

ALASKA NATIVES COMMISSION

SEPTEMBER 25, 1996.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany H.R. 3973]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3973) to provide for a study of the recommendations of the Joint Federal-State Commission on Policies and Programs Affecting Alaska Natives, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. CONGRESSIONAL FINDINGS AND DECLARATION OF POLICY.

The Congress finds and declares the following:

(1) The Joint Federal-State Commission on Policies and Programs Affecting Alaska Natives (hereafter in this Act referred to as the "Alaska Natives Commission") was established by Public Law 101-379 (42 U.S.C. 2991a note) following the publication in 1989 of the "Report on the Status of Alaska Natives: A Call for Action" by the Alaska Federation of Natives and after extensive congressional hearings which focused on the need for the first comprehensive assessment of the social, cultural, and economic condition of Alaska's 86,000 Natives since the enactment of the Alaska Native Claims Settlement Act, Public Law 92-203.

(2) The 14 member Alaska Natives Commission held 15 regional hearings throughout Alaska between July 1992 and October 1993, and 2 statewide hearings in Anchorage coinciding with the Conventions of 1992 and 1993 of the Alaska Federation of Natives. In May 1994, the Alaska Natives Commission issued its 3 volume, 440 page report. As required by Public Law 101-379, the report was formally conveyed to the Congress, the President of the United States, and the Governor of Alaska.

(3) The Alaska Natives Commission found that many Alaska Native individuals, families, and communities were experiencing a social, cultural, and economic crisis marked by rampant unemployment, lack of economic opportunity,

alcohol abuse, depression, and morbidity and mortality rates that have been described by health care professionals as “staggering”.

(4) The Alaska Natives Commission found that due to the high rate of unemployment and lack of economic opportunities for Alaska Natives, government programs for the poor have become the foundation of many village economies. Displacing traditional Alaska Native social safety nets, these well-meaning programs have undermined the healthy interdependence and self-sufficiency of Native tribes and families and have put Native tribes and families at risk of becoming permanent dependencies of Government.

(5) Despite these seemingly insurmountable problems, the Alaska Natives Commission found that Alaska Natives, building on the Alaska Native Claims Settlement Act, had begun a unique process of critical self-examination which, if supported by the United States Congress through innovative legislation, and effective public administration at all levels including traditional Native governance, could provide the basis for an Alaska Native social, cultural, economic, and spiritual renewal.

(6) The Alaska Natives Commission recognized that the key to the future well-being of Alaska Natives lay in—

- (A) the systematic resumption of responsibility by Alaska Natives for the well-being of their members,
- (B) the strengthening of their economies,
- (C) the strengthening, operation, and control of their systems of governance, social services, education, health care, and law enforcement, and
- (D) exercising rights they have from their special relationship with the Federal Government and as citizens of the United States and Alaska.

(7) The Alaska Natives Commission recognized that the following 3 basic principles must be respected in addressing the myriad of problems facing Alaska Natives:

- (A) Self-reliance.
- (B) Self-determination.
- (C) Integrity of Native cultures.

(8) There is a need to address the problems confronting Alaska Natives. This should be done rapidly, with certainty, and in conformity with the real economic, social, and cultural needs of Alaska Natives.

(9) Congress retains and has exercised its constitutional authority over Native affairs in Alaska subsequent to the Treaty of Cession and does so now through this Act.

SEC. 2. ALASKA NATIVE IMPLEMENTATION STUDY.

(a) FINDINGS.—The Congress finds and declares that—

(1) the Alaska Natives Commission adopted certain recommendations raising important policy questions which are unresolved in Alaska and which require further study and review before Congress considers legislation to implement solutions to address these recommendations; and

(2) the Alaska Federation of Natives is the representative body of statewide Alaska Native interests best suited to further investigate and report to Congress with proposals to implement the recommendations of the Alaska Natives Commission.

(b) GRANT.—The Secretary of Health and Human Services shall make a grant to the Alaska Federation of Natives to conduct the study and submit the report required by this section. Such grant may only be made if the Alaska Federation of Natives agrees to abide by the requirements of this section.

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

- (1) examine the recommendations of the Alaska Natives Commission;
- (2) examine initiatives in the United States, Canada, and elsewhere for successful ways that issues similar to the issues addressed by the Alaska Natives Commission have been addressed;
- (3) conduct hearings within the Alaska Native community on further ways in which the Commission’s recommendations might be implemented; and
- (4) recommend enactment of specific provisions of law and other actions the Congress should take to implement such recommendations.

(d) CONSIDERATION OF LOCAL CONTROL.—In developing its recommendations pursuant to subsection (c)(4), the Alaska Federation of Natives shall give specific attention to the ways in which the recommendations may be achieved at the local level with maximum local control of the implementation of the recommendations.

(e) REPORT.—Not later than 12 months after the date on which the grant is made under subsection (b), the Alaska Federation of Natives shall submit a report on the study conducted under this section, together with the recommendations developed

pursuant to subsection (c)(4), to the President and the Congress and to the Governor and legislature of the State of Alaska. In addition, the Alaska Federation of Natives shall make the report available to Alaska Native villages and organizations and to the general public.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$350,000 for the grant under subsection (b).

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

PURPOSE OF THE BILL

The purpose of H.R. 3973 is to provide for a study of the recommendations of the Joint Federal-State Commission on Policies and Programs affecting Alaska Natives.

BACKGROUND AND NEED FOR LEGISLATION

In 1990, President Bush signed Public Law 101-379 which created a public commission funded jointly by federal and state appropriations to complete a comprehensive study on the social and economic conditions of Alaska Natives. The study was to focus on the effectiveness of programs and policies of the United States and the State of Alaska which provide services to Alaska Native communities. This was in response to the 1989 report "Report on the Status of Alaska Natives: A Call for Action" published by the Alaska Federation of Natives and the University of Alaska's Institute for Social and Economic Research. A 14-member commission was formed, half of whom were appointed by the President of the United States and the remainder of whom were appointed by the Governor of the State of Alaska.

The primary focus of the study was to provide an in-depth analysis on the social and economic conditions of Alaska Natives, with specific recommendations to Congress, the President, the Alaska Legislature, the Governor of the State of Alaska and the Native community. The commission completed two years of research, public hearings and task force discussions and submitted its report in May 1994.

Volume one of a three volume report provides an overview and summary of 22 months of hearings, research and deliberations. Native Self-Reliance, Native Self-Determination, and the Integrity of Alaska Native Cultures are the central themes of this first volume. It also provides the historical causes of Native personal and cultural breakdowns. Also included in this first volume are statistics on Native social/cultural, judicial/correctional, economic, education, and physical/behavioral health problems. Volume one concluded with 34 main policy recommendations (plus an additional 76 recommendations).

Volume two provides a narrative text, data and recommendations of five separate studies of Native problems conducted by the Commission's task force: Alaska Native Physical Health: Social/Cultural Issues and the Alcohol Crisis; Economic Issues and Rural Development; Alaska Native Education; and Self-Governance & Self-Determination.

The final volume provides a full narrative text, data and recommendations of two separate studies of Native public policy is-

sues conducted by the Commission: Alaska Native Subsistence; and Alaska Native Tribal Government.

COMMITTEE ACTION

H.R. 3973 was introduced by Congressman Don Young (R-AK) on August 2, 1996. The Full Committee on Resources held a markup of the bill on September 18, 1996. Congressman Young offered an amendment in the nature of a substitute. It was adopted by voice vote. The bill, as amended, was then ordered favorably reported to the House of Representatives by voice vote.

SECTION-BY-SECTION ANALYSIS

Section 1. Congressional findings and declaration of policy

Section 1 provides Congressional findings and declaration of policy on the social, economic and cultural conditions of Alaska Natives since the passage of the Alaska Native Claims Settlement Act of 1971.

Section 2. Alaska Native implementation study

Section 2 authorizes funding for an implementation study of the recommendations of the Alaska Native Commission report. The Alaska Federation of Natives would examine the recommendations of the Alaska Native Commission report; examine initiatives in the United States, Canada, and elsewhere for successful ways that address issues similar to the issues addressed by the Alaska Native Commission report; conduct hearings within the Alaska Native community on further ways in which the Commission's recommendations might be implemented and recommend enactment of specific provisions of law and other actions Congress should take to implement any recommendations. The Committee intends that the hearings held on the report should include input from federal, State and local government entities, as well as the general public. This way any differences among the affected parties will be aired and solutions developed before the report is finalized. The report is to be submitted to the President, Congress, the Governor of the State of Alaska and to the Alaska State Legislature 12 months after the grant is made under subsection (b) of this bill.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(1)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(1)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 3973 will have no significant inflationary impact on prices and costs in the operation of the national economy.

COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 3973. However, clause 7(d) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 3973 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 3973.

3. With respect to the requirement of clause 2(1)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 3973 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 20, 1996.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 3973, a bill to provide for a study of the recommendations of the Joint Federal-State Commission on Policies and Programs Affecting Alaska Natives, as ordered reported by the House Committee on Resources on September 18, 1996. CBO estimates that implementing this bill would cost \$350,000 in fiscal year 1997, assuming appropriation of the authorized amount. Enacting H.R. 3973 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

H.R. 3973 would direct the Secretary of Health and Human Services through the Administration for Native Americans, to provide a \$350,000 grant to the Alaska Federation of Natives and would authorize the appropriation of that amount. The purpose of the grant would be to conduct a study and issue a report on implementing previous recommendations to improve the situation of Alaska Natives. The bill would require that the report be submitted no later than 12 months after the grant is made.

H.R. 3973 contains no private-sector or intergovernmental mandates as defined in the Unfunded Mandates Reform Act of 1995

(Public Law 104-4) and would impose no costs on state, local, or tribal governments. The bill does, however, encourage the state of Alaska to provide any additional funding necessary for completing the study should it cost more than \$350,000.

If you wish further details on this estimate we will be pleased to provide them. The CBO staff contacts are Lisa Daley and Dorothy Rosenbaum.

Sincerely,

JAMES L. BLUM
(For June E. O'Neill, Director).

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 3973 contains no unfunded mandates.

CHANGES IN EXISTING LAW

If enacted, H.R. 3973 would make no changes in existing law.

