

104TH CONGRESS
2D SESSION

S. 2068

To provide for a study of the recommendations of the Joint Federal-State Commission on Policies and Programs Affecting Alaska Natives, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 1996

Mr. MURKOWSKI (for himself and Mr. STEVENS) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

A BILL

To provide for a study of the recommendations of the Joint Federal-State Commission on Policies and Programs Affecting Alaska Natives, and for other purposes.

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

3 **SECTION 1. CONGRESSIONAL FINDINGS AND DECLARA-**
4 **TION OF POLICY.**

5 The Congress finds the following:

6 (1) The Joint Federal-State Commission on
7 Policies and Programs Affecting Alaska Natives
8 (hereafter in this Act referred to as the “Alaska Na-
9 tives Commission”) was established by the Indian

1 Law Enforcement Act (42 U.S.C. 2991a note)
2 following—

3 (A) the publication in 1989 of the report
4 entitled “Report on the Status of Alaska Na-
5 tives: A Call for Action by the Alaska Federa-
6 tion of Natives”; and

7 (B) extensive congressional hearings that
8 focused on the need for the first comprehensive
9 assessment of the social, cultural, and economic
10 condition of 86,000 Alaska Natives since the
11 enactment of the Alaska Native Claims Settle-
12 ment Act (43 U.S.C. 1601 et seq.).

13 (2)(A) The 14-member Alaska Natives Commis-
14 sion held—

15 (i) 15 regional hearings throughout Alaska
16 between July 1992 and October 1993; and

17 (ii) 2 statewide hearings in Anchorage,
18 Alaska, coinciding with the conventions of 1992
19 and 1993 of the Alaska Federation of Natives.

20 (B) In May 1994, the Alaska Natives Commis-
21 sion issued a 3-volume, 440-page report.

22 (3) As required by the Indian Law Enforcement
23 Reform Act, the report referred to in paragraph (2)
24 was formally conveyed to the Congress, the Presi-

1 dent of the United States, and the Governor of
2 Alaska.

3 (4) The Alaska Natives Commission found that
4 many Alaska Native individuals, families, and com-
5 munities were experiencing a social, cultural, and
6 economic crisis marked by rampant unemployment,
7 the lack of economic opportunity, alcohol abuse, de-
8 pression, and morbidity and mortality rates that
9 were described by health care professionals as
10 staggering.

11 (5) The Alaska Natives Commission found that
12 due to the high rate of unemployment and lack of
13 economic opportunities for Alaska Natives, govern-
14 ment programs for the poor have become the foun-
15 dation of many village economies.

16 (6) Displacing traditional Alaska Native social
17 safety nets, the programs referred to in paragraph
18 (5) (that were developed with well-meaning inten-
19 tions) have—

20 (A) undermined the healthy interdepend-
21 ence and self-sufficiency of Alaska Native tribes
22 and families; and

23 (B) placed Alaska Native tribes and fami-
24 lies at risk of becoming permanent dependents
25 of the Federal Government.

1 (7) Despite the seemingly insurmountable prob-
2 lems referred to in the preceding paragraphs, the
3 Alaska Natives Commission found that Alaska Na-
4 tives, building on the Alaska Native Claims Settle-
5 ment Act, had commenced a unique process of criti-
6 cal self-examination that, if supported by the Con-
7 gress through innovative legislation and effective
8 public administration at all levels, including tradi-
9 tional Native governance, could provide the basis for
10 an Alaska Native social, cultural, economic, and
11 spiritual renewal.

12 (8) The Alaska Natives Commission recognized
13 that the key to the future well-being of Alaska Na-
14 tives resided in—

15 (A) the systematic resumption of respon-
16 sibility by Alaska Natives for the well-being of
17 the members of Alaska Native tribes;

18 (B) the strengthening of the economies of
19 Alaska Natives;

20 (C) the strengthening, operation, and con-
21 trol of their systems of governance, social serv-
22 ices, education, health care, and law enforce-
23 ment; and

24 (D) exercising rights that Alaska Natives
25 have as a result of the special relationship of

1 Alaska Natives with the Federal Government
2 and as citizens of the United States and
3 Alaska.

4 (9) The Alaska Natives Commission recognized
5 that the following 3 basic principles must be re-
6 spected in addressing the myriad of problems facing
7 Alaska Natives—

8 (A) self-reliance;

9 (B) self-determination; and

10 (C) the integrity of Native cultures.

11 (10) There is a need to address the problems
12 confronting Alaska Natives referred to in the preced-
13 ing paragraphs.

14 (11) The problems referred to in paragraph
15 (10) should be addressed rapidly, with certainty, and
16 in conformity with the real economic, social, and cul-
17 tural needs of Alaska Natives.

18 (12) The Congress—

19 (A) retains and has exercised its constitu-
20 tional authority over Native affairs in Alaska
21 subsequent to the Treaty of Cession of Alaska
22 to the United States; and

23 (B) through this Act, exercises that
24 authority.

1 **SEC. 2. ALASKA NATIVE IMPLEMENTATION STUDY.**

2 (a) FINDINGS.—The Congress finds that—

3 (1) the Alaska Natives Commission adopted
4 certain recommendations that raise important policy
5 questions that—

6 (A) are unresolved in Alaska; and

7 (B) require further study and review be-
8 fore Congress considers legislation to implement
9 solutions to address these recommendations;
10 and

11 (2) the Alaska Federation of Natives is the rep-
12 resentative body of statewide Alaska Native interests
13 that is best suited to further investigate and report
14 to Congress with proposals to implement the rec-
15 ommendations of the Alaska Natives Commission.

16 (b) GRANT.—

17 (1) IN GENERAL.—The Secretary of the Inte-
18 rior shall make a grant to the Alaska Federation of
19 Natives to—

20 (A) conduct a study under this section;

21 and

22 (B) submit the report to the persons and
23 entities specified in subsection (e).

24 (2) CONDITION FOR GRANT.—The grant under
25 paragraph (1) may only be made if the Alaska Fed-
26 eration of Natives enters into an agreement with the

1 Secretary of the Interior that states that as a condi-
2 tion to receive the grant, the Alaska Federation of
3 Natives will abide by the approval of requirements
4 of this section.

5 (c) STUDY.—Pursuant to subsection (b), the Alaska
6 Federation of Natives shall—

7 (1) examine the recommendations of the Alaska
8 Natives Commission;

9 (2) examine initiatives in the United States,
10 Canada, and other governments for successful ap-
11 proaches to addressing the issues that are similar to
12 the issues addressed by the Alaska Natives Commis-
13 sion;

14 (3) conduct hearings within the Alaska Native
15 community on further approaches that could be used
16 to implement the recommendations of the Alaska
17 Natives Commission; and

18 (4) provide recommended legislation and submit
19 other recommendations to the Congress concerning
20 actions the Congress should take to implement such
21 recommendations.

22 (d) CONSIDERATION OF LOCAL CONTROL.—In devel-
23 oping its recommendations pursuant to subsection (c)(4),
24 the Alaska Federation of Natives shall give specific atten-
25 tion to the ways in which the recommendations may be

1 achieved at the local level with maximum local control of
2 the implementation of the recommendations.

3 (e) REPORT.—

4 (1) IN GENERAL.—Not later than 1 year after
5 the date on which a grant is made under subsection
6 (b), the Alaska Federation of Natives shall submit
7 a report on the study conducted under this section,
8 together with the recommendations developed pursu-
9 ant to subsection (c)(4), to—

10 (A) the President;

11 (B) the Congress; and

12 (C) the Governor and the legislature of the
13 State of Alaska.

14 (2) AVAILABILITY.—The Alaska Federation of
15 Natives shall make the report submitted to Congress
16 under paragraph (1) available to Alaska Native vil-
17 lages and organizations and to the general public.

18 (f) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated to the Department of
20 the Interior, \$350,000 for the grant under subsection (b).

21 (g) ADDITIONAL STATE FUNDING.—The Congress
22 encourages the State of Alaska to provide the additional
23 funding necessary for the completion of the study under
24 this section.

1 (h) ALASKA NATIVE DEFINED.—For purposes of the
2 study conducted under this Act, the term “Alaska Native”
3 shall have the meaning provided the term “Native” under
4 section 3(b) of the Alaska Native Claims Settlement Act
5 (43 U.S.C. 1602(b)).

○