letter to Alaska's Congressional Delegation and the Secretary of Education. This letter was combined with resolutions 12-13/15/27 with similar intent. This resolution was also included in a resolution to the 2013 NCAI mid-year conferences regarding the exemption of Indian programs from sequester. Resolution 12-14 was also included in the 2012-2013 Federal Transition priority paper.

12-15: A RESOLUTION URGING THE UNITED STATES CONGRESS TO EXEMPT APPROPRIATIONS FOR THE INDIAN HEALTH SERVICE AND OTHER HEALTH AND HUMAN SERVICES PROGRAMS FOR NATIVE AMERICAN AND ALASKA NATIVE PEOPLE FROM SEQUESTER, RESCISSION, AND OTHER POTENTIAL ACROSS-THE-BOARD FUNDING REDUCTIONS IN FY 2013 AND BEYOND

AFN sent a letter to Alaska's Congressional Delegation and the Secretary of Health and Human Services this letter was combined with resolutions 12-13/14/27 with similar intent. This resolution was also included in a resolution to the 2013 NCAI mid-year conferences regarding the exemption of Indian programs from sequester. Resolution 12-15 was also included in the 2012-2013 Federal Transition Priority Paper.

12-22: A RESOLUTION PETITIONING THE OBAMA ADMINISTRATION AND CONGRESS TO INCREASE HOUSING IMPROVEMENT PROGRAM FUNDING AND INCLUDING ADDITIONAL HIP FUNDING IN THE AMERICAN JOBS BILL

AFN sent a letter to Alaska's Congressional Delegation. This resolution was also included in the 2012-2013 Federal Transition Priority Paper. AFN introduced a resolution to the 2013 NCAI mid-year conference regarding the exemption of Indian programs from sequester that included full funding of NAHSDA and HIP. Resolution 12-22 was also included in the 2012-2013 Federal Transition Priority Paper.

12-26: IN SUPPORT OF EXPEDITIOUS CONGRESSIONAL ACTION REAUTHORIZING THE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF DETERMINATION (NAHASDA) ACT OF 1996 AND FULL FUNDING FOR NATIVE AMERICAN HOUSING ASSISTANCE AND SELF DETERMINATION (NAHASDA) 2013 & 2014 FISCAL YEAR FUNDING

AFN sent a letter to Alaska's Congressional Delegation. AFN introduced a resolution to the 2013 NCAI mid-year conference regarding the exemption of Indian programs from sequester that included full funding of NAHSDA and HIP. Resolution 12-26 was also included in the 2012-2013 Federal Transition Priority Paper.

12-27: A RESOLUTION URGING THE UNITED STATES CONGRESS TO EXEMPT APPROPRIATIONS UNDER THE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT FROM

SEQUESTER, RESCISSION, AND OTHER POTENTIAL ACROSS-THE-BOARD FUNDING REDUCTIONS IN FY 2013 AND BEYOND

AFN sent a letter to Alaska's Congressional Delegation and the Secretary of Health and Human Services this letter was combined with resolutions 12-13/14/15 with similar intent. This resolution was also included in a resolution to the 2013 NCAI mid-year conferences regarding the exemption of Indian programs from sequester. Resolution 12-27 was also included in the 2012-2013 Federal Transition Priority Paper.

12-23: A RESOLUTION SUPPORTING THE PRESERVATION OF SOCIAL SECURITY AND MEDICARE, AND PETITIONING CONGRESSIONAL SUPPORT FOR ALASKA NATIVE RESIDENTS' CONTINUED ACCESS TO THESE PROGRAMS AND FOR RELATED PURPOSES

AFN sent a letter to Secretary Sebelius, regarding the resolution and background to the issue. Resolution 12-33 was also included in the 2012-2013 Federal Transition Priority Paper.

12-32: SUPPORTING CONTINUATION OF ESSENTIAL POSTAL SERVICES TO ALASKA VILLAGES

AFN sent a letter to the Alaska Congressional Delegation regarding the resolution and background to the issue. Resolution 12-32 was also included in the 2012-2013 Federal Transition Priority Paper.

12-33: ESTABLISHING FUNDING AN ESSENTIAL MARINE TRANSPORTATION AT THE NATIONAL LEVEL AND FUNDING PRIORITY FOR RURAL ESSENTIAL MARINE TRANSPORTATION FACILITIES

AFN sent a letter to the Alaska Congressional Delegation, regarding the resolution and background to the issue. Resolution 12-33 was also included in the 2012-2013 Federal Transition Priority Paper and Arctic Policy White Papers.

12-30: URGING THE STATE OF ALASKA AND THE FEDERAL GOVERNMENT TO FUND INDIRECT COSTS FOR CONTRACTS/GRANTS AT GRANTEE AGENCIES' FEDERALLY APPROVED INDIRECT COST RATES

Resolution 12-33 was also included in the 2012-2013 Federal Transition Priority Paper and Contract Support Cost Briefing paper. Briefing papers were given to Jodi Gillette, Secretary Jewell and members of Congress in meetings throughout 2013.

12-35: SMALL BUSINESS ADMINISTRATION'S RECENT CHANGE IN INTERPRETATION OF 15 U.S.C. § 636(j)(11)(B)(iii)(II)

This resolution became inactive after a clarifying letter from the Small Business Administration explained that their interpretation of 15 U.S.C. § 636(j)(11)(B)(iii)(II) aligned with the intention of the resolution.

12-37: A RESOLUTION SUPPORTING THE RATIFICATION OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA (UNCLOS)

Resolution 12-33 was also included in the 2012-2013 Federal Transition Priority Paper and included in Arctic Policy Briefing papers.

12-05: REMOVING IMPEDIMENTS FROM ALASKA NATIVE AND RURAL STUDENTS' PARTICIPATION IN THE ALASKA PERFORMANCE SCHOLARSHIP

AFN sent a letter to Governor Parnell and worked with the Alaska ACLU to remove impediments regarding the Alaska Performance Scholarship to allow for better access to rural students.

12-44: EXPANDING THE OPPORTUNITIES FOR REGIONAL EDUCATION AND LOCAL PROGRAMS

AFN sent a letter to the Governor Parnell and Education/Finance Committees, regarding the resolution and background to the issue. This resolution and topic continues to be a priority of AFN.

12-12: URGING THE STATE OF ALASKA TO ENGAGE IN EXAMINING THE FEASIBILITY OF THE ALL ALASKA ENERGY PROJECT AND TO COMMIT STATE RESOURCES TO DEVELOPING THIS PROJECT TO FREE ALL ALASKANS FROM THE CRIPPLING BURDEN OF EXPENSIVE ENERGY

AFN sent two letters to Governor Parnell regarding the resolution and funding for a feasibility study of the All Alaska Energy project. AFN staff continues to work with AVEC to make sure projects like the All Alaska Energy Project are not left out of future energy development policies and projects.

12-25: A RESOLUTION URGING THE ALASKA STATE LEGISLATURE TO RETURN POWER COST EQUALIZATION (PCE) TO THE 1998 LEVEL

AFN sent a letter to Representative Edgmon regarding resolution 12-25. AFN has included funding to PCE as a continuing State priority and will co-host a PCE workshop with the Alaska Energy Authority during the 2013 Annual AFN Convention in Fairbanks, AK.

12-07: TO AMEND THE ALASKA STATE CONSTITUTION TO RECOGNIZE ALASKA NATIVE SUBSISTENCE AND TRIBAL RIGHTS AND TO IMPLEMENT A PLAN TO ENSURE ALASKA NATIVES AND RURAL ALASKA ARE EQUITABLY REPRESENTED IN THE ALASKA STATE LEGISLATURE

AFN requested a meeting with the Governor to discuss subsistence and other important issues covered in this Resolution, but was only able to obtain a meeting in late September 2013, and the discussion was limited to Subsistence and the need for Alaska to recognize tribal authority over alcohol and drug related offenses locally and to impose civil sanctions consistent with their laws and the Indian Civil Rights Act.

AFN also participated in a round-table discussion in Washington, DC, on September 19, with State and federal officials in an attempt to find common ground on the subsistence issue, and we are hopeful those discussions will continue.

In terms of addressing Alaska Native and rural representation in the State legislature, AFN has closely followed the redistricting efforts in Alaska, participated as an amicus brief in the *Shelby County v. Holder* case, which removed the preclearance requirements from the federal law, and has supported efforts to

increase the size of the legislature in order to preserve the number of Native representatives in the legislature.

In 2012, AFN met with Attorney General Holder to discuss the lawsuit Alaska had filed challenging Section 5 of the Voting Rights Act. After the Supreme Court's decision in Shelby County, AFN requested another meeting with the Attorney General to discuss the impacts of the decision in Alaska, pointing out, among other problems, the fact that almost 30 villages in Alaska have no polling place and are called "permanent absentee" locations. AFN also opposed the voter identification bills introduced in the Alaska legislature last year which would have made it more difficult for rural residents to vote.

12-19: REQUESTING THE ALASKA STATE LEGISLATURE TO FUND ESSENTIAL RESEARCH ON DISASTROUSLY DECLINING SALMON STOCKS THROUGH THE SUSTAINABLE SALMON INITIATIVE

AFN urged the State, as well as the federal agencies to fund research on the declining salmon stocks and to appropriate that funding to the Sustainable Salmon Initiative.

12-29: A RESOLUTION MANDATING THAT THE STATE OF ALASKA RECOGNIZE THE LAND OWNED BY ALASKA NATIVE CORPORATIONS AS PRIVATE LAND

AFN sent a letter to the Governor Parnell and the Alaska Department of Fish and Game, regarding the resolution and background to the issue. Resolution 12-29 continues to be a priority of AFN.

12-31: A RESOLUTION REQUESTING THAT THE STATE OF ALASKA FUND THE DENALI COMMISSION TRANSPORTATION PROGRAM

AFN sent a letter to the Governor Parnell and Alaska Congressional Delegation, regarding the resolution and background to the issue. Resolution 12-31 continues to be a priority of AFN and has been included in the 2012-2013 Federal Transition Document.

12-34: A RESOLUTION URGING GOVERNOR PARNELL AND THE ALASKA STATE LEGISLATURE TO ENSURE THAT THE ALASKA RURAL COMMUNICATIONS SERVICE TELEVISION NETWORK IS FUNDED TO CONVERT TO DIGITAL SERVICE

AFN sent a letter to the Governor Parnell and Commissioner Bell regarding the resolution and background to the issue. The 2013 Alaska State Legislature approved three million in funding for conversion of the Alaska Rural Communications to digital service.

12-36: A RESOLUTION OF SUPPORT FOR ALASKA LEGAL SERVICES CORPORATION

AFN sent a letter to the Governor Parnell and Nikole Nelson, Executive Director of Alaska Legal Services.

12-20: REDUCTION OF CHINOOK, CHUM AND SALMON SPECIES BY-CATCH IN THE BERING SEA AND GULF OF ALASKA POLLOCK FISHERY AND IN THE RUSSIAN ECONOMIC ZONE

AFN has requested additional research and funding from both the State and the federal agencies concerning the Chinook and Chum salmon by-catch in the Bering Sea Pollock fishery and in the Russian Economic Zone.

Ultimately, by-catch decisions will rest with the NPFMC. For that reason, AFN has supported efforts to obtain at least one voting seat on the NPFMC for an Alaska tribal representative, and urged addition funding for research on by-catch issues. A strong tribal voice will help see that these critical decisions take into consideration the needs of subsistence users. AVCP and Western Alaska are taking the lead on these issues, with AFN's support.

12-41: CALLING FOR THE ESTABLISHMENT OF INTER-TRIBAL AND ALASKA NATIVE FISH COMMISSIONS

AFN staff is working with AVCP and TCC on a demonstration project that would create inter-tribal fish commissions for the Yukon and Kuskokwim Rivers which would require the Secretary of the Interior to enter into co-management and funding agreements with the Commissions for the conservation and management of fishery resources in the Yukon and Kuskokwim River drainages. A briefing paper on this issue was included in the packet of priority issues given to Secretary Jewell during her visit to Alaska. It was also highlighted in Jerry Isaac's testimony at the Oversight Hearing held September 19, before the Senate Energy & Natural Resources Committee. Draft legislative language and a section-by-section analysis has been developed and provided to the Alaska congressional delegation and is being vetted with the State of Alaska, the federal agencies and their staff.

Alaska Federation of Natives
1577 C Street, Suite 300
Anchorage, AK 99501
907-274-3611

www.nativefederation.org