

# ALASKA FEDERATION OF NATIVES



## MONTHLY PRESIDENT'S REPORT

### MAY 2015

#### Vet Allotment Act Amendments

The Alaska Congressional Delegation is excited to work on a bill that would re-open the Alaska Native Veterans Land Allotment Equity Act and allow more Alaska Natives who served in the military in the Vietnam War era to apply for allotments. Congressman Don Young introduced H.R.2387 on May 15; Senator Dan Sullivan has committed to introducing a companion bill on the Senate side soon. AFN met with staff members of several senate and house committees, including the Senate Energy and Natural Resources Committee, to explain and garner support for the bill. The draft language would allow veterans who served between August 5, 1964, and May 7, 1975, an opportunity to apply for an allotment, and would allow the heirs of qualifying veterans to apply on behalf of the estate. The bill would also expand the land base from which veterans could select allotments.

#### Rural Determination

On April 30 Senator Lisa Murkowski introduced S.1154, "A bill to reverse the designation by the Secretary of the Interior and the Secretary of Agriculture of certain communities in the State of Alaska as non-rural." The Secretaries have already moved to delete the 10-year review and the guidelines for determining which areas or communities in Alaska are rural or non-rural from regulations. Senator Murkowski's bill would answer the question of the status of those areas and communities that were declared non-rural in a 2007 final rule, but whose status change was stayed pending a review of the rural determination process. The bill would also require Congressional action to designate an area or community as non-rural in the future.

#### Interior Department Proposes Rule to Strengthen Implementation of Indian Child Welfare Act

As was previously reported, the Interior Department issued a proposed rule on March 20 to improve the implementation of the Indian Child Welfare Act of 1978 by state courts and private child welfare agencies and replacing its notice provisions with new language to address other compliance issues by state courts and private child welfare agencies, including: procedures for requesting

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## UPCOMING

### ARCTIC COUNCIL WELCOME RECEPTION

JUNE 16 | 5:30-7:00PM  
OFFICE OF VAN NESS FELDMAN  
WASHINGTON DC

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transfer of an Indian child custody proceeding to tribal court; adjudications of involuntary placements; adoptions; and termination of parental rights and voluntary placements.

AFN commented on the proposed rule on May 19, noting our general support of the Interior Department's commitment to strengthening tribal communities through better compliance with ICWA, and noting a few areas for further clarification. To request a copy of our comments, please contact Vice President Aurora Lehr at (907) 274-3611 or [alher@nativefederation.org](mailto:alher@nativefederation.org). To view the proposed rule and other related documents from the Department: [www.bia.gov/cs/groups/public/documents/text/idc1-029631.pdf](http://www.bia.gov/cs/groups/public/documents/text/idc1-029631.pdf).

### **AFN Meets with Key Interior Officials**

AFN's meeting with the Department of the Interior (DOI) included Deputy Secretary Mike Connor, Tommy Beaudreau, Chief of Staff for Secretary Jewell, and Joel Clement, Director of Policy Analysis for the DOI. Discussions and follow up from the February 2015 leadership retreat in Kotzebue continued and included co-management, climate change resiliency, and opportunities for Alaska Native organizations in the potential LNG pipeline development in our state. The State's fiscal crisis was also a key topic in the meetings, with a focus on utilizing the Denali Commission to help soften the impacts of State budget cuts to rural Alaska.

### **AFN Meets with White House Senior Staff**

AFN met with Senior Advisor to the President Brian Deese to discuss projects and actions that may be accomplished in the final 18 months of the Obama administration. Also attending the meeting were: AFN board member Michelle Anderson; Native leaders Roy Ewan and Chris McNeil; Christy Goldfuss, Managing Director of the White House Council of Environmental Quality; Ali Zaidi, OMB Associate Director for Natural Resources, Energy, and Science; Alice Hill, National Security Council Staff; Simon Stephenson, Assistant Director, Polar Sciences; Tamara Dickinson, Principal Assistant Director for Environment & Energy; and Raina Thiele, Associate Director of Intergovernmental Affairs and Public Engagement.

President Obama's Climate Change Action Plan calls for building stronger and safer communities and infrastructure. The idea of working with AFN to ensure that rural villages are included in efforts to build climate resilient infrastructure was well received. AFN recommended The Denali Commission as an already existing, effective, and efficient mechanism for support of distressed villages impacted by climate change, with a long history of developing cold climate housing and building village health clinics. Key to success is the Denali Commission's statutory ability to pull together multiple federal agencies for specific projects and initiatives.

To ensure that Alaska Natives do not bear an unreasonable burden of the state's current fiscal crisis, and as an opportunity to reset the relationships between the federal and state governments and Native communities, AFN called on the administration to expand compacting and contracting with Alaska Native non-profits and tribal consortiums.

In co-management, AFN and the White House see a great opportunity to empower Alaska Natives to have greater control over their lives. AFN pointed out that there are already a number of highly successful co-management programs in Alaska. A new demonstration project for the Kuskokwim River fisheries – supported by the U.S. Department of the Interior – has commenced. AFN reported that villages in every region want to participate in co-management. AFN President Julie Kitka described a cluster approach to more projects. "This is what Native people want," Kitka said at the meeting. "Policy meetings. No more advisory hearings."

The Alaska LNG Project is another opportunity to ensure Native participation at the policy level. The Alaska LNG

Project is a proposed \$45 to \$65 billion liquefied natural gas export project that would bring North Slope gas to market via an 800 mile pipeline. It would be the largest single investment in Alaska history, and would provide thousands of jobs during construction and operations.

AFN proposed a Native utilization agreement modeled on the Trans-Alaska Pipeline System (TAPS) Alaska Native Utilization Agreement (ANUA). Such an agreement would require Native hire and training, contracting and other Native business opportunities for the gas project. In keeping with the ideals of President Obama's My Brother's Keeper and the Gen-I initiatives, a Native utilization agreement would open doors for Alaska Native youth with job opportunities.

### **LCCR Awards Dinner**

While in Washington for meetings, Native leaders, AFN board members and staff found time to attend the 39th Annual Hubert H. Humphrey Civil Rights Award Dinner, presented by the Leadership Conference on Civil and Human Rights (LCCR). Many of the nation's leading civil rights organizations attended, including NCAI Executive Director Jackie Pata. It was an excellent chance for AFN to network with likeminded advocacy and rights groups. Former attorney general Eric Holder, ACLU leader Laura Murphy, and Senator Bob Dole received awards for their service to all Americans.

### **Justice Department Proposes Legislation to Ensure Equality for American Indian and Alaska Native Voters**

The Justice Department released a legislative proposal on May 20 to assist American Indian and Alaska Native voters in the exercise of the fundamental right to vote, including unobstructed access to the polls, in the form of a stand-alone bill titled the "Tribal Equal Access to Voting Act of 2015."

The bill, which follows a series of formal consultations with federally recognized tribes last August, will ensure that American Indians and Alaska Natives have access at least one tribally designated polling location in their community and require several other electoral reforms by states to ensure voting parity with other non-Indian or Native polling places, including:

- Enabling American Indians and Alaska Natives to vote in the district they reside in, by requiring states whose territory includes part or all of an Indian reservation, an Alaska Native village, or other tribal lands to designate at least one polling place of the respective tribal government's choice;
- Requiring states to make voting machines, ballots, and other voting materials and equipment equally available at any tribally designated polling place;
- Requiring states to provide compensation and other benefits to federally recognized tribes who petition the state to operate a tribally designated polling place to the same extent as at other non-tribal polling places in the state;
- Requiring states to use the same voting procedures at any tribally designated polling place as at other non-tribal polling places in the state; and
- Allowing tribes with larger populations or land bases to request more than one polling place on the respective reservation, village, or other tribal lands.

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While we are in the early stages of our review, AFN is generally excited by the Justice Department's commitment to ensuring voter equality for American Indians and Alaska Natives through this legislative proposal.

If you have questions or require further clarification on the bill, please contact AFN General Counsel Nicole Borromeo at (907) 274-3611 or [nborromeo@nativefederation.org](mailto:nborromeo@nativefederation.org). You may review the proposed bill at: [www.justice.gov/opa/pr/departments-justice-proposes-legislation-improve-access-voting-american-indians-and-alaska](http://www.justice.gov/opa/pr/departments-justice-proposes-legislation-improve-access-voting-american-indians-and-alaska).

*NOTE: AFN continues to work with national civil rights organizations and our congressional delegation on legislation to amend the Voting Rights Act of 1965 in the wake of Shelby County.*

## 477 Program Puts Decision-Making in Hands of Community Leaders

Senators Lisa Murkowski and Dan Sullivan have introduced legislation to strengthen Public Law 102-477 (referred to as the 477 program) by making its beneficial, streamlined process permanent, while also expanding its reach to more participating federal agencies. Almost \$110 million is funded through 477 plans on an annual basis in 18 states throughout the nation. In Alaska, eleven regional tribal organizations participate in the tribal 477 program.

## Highlights of the May 7 AFN Board Meeting

Once again Governor Walker took time from his very busy schedule to speak to our board in person. While the state's fiscal crisis and the legislature's continuing impasse affects almost everything happening in Juneau, the governor reiterated his promise to expand Medicaid in Alaska. He also recognized AFN's critical assistance in setting in motion a new policy to streamline adoptions for Alaska Native children, as reported in the April AFN President's Report. Pat Pitney, director of the state's Office of Management and Budget, delivered a detailed report on the budget.

For updates on the unfolding budget process visit:  
[www.omb.alaska.gov/html/budget-report/fy-2016-budget/work-in-progress.html](http://www.omb.alaska.gov/html/budget-report/fy-2016-budget/work-in-progress.html)

### Other May board meeting highlights:

- AFN recommend to the governor the establishment of a State of Alaska/Alaska Native Legal Relationship Task Force to address resolution of the ongoing pattern of litigation between the State of Alaska and Alaska Natives
- AFN will begin to develop plans for the Alaska Marketplace and an Essay competition. AFN will start to solicit partners both within the Membership and outside. If your organization wants to become a strategic partner, please let us know. Together we can accomplish more in this vital area of fostering innovation and Native small business.
- AFN's bylaws were amended for Class B members.
- The influx of heroin is reaching crisis mode in our villages. There will be a major breakout session at this year's convention to address this.

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## ALASKA FEDERATION OF NATIVES

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