

TESTIMONY

SUBMITTED

TO

THE ALASKA NATIVES COMMISSION

IN CONNECTION WITH A HEARING

AT

FAIRBANKS, ALASKA

JULY 18, 1992

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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ALASKA NATIVES COMMISSION

HEARING

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FAIRBANKS, ALASKA

JULY 18, 1992

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	EDGAR PAUL BOYKO, ESQ.
	BEVERLY MASEK
OTHERS COMMISSIONERS AND STAFF PRESENT:	MARY JANE FATE
	MIKE IRWIN
	FATHER SEBESTA
	FATHER NORMAN ELLIOTT
	BILL HANABLE
	DR. WALTER SOBOLEFF
	JOHNE BINKLEY

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P R O C E E D I N G S

(On record at 10:20 a.m.)

MS. FATE: This is the Alaska Natives Commission. It's a joint federal/state commission on policies and programs affecting Alaska Natives. This is our first public hearing of several that will be held throughout the state of Alaska, in the villages and in the urban. We had our first official meeting in February of this year; got on board our staff just a couple of months ago; and I want to introduce some people today. You'll see up in front, three of the Commission members. We have 14 voting Commission members -- seven federal and seven state. And would the Commission members stand as I call you and remain standing.

Up in front today that will be overhearing all of your presentations will be Morris Thompson. He's with Doyon. Morris will be throughout the day hearing; and if there's any questions, or he'll may be questioning you, or any comments, it'll be Morris; and Edgar Boyko, the attorney from Anchorage; and Beverly Masek as Commission members. The other Commission members that are here today: John Binkley, sitting back there; Dr. Walter Soboleff; Father Sebesta, he may not be here now, but will be throughout the day; Father Norman Elliott; and are there any others that have come in? And myself.

Today we have with us the staff members, and first of all, you know Mike Irwin, our Executive Director. He's originally from Nenana, most recently with Sealaska. He is the new Executive Director, and I'd just like for him to say hi to you just briefly, if you would.

MR. IRWIN: Hi.

(Laughter)

MS. FATE: Everyone knows Mike, so if you need any work done, just call Mike. Bill Hanable.

MR. IRWIN: He's making coffee.

MS. FATE: Okay. He's one of our researchers, and he'll be in and out. Bob Singyke. We all know him with --

MR. SINGYKE: Hi.

MS. FATE: -- Indian Health Service, AIHS in Anchorage. And so with this, I'd like to thank everyone for attending. We have other people that we'll be hearing from throughout this. It's your Commission. It is up to the presenters to what we're going to get out of this, and I think this is a great opportunity that our Alaska Native people have in making any changes, if there should be changes, or in the policy anything that should stay as is.

I see Emil Notti also. And our elders, thank you for coming -- Poldine and Debbie Wanus (ph.), sitting there with (indiscernible).

And with this, I'd like to have a few comments from our Commission members that will be hearing you today. That's Morris Thompson, Edgar will be next, and Beverly will be third.

COMMISSIONER THOMPSON: Thank you, Madam Chairman, and I'd like personally to welcome everybody here this morning. As Mary Jane indicated, we view this Commission as a real opportunity to look at the programs and the policies that affect Alaska Native people -- we Alaska Native people -- to determine, one, their effectiveness, what areas can be improved, what programs should be changed, what programs should be altered.

I believe that the Commission has a lot of visibility right now, and we look forward to working together as the Commission with the staff, and with you, the presenters, to try to make an impact on the lives and futures of Alaska Native people.

Just a couple of structural comments, and then I'll turn it over to Edgar. We'll have each group come forward. We'd ask, if you would, to -- if you have written statements, leave them, and we'll make sure that the staff members have them for inclusion in the record.

We do have a signup. If anybody comes late and would like to testify, we will stay here until everyone has testified. We do have a long list. We would ask, if you would bear with us, and maybe limit your testimony to five to eight minutes. If you feel, however, you must go longer, we will hear you.

And with that, we welcome you this morning and look forward to service on the Commission. Our report is due late in 1983, both to the State of Alaska, and to the President and Congress of the United States, so we look forward to working with all of you.

And, at this time, I'd like to introduce Edgar Paul Boyko, who is also a Commission member and an attorney from Anchorage.

COMMISSIONER BOYKO: Thank you, Morrie. Since I've been introduced as an attorney from Anchorage by both Mary Jane and Morrie, I'll maybe give you a couple of words of information why this particular pale face is sitting up here trying to do something for the aboriginal Native people of Alaska. As the oldtimers among you know, Morrie and Emil and others, the rights, equities, and justice for Alaska Natives have been my theme for the last 40 years. I started out learning, as the Regional Counsel for the Bureau of Land Management, that Native lands were being squeezed away by various interests

trying to grab a piece here and grab a piece there, and I got into that battle.

In 1967, I was appointed by then Governor Hickel to be Special Counsel to the State on the Native Claims Settlement. And I was in direct conflict with his then Attorney General, who wanted to fight the Native Land Claims, and I wanted to have the State support them.

I was able to convince the Governor to go my way, and I was then promoted, if you wish, to be Attorney General. And together, Governor Hickel and I -- and Morrie was in the Cabinet at that time -- and others, created a Commission consisting of Native leaders, which made it possible for them, at State expense, to travel, and meet, and plan for the Native Land Claims. And the rest is history.

I have, of course, in my many years, represented many Native corporations, Native groups, tribal groups; and I've continued to have an ongoing active interest in the well-being of the Alaska Native community.

Having been one of the midwives that brought into being the Alaska Native Land Claims Settlement Act, I have been very concerned, because I have felt that, despite its great promise, and despite many areas of

progress, there remains a great deal to be done before, particularly rural Alaskan communities and their people, can be brought up to the same standard that others enjoy here in this state and in the Lower 48 -- standard of living, the lifestyle, the health care, the education, the kind of things that Americans expect to enjoy in our country, and which, to this day, are denied to many, many Native communities, and many Native people. And unless this Commission can come up with suggestions and solutions which are new and creative, and which address these shortcomings, which address the lagging movement of improving the lot of Native people in Alaska, we're wasting our time.

I think I can speak for most of us by saying we pretty well know what the problem is. What we're looking for are new answers, different answers, breakthroughs, because we have not, in the years since ANCSA was enacted, made the progress that we should have; and that's why we're here. Beverly?

COMMISSIONER MASEK: Thank you. My name is Beverly Masek. You've probably heard and seen a lot of me during the winter, with the dog mushing, and I'm really pleased and happy that I'm here to hear your testimony regarding this Commission work that has to be done; and I want to make it clear, and to let you know

that it's really, really important that you not be afraid to speak out and give us solutions. We all know what the problems are with the economics, and with the education, and with the problems, but we need to work together. And I think all of your input will be really important, and I really look forward to working with you. And, hopefully, by the time the 18 months is up, we'll be able to move forward and make healthier and happier lives for the Native people, because I feel we all should be living nicely, and working. And I'm really sad to see that there's so many people that are not doing well in the villages; and this is why I'm here today is to hear along with the other Commission members, to work together, and try to come out of what has happened. And I really appreciate that you're here, and I want to thank you all.

MR. IRWIN: A couple of housekeeping things. Over at the round table over there is Jan Welch with Kron & Associates; and she's acting as the recorder for the hearing today, so she might be asking you to speak up, or whatever. Please listen to her, as that's who she is. John McCorder (ph.) is here with public radio, and he's got one microphone that he's going to be trying to pick up as much of you guys as he possibly can; and I just wanted to let you know that he's going to be in front of you and stuff; and I hope that he's not in the way; and

if he is, please tell him so. Bill Hanable had been introduced by Mary Jane, but wasn't here. Bill, if you could stand up, and let folks see who you are. Bill is my Deputy at the Alaska Commission, full-time with the staff; and, as has been indicated, will be doing a lot of major research for the Commission.

And then also, just one other thing, there's only one microphone that actually works on the PA, and since you'll have your backs to the rest of the crowd when you're talking, it would be real good if you guys could move it around. Is it up there now, John?

MR. MC CORDER (ph.): It's the middle one.

MR. IRWIN: The middle one.

MR. MC CORDER (ph.): The tall one.

MR. IRWIN: If you'd feel more -- I think it would help out if you guys would just move that microphone around. We apologize for not having fancier equipment and all, but we'll just hope we can muddle through today and get everything. Back to you.

COMMISSIONER THOMPSON: Thanks, Mike. Let's have the first panel. We have the overview presenters: Chief Peter John from Minto, the Traditional Chief for the Interior of Alaska; James Nageak, President of Fairbanks Native Association; Will Mayo, President, Tanana Chiefs Conference; and Representative Georgianna

Lincoln, who, I don't know, I don't believe made it; but if we could have the first panel, we'll get started here with this batch.

MR. IRWIN: Morris, Eileen Kozevnikoff from Tanana is also here, and she needs to leave town; and since Georgianna isn't here yet (indiscernible - speaking simultaneously).

COMMISSIONER THOMPSON: Please, Eileen, come forward. For Commission members, Eileen Kozevnikoff from Tanana will sit in and offer testimony as well with the panel. And, well, I guess as is custom and tradition in the Interior, we would like to start with the Traditional Chief from our area. On behalf of the Commission, we welcome Peter John, who has recently been elected by the people from Interior Alaska as the Traditional Chief; and it's with great honor that we welcome you here today, and look forward to hearing from you.

CHIEF JOHN: I'd like to really try to understand the true meaning what I have to say on the things that the Indians used to live by many, many years ago. That is all gone; it's not here anymore, except that we do it the White man way. It seems that the people that live on many, many years ago is something that's hard to explain. Animals is what they lived on, and it's hard to me to explain the true meaning what that

is. You would understand that the Native people didn't have no medical, and everything they lived by is what they get off the country; and that's very important to understand this, because, to me, it means a whole lot to me, how I live, 92 years old; and I never take no medicine from no doctors. That's the way our great, great grandfather used to live, before the White people.

But the things that they went by is understanding the animals that they catch. That's something that I don't think anybody would really understand the truth, what they live by. The people that I'm talking about is before the White people, how they used to live. It's so very important to have our grandchildren understand the true meaning what an Indian is. The Native people really don't understand the true meaning what that is. That's really why we have so much - trouble with the young people to make them understand what they are. The medicine comes from the animals, but didn't come from the library or anyplace where there's doctors. It come from the understanding and the true way of putting them things together. I say I'm 92 years old, and the things that I seen in my day is something that is hard to live by today.

The animals. Our great, great grandfather. You see the fun they had, the Eskimo (indiscernible). How the Indians and Eskimos live by that before the White people. That's never been set aside for the young people to understand the true meaning of what that is.

When we start to talk about things like this, we're talking about something that was here before the White people. The way it was. I seen the people used to take care of the animals. Try to understand what that is. When you seen people that just lived by bow and arrow, there ain't much you can get protection from that, unless you really understand the way to how to use it.

I really would like to get this across, so that you people will understand how they take care of their animals. That's very important by the Native people themselves. These are the things that are very important to us as we grow up and see our great, great grandchildren holding back. We're here to try to help our grandchildren. I don't care what you are, but you have to understand the true meaning of what that is.

There's dope, whiskey, everything is connected with what is going on right now. And these are the things that are so very important to the Native people themselves, to live by what our great, great grandfather

used to live by. And you're never going to get that back again.

In some way that's never been written, the history never been written, so we really don't understand the true meaning of what our great, great grandfather lived by. The animals. How they take care of them. What they used to use for medicine and everything like that is connected to what's going on right now, right here.

We got too many problems by the Native people. Not only that, but everybody; because there's a lot of things that's connected with our daily lives that we never look into it. There's a lot of problem out there. Our grandchildren, what do they know about the Indians? That's the thing that is so very important for us to understand; because if you're going to live right, you have to understand who made this world in the first place. And that's for us to take care of things that we use. To me, that's very important.

I live down there in Minto, and I guess you remember Dr. Davis here. He used to teach in here. One day, two persons come from New York to study medicines (indiscernible) with me. These people, I don't understand what there is for them to work by. But the same thing what is going on right here, that we have to

understand the truth of what our great, great grandfather lived by.

I could talk in my Native tongue, (indiscernible), but then nobody here would understand the true meaning of what I'm saying. That makes it pretty hard to explain the truth to what we are. Animals, fish, everything is connected with the Native people. How you use is very important.

I seen people that (indiscernible), yet we don't use no eyeglass or anything like that, except what do you live by the animals that they catch. And the thing is this that we have to take care of the things that we live off, and we have to make our grandchildren understand

I really had a hard time when I get here. I had a hard time to try to find out what this meeting's all about; because, to me, it's something that's very - speculate for us Native people to understand that what our great, great grandfather lived by many years ago still stand. But we have to understand the true meaning what that is.

There's a lot of things that's connected with the Native people's life before the White people that's never been written, or to look into it if what there is for us to know.

I really thank you people for inviting me for this meeting, and I have to really to try to hold myself up. 92 years is too old; but then when you start to be that old, you know what you lived through, and that's the one you want to pass on to your grandchildren; 'cause each and every one of us right here in this room right here, one way or another, has to fight for the older people, which we try to care, but we misinterpret the word.

A lot of us make mistake. I wonder how many will understand just a few words that I'm going to say in my Native tongue. (Spoke in Native tongue.)

Every one of you, you go to school over here at the university. These are the very important things by the Native people themselves to understand what ground they stand on. To me, I want to understand everything that the Native people stand for. Everything. All the village care (indiscernible). I know the Native name for all of the villages, and that's what I go by, because my great, great grandfather said that I have to understand the truth of what we are; and that's what I try to bring out. The animals our great, great grandfather lived by, what they are. That's the reason why they didn't bother with the doctors or anything like that, because it's

already there. But it's up to them to understand what it is, by themselves.

(Applause)

COMMISSIONER THOMPSON: Thank you, Traditional Chief Peter John. We'll -- if it's okay with the rest of the Commission, we'll go down the panel, and if it's okay with the presenters, next we'll call on Will Mayo, who's President of Tanana Chiefs Conference. Will, welcome.

MR. MAYO: Thank you, Morris. In putting my thoughts together in preparation for this hearing, I wanted to try to give an overview of my interpretation and impression of some of the purposes, and then to offer some of my thoughts on some core issues facing Native people today, as we've been facing for many years, ever since the contact with the Western Civilizations. There's going to be a number of people coming forward to testify on different issues affecting Alaska Native - people. They'll be talking about the problems in specific areas; they'll be talking about the needs that they see in their contacts and their life; and I wanted to make a few broad comments here regarding the overall picture of the Native American experience in this country since contact.

This year, we have the 500th year since the arrival of Christopher Columbus, and we have 500 years as

Native people to reflect on the impacts. We have 500 years of history, and 500 years of the past White man have walked in our land. We have the benefit of this period of time to look at it very carefully, to assess the impacts, the advantages, the disadvantages that we have seen develop over these years.

In the history of the Native people and their presence on this their homeland, there has been, depending on which professor or scientist you talk to, anywhere from 6,000 years to 30,000. The last one I heard was 30,000 years. Whatever it is, 500 years of relationship with the Western culture has brought, by far, the greatest changes. It is the changes that we have seen that have, I think, initiated and called for this Commission. One thing that I am grateful for immensely, is that though we know that many people left their homeland to come to our country in search of hope, success, gold, fur, oil, fish, riches, and some came for freedom -- many came for freedom -- most came for freedom. The ironic thing about it is that the people whose home this was for thousands of years uninterrupted have suffered much because of the coming.

But as I was saying, though this impact on our land and our resources has been very detrimental in some

ways, yet wise men who came together seeking independence from England, sat down and said:

"We need to create a nation where we can exercise freedom; where we can exercise basic human rights with dignity."

And in the development of their organic document, the United States Constitution, these men chose to recognize, without question, the human rights of self-determination, and of freedom, and of use and occupancy of the Native people. The only thing they said was that Congress will have the power, and only Congress, to regulate commerce with the tribes. So they did not even choose to question the existence of tribes. That was not even an issue with them. They did not even bring it up and spend any time with it. The only thing they knew was that they must, if they are just and honest, if they have really a sense of justice and fairness, they knew that they could not come to these shores and deny the Native American people the very thing that they sought -- the right to be self-determining, the right to operate their own form of self-government. They did not argue with the Indian people that we all have equal rights. Therefore, what's yours is mine. They did not even argue that, because they knew that the international doctrine of use and occupancy supersedes the international doctrine of discovery. And

they knew that in their fleeing of the monarchies of the Europe, that they would be remiss, dishonest, and perpetrators of injustice if they exercised their will over and against the Native American right -- human right to self-determination.

I believe that many of the difficulties we have are a result of the forcing of a new way, of a new culture, of new ideas upon the Native people without their consent, without their cooperation, or even without their input. I believe that the cultural clash that occurred could have been greatly mitigated, greatly lessened in all of its negative impacts, if only succeeding generations of American immigrants, since the drafters of the Constitution, would have followed the principles of that Constitution and allowed Congress to govern and regulate the relationship. Instead, what we have seen is that, as time has marched on in these 500 - years, that there has been a gradual, and sometimes not so gradual, but continuous loss of rights -- recognition of the human rights and human dignity of the Native American people.

In exchange for that, the federal government has chosen to provide services; they have chosen to try to help mitigate and lessen the impacts. And rightly so. And so it is that many of the things that are happening

are as a result of a relationship between the tribes and the federal goodwill, in attempting to assist in the social problems, the health problems, and education.

And, in summarizing and closing my comments, I would like to say that the work of this Commission -- you will be making a report to Congress; you'll be making a report to the President of the United States; you'll be making a report to the State of Alaska, and its Governor, and to the people of this country. I urge you to look back to the motivations of the drafters of the Constitution of the United States to reflect on their good work. It was not they that perpetrated the losses, for they tried to put control on it, knowing the pressures that would be brought to bear upon the Native American tribes; but that you would look at their work, and that you would carry that forward into 1992 and into the future; and that with justice, and with the respect for a nations of people, that you would consider your report as you consider the rights of the Native American people to adapt and evolve in this American experience, according to their own desires and wishes, and not only according to the ideas and wishes of some.

I urge you to recognize the right to self-determination, to tribal government, and to also recognize the importance of the subsistence way of life

to the survival of a culture of people who have every right to continue to exist in a form that they design, and in a form that they control. And I think that by working together, as government to government, that the tribes, and the State of Alaska, and the United States government can work to fashion a hopeful future to assist the Native people in overcoming the social disruptions, the problems that have emerged for the last 500 years, and that there be mutual respect for the lands, the rights, and the culture.

Us working together in this fashion, I think that we can go rapidly and quickly into the future in a way that would result in a healthy Native American populations, and healthy and happy Native American children for the future.

So I thank you for this time to share these thoughts. I urge you in your preparation of your report, as you listen to testimony, to open your heart to what you are going to be hearing, and recognize that there is a place for all of these things, and that it does not have to be one over the other, but it can be one beside the other. And I appreciate your time. I know I've gone over my five minutes, and I'm very glad to be able to be here to share this. Thank you.

(Applause.)

COMMISSIONER THOMPSON: And next we'll hear from Eileen Kozevnikoff from Tanana. Eileen?

(TESTIMONY OF EILEEN KOZEVNIKOFF ATTACHED AS EXHIBIT #1)

(Applause)

COMMISSIONER THOMPSON: Eileen, if you would, we'd like to have your statement, so we can make sure it's inserted in the record as well. Thank you. The next speaker is James Nageak, who is the Chairman of the Fairbanks Native Association; and we welcome you, James.

MR. NAGEAK: Thank you very much. I appreciate the opportunity to represent an organization that has been an active part of this community of Fairbanks, and there are a couple of members of the board that I would like to recognize from the audience here. Poldine Carlo, and Jeanette Skanell back there, so I wanted to make sure that I represent well the Fairbanks Native Association.

I appreciate that so. It's an opportunity to look at some of the things that the association for the Natives of Fairbanks are trying to do, and some of the things that I jotted down here, first of all, of course, is the relationship of the Native people with the community in the education of the young people.

And, also, the Fairbanks Native Association is dealing with some of the economic problems that faces the Native people, not just here in Fairbanks, but all around the state. So we have an opportunity to work with the people right here, the business people, and also to work with the people that need to get out from maybe a welfare situation and get into something that they would like to do.

And, of course, some of the problems that we have are with the alcohol and other addictions. We have a center that is very active in dealing with some of the problems that we have as a community, not just for the Native Alaskans, but the Regional Center for Alcohol and Other Addictions is a center in which the Fairbanks Native Association welcomes the other people into their program. And it's always a good feeling for the board members when we begin to hear some of the things that are happening with our agencies right here in Fairbanks.

And this is one of the highlights, the moment in which we feel pride in ourselves that we associate ourselves as board members with the Fairbanks Native Association, and so it's one of those things that's growing. It's beginning to be a focus in which the other agencies and other communities in the state are looking

to this center, the Regional Center for Alcohol and Other Addictions, to look at that thing and say:

"Hey, maybe we can have something like this in our communities."

And, of course, we have also the community services that -- the Bureau of Indian Affairs have had some contracts that are let out to the Fairbanks Native Association, and we have been the association that spearheads some of the things that we are trying to deal with, not just from the State, but also from the federal agencies. So we have been doing some of the things that I'm hoping that you are here to hear; that the state, federal, and local agencies can begin to communicate with each other, and try to come together, and try to not have the state, or the federal, or the local government to be fragmented and not know what the State is doing, what the federal government is doing, and what the local government is doing; but like the lives of the Native people, when Peter John is talking about the true meaning of being a Native, the coming together of a person, coming together of a community, and try to face with some of the core issues that we have in our communities. It all boils down to being together.

The history lesson that Will Mayo gave us is really something that I appreciate, because as we look

back, the first contact, the things that we needed to begin to understand -- as these guys are coming, the things that we needed to understand then was used in the educational system in which we didn't use in our own communities.

So I want to go back to the education, that this community is a community of over 70,000 people; and we, as Alaska Natives, are just a part; but because we are a minority within the system, we are trying to find some ways in which the voice of the Alaska Native is heard by the system that is educating our children. I and my wife have a ten-year-old that will be in the fifth grade in one of the schools here; and because of our relationship with the PTA, and with that particular school, we have a good relationship. But, overall, working with the administration and the policymakers of the school district, we have a mediated agreement that is - being looked at, as one of the agreements that is -- in an urban setting like this, that the Native students get lost in the big community; and, therefore, the Alaska Natives are reluctant sometimes to deal with the administration over there in that central office. But we have, as the Fairbanks Native Association, an agreement that was put together, trying to deal with some of the communication problems that we have. Because we have

this communication, they have their own ways of looking at the situation, and we have our own ways; and because I feel that the Native people tried to put together everything that their children needs to know about social, economic, and spiritual, in the relationship that they have with their environment -- the animals, the flora and fauna, that I'm beginning to appreciate, since I am an Inupiat from Barrow, Alaska, where there are no trees, where -- and I'm beginning to appreciate sometimes being able to get lost in among the spruce tress, and the birch bark, and trying to get some ideas on how to relationship with the Western culture.

I think that's one of the problems is that we, as Native people, always have (indiscernible - noise) to educate the other side. We have trying. We spend so much time in trying to put down on paper, or in communicating -- talking with the Chief of the Forest Service. When Gates of the Arctic was trying to become a park, we have these people come here to Anaktuvuk Pass, and they heard the Native people and what their feelings were, and we were educating the people that were coming there to begin to regulate through the National Park Service rules and regulations that all of a sudden we had to follow. And sometimes the elders in that community

never knew until the National Forest rangers came along and said:

"You know, that's par -- you're doing something wrong. That is in the rules and regulations of the thing that you accepted."

The lack of communication. The lack of interpretation, I think. Even though the park chiefs goes in front of the people and gives the speech, and the polices and regulations of the National Park, 75 percent of the people never understand what is being said.

And that's one of the things that we as Fairbanks Native Association is trying to do, I believe, is to begin to give the community, not just here in Fairbanks, but we're being expanding. We just had a workshop at Chena Hot Springs into which we tried to deal with some of the ways in which we can begin to be more effective in the way that we deal with some of the problems. And we're finding out that the other parts of the state, some of the communities are beginning to come to Fairbanks and say:

"Hey, you guys have a really good program. How can you help us?"

So, it's always a good feeling to have this particular aspect in our lives, especially me coming from a different village, being Inupiat within the Doyon, the

Tanana Chiefs, and being accepted, and also trying to become a part of this. Well, it's something that is not unique to Fairbanks. It's not something unique to Barrow, but something that we all -- the state, the federal, and the local governments have to begin to deal with.

I saw some five different ways in which to try to look at that: the economics, the education, the social, and other aspects of our lives, which we as Native people have always tried to put together.

You know, when I was growing up, my mother told me:

"If you are going to be dealing with some of the animals, you better be respectful."

And the way that I relate to other people is directly related to that particular animal that I will be hunting, and also it will affect my relationship with an elder in that community. It used to have a good effect on me when I was young and getting my first seal, and I took that seal to an elder, and that elder began to say to me every time she sees me:

"Man, I want to thank you for that seal. You made my day in providing the sustenance that I need to survive."

And so the relationship in the way that we deal with our environment, the clothes you can buy them in (indiscernible) whether it be in Barrow, or here in Fairbanks, whether it be in Southeast Alaska, but having a good relationship with those around us. And I appreciate the opportunity that the state and the federal government are beginning to come back to getting together the things that are needed to face some of the problems -- alcohol, drug abuse, and suicide, education. All of these things we need not to be fragmented, as the State agencies saying:

"Hey, you can't do that. That is our responsibility."

And the federal government saying here:

"Hey, that's our turf. You keep away from our turf, and we are dealing directly with the Native people."

- And so I'm glad that this Commission, hopefully, will begin to put these things together and begin to say:

"Oh, yeah, it is our problem. Let's see if we can put together our resources; not have a duplicate situation in each of the governments, but a unified attempt in working out with the Native people of Alaska in trying to deal with the social issues."

I thank you for this opportunity. Thank you.

COMMISSIONER THOMPSON: Thank you, James.

(Applause)

COMMISSIONER THOMPSON: Does -- do any of the Commission members have questions of any of the presenters?

COMMISSIONER BOYKO: I do, indeed.

COMMISSIONER THOMPSON: Please, Edgar?

COMMISSIONER BOYKO: Did you want to go first?

COMMISSIONER THOMPSON: No, go on ahead, please.

COMMISSIONER BOYKO: Before I address my questions, and I've taken some careful notes, because I found what you told us to be very interesting and challenging. I want to say something about -- a little bit about the procedure we're following here. This is a trial balloon. We're trying to work out some way of getting input from the people in some organized, sensible way; and it was proposed that we try this type of hearing today, which may or may not be the pattern we follow in the future, depending on how successful it works today. What's been done is we've broken into various panels today, dealing with specific subjects which correspond to task forces within the Commission which have been created under the enabling law that created us. And the panel

that is sitting here right now is called the Overview Panel, and what we've been looking for in this particular portion of this session is some overview thoughts on where we should go, how we should address your concerns, how we would best draw out from you folks what we need to know in order to make an intelligent report which will be helpful to you. This is not a civil service agency, where we each stake out our own turf and feather our own nests.

There's a very short sunset on this Commission. We are here to gather information. We are here to get your views and to put it into a rationale report to the two governments, with recommendations of what we can do to improve what's been going on; and so this is what this is all about.

I had hoped to ask the Traditional Chief, Peter John, a couple questions. If he's still here, I would like to do that. I sense values here that are disappearing, not only among the Native folks, but among all nations, all ethnic groups, which is a disregard for the past, a disrespect for the elders, and it gave me a feeling of buoyancy to hear the Traditional Chief to speak about those things, because not only your people, Chief, but my people, are losing those traditional values. We're here, and now, and quick; and we don't

even know what our past has been; and it's folks like the Chief Peter John who can teach us to go back to that.

And my question to you -- I have two questions, if I may? One, can you see anything that we could recommend that would make it possible to preserve the memory and the values of the old ways, and carry it forward to the younger people who don't really seem to understand it anymore? Is there something we can do? Can we create some kind of an entity that will teach the old ways, where folks like Chief Peter John and others can carry on the traditions of their people? Is there anything we can do positively to make that happen?

CHIEF JOHN: I think there's a lot of things that need to be ironed out, as I see those things, 'cause the old Indian ways is all gone up to right now; and that is not going to get back, unless we do something about it and try to get the younger people to understand what our great, great grandfather stand by was a very strong to understand the true meaning what that is. Now you see me right here, 92 years old. What make me feel this way is what the younger generation should understand that could be done by the way they live. Your grandchildren, if you have grandchildren, are they going the way you want them to go? That's the question that is before them right now. Do our grandchildren want to live according to

their great, great grandfather? There's a lot of things to mention right now, according to the way we try to live. The thing that I think is very important is that our grandchildren -- our grandfather happy without school many years ago, that I was raised up in. And you can't find it nowhere, unless you took your talkative old people that understand these things. So when you start to talk about the old way, of our grandchildren learning that way, you have to understand that who you're talking to.

COMMISSIONER BOYKO: I have another question, Chief, if I might? Is there some way that you can see that we can preserve the old languages? You said that probably very few people would understand the language. Is there some way we can encourage people to learn it, so that they don't -- the old languages don't die out? I mean, all over the world, there is a new respect for the past. Dying languages have been resurrected, Latin, Hebrew, just to name a few. Is there some way that the old Indian, and Eskimo, and Aleut languages can be preserved, and encouraged that the young people will be bilingual?

CHIEF JOHN: That is something that we must not forget. Our Native language is very important to the young people today. You look back, you talk about when

the first White people come what they (indiscernible). That's the question you're asking yourself right now. The language -- what we don't understand is this: that the White people come from Europe, and when they done that, they lost something that God give them, and that's the question that we're asking right, that our great grandchildren have to understand what they are; and that's very important to the school, and the way the kids -- once I said in Juneau at one time then we was out there for the meeting, I said that our children never get the full benefit of what the school is. And that's what it is. We have to make our grandchildren understand that their language is a headstone of the people that's living today. Now you grandchildren need that advice, and make them understand where they come from.

COMMISSIONER BOYKO: Thank you, Chief. Mr. Mayo, can you enlighten me as to what degree education is available to Alaska Natives in their original languages, be they Athabascan, or whatever?

MR. MAYO: It varies. What we have recognized is that what is available is not nearly enough to be effective. Okay? I guess that, if I put it that way, it would save a lot of time in trying to explain what is happening. Various school districts in the rural areas have, for years, some level of Native education efforts

going on through the Indian Ed Program, and also through some of their own programs. But what has universally been recognized is that a structured curriculum with certified language instructors needs to be developed, that will result in a effective Native language transmittal, which has not been occurring so far. For this reason, as you may be aware, there has been efforts going on in both the State Legislature and in the Congress to try to help with this problem area -- how to develop effective delivery systems for Native language instruction. Again, everyone recognizes that need. It's there. Senator Murkowski sponsored a Native language legislation that is still making its way through Congress that would appropriate significant funds to help set up programs for the instruction of Native languages. This is a very promising piece of legislation, because it provides resources needed for us to begin to set up these program in a strong way.

COMMISSIONER BOYKO: Would that be administered through the school district, or through Native organizations, or how would it be delivered?

MR. MAYO: I'm on a little bit of shaky ground. There's going to be some other people; but I believe there's going to be grants available through Native

organizations, and, I hope, through tribal councils that will enable them to develop programs.

COMMISSIONER BOYKO: Yeah. Let me run this thought by you and get a reaction from you. I've, for a long time, had the feeling that a lot of the symptoms we see -- the alcoholism, the suicide rate, the child abuse, all the things that have been mentioned here, are not solely economically driven, but there is an underlying lack of self-worth that comes from powerlessness that creates these situations. For a man or a woman to function effectively in their society, they have to feel that they're worth something; that they have power over their own lives and the lives of their families and their communities. And through many, many years of neglect and misrule, we have deprived the Native people and the original American inhabitants of this continent of that pride, of that self-worth, of that feeling of empowerment; and I think that Chief John has stirred in my mind the thought that one of the reasons is that we have forced upon them a culture which was strange, and which they have now become somewhat accustomed to; but in the process, we have taken away their own. There's nothing wrong for aboriginal Americans, Alaska Natives, to speak English, to function effectively in the White man's culture, but we should not deprive them of their

identity, of their culture heritage, which is as valuable and as valid as our own. And I'd like to see that process reversed; and I think, if we do that, if we allow them, and encourage them, and permit them to go back to their roots, to identify with their language, to identify with their culture, to identify with their spiritual values, that we will see the other things emerge. Now, what do you think about that?

MR. MAYO: I think that you have addressed and expressed one factor in the conditions that we find. I think that there's a very strong move in individual villages towards the sense of moving forward and ahead. I think that part of the answer is the strong focus on cultural values; but, most importantly, I feel like the Native leadership and future Native generations must have the self-determination to enable them to adapt in a sensitive and appropriate manner. Now adapting and - evolving are things that we have been forced to do in an uncontrolled, and sometimes very harmful ways; but I think there is time, and there is a need for an effort right now for there to be support, whether its from the state or federal governments, in recognizing that adaptation, and evolution, and change. But the strengthening of the Native culture needs to be done in a way that is guided and self-directed within. And your

help, the help of this Commission, I view as being a step in that direction, if we care to go that way.

COMMISSIONER BOYKO: Thank you, Mr. Mayo. Has Eileen left us? And forgive me for calling her by her first name. I still have trouble; I haven't written down her last name properly.

COMMISSIONER THOMPSON: She had to catch a plane.

COMMISSIONER BOYKO: She had to leave? Okay. I had some questions, but I'm sure those can be asked later. I'd like to ask Mr. Nageak. You brought up something that I thought was very important, and the key word was fragmentation. I have a feeling -- and please tell me if I'm wrong -- that a lot of the problems that we experience that we're supposed to address here, come, indeed, from fragmentation. We have so many cooks working that broth. We have federal agencies; we have the BIA; we have the Indian Health Service; we have state agencies; we have the Park Service; we have the Forest Service; we have local governments, school districts, assemblies, city councils, boroughs, ANCSA corporations, nonprofits, Tanana Chiefs, tribal councils; and everybody is working in the same direction, but everybody is kind of taking a slice of the pie and slicing it smaller. Do you think there's a way that we can start eliminating all

of this duplication and overlapping, and maybe divide the pie in such a way that one unit will take care of health problems, another one will take care of education problems, not everybody trying to do the same and having overlapping layers of bureaucracy and overhead? What do you think?

MR. NAGEAK: First of all, I think that the fragmentation -- or the diversity is the term I want to use at this point -- that the diversity of our society in which we live, that we have all of these different ethnic groups that makes up our unique United States government and United States country that makes it into a very interesting country to live in (indiscernible).

But the fragmentation in the way that we are trying to deal with some of the problems, I guess we have been really good students in the way that the Western culture has taught us in looking at ourself. Okay, Monday to Friday, you go out and make bucks. On Saturday night, you go out to some bar and socialize; and on Sunday, you go and get your spiritual lift, and then start all over again on Monday. Never the three meet.

But in the Native society in which I grew up in, the idea that the economics, and the social, and the spiritual are all interrelated into activities that I had to do as a young boy, and also activities that I had to

do as a whaling captain, the things that regulated my behavior, because I want to be a whaling captain; and all of these things. The social part, of course, you see as a nalukataq, the feast we have after successful whaling activities; and the way that we relate to our elders, and the way that we relate to the whales, the spiritual aspect of our live, and the way that we relate to those things spiritually around us is also within that activity. And the economics, of course, the Western culture of the terminology economics which doesn't really apply in the way that we share a part of the catch that we have, whether it be whale, seal, caribou, moose, and all of these things that we do in our society.

So we have the whole system right in our hands, and that's where the fragmentation in which these -- we feel we're -- the educational part over there in the education department, the social services over here, and - then we have the priests and the ministers on Sunday to do our spirituality for us.

And so I guess I want to go back to your first question that deals with language. I teach the Inipuit language at the University here. That's my other hat that I have, and one of the problems we have, of course, is that the idea of teaching a language in a classroom where there are four walls and a blackboard is outrageous

for me. I need to be able to function, as a professor of the Inupiat language, to be able to take my students where the action is, not in a room. The idea that, as I am relating to the environment, the words come out, and those three things again -- the social, the economics, and the spirituality -- all of these words come out when I am out there doing the Native thing -- the subsistence way of life. I think that's why I wanted to come back to that.

COMMISSIONER BOYKO: I have a million more questions, but we're told that we're running way overtime, and I apologize for that. Beverly, I'm sure, has some questions. Mike, what's the situation as far as our schedule is concerned?

COMMISSIONER THOMPSON: Mike just stepped out, and I was given a note, Ed, by Mike that says that we have no option.

COMMISSIONER BOYKO: We've got to be done by 5:00.

COMMISSIONER THOMPSON: We have no option to extend.

COMMISSIONER BOYKO: They kick us out; it's those rules and regulations that Mr. Nageak was talking about. And sometime when we have a chance to talk, I want to find out from you why the communication breakdown

between the regulators and the regulated, whether it's language, or culture, or what. But we don't have time for that.

MR. NAGEAK: Okay, I have your fax number, so I could get some information on that.

COMMISSIONER BOYKO: Good, please do. Morrie, what's your pleasure? Where do we go from here? Maybe we should find out whether there's anybody else that wants to say anything to this panel -- what do you think? -- that hasn't spoken.

COMMISSIONER THOMPSON: We do have panelists who've traveled, Ed, a long way, --

COMMISSIONER BOYKO: Yes.

COMMISSIONER THOMPSON: -- many from out of town; and to make sure that -- I think that each segment is equally important --

COMMISSIONER BOYKO: Yes.

COMMISSIONER THOMPSON: -- that we should -- I've been suggested by the Chairman and others that we do try to limit ourselves to -- and the future speakers, if you would, to five minutes. We've been very liberal with the overview, because, obviously, as we know, these people are all leaders within the region. We are -- in order to hear all the others, however, we are going to try to stick to the --

COMMISSIONER BOYKO: Cut it down, yes.

COMMISSIONER THOMPSON: -- five-minute rule.

COMMISSIONER BOYKO: Yes. And maybe we will learn from this that this is not the best format, and that we will --

COMMISSIONER THOMPSON: Yes.

COMMISSIONER BOYKO: -- try something else next time.

COMMISSIONER THOMPSON: That's entirely conceivable, so.....

COMMISSIONER BOYKO: Beverly, I'm sorry I've taken up a lot of your time.

COMMISSIONER MASEK: No problem. I have some questions that I will let it wait, since we have to continue on.

COMMISSIONER THOMPSON: Thank you, Beverly.

MR. MAYO: Mr. Chair?

COMMISSIONER THOMPSON: I, too, will do that.

- Mr. Mayo?

MR. MAYO: One brief comment. I think this is probably a good way to get testimony, Commissioner Boyko. I believe that you need to hear it from the people, from their hearts.

COMMISSIONER BOYKO: I agree.

MR. MAYO: And I think that allowing people to gather together and to present their comments is a good

way. The last point, I urge you to take your hearings to the villages. I would request that you hold at least six in our region in the Interior, one in each of our sub-regions; and I make that formal request at this time. I'll be glad to work with Mike or whoever to try to help.

COMMISSIONER BOYKO: You've put your finger on a very contested issue there. There seems to be different opinions among various members of the Commission and the staff. Some of us have felt that that's exactly what we need to do. We've been told that there are budget restraints. Some of us have offered to go to the villages without pay; we were told we're not legally allowed to do that; but, certainly -- I know Father Elliott, for instance, goes to the villages a lot; and he has offered to hold informal meetings and sound out the people; and your request certainly may help to get that accomplished, and I thank you for it.

COMMISSIONER THOMPSON: And we thank the -- I'm told that we're all panel members, and I keep saying presenters; but we thank the first panel. We'll move on to the next panel, which is the Native Education Issues Panel: Irene Nicholia, Michael Koweluk, Angela Jackson, Rose Isaac. If there are other representatives that would like to come forward in place of those people, if none of them are here, we'd move into that panel now.

What we're going to -- just for the audience's sake, what I've requested on behalf of the Commission members, is maybe a 10-minute or 15-minute lunch break for us to gobble a sandwich, and we'll keep going.

COMMISSIONER BOYKO: Where do we get one to gobble?

COMMISSIONER THOMPSON: I've asked if they could go order a quick sandwich.

COMMISSIONER BOYKO: Oh, that would help.

COMMISSIONER THOMPSON: And we'll take a very brief break.

COMMISSIONER BOYKO: Let's really make it no more than 15 minutes, because otherwise we'll get into a jam.

COMMISSIONER MASEK: We won't be able to cover all of the agenda.

COMMISSIONER BOYKO: No, no, no. I suspected that when I saw the agenda, but then we live and learn.

COMMISSIONER THOMPSON: Native Education Panel, and we have several panelists. And if you'd give us your name, we'll get started, and welcome.

MS. JACKSON: My name is Angela Jackson from Gulkana. Good morning. I am very honored to speak to you on behalf of my people from the Ahtna Region. I was

born and raised in Gulkana, Alaska. I attended Gulkana Elementary --

COMMISSIONER THOMPSON: Angela, I'm sorry. I don't mean to interrupt you, and it's rude, and I understand; but I've had people wave in the back that they can't hear. Maybe if you could switch to that mike, it might be helpful, and --

COMMISSIONER BOYKO: The other -- one microphone -- upper mike.

COMMISSIONER THOMPSON: I'm sorry, Angela. If you're more comfortable, start over if you'd like.

(TESTIMONY OF ANGELA JACKSON ATTACHED AS EXHIBIT #2)

(Applause)

COMMISSIONER THOMPSON: Next, we'd like to welcome Rose Isaac.

MS. ISAAC: Good morning. My name is Rose Isaac; I'm from Tanacross. I also would like to say that I am a member of the Interior Education Council. The Interior Education Council has 13 members, six of them are from the Tanana Chiefs area, rather the whole Tanana Chiefs Region, six from the Policy Advisory Council from the University of Alaska Regional Centers on a statewide level. We also have one elder and one student.

I am honored to be here to give my testimony. Our ancestors, through us and through our children, have

given us a tribal way of life, a tribal way of living, and a tribal way of thinking, which we must and we will continue to teach to all our children. As people from Western culture introduce to, or impose upon, Alaska's tribal people a systems of their ways, Alaska Natives have had to learn the social, economic, political, and technical skills of the non-Native forum as well. Increasingly, competitive job markets; new and useful technologies; and the political, social, and spiritual challenges tribal people face today, require us to learn more skills for our survival than ever before.

Because of the sacred importance of our ancestry, and because of the circumstances of our history, each Native student must learn the lessons and skills of two worlds and two cultures; but are our educational systems teaching us what we need to know to survive as a tribal people in a multi-cultural society? - Are our educational systems using appropriate methods of instruction, which are sensitive to how we learn; methods which allow each Native student to access their individual potential? And are our educational systems motivating Native students toward standards of excellence? Academic centers which produce Native graduates, whose skills allow them to compete on equal footing with their non-Native peers?

These are serious questions which call to task the institutions and individuals of the educational system, who hold substantial power; and through their actions, significantly influence the quality of education for Native students. School districts, school boards, the presidents of post-secondary institutions, Board of Regents, and a State Legislature all make decisions which directly affect what our children will be taught, how they are taught, and what educational standards will be acceptable.

The Alaskan pre-conference participants of the White House Conference on Indian Education strongly voiced recommendations which recognize the fact that no singular institution or a singular individual can be expected to adequately provide the range of services needed to effectively educate and prepare Native students for the realities of today's society. Only through a close partnership between our educational institutions and Native parents, families, tribes, and Native organizations can the real educating our Native students be accomplished. The recommendations of the pre-conference participants called for the doors of our educational institutions to open widely and allow for Native participation at every level of the educational process.

Local school districts exercise substantial influence relative to move every aspect of our children's education. The number one priority relative to school district personnel issues continues to be the need to incorporate qualified Native people into the staff in the public school at every job level. In Alaska, the Governor's Commissions of Children and Youth in 1988 reported that, and I quote:

"Native children make up a significant proportion of many Native bodies throughout the state; but few, if any, Native teachers, counselors, or staff are hired to provide role and cultural models."

We need more Alaska Native and American Indian teachers. Many Natives do not possess the degrees or certification requirements that these positions require; but they offer the cultural understanding vital for Native young people to succeed in school, and for non-Natives to understand Native cultures.

In 1988, one of the most frequent recommendations heard by the Governor's Interim Commission on Children and Youth from Native youth was the need for more Native teachers, counselors, and other role models. There are many teachers who simply do not fit, are not committed to Native values, and through

their own individual emphasis, knowingly or unknowingly, demean Native students.

Most teachers alienate themselves from the village and Native community and do little more than collect a sizable income. This is not acceptable, it is not cost-effective, and it is not education, and it has a devastating affect on our Native children.

All incoming district personnel should be carefully screened, and only the best should be recruited to serve in our school. School districts should utilize local Native advisory boards to determine what special qualities in teachers, superintendents, principals, and staff are valued by parents and students.

Recruitment efforts should extend nationally to hire educationally -- institutions which have a focus on cross-cultural training of educators. Local Native advisory boards should be actively involved in each - viewing and selection of the district staff that will teach our children.

The pre-conference participant recommend that all districts re-exam curricula to promote and incorporate relevancy for Alaska Native students. Basic academic skills must be presented within the environmental and cultural realities of the student. Materials and text must reflect the realities of the

Native student's life around him or her. The school environment must reflect and validate the importance of the Native cultures to motivate students to learn. What is learned must have a high correlation to practical application of the community and world in which they -- we live.

Likewise, school districts are asked by the pre-conference participants to seriously consider the immediate and expanded inclusion of Native elders as invaluable resource persons and partners in the development of curriculum materials for Native students, and their active involvement in implementing the appropriate aspects of the curriculum in a classroom, along with school teachers. Many of our elders will no longer be with us after the next 25 years. When they leave, a large portion of our language and cultures will leave with them. Elders have always played a central roll in educating Native children. What they know, and what they have to teach, belongs in our children's classrooms.

Another recommendation strongly made was that the school districts support the mandate for Native studies and Native languages to be taught right in our schools. It is imperative that all schools in Alaska integrate Native values, skills development, and

languages in all subject areas taught. Cultural values and ideas, as well as a need (indiscernible) of thoughts expressing our languages cannot be reserved for isolated special presentation, or as an add-on class. They must be integrated into the curriculum of every course -- math, reading, writing, history, geography, science -- every text course; and they must be taught at all pre-schools, elementary, and secondary levels, using developmentally appropriate practices.

Our teachers and our schools must be geared towards and focus their attention and efforts on our (indiscernible) students. Schools must incorporate mechanisms and provide appropriate staffing to focus their efforts throughout the school day on the needs of our (indiscernible) population of students. Schools must no longer re-victimize our Native students, whose home situations are less than functional, by presenting them with inappropriate curriculums and environments that do not acknowledge their special learning needs or respect their Native values, and expect them to learn. Many of our Native children (indiscernible) come to the classroom from dysfunctional environments, with intense psychological impact, which many times must be addressed, in order that learning can take place. School districts must develop close partnership with state and tribal

agencies, which must provide health and social services, along with tribal courts, which exercise their jurisdiction on child welfare matters under the Indian Child Welfare Act.

Our state educational system must be fundamentally restructured to ensure that all students can meet higher standards. Our schools must focus on results, not just on procedures. There must be powerful incentives for teacher performance and improvement, and real consequences for persistent teacher failure. Gifted, creative, and sensitive teachers must be recruited; and more teachers who reflect our cultural richness must be trained and utilized. Our parents need to have access to training, which allows them to become active partners with the teachers and our schools. For many Native parents who were separated from their families to attend BIA schools, or for the parents of our children today who grew up in dysfunctional families themselves, this access to training is imperative, if they are to fulfill their role in the educational partnership. Teachers and school district staff must work in close partnership with state and tribal social service agencies to assist parents to become effective partners in their children's education.

School districts should seriously consider utilizing partners from the social service agencies to teach parenting skills as part of their health curriculum, so we can prepare our Native students -- our future parents. The schools must keep their doors open for public access by expanding community school services for parents to use math and reading labs. Schools must change negative attitudes towards parents about not being involved in the education of their children. We need to educate parents about rights and responsibilities, and establish policies locally, so parents can feel and are active partners in education. School boards must set aside their political agendas, must educate themselves to the dynamics of youth address, and must have the courage to accept and support the fundamental changes in our schools that are desperately needed, for student address could come to our classrooms with a need to learn.

To prepare school boards for this complex task, funding must be made available by Department of Education for school board training appropriate for Native villages and urban areas. School board members should be a role model for students by being alcohol and drug free, because students and parents need to see school board members, teachers, administrators, counselors, and any other staff as positive role models.

The University of Alaska system plays a major role in the education of Alaska Native children. The UA system educates our teachers and provides educational systems with research on Alaska-related issues. Alaska Native students seeking higher-education degrees attend the UA system.

For these reasons, conference participants discussed the following needs and recommendations: retention of med (ph.) students in the AU system must be a priority. It is only by completing graduation requirements that many of our young people will be able to return to their Native communities to fill positions requiring higher degrees. Plans must continue to increase counseling services and academic support services for Native students in the UA system. Support for mentorship programs involving Native leaders in the private sector was also expressed. Relevant university programs, which focus on strengthening Native cultures; for example, Native languages and history courses are needed, as well as courses to help teachers work effectively with Native children relative to social issues, such as child abuse, neglect, and suicide prevention. The universities need courses that prepare teachers for multi-cultural Alaska Native learning styles, and cross-cultural communication. Graduate

research programs need to focus on issues which will benefit Native people. The conference participants also suggested the creation of tribal colleges within the state of Alaska.

The UA system must have high standards and expectations for Native students and must emphasize quality academic preparation.

Native students must be encouraged to reach high goals; that is, to become lawyers, statesmen, authors, professors, anything; and receive instruction and academic counseling that prepares them for graduate and post-graduate candidacy. The Board of Regents and president of the university system should work in close partnership with regional profit and nonprofit Native organizations to assure that their institution will provide relevant training and student support services for Alaska's future Native leaders.

I realize I'm going overtime.

COMMISSIONER THOMPSON: May -- if you would, Rose, I'd appreciate it if you might summarize, and then we'd like to hear from Reva as well. Thank you.

MS. ISAAC: Okay. I'll summarize the rest.

COMMISSIONER THOMPSON: Please.

COMMISSIONER BOYKO: We will receive your paper, however, if you wish, gladly; because I think you

have some very good stuff in there that we want to have in full.

MS. ISAAC: Finally, the State legislature has an all-encompassing responsibility to ensure that any services that they propose, and any statutes they develop, will coordinate with, and provide effective linkage to, the state's educational institutions. All State programs and services must be part of the education partnership: health and social services, public safety programs, economic development projects, and State policies which encourage tribal empowerment and local control all increase the feeling of ownership and participation, which is needed to develop effective partnerships.

These legislators need to hear and respond to the needs of Native people. They must hold accessible hearings on issues that affect Native people in rural areas, so legislators will be educated about rural issues. When appointing individuals to conventions and boards, they must appoint Native people to speak for themselves and for our own needs. Adequate funding for school districts must be provided to ensure quality education is provided in every part of the state. The State Legislature should mandate Native studies and Native languages in our schools. Recently,

Representative Georgianna Lincoln had introduced House Bill 352, which, unfortunately, died in the Senate Finance Committee. Hopefully, she or another legislator will reintroduce a similar bill.

Our language needs to be taught in our schools. (Speaking in Native language.) Tell me, exactly what did I tell you? What did I say? You don't know. I have to sit here and give my testimony to you in your language. Why should I do that? Why does any of us have to do that? Why did I have to come clear to Fairbanks to testify? Why didn't you come to my home town? Why didn't you come to Tok? Why don't you go to Glennallen? Pick a regional central location and go there. Don't give me this excuse of no funding. You were appointed there to listen to me, and my people, and our needs. I challenge you to go out there to the villages. We are very, very much alive; and by God, we are interested in - what is happening.

I will not finish the rest of my -- I do have some questions for you. What -- who appointed you, and after you hear our testimony, where are you going to go with it? Are you going to put it in the big book? What did you do with the book?

UNIDENTIFIED SPEAKER: Oh, it's over there.

MS. ISAAC: The Governor had formed a task force committee, and they came up with this big, gigantic book. I'm not sure -- other than people are reading it, and looking at their research -- I'm not sure what's going to happen now. What are we going to do about the educational system that is existing in Alaska today? There is such a high dropout rate. There's such a high suicide rate, especially in our villages. What can we do to put a stop to this? Where are we going to go from here? Are you just going to listen to me, my testimony and other people, write your little whatever, and then what? What's going to happen five years from now? Ten years from now? In 1989, according to this research we have, had such a low, low scores in our schools. The people in those areas, the regional board, need to open their eyes and wake up to the fact of what is happening to our children in our schools. Don't look at the schools -- don't look at the teachers -- I mean, don't look at the students and say:

"The student can't learn."

The student can learn. I know that. So what is happening here? Whose fault is it? I'm willing to sit here and point my finger, not only to the teachers, but to the regional boards as well. The regional boards did

not put themselves there. They were elected there. So are the advisor school boards.

In Tanacross, I sat on that advisor's school board. And there again, our IOWA basic test scores were low. I said:

"Okay, we're going to do something about this. Goal number one, there's going to be changes made in the school. Maybe it will not be happy change for some people, but it's going to be made."

The next thing that our advisors' school board did was mess with Village Council and request of their help. If a student was missing school for so many days, we want to know why; and if it's beyond our hands, then we refer it back to the tribal council, and requested that they meet and talk with the parent. The test results is going up a little bit. It'll take time for us to see a - satisfactory change. But this are the stuff that we need to do. The things that we are there for as advisor school boards, as a regional school board member, as parents, as a community person, clear up to the level of the University of Alaska Board of Regents. We need to open our eyes and look at what is happening. Why is our students failing? Is this a student? No, I don't think it's a student. Any child can learn if there's a right,

motivated person there; a right teacher; a teacher who cares. And you don't have that. We'll still be where we are today 20 years from now, and everybody's talking about the year 2,000:

"We need to have our language taught in the schools by the year 2,000."

Forget the year 2,000. What about right now? Why not this year? Why not this September? You need to listen to the people. I didn't come up here, talking about Rose Isaac, and what I think I see is wrong, and what I think I want to see changed. I've talked to 50, 75 people by telephone, in person, before I came here today. I'm talking for all of them, and my people are saying, requesting, demanding that our language be taught in our schools. And don't give me the story about:

"Oh, people from Tanana speak a different dialect from people in Northway, or Tetlin, or Tanacross."

I know that. But we also have our own individual speakers. Each and every one of our own villages have some person in that village can speak that language fluently. So that is another excuse I will not listen to. Another thing I will not listen to is lack of funding.

I realize I've went quite a bit over my time, and I appreciate it; but I will leave you with one final challenge. I'd like to extend an invitation to you to visit the villages, pick a central location; come to Tok. I can make arrangements for people as far away as Copper River to come. Or, if you choose, Glennallen. I'm sure people from my area will go to Glennallen. Thank you.

COMMISSIONER THOMPSON: Thank you, Rose.

(Applause)

COMMISSIONER THOMPSON: We next would like to hear from Reva Shircel, who is with the Tanana Chiefs Education Department. Reva, and we welcome you as well.

MS. SHIRCEL: Thank you. I appreciate -- is it on? Is this a good.....

UNIDENTIFIED VOICE: That one's on. If you want to (indiscernible).

MS. SHIRCEL: I appreciate the opportunity to -- be here this morning -- or this afternoon, with the members of the Alaska Natives Commission at your Fairbanks hearings. I would like to take the opportunity to share with you just a few of our concerns about some of the issues we face here within the Interior of Alaska. I think you will find that some of our concerns about education may be similar to the concerns of other tribes

and other places within Alaska and throughout the country.

It is time for us who are involved in the educational system in Alaska to change the system and to make it relevant for Alaska Native students. Alaska Natives and Native American people have always focused on living in harmony and finding bounds within their environment. In many ways, we have been masters at adaptation. The Alaska Native people have been adapting to the Western European education system for a long time now. As a people, where has this system gotten us? The Alaska suicide rate is twice the average; and, among Natives, it is twice that. Among Native males aged 20 to 24, it is 13 times that. Two-thirds of Native suicides involve alcohol. Many Native families are dysfunctional because of racism, alcohol, and drug abuse, incarceration, and conflicts between traditional cultures and new ways.

It is estimated that the university loses 60 percent of the Native students between the freshman and sophomore year. They are poorly prepared academically. Our high school dropout rates, especially in the urban areas, sometimes reaches above the 60 percent level. According to the hearings of the White House Conference on Indian Education, Indian National at Risk, and the

Quality Education for Minorities Project, hearings that TCC has testified at in the past, education has been described as being a bittersweet experience for Natives and American Indians. It is helpful to deal with the new times, but it also drives a wedge between the traditional and the new. The Alaska Natives have had to live in two worlds, two cultures. When this educational system was introduced to us years ago, our students subsequently had to also learn to live in two cultures, two ways of life. New ideas, new technologies, a faster way of life of the one culture have conflicted with the values and traditions of the Native culture. We have tried our best to adapt in our individual ways, the best of each culture. In spite of the fact that many of today's Alaska Natives must adapt their skills to the demands of the job market, we recognize that we must also have a solid knowledge of our language and culture, in order to survive as a proud people.

In the interest of time, and since Rose did such an outstanding job of testifying on behalf of the type of curriculum that we need, the course development, and the staff orientation, I will overlook my portions of my report on that.

The bottom line on education is: Do Alaska schools prepare Native students for life? And, again,

according to the 1988 report of the Governor's Commission on Children and Youth, preparing youth for life is everyone's business; but schools have a special role. A Native elder observed that the best survival kit a person has is their mind. All community resources help create this survival kit, especially the schools. Young people's health and ability to stay healthy affect how well they learn in and out of school. As young people grow, the degree to which they have mastered life skills, such as knowing how to make friends and resist peer pressure, the difference between normal blues and serious depression, ways of being naturally high, or how to resolve conflicts with parents and others can determine whether they become casualties or take advantage of their opportunities. Educating the whole child means that life skills are as basic as language, as math. Parenting skill classes are now taught in some of Alaska's 55 school districts, and curriculum that integrates skills for living within a critical thinking approach is not available anywhere. Yet it is clear that the ability to make good life decisions and future plans, resist peer pressure, learn new skills for adapting to changing job markets, and understand the demand and qualities of successful parenting are among the most important new basics in our children's education. They are the basics

of the future, no less important than the traditional three Rs. As Native people, we need to stem the tide of the overwhelming statistics. Teachers and counseling staff, working in conjunction with elders and other local natural helping networks, are needed to both assist students and their parents, and to teach the children in their classrooms the skills necessary to break the multi-generational effects of many of the problems which, in the end, will affect the students' abilities to learn.

In closing, let me leave you with one thought. I do not believe that there is a single Native student in any school in this state who has failed or is failing. They're our children; they are in our care. For many reasons, the educational system in Alaska is failing. It is failing in its responsibilities to teach and educate. It is our responsibility as parents, as educators, and as community members to work together to make the changes necessary to educate and prepare our children for life and for the future of Alaska. Here in Alaska, as elsewhere throughout the country, we must take the responsibility for the welfare of our children. We must work together to change the educational system.

To focus on the statement that Alaska Native or American Indian children are failing is once again victimizing our children who may already be the victims

of an inadequate and insensitive educational system. Our children aren't failing. It is our schools that are failing; and it is us as parents, educators, community members, and Native leaders who must make the changes for an education system that would be relevant today for our children who will be the leaders of tomorrow. Thank you very much for listening.

COMMISSIONER THOMPSON: Thank you, ladies.

(Applause)

COMMISSIONER THOMPSON: Let me just say I think that was very insightful. It's some very serious and challenging questions; some very welcome thoughts on what needs to be done. I'll reserve my questions. Beverly, is the chairman of the Educational Panel; and I think what both Ed and I should do is defer to her, 'cause she is the individual Commission member who is going to be chairing the Education Panel, so.....

COMMISSIONER BOYKO: Before you ask any questions, I want to just find out is there anybody else in the audience who wanted to be heard on this Education Panel before we go on?

COMMISSIONER THOMPSON: Pauline Carla in the back.

COMMISSIONER BOYKO: Should we --

MS. CARLA: I am Pauline Carla. I went to school --

COMMISSIONER THOMPSON: Pauline, you're welcome to have a seat here if you'd like.

MS. CARLA: That's okay. I went to school -- (interrupted to move to a microphone.) My name is Pauline Carla. I was born and raised at Nulato; that's on the Yukon River. I went to school at a Catholic school; and talking about Indian language, I always hear people saying:

"I got beat up,"

or

"I got slapped, because I spoke my language in school,"

and the BIA and the missionaries are always feeling blamed for that. I was not once slapped in school; but I can remember out when I was going to school, because when you go to school, you are going to school to learn English, arithmetic, your writing, and reading. Therefore, you are not expected to talk your Indian language while you are going to school, because you already know your language. When I got married, I had eight children. I can speak my language real well. I never taught my kids my language. I don't know why that was. I never gave it a thought. It would have been

terrible if my grandmother was living, because my grandmother couldn't speak English, and my kids couldn't speak the Native language. There would have been no communication, but I'm not blaming this on anyone but myself. It is my responsibility to see to it that my kids speak my language. I don't expect anyone to teach my kids the Indian language. It is up to the parents to see to it that their kids, if they can speak the language, to teach their kids. I have a friend here in town that had about 16 children. All her kids speak her language. Even her little three-year-old grandchildren could speak to her, so that proves that you don't have to turn to anyone to teach your kids your language. It's your own fault if your kids don't speak your language. That's all I have to say. Thank you.

COMMISSIONER BOYKO: Thank you very much, Pauline.

(Applause)

MR. MADROS: Good afternoon, panel. My name is Patrick Madros. I serve on the Yukon/Taku School District Regional Board.

COMMISSIONER BOYKO: Spell your last name for me, will you please?

MR. MADROS: M-A-D-R-O-S.

COMMISSIONER BOYKO: Thank you, sir.

MR. MADROS: I'll be testifying twice today. This is my -- you asked for an open invitation to education, and I feel I've been on the board nine years, and I'm well versed in this field, and if I just sit there and not say something, I think that it would be not right for me to say something. First of all, you got to realize the value of the education has to be taught in the home. The value of education has to be a value this is taught in the home; and I repeat that, because we so busily beat up on the regional school boards; we beat up on everybody else that's involved with education; but if the values that make things happen are not being taught from the parents; and if you look at what's happening with the Native language, for instance, I always say it has to be taught in the home.

And you ask yourself where all these regional school members come from. They're elected to that position by the people that are in the community. They're not people that come from all over, or different people that are involved with -- coming in from the -- appointed by the Governor, or whatever. They're elected from the communities that serve on these boards; and if you look at where education has come from in the last 20 years when (indiscernible) incorporated, you only had about five people who had a college degree. I was a

young man then. I had to go to the college -- I mean, go to the dictionary to find out what a corporate shareholder was. I didn't know what a shareholder was. But our education system has taken, in the last 30 years, to take 500 years to catch up to where we're going. And right now I know of over a hundred people that have degrees right now that -- whereas, their grandparents or their parents don't have college degrees. In education, in mining, and social services, the LPs that are co -- registered nurses, I mean, that are coming out. We have a lot of people that are succeeding. You're not hearing about these people. We're hearing about the one or the few that fall through the cracks; and when you turn a society over in a 30-year -- in one lifespan, you're going to have people that fall through the cracks.

And economically, we were used to a subsistence lifestyle; and economically, all of a sudden we're in a cash-flow entity. I remember the days when there was only one barge in the spring, one barge in the fall, and maybe one plane in a month that came to Kaltag. I remember when the first generator in 1955 was pulled up the banks in Kaltag, and that was the first electricity we ever had. The only outside communication we had with society at that time was the State radio that worked on 3201 or 3211.

We've come to now where my kids expect running water and sewer in the house, have a television there, have a telephone. To them, that's things that were there when they were born, so that's not a privilege like I look at it. To them, that's necessary. In order to keep these things, we got to have an economy that's going to sustain it. We don't have the economy out there, because the State agencies we fight with: Department of Fish, and all the other ones.

So, when you sit down there and you start beating up on Department -- on education, it's not only responsibility on the educational board, it's the responsibility of the parents. The bottom line of the failing of the education system is on the parents because we let it happen. And until we realize that that's where all our failure is, from values of the home, and values as parents to teach education, we're never going to change our society.

But at the same time, too, we have to look at the positives that have happened in 30 years. Where have we come from? We have people that are running organizations, such as Mr. Thomas; and all the other people that have the knowledge to do it, where 30 years ago, they would never had.

COMMISSIONER BOYKO: Thank you, sir

COMMISSIONER THOMPSON: Thank you, Mr. Madros.

(Applause)

COMMISSIONER THOMPSON: Beverly?

COMMISSIONER BOYKO: Beverly, you have any questions of the panel members?

COMMISSIONER MASEK: Yes, I do have some questions. First, I'd like to address this question to Angela Jackson regarding your education and your ability -- you stressed the fact that you needed more Native teachers, and that you had a hard time with the diversity with the non-Native and the Native; and I'd like to know, how would it be better if you were to have Native teachers, and maybe what would you like to do to change that? How would it affect you now if you were able to be educated with a Native teacher and to have, in other words, what I'm trying to direct a question at is you had a problem working and going to school with the non-Native kids, and you didn't feel well at it. What can be done to make those changes?

MS. JACKSON: I would feel more comfortable if there were more Athabascan taught. Just like beading classes and things like that in elementary school. And when you have a Native teacher, when you're learning from a Native teacher, it seemed like to me you could relate more; and plus you look at them as a role model, and you

want to be that way, and you want to graduate, and you want to go to college. I think it's important that we have Native teachers in our schools. I've only seen -- right now we only have one Native teacher in our whole school district; and I keep hearing that all the time. We don't have anybody in our whole school district. We had one Native person on our school board; and out of those two, that was all the Native people in our whole school district. I think it would be good to have more Native people in our school district, so we could look at them as role models.

COMMISSIONER BOYKO: Can I jump in here with a quick question?

COMMISSIONER MASEK: Yes, you may.

COMMISSIONER BOYKO: Have you experienced a problem that those people from your area who are able to break through the system and get a higher education, won't come back and teach there? They go into the cities, and they go Outside? Can you -- if we can teach, if we can educate and foster the careers of Native people to become teachers, will they go back to the villages and teach there? And, if not, is there something we can do to encourage them to do it?

MS. JACKSON: Well, myself, I'm going toward a business degree, and I really want to help my people; and

I'm coming back to them, because that's the way I feel about it. And I think if the Native leaders in our community spoke to the kids going to school and telling them that we need them to come back, maybe they will. But I know that I am, because I want to.

COMMISSIONER MASEK: Well, I guess I should say in this respect then, with your -- what you told us today is that you had a problem, you felt uncomfortable working with the non-Natives, or being with the non-Native; and I feel, through my own experience, that I think you have to take the challenge and try to work at certain goals; and especially if you're going to be wanting to go back and help, that all the experience you get will be really good for you, and so that's all the questions I have for you.

MS. JACKSON: Thank you.

COMMISSIONER MASEK: And, Rose, I have a question for you. You were speaking a lot about the Native values; and I'd like to know exactly what Native values you want to emphasize on in the education part of the schools, and how will it help?

MS. ISAAC: What do you mean, the Native values --

COMMISSIONER MASEK: Yes.

MS. ISAAC: -- in the educational system?

COMMISSIONER MASEK: Yes, in the educational system, and how will it help the Native students to --

MS. ISAAC: I think most of our Native people, just like the question you asked Angela over here, I dealt with that when I first went to Tok's high school. The feeling of not being accepted, and knowing that in the Native value, we accept all individuals, regardless of who or what they are, and gives each and every one of us -- we have our own self-esteem. If you don't have self-esteem, then you will not succeed or accomplish anything you set out to do. You must have self-esteem. One of the most valuable values that I've learned about my culture is self-esteem, self-worth. Are we losing that today? Sometimes I wonder if that is why there is such a high rate of suicide, because we really need to have self-esteem. Self-esteem, I have no way of explaining what self-esteem is in my language. However, it's there. We respect each other. We don't ever look down on anyone, whether because they're poor, or for whatever reason. We respect everyone. We were taught to respect everyone. And I think if we put that into our school system -- I'm not sure how that can be done, because, there again, it must come from the home. Your parents are -- you are what you are because of how you were taught. What did your parents teach you? And if

you're -- if the parents could just teach everyone to respect everyone, I don't think we'd even have prejudice in our schools. Does that answer your question?

COMMISSIONER MASEK: Yes, it does, thank you. And I have a question for you, Reva. I'd like to know what do you want to find in the balance and the system? You were talking about finding ways to -- what your concerns were in regards to balancing the system. What kind of ideas, or what type of topics did you want to address to this Commission?

MS. SHIRCEL: Well, I think right now we have a lot of the young people in a great deal of quandary right now; and there's a lot of them are totally out of balance. We have been living with the knowledge that some of our kids have started drinking at the age of eight; and by the time they're 16 and 17, they're just totally, totally out of whack. And I've taken care of a couple of young people like that, so I'm real familiar with kids that are just totally out of balance; and it's a painful thing for me to observe. And I see that, or hear stories on a daily basis on kids who are wanting something more than they're getting right now.

And it's a hope that I have that the kids will start to be able to learn academics subjects; learn their English, their math, so that they're masters at it, and

that there would be somebody there to counsel them if they have personal problems; that there would be someone available to tutor them in order that they would become more adept at learning their academic subjects; and there should be someone there to tell them exactly where they came from, what their history is, and someone to talk to them, so that -- on a daily basis -- about their future goals.

I think, when you have a person that finds the value within themselves, that person has to be pretty knowledgeable about things that they have to be knowledgeable about. In this case, school work. For example, if you graduate from high school, you should have earned that diploma; and as far as them finding out what their roots are, they should be taught their language; they should be given their cultural aspects of their life. It's their right. And I think that they would probably feel a lot more in balance if all these things came together; and if we all made a coordinated effort to ensure that happens for every child.

COMMISSIONER MASEK: Okay. Thank you, Reva. I'd like to make one closing comment in regard to Pat and Pauline's statement about the education should begin at home; and I think this is a really a number-one factor in starting the child off is at home and should begin at an

early age, and teach them responsibility somehow. And this is one of the most important things, that it starts out, it's a beginning, and it has to go in the right direction.

This is my closing comment, and I sure appreciate hearing that. Thank you.

COMMISSIONER THOMPSON: Let me also just make an observation. I think that education, of course, is probably the cornerstone, without a doubt, of society; and particularly in our state, a young state, emerging state. We see, from listening to the panelists in their years of experience in this, I've gleaned several things. Number one, it's very obvious we need more Native teachers. In some sectors of the state, I think we're making some improvement. Maybe not enough, but there is some improvements being made. Young Native students are graduating, and when given the opportunity, are returning to their school districts to become role models and teachers, and helping the economy. The problem I think we've had in the past is we've tried to recruit teachers from the Lower 48, and then aculturate (ph.) them to what it means to live in a village, and sometimes we're successful, and sometimes we're not so successful, 'cause it is a marked transition from Chicago to Tuntutuliak; and if that teacher is comfortable and happy there, you

may have a decent result, until they decide to go back to where they're more accustomed. So getting Native teachers, or local teachers, I think is a very appropriate goal.

COMMISSIONER BOYKO: I was thinking, Morrie, in ways perhaps of creating additional incentives. There will be people like Angela who are idealistic and will do this out of their own desire; but there are economic incentives. You can, for instance, give people student loans with a commitment that part of it, or all of it, will be forgiven if they go back to their home base, instead of going someplace else. So I was thinking in terms of those kind of recommendations, because it seems quite clear from what we've heard here that there's two underlying themes.

One, Native students feel like they're a excluded minority in our school systems, because their culture is being ignored; their language is not being taught, and even discouraged; and I agree that you have to teach it in the home, but you can't have a confrontation between the home and the school. If you speak in your own Native language at home, you should be able to use it in the school; because, otherwise, the children are going to have a conflict. They're going to say:

"Well, why -- what is it -- what's wrong with my Native language which I hear at home, if I'm not allowed, or not encouraged to use it in the school?"

I think that both have to concentrate on that. And that's important.

And more Native teachers and counselors are needed. And there has to be -- obviously, in these rural school districts, the monetary situation is such that there isn't always enough money to go around, and so you have to create incentives to people to go back there. In addition to their original idealism, which may be there in many cases, it also must be made attractive to them economically to do that. And one of the way to do it is to maybe underwrite all or part of their education in turn for their commitment to go back.

COMMISSIONER THOMPSON: Just a final - observation, when we talk about education, we need to also focus on our urban communities, because we have many Native students. Some say Anchorage and Fairbanks are our largest Native villages, and we see, as Reva pointed out, some very alarming statistics. Well over 50 to 60 percent of the students in these public institutions in the public area -- in the larger urban areas are dropping out of school. That's just unacceptable, and cannot be

tolerated as public policy; and we need to look through and figure out what the causes are -- and I'm sure there are many -- but that we just cannot accept those numbers; and any society can't accept that great of dropout of students from their institutions.

And then, finally, I do serve on the Board of Regents. We've put a lot of time into trying to get more students -- Native students -- collectively through the system. Sometimes we stumble. Sometimes we're our own worst enemies; and, many times, we are successful. So, I wanted to comment that there is a great push, I think, by many that are trying to increase those numbers and increase those statistics; but we have a long way to go.

It's now 1:08, and it's supposed to be --

COMMISSIONER BOYKO: 12 o'clock (laughing).

COMMISSIONER THOMPSON: -- 11:40. What I think we'll do, if it's okay with the Commission is maybe - take a 15-minute at-ease; and I feel like Marie Antoinette, in that old classic --

COMMISSIONER BOYKO: Let them eat cake?

COMMISSIONER THOMPSON: -- we're going to sneak away and eat cake, and the poor audience is going to sit here and say:

"All you plutocrats are eating while we're starving."

But Ed can share his sandwich, and --

COMMISSIONER BOYKO: I'll share my sandwich with anyone who wants.

COMMISSIONER THOMPSON: We all will.

(Off record at 1:08 p.m.)

(On record -- Tape log 0 - 55 side conversations not transcribed)

COMMISSIONER BOYKO: All right, we've decided to kind of rotate the chairmanship, such as it is, of the meeting between us; and, actually, this should have been Morrie Thompson's chairmanship, because that's his task force, Economic Issues for Native People, but he's getting tired of it; and, besides, he figures since this is his bailiwick, and I'm an outsider, I can afford to be more dictatorial about the time limits than he was. I'm not losing any votes by doing so. In fairness to the people who are scheduled to make presentations later in the program, we've got to start catching up on time, because at 5 o'clock, they kick us out whether we like it or not; and it would be very unfair for the final panels to be restricted; so I will request two things: number one, try to stay within five minutes and not to exceed eight. If you have a lengthy written statement, and we've had several of those that have excellent content, but they were read to us, it would have been much more

efficient to put them in the record -- they would be fully reproduced there -- and then summarize and answer questions. And those of you who are coming now, I would request that you do that. If you have 20 pages, or 50 pages of statement, we certainly want to have it; and it will be read, and it will be taken into account; but please don't read it to us. Give us a five-minute summary, and be prepared to answer questions. Is that okay with everybody? Anybody object to that? Thank you. We'll start out on the panel on Economic Issues, and the first on the list here appears to be Mr. Ken Johns of Copper River Native Association. Are you with us, or is he not here? Oh, you're here. Thank you. Would you please go ahead, sir.

MR. JOHNS: My name is Ken Johns. I've just recently been hired as Executive Director at Copper River Native Association. I'm here today to give you my perspective of two important issues that faces Alaska Native people: the subsistence and the economy. First of all, Copper River Native Association is a sister nonprofit organization of Ahtna, Incorporated, which is one of the twelve organizations created by Alaska Native Land Claims Settlement Act. Copper River Native Association provides services which includes old-age programs, natural resources, health and social services,

human services, and administers all major contracts with the Bureau of Indian Affairs, the Indian Health Service, as well as the State of Alaska. Having said that, I will briefly cover concerns we feel needs to be addressed at this crucial period in Alaska Native lives.

Subsistence has put a deep scar in Alaska Native history. The failure of the State to fully address this problem will be with us for years. To be more specific, I will enlighten you about our experience we have had in loss of our hunting and fishing privileges throughout our region. The Ahtna Region is accessible by all major road systems in the state of Alaska. The region is also home of the popular Nelchina caribou herd, of approximately 40,000 caribou. Also, Unit 13, which covers most of the region, is a very popular hunting area for moose hunters from Anchorage and Fairbanks. Each year tens of thousands of urban and sport fishermen venture into our region. Each year approximately 15,000 applicants apply for caribou permits to hunt in Unit 13. Our villages are the most impacted villages in the state of Alaska. Each year our villages files numerous lawsuits, both in federal and state court, just to conserve our hunting privileges. I will not go into great detail, because throughout the years, there have been numerous testimonies on our need to subsistence hunt

and fish on our lands, but I will suggest that this Native Commission pursue changes that would allow Native regions who apply portions of ANILCA wildlife management to their lands, which would allow for rural preference.

I chose to start off my testimony with subsistence mainly because the economy is tied to subsistence. Without major projects; for instance, the Alyeska Pipeline, which runs through our lands and our village, we would still rely totally on subsistence way of life. As I mentioned before, we have major road systems throughout our region; we have access to major cities, such as Anchorage and Fairbanks; we have access to the Lower 48, Canada, and Valdez. Several large state agencies, including the Department of Highways and the Department of Education, but the Native employment in these areas is approximately one percent of the total workforce. With limited State funding, and cutbacks of major companies, the employment picture in our region looks pretty dim.

Suggested areas that the Native Commission can help us with is the development of our own corporate lands for employment and training. I am referring to training programs in the areas of natural resources program that would include timber and minerals. We need

to find ways that Native people can capitalize on tourism. We need assistance in getting our people in these kind of the mom-and-pop business during the high summer peaks. The Ahtna Region has major road systems that are regarded as world-class recreation rafting and boating areas. Also, the sports fishing for king salmon and sockeye on the Klutina River and Gulkana River has been one of the state's most well-kept secrets, and it has very high potential for major recreational spots for sport fishermen.

I'd like to go off and mention that our area is in a stage that, if you look down on the Kenai, I foresee that in ten years from now, our area will probably look like the Kenai. We need programs that fund low-interest loans to Native villages to get in some of these businesses that provide for boats, and provide for rafting businesses, and it's something that we can do in summer months, fully realizing that we are not going to be millionaires, but we will have some type of income during the summer months.

I want to go back where I mentioned about the subsistence portion of the economy. Right now, we have lost a battle within the Supreme Court on this all Alaskan. It's going to be very detrimental to our Native people in our region, mainly of the impact of the urban

hunters from both the large cities. We had, in the past two years, 11 days of moose hunting. My village which have over 200 people and has only got three moose. There are some villages that didn't get any; and I think we probably got a total of 15 moose last year. When you're talking about eight major villages in our region, that's very little. The Supreme Court has continuously, continuously went against us on a three-to-two vote on these issues.

I firmly believe that we are all equal when it comes to hunting and fishing, but there need to be some standards that protect the minority people in this state. You know, I'm a resident of the state of Alaska; I'm a citizen of the United States. I will protect the flag. I will go to the war for the flag, but when it comes down to a need to survive, we need those extra perks. We need that extra days. We need that extra season. The economy is going to go down in our area. There needs to be a replacement of the subsistence laws within the areas of the state. Without subsistence, you had heard testimony today, you're going to lose your culture; you're going to lose your language, because these are all tied to subsistence. I heard somebody -- I asked this elder before I came up here:

"What should I talk about?"

And she said -- I think everything has been said already. And she said to mention the booklet that was done on the AFN report status that's called "Call for Action." I suggest that this Commission review some of that. Another book here by Thomas Burger (ph.). Pick that up from the library off the shelves; sit down and read some of that.

A lot of what was being said today is redundant. You know, Native people are frustrated that we have to be coming and testifying every five years to another Commission, another book, another study. We've been stamped; we've been notarized; we've been certified; and I think we're just sick and tired of that. We need what this book says: "Call for Action." And I really hope this Commission can do that, because it's time to act. Testimony of the culture being lost; it's being lost; and one of the things with this battle over - subsistence, it's going backwards, and that's all I have to say.

COMMISSIONER BOYKO: Thank you, sir. Let me just quickly comment that those of us on this Commission who very passionately share your desire that this will be the last Commission, and the last report, and that we'll start doing something instead of studying it to death. Because it's very frustrating, and I fully share with

you, and I'm sure everybody on this panel. The next presenter -- and our co-chairman, Mary Jane Fate asked me to make it clear that these are not panels of the Commission, these are presenters; and the next presenter is Chuck Akers of State Department of Community and Regional Affairs; and would you please give us your presentation, sir?

MR. AKERS: Thank you very much, Commission, who invited our department to present testimony on our views and our agency's efforts to be an advocate and a service organization to rural Alaska. In fact, and in more particular, because rural Alaska is mostly Native people, in fact, we probably are the agency of greatest service, we hope, to Native people. And this morning I heard testimony; and I hope -- when Mike Irwin called me yesterday and said:

"We need somebody from your agency here."

- And I said:

"Well, what is my discussion?" And he said:

"Solutions to economic issues."

Well, I don't think any one agency or any one person has all the solutions, but I will present one solution that we as a department, and as state agencies and federal agencies have been working on some two years; and which shall come to fruition, I hope, this fall.

First of all, you need to listen to Chief Peter John, when this morning he said:

"I want my great, great grandchildren to know who they are."

So when I testify today, I'm in the arms of the dilemma. I'm a State representative; I'm an official of the State of Alaska, but I'm also an Alaska Native person; and I seem to forget that. As a person working for the State, many times you subliminalize yourself, your own person; and so I'm proud to say that I am a high official in this administration, and I'm attempting to bring my rural experiences to bear on issues that involve rural people, rural Alaskans.

And so I heed the call of Chief Peter John when I announce to the group that I have had over 30 years of life in rural Alaska. And when I am, as an official of the State, attempting to bring programs or issues to bear to serve people in rural Alaska, I'm doing so from that base.

And secondly, I present today, not necessarily the one solution, but at least, I hope, a solution that may help us. And I've heard in testimony today, the words fragmentation, dislocation; and, over the last two years, there's been a movement among state and federal agencies, in particular by the federal government under

the President's initiative for rural development, to develop a coordinative approach to state, federal, private, nonprofit, local government, and tribal issues in rural America; and, in particular, for Alaska -- rural Alaska. And so the Department of Community and Regional Affairs and other state and federal agencies, along with such people as Ed Rutledge from TCC, people from Bristol Bay, in public meetings over the last two years, have developed what I personally call "The Green Book," because it's got a long name; but it's "Towards a Comprehensive Alaska Rural Economic Development Strategy," and it is to be presented to your Commission as a basis for what has been going on, at least to this level. It has been the basis of an initiative on the part of the state and federal government to form a State Rural Development Council in the state of Alaska; and, most recently, two months ago, Walter Hickel and Undersecretary Walt Hill signed a Memorandum of Understanding; and the state of Alaska is to be awarded the status of a state rural development council; and it is forming now.

The strategy envisioned a grassroots approach to forming this council; and rather than go into all of the efforts that came about in developing that strategy, suffice it to say that we wanted to make sure that the

people being served had significant seats on that council; because that council's mission is to cut across bureaucratic lines in federal and state agencies, to assist in delivering the services that the clientele need for themselves and their communities. So, rather than go through the whole process, I present the booklet to Mike Irwin for your information. The book itself identified several areas that need to be addressed when you're looking at economic issues in rural Alaska, and they include barriers to economic development. And those barriers include a lack of financing; a lack of equity, organizations of the system developing equity; a lack of education; people who can actually handle or run business or be involved in the network of operating entrepreneurs. And so, without going into great detail, several barriers were identified in the booklet itself. When the council forms late this fall, the call - will go out to organizations, and it is fundamental and a requirement by both the federal government and the State that the interests that will be served on that council will be state, federal, private, local government, and, in particular, tribal governments will be invited to sit on this council. That council will be funded -- it's not a money council. It is a coordinative issue. It's an issue to assist the state and federal

governments to cut across our bureaucracies in bringing those services and those programs that we have to bear on our clientele in a more focused and coordinative way. And, with that, I end my presentation.

(TESTIMONY OF CHUCK AKERS ATTACHED AS EXHIBIT #3)

COMMISSIONER BOYKO: Thank you, sir. We'll follow the procedure we did before, in giving the presenters the chance to speak and then having questions. However, if my co-panel members will permit me, I would prefer to do this. We have two groups here of presenters. We're hearing right now

from Group A, and then there's a Group B that deals with Planning and Development; and I would like to address the questions to the first group when they're finished, and then do the same with the second group, so we don't get too far afield. The last of the three Group A presenters is Robert Coghill; and, if you will identify the organization that you're speaking from, I will not mispronounce it.

(TESTIMONY OF ROBERT COGHILL, JR., ATTACHED AS EXHIBIT #4)

COMMISSIONER BOYKO: Thank you, Bob. Morrie, you want to go first with questions?

COMMISSIONER THOMPSON: Yeah, I -- let me go backwards, if I may, Bob. First of all, I appreciate your observations. How do you, though, wind down this process? I mean, how do -- what's the solution. I mean, it's.....

MR. COGHILL: Well, that's the problem. The solution, we can still work it. We can't roll back the clock on RATNET; we can't roll it back on the services that are already there. We can provide opportunities for tourism development that are offered to not-for-profits, and make them available to individuals, or to entities like ANCSA. I don't think there's very much difference between an individual and the ANCSA Corporation; and if

we have a government policy that aims towards that, we can have economic development that is owned by the villages.

COMMISSIONER THOMPSON: And an observation, if I might, and I'll follow up with another question. With declining state revenues, we are going to see, though, a lot of the infrastructure that's been built in urban and rural Alaska receiving less support; and a concern I have is our rural communities are going to be impacted more for several reasons. As the State dollars drop across the state as they will here, rural Alaska is going to take a disproportionate hit for several reasons. Number one, we're losing the political power that we had. Number two, we have a higher percentage of our city dollars come from the State. And number three, we don't have no alternative sources. The urban communities can go to taxation; they can increase the mill level and go - to a sales tax. Those options are not open to rural Alaska, so we need to be innovative. So, my basic point, is there going to be less money to support the infrastructure that's out there now -- the laundries, schools, the TV, that might create some opportunity, but.....

MR. COGHILL: I think it will create an opportunity. The study that was done that I picked up

back there said that they estimated the populations in the regions that they studied were three times greater than the economies can support. I think that might be a false analysis if the economies were truly locally based. It's still three times larger, and I don't think we can develop an economy three times as great; but I think this is part of the tool that can be used.

COMMISSIONER THOMPSON: And I'm encouraged from a positive note to see the number; and I know your community is one of them; but to see tourism being viewed as maybe a partial answer for diversifying the economy. And we look forward to working with some of your communities in that regard. I know it's spreading. We see it now in Stevens Village, and Fort Yukon; and, up in your area, the Lower Yukon is beginning to look at it, I think, in a pretty systematic approach, so that's encouraging.

And, if I may, just to comment, I couldn't agree more with Ken on subsistence, and it's an effort that we put forth. You know, when we view these problems, we tend to look at them as problems that were visited on us a long time ago; but subsistence is a current issue, and it's an issue today; and in 1990 and 1992, we've been singularly unsuccessful, collectively as Native people, to impress upon the majority, and impress

upon the legislature, to impress upon the administration, the importance of subsistence. So history is repeating itself before our very eyes in 1992; and it's a sad commentary in my view. You know, we think that we're enlightened as we grow; we think we get better at understanding multi-culturalism and what it means; and we think we should be more benevolent as our governments gain experience; but that's not the case in this issue, unfortunately. And I, however, am still hopeful that if the State truly wants to regain management of fish and game, that they will recognize that there needs to be a rural subsistence priority that allows the State of Alaska to manage fish and game and protects subsistence lifestyle that's so important.

MR. JOHNS: If I may, on that point, he said:

"Subsistence will always be tied to the economy; always will be tied to economy."

- And one of the solutions I was going to mention was to make Anchorage a separate state.

COMMISSIONER THOMPSON: Well, let me comment on that, and I was hoping that somebody from the News Miner would be here, but they're not. You know, we've lived in Fairbanks for a long time, and this is probably the seat of separatism. I mean, they've got the Secession Unit here; they've got -- somebody just published a paper the

other day, a paper calling for cessation from the union. It's been going on here in Fairbanks for 20 years, and the News Miner never comments on it. Right? People who are high in the administration now have even sponsored studies about separating the -- what the United States is not doing to Alaska. The very minute that the Arctic Slope Regional Corporation, the North Slope Borough talks of another state, the editor of the newspaper's editorial is about what a terrible idea that is. It's fine for the non-Native people to secede from the United States; but the minute the Native people think about forming another state, it's a very terrible idea; and that's a double standard; but that's for another day.

COMMISSIONER BOYKO: I'm in favor of both --

(Laughter)

COMMISSIONER BOYKO: -- the state seceding from the union, and the North Slope seceding from Alaska, and Southeast going to Canada, and Anchorage being a separate state; and then we'll have Slovenia (ph.), and Bosnia, and anyway.....

COMMISSIONER THOMPSON: My point is that it's fine for the majority to talk about all of this craziness, but the minute that a distinguished worthy Native organization does it, it's heresy. And I'm not blaming you, Ed.

COMMISSIONER BOYKO: No.

(Laughter)

COMMISSIONER THOMPSON: I'm just making a statement.

COMMISSIONER BOYKO: No, I'm a maverick, you know that.

COMMISSIONER THOMPSON: You probably put the North Slope up to it, but.....

COMMISSIONER BOYKO: I'll never admit to it. Beverly?

COMMISSIONER MASEK: I guess one of the issues that I have directed toward Ken in regard -- or, excuse me -- to Bob in regards to the tourism. What steps are you taking in the tourism area?

MR. COGHILL: The City of Huslia is developing a tourism project that they're trying to define themselves differently from the other tourism projects that have been established in the state, take advantage of that isolation, the fact that the culture is very strong in Huslia; and also because Huslia just has a lot of great storytellers that we feel like we have the ability to share that.

COMMISSIONER MASEK: And is the corporation helping --

MR. COGHILL: No, the corporation --

COMMISSIONER MASEK: -- to promote it, or is it just the villagers that are.....

MR. COGHILL: This is part of my complaint, that the corporation is not doing it, partly because funds for doing the marketing research are available to not-for-profits, villages, perhaps not exclusively, but they're much easier available to not-for-profits and governments than they are to a profit-making corporation. There are programs for individuals in profit-making corporations, but they're not as user friendly.

COMMISSIONER MASEK: Okay, thank you.

COMMISSIONER BOYKO: Did you have more?

COMMISSIONER MASEK: No, I think that's all.

COMMISSIONER BOYKO: Oh, okay. I want to address this also to Bob Coghill. There are a couple things that your comments triggered in my mind. Number one, you said, in effect, that local enterprise, whether it be village corporations or individuals, can't compete in certain areas with government, because they can't do it as cheaply. I'm thinking that that's a fallacy, because government can only do it so cheaply because it is subsidized by revenue money. I mean, it isn't that they're so much more efficient; it's just they got more money to spend, and they can do it without regard to having to make a profit.

MR. COGHILL: I definitely didn't mean to say they could do it more cheaply. In fact, I think they do it much more expensively.

COMMISSIONER BOYKO: Exactly, so my next step is why wouldn't it make more sense, instead of using government funds to run utilities networks, or other enterprises like that, why wouldn't it make more sense to take that same revenue money and make it available to local entities or the private sector as low-interest loans, which if that's low enough -- and we know this from the three- and four-percent money that used to be available years ago, how that was a real stimulus -- why wouldn't that start something that would keep on going, and the government eventually would get it back. Wouldn't that make more sense than having the -- pardon the expression -- Owner State, own it all?

MR. COGHILL: Well, I hope that's something that can be worked out. Well, I know it can be. It's done in the urban settings everywhere, but we have to --

COMMISSIONER BOYKO: Seems to me if one of your village corporations could borrow money, for instance, for a tourism capital investment facility, you have to provide something for the tourists. You can't just tell them stories. They have to be able to sleep somewhere overnight. If the government could give you a three

percent loan that you could pay back over 50 years or 30 years, that should do wonders, shouldn't it?

MR. COGHILL: Well, that's the secret to the riches of our corporation is that so far no government will provide the capital, and that's what we will probably do -- giving away a trade secret, what we will probably do is build out of our funds, the capital resources that the village Huslia needs --

COMMISSIONER BOYKO: And I have another question.

MR. COGHILL: -- to run this program.

COMMISSIONER BOYKO: You talked about ANCSA corporation, and I was one of the midwives who brought into this world the Alaska Native Claims Settlement Act and its progeny; and one of the things that I'm wondering about, whether the Division of Resources between regional corporations and village corporations was equitable and fair, or whether it shortchanged the villages? Do you have a comment?

MR. COGHILL: I can't comment to that.

COMMISSIONER BOYKO: Why is that? Is that a taboo subject?

MR. COGHILL: Well, no, I'm not a shareholder. I'm what they refer to at Tanana Chiefs as one of the

rednecks, especially at this time of year; and I really have never given that any consideration.

COMMISSIONER BOYKO: Anybody else on this panel have any thoughts on that? It's something that's been troubling me, because we created regional corporations in the image -- and I know Morrie is going to throw a dagger at me in a minute -- in the image of the Western-style profit corporation, and so they are very effectively and efficiently run in that image; but most Western-style White man's corporations that we know are primarily interested in providing for their managers in the style to which they would like to become accustomed; and then if something incidentally is available for the shareholders, hooray, but not always. Sometimes they lose money, and the managers get raises; and I don't know whether that's the best way to provide for the economic development of rural Alaska, and I'd like some input on that. Maybe I'm totally off base.

MR. JOHNS: I think you're talking about two separate issues here.

COMMISSIONER BOYKO: All right.

MR. JOHNS: You're talking about what ANCSA was regional corporations, and the ideas about how to operate those. The descendants who do not like how these were created are more thinking in line of retaining a lot of

the Native rights, rather than looking at it as a business entity. I worked for 7½ years for our regional corporation as one of the senior management, and no matter which structure you put in place, you'll always have differences of opinion how to operate. But --

COMMISSIONER BOYKO: But my question is why should village corporations have to go to government for money when, for instance, the subsurface rights to their resources are vested in their regional corporation? If they had those, maybe they wouldn't need to go to government for money.

MR. JOHNS: You're going to have to ask every single village corporation about that.

COMMISSIONER BOYKO: All right. Just thought I'd throw that question out. On subsistence, I have a question. Let me preface it by saying I've never hunted in my life; I couldn't hit a moose at five paces with a bazooka, because I'm industrially blind; I've fished occasionally, but not lately, so I have no personal interest in one way or the other; but the argument goes that we have a finite resource, we have so much wildlife, we have so much game, so much fish, and there are competing interests. There are the true subsistence needs for people who live traditionally off the land and who at least, even in our modern economy, have to

supplement their income and their sustenance by hunting and fishing. Then there are the people who basically do it for commercial reasons, and particularly the fisheries; and then there are the sports hunters who do it because they love to hunt, or they go for trophies or whatever.

And we have a State Constitution that says, and the Supreme Court, whether you like what they say or not, they did interpret it the way it's written; and if you don't like it, you need to change it. The Constitution says that every Alaskan has a right, the same right, to those limited resources. And if you give preference to one group, that takes away from the other; and maybe that's what should be done, but I'm talking about legally now, you need to do something to be able to do that.

So what is the answer to that? Should subsistence be based on need? In other words, should you have to prove that you need the meat and need the fish to support your family? Should it be based on residence, rural versus urban? Should it be based on race or ethnicity? How would you define subsistence for the purpose of preference?

MR. JOHNS: You know, God blessed this lady's heart before I came up here, because it was just -- she incited me about something here, about a need to explain

why we need to do certain things. Her nephew went out on a plane the other day, and he was missing for almost 30-some hours, and she told me that:

"I never know what it's like until I experience it to have lost somebody. Now I can tell other people what it feels like."

It's just like an alcoholic. You can't really know what an alcoholic is until you are one, or you've been through it. Abused child. You'll never know. You'll never know. And I can't sit here and tell you exactly how I feel that my need to subsistence hunt until you've actually done it yourself. And that's hard to explain.

COMMISSIONER BOYKO: Unfortunately -- and I know where you're coming from, and I feel that you're right -- unfortunately, a majority of the people who have the power to make that decision are in the same class of people who have never done it; and, therefore, don't understand it. So how do you reach them? How do you explain to them why certain things should be done? See, we are going to have to make recommendations, and to put them into a book isn't going to do any good, just like you pulling it out very effectively. It'll be just another book. We've got to come up with arguments that will convince reasonable people of good will that they

should go in a certain direction, whether by legislation, or policy, or whatever.

And I have followed with a lot of interest the subsistence debate; and, as far as I'm concerned, it wouldn't affect me one way or another to give the classical rural preference to rural Alaskans. It wouldn't hurt my feelings a bit. But there are people who are just as passionate on the other side of this, and they have a certain amount of political clout. And I would like to hear some effective arguments, why, for instance, it would be right to amend the Constitution of the state to allow a preference for rural residents.

COMMISSIONER THOMPSON: Okay, you're talking about economy, you're talking about education, you're talking about culture. You take away subsistence, you can throw all the rest out the window for Native people; because all of that is tied to subsistence. And to understand that, I cannot sit here -- I don't have enough days to sit here to explain what it all entails.

COMMISSIONER BOYKO: I know where you're coming from, and you don't need to do that; but what I'm saying is how do you explain to the White resident of rural Alaska, or the Native resident of urban Alaska, a system of rural preference, or a system of preference based on race or ethnicity.

COMMISSIONER THOMPSON: Ed, if I may, that needs to be a subject maybe for a complete hearing by itself.

COMMISSIONER BOYKO: You're right. You're right, but the subject was brought up as a key point; and it's one that I'm deeply interested in and that I want to do the right thing. And of course I'm also, as you probably know, an advocate of a Constitutional Convention; and that's the only way, I think, you'll ever going to get a Constitutional amendment, if that's what's appropriate, to deal with the subsistence issue.

COMMISSIONER THOMPSON: Just let me add a comment, if I might though. The problem hasn't been just a political one. I mean, a majority -- I mean we've had the entire Congressional Delegation; we've had a big majority in the Senate before; we had 24 votes in the House, which is clearly a majority, supporting a Constitutional amendment. We came one vote shy in the House. We had a majority of the Senate with us; we had the Governor with us. So, it's not that the political will hasn't been lacking. This time around, in the special session, I think it was called too early. It was very narrow call. Subsistence Constitutional amendment was never really given a chance in this special session, because the Constitutional issue was not put on the

table; and, therefore, could not be properly debated. So the issue was never given a fair hearing in the special session; but go back to the last time, we did have all of those entities supporting a Constitutional amendment. We've polled that issue. The public is with us. Very clearly they want to decide; and very clearly they support a rural subsistence parting. I only mention these things, 'cause you may not know that.

COMMISSIONER BOYKO: I do know it. I'm aware of them, and also I'm aware that you'll never -- don't say never, but it's very unlikely that you'll ever get a Constitutional amendment that is so controversial through the legislature; because you need two-thirds, and it's almost impossible. What you need is a change in the Constitution which will permit a popular initiative to amend the Constitution, which we do not now have.

COMMISSIONER THOMPSON: But now, just a suggestion while we're sitting up here figuring out how to resolve it, time is ticking away for us.

COMMISSIONER BOYKO: Yep, you're right, and I apologize; but it is a key issue. I did have a question though of Mr. Akers. This council that's being created, is this just going to be another layer of bureaucracy, or is it really going to cut across bureaucratic turf

boundaries? And how? What powers will it have, other than to try to persuade?

MR. AKERS: I think, you're correct. The danger is there to be another layer of bureaucracy. There have been eight pilot states in the system that have already adopted the council program. There's been measures of success in the process, in that the council itself, obviously, is not going to run out and say:

"Department of Commerce and Department of so and so, you get together. You make one agency and go down your trail."

What it's job is to do is that if an area like the Middle Yukon wants to do tourism, and it's been a major part of the strategy, it is up -- and there are some inhibiting factors in federal or state regulations that keep something from happening, then that council and its director can cut across bureaucratic lines by going straight to the Monday morning management group in Washington, D.C., and getting it on the table at the Department of Interior, or the Corps of Engineers, or wherever it's occurring. And they've been successful in getting waivers for allowing states such as Alaska, who when they make regulations and laws in Washington, they make them for all; and, typically, they don't fit

Alaska's needs. And, therefore, that council's job is basically to deal with those issues.

Now, in its it's a form of commitment. The federal government is committed to it, to the extent that their federal agencies are bound to participate on the council. The state agencies are being invited, too; and, hopefully, we can convince them that it will be an assist. And, secondly, I think it will be the core of the people, the grassroots organizations, that will assist in making it work; and those are the people invited, and those will be Native corporations, both regional, nonprofit. The other organizations that should sit on this council are regional development organizations, state, and local governments. So, if they're not committed to making it work, it won't work. But if the village of Emmonak or Unalakleet feel strongly about something, and they participate in the council, and they force it to work, then it shall. But it's a matter of education, commitment, and there's not a lot of money in this thing; but they have had successes.

And I want to put on another cap on subsistence; I want to take off my State hat; I want to put on my -- on the issue of -- this is an economic panel -- economics or -- and as a past General Manager of Unalakleet Native Corporation for three years, and having

managed and operated a general store in that community, I can tell you that while we did \$1 million of business in selling groceries in that community of 800 people, it was not because they had cash that they could survive; it was because they had subsistence opportunities in their community to get seals, whales, fish, trout, ducks, geese, moose, that they were able to survive at least at a standard level, or a level better than what they were used to. It was not because the groceries could get in on Mark Air every night, and if that was all that was available to them, they would not have been able to survive in that community. Me, as a General Manager, recognized that over 60 percent of that economy was probably subsistence.

COMMISSIONER BOYKO: Thank you. Anybody else wishing to address economic issues that are not in this group of presenters? If not, we'll close this particular segment. I want to take this opportunity --

MR. JOHNS: I would like to --

COMMISSIONER THOMPSON: We've got Group B, right?

COMMISSIONER BOYKO: Oh, that's right, we've got Group B.

MR. JOHNS: I would like to introduce a respected elder from our region, Ben Neely (ph.) and his wife, Hazel, sitting over here.

(Applause)

COMMISSIONER BOYKO: Thank you, welcome to our session. Before we get to Group B, I would also like to introduce to this meeting another member of the Commission who has joined us. Father Sebesta, are you in the audience? Welcome to the meeting, and when a segment comes up that you are personally interested in by virtue of your participation in the task force, I wish you would come up and join us. I have already invited Father Elliott to participate in the Governance section. I do believe you are in the Health task force; and if that's agreeable with you, I would love to have you come up here and join us when that comes up.

All right, Group B, please come forward and be recognized. Would you gentlemen be kind enough to introduce yourselves?

MR. MOORE: My name is Gary Moore. I'm a Economic Development Specialist with Tanana Chiefs Conference.

MR. RUTLEDGE: I'm Ed Rutledge, Director of Planning and Development with Tanana Chiefs.

MR. MADROS: I'm Pat Madros, commercial fisherman.

RECORDER: Excuse me, gentlemen, you really don't have to move that around, because that's only the microphone that comes into my equipment; and the one in the center is actually the amplified mike; so you're fine just how you are.

COMMISSIONER THOMPSON: So got to use the one in the center.

COMMISSIONER BOYKO: Okay, since it's the one in the center, we'll start with the gentleman in the center, if it's okay with everybody.

MR. RUTLEDGE: I'd like to change the order of presentation if I can and allow Gary Moore to go first, myself to go second, and Pat Madros third.

COMMISSIONER BOYKO: All right, that's fine.

MR. RUTLEDGE: Thank you.

COMMISSIONER BOYKO: Please do.

MR. MOORE: As I stated, my name is Gary Moore, and I'd like to thank the Commission for this opportunity to speak on economic issues particularly in the Interior Region, which is together with the Tanana Chiefs Conference Region. Myself and Ed Rutledge has prepared a testimony together, which I will read the first half of the section; and Ed will conclude with the final version.

I will highlight some of the economic issues and concerns to the Interior Region of Alaska, and Ed will highlight on some of the possible solutions or ideas on how to address some of those concerns.

(TESTIMONY OF GARY MOORE ATTACHED AS EXHIBIT #5)

COMMISSIONER BOYKO: Okay, thank you, Mr. Moore. Mr. Rutledge?

MR. RUTLEDGE: As a non-Native, I think it's important for me to establish some credibility for speaking before this Commission.

COMMISSIONER BOYKO: Not to me, but go ahead.

MR. RUTLEDGE: Over the past 15 years, I've worked for a variety of for-profit and non-profit organizations, serving Native Alaskans. Worked for the Community Enterprise Development Corporation out of Anchorage in the late Seventies; the Arctic Slope Regional Corporation in Barrow in the early Eighties; and, for over five years now, have been with Tanana Chiefs. It's my observations during my travels throughout Alaska, with the exception of Southeast, I haven't spent much time there; but elsewhere throughout Alaska, there's a -- consistently over this period, I've observed

(TESTIMONY FOR ED RUTLEDGE ATTACHED AS EXHIBIT #5)

COMMISSIONER BOYKO: Thank you. Mr. Madros?

MR. MADROS: Mr. Boyko, because I was brought in here to testify on the fisheries, and I'm only allowed five minutes, if I do go over five minutes, will you please stop me, because I figured out the amount of money --

COMMISSIONER BOYKO: I haven't stopped any of the others. I'm not going to pick on you.

(Laughter)

MR. MADROS: I figure for the amount of money it took to bring me in here and for five minutes, I'm running -- my value is about \$88 a minute; and if I speak over five minutes, I'll probably devalue myself; so stop me at five minutes.

(Laughter) I was brought in to talk about the commercial fisheries in the Interior, and mostly in the YAAAA (ph.) Region. I process eggs, and I'm a commercial fisherman; and I'm also a subsistence fisherman; so I can speak from all three. Basically, in the years -- the fish board has constantly cut back on our fishing time in YAAAA (ph.); and so our money from the fisheries has been constantly been reduced. Three years ago in YAAAA (ph.), I estimated about \$600,000 was brought into the fisheries into YAAAA (ph.). This last season, which ended yesterday, we had four 24-hour periods the whole summer, commercially. I figured -- and I'm being conservative --

\$300,000 to \$400,000 was brought into the economy; and you're talking from below Anvik, all the way up to Bishop Mountain, which is about 300-some miles of the river. You're talking, basically, about six or seven communities that are involved here; and about 70-some permit holders. So it -- I think, on an average, I just barely figured out, it's about four to five thousand dollars per permit holder is all that that family made at commercial fishing; but it's the mainstay; and right now, with the economy out there, with no fire fighting, which a lot of the other people go to do, our economy out there is basically hurting; and the state will feel the impact later on this winter, when there's money that's going to be screamed for from social services, to suicide, to everything else. It will be filled. So, I don't feel sorry for the Third World countries, because I think in our Interior, we are a Third World country. We are - treated like that. The Fish Board have refused to do their business as the State to regulate us properly. Last year alone they handed to the Interior fish process -- Interior fishermen, and said:

"Here, you take care of your own business."

And, basically, they ran away. They didn't give them no money or no kind of means to do this; and so they didn't do none of the things to regulate the river in a decent

manner; and I think the Interior is going to hurt on this. I didn't have time to put all the numbers together; because I just got off the plane last night; and I didn't have time to go through this, so I'm just talking --

COMMISSIONER BOYKO: Feel free to submit them later. This record will stay open for a long time.

MR. MADROS: As a processor, in order to develop a viable business, I have to be open more than four days out of a year; and it takes a minimum of fifty to a hundred thousand dollars to develop a small processing plant such as mine; and it was foolish of me to spend \$50,000 of my money to develop a processing plant four years ago to run four days out of a year. It was not a worthwhile investment, if you look at it from economics. And for me as a processor to develop farther, no bank in the world is going to loan me thirty-five to forty thousand dollars that I'm going to need to improve my services to the community for a four-day fishing season. So, as a processor, I'm hamstrung, because of the Fish Board refusing to do their business; and economically, to get a one pound of processed product out of my camp right now costs me, from my camp to Anchorage, costs approximately \$1.25. That's processed. That's not counting what I have to pay for it, or what it costs me

to process it; so by the time I get anything out of my processing camp down there, it's already cost me approximately \$7 if you figure out the labor, the amount of money I put into it; so I guess what I need to do, or what we need to do, if there's going to be any kind of improvement in the fisheries commercially -- and above board, I'll say above board -- is we're going to have either a subsidization in transportation or we're going to have to have the health board -- the DEC lenient on some of their ways. Right now, we have a lot of people I know of that are selling salmon strips who process it in unregulated smokehouses and sell it on the black market. And they are making money; but, of course, they're not paying taxes on it, or they're not responsible for basically poisoning people, if botulism, or whatever, happen to be on their product; and so they're getting away with it.

So, it's a -- commercial processors such as me who are hamstrung with all these obligations and yet I have no sign of money in the years to come to help me out. And one of the biggest things with fisheries in Interior is that it's going to be a viable renewable resource. If it's going to be a viable renewable resource as a commercial processor, I'm going to have to be helped substantially economically, or subsidized one

way or the other for me to continue to do this, because I cannot -- and a few of the processor cannot afford to keep running a processing plant in a commercial fisheries that is not happening, for four days out of a year.

COMMISSIONER BOYKO: Thank you, sir. Morrie?

COMMISSIONER THOMPSON: I think in -- for the sake of time, I'll pass for now.

COMMISSIONER MASEK: Well, I just had a few questions directed to you, Pat. In regards to trying to get other means of money, or some help, have you tried locating, or tried maybe to get some help from the regional corporation, or from the non -- like Tanana Chiefs? Is there any moneys available to help?

MR. MADROS: Other than right out state grants to help me improve, there is no money available. I went to Key Bank, NBA, and First Interstate, and I've talked to them before, and they said:

"Oh, yeah, you're in the fisheries. How are you doing?"

"Very well."

"How long do you fish?"

"Four days out of a year."

"Get out of here."

They ain't going to invest, because they look at 12 monthly payments -- every month -- for the money that

they are going to invest in me; and if fishing is the only thing I have to do, there's no way I can get 12 months out of four days of fishing.

COMMISSIONER MASEK: And I have a question for Ed in regard to a need for a jobs. Has there been any programs available from Tanana Chiefs that can be brought out to the villagers and means of economic needs?

MR. RUTLEDGE: Our emphasis --

COMMISSIONER MASEK: And what do you think should be done?

MR. RUTLEDGE: Okay. Our emphasis right now is really in tribal development. We're trying to, I guess, breathe new life into the tribal governments, with the hope that once we are able to develop some administrative capacity within the tribal governments, that they will be able to form some tribal-owned enterprises and employ additional people within the communities.

COMMISSIONER MASEK: Okay, and you're mentioning the harvest of the salmon. What kind of issues is Tanana Chiefs taking up on this the harvest of the salmon; and have you considering maybe focusing on getting a lobby or someone who can help the fisheries, help your people out with this problem?

MR. RUTLEDGE: We've tried a couple different things here. For one, we're actively involved in the

formation of the Yukon River Drainage Fisheries Association; and this past year, when the chum cap was raised for False Pass, we were very actively involved in the petition-gathering process to try to counter that. Unfortunately, both moves at this point have been unsuccessful; and the Yukon River Fisheries is declining to lose its resource base.

COMMISSIONER MASEK: Okay. And I have one quick question for Gary. In regards to the unemployment, why do you think this rate is so high in the villages? Is there anything -- do you have any comments on that? Why do you think it's so high? I know you're in the planning and development part of TCC.

MR. MOORE: Yes, one of my specific duties with Tanana Chiefs since the beginning of this year, as an Economic Development Specialist, is to find ways to develop employment opportunities for rural residents at their location; and it is quite a challenge, including many of the obstacles that we've mentioned today. And some of the suggestions as to relieve some of the problems.

One of the big factors getting in the way of development in economics is -- just one example is the cost of transportation. The unemployment figures, the

reasons they are so high is there is just no permanent employment opportunities available in the villages.

COMMISSIONER MASEK: Well, do you think Tanana Chiefs can -- or maybe even the regional corporation, can start some incentives towards making the villages more economically, depending on theirselves in the village, such as creating maybe small businesses, where the people can be busy, and working, and doing something?

MR. MOORE: Yes, that's one of our concerns and objectives is to definitely try and develop on-site job opportunities in those rural communities so residents don't have to leave their community to obtain year-round employment. As far as the regional corporation's efforts to do that, I'm not completely aware. Morris would probably be more appropriate to address that. But as far as Tanana Chiefs Conference, the Tanana Chiefs Conference is attempting to strategically develop job opportunities in the villages; and there are currently grants that were being submitted by Tanana Chiefs Conference in different departments that establishes at least one position in each of the Native villages served by Tanana Chiefs Conference. And, as time goes on, we are focusing on trying to keep jobs in the villages, as compared to developing new jobs in the central office, or else in the sub-regional offices. We'd like to get and develop more

of those in the actual villages that we are serving, so that we start to address those rural concerns.

COMMISSIONER MASEK: And have you looked back previously in the last ten years, if there were some programs that were available, can you give us a report of maybe which programs were working, and which didn't work, and maybe you can use those studies so that you don't fall into the same situation where the program does not work, and you don't waste your time using that same program again?

MR. MOORE: I haven't really done any research into --

COMMISSIONER MASEK: Okay.

MR. MOORE: -- going back ten years or so; but, certainly, if we were made -- brought to the attention of successful programs that would work for our situation, certainly would like to see them.

COMMISSIONER MASEK: Thank you.

COMMISSIONER BOYKO: Following up on Beverly's question, now this is particularly directed at Ed Rutledge, there were some excellent points made about ways and means of stimulating employment in rural Alaska, but I keep hearing government, government, government, government -- federal, state, local, tribal.

What is wrong with the private-sector part of the Native community rolling up its sleeve and pitching in? And I haven't heard any response that -- Beverly asked about regional corporations, about Tanana Chiefs, what is their ability to generate funds, and to generate economic pump priming, as distinguished from government, which obviously is shrinking and retrenching, and you're not going to get anything from them for the foreseeable future?

MR. RUTLEDGE: I think any job expansion in rural communities basically boils down to individual people, and the skills those people have to either be self-employed or be employed in an organization, or a government, or whatever, and to create the new jobs to the expansions of whatever entity they're working for. I think the major benefit that Tanana Chiefs can provide would be in assisting people and acquiring educations that will allow them to take business skills, and either vocational or culturally relevant skills, and return to the villages. So much of the education seems to result in urban employment, rather than rural employment. I think Tanana Chiefs can be of particular benefit in encouraging students to receive education that they can take back to their villages.

COMMISSIONER BOYKO: And what form will that assistance take?

MR. RUTLEDGE: Well, we offer scholarships, grants. We have for years. That's no different today than it was. Encouraging people to make life choices is difficult. Individual people have to come to their own conclusion for what they want to do with their life. Hopefully, to Tanana Chiefs being in the news, presenting the issues in TCC's perspective, people who are choosing to go to school, will see the need, will have learned of the need to take their skills back to the communities.

COMMISSIONER BOYKO: In an earlier panel, I suggested that there might be economic incentives created, like total or partial forgiveness of student loans, or some other economic incentives to obtain commitments for graduates to go back to their own communities. Have you given any thought to that?

MR. RUTLEDGE: I haven't.

COMMISSIONER BOYKO: One last thing. Both Ed Rutledge and Mr. Madros raised the specter of the intercept fisheries and what's going on in the various areas in the Interior that are being limited to, and discriminated against, for the benefit of such areas as False Pass Intercept Fishery, a large percentage of which goes to out-of-state large fishing vessels. And my

question to you is: Is there anything that we as a Commission could recommend to put an end to this? I saw the decision that came out of -- I believe it was in the Superior Court in Nome, where the judge said that what the Fisheries Board was doing amounted to a form of economic genocide; but he then played Pontius Pilate and said:

"But I can't do anything about it,"

which absolutely makes we wonder why we even have judges sitting there when they said that. But is there anything we can do to reverse that trend?

I understand, for instance, that at False Pass they can fish seven days a week and 24 hours a day; and in Region M, for instance, it's four days a week and only six hours. Anything that you would recommend that we put into our recommendation on that issue?

MR. RUTLEDGE: Well, I would recommend that the cap for the incidental catch of chum be lowered. I would recommend that the Fish and Game be encouraged to do substantial research along the Yukon River to genetically identify those stocks of fish, and once the stocks are identifiable genetically, to sample catches in all intercept fisheries; and if the number of salmon being intercepted is so great that it will not sustain the commercial and subsistence fisheries along the Yukon,

that the intercept fishery be shut down until that run is past.

COMMISSIONER BOYKO: But isn't it a fact, though, that like, for instance, the current season, the Fisheries Board adjusted the various allocations between these areas without really any scientific study, just based on political considerations? And how do you deal with that?

MR. MADROS: Well, it's just like the fish -- the biologists over here at the U -- on College Road. They changed their fishing scenario three different times from the first of January 'til we went to fish the Fifth of July, on the same data they had in November. Now how can you run a fisheries when the biologists can't even agree to how they're going to fish it, or how they're going to run a river?

COMMISSIONER BOYKO: The flip side of that is - that when you go into court, or when you appeal to higher authority, they say:

"Well, these are the experts. We have to listen to them."

Obviously, the experts don't know what the heck they're doing.

MR. MADROS: Obviously, they've never ran the river in a very viable way economically or to get a

sustained yield from fisheries. I've also been involved with the Yukon River Negotiations Agreement -- I mean Commission between Canada and the United States on the Yukon River, and I've seen them give one set of information to the Canadian group and then turn around to the Fish Board three or four months later, give a different scenario; and so they're not even giving the same scenario to the same entities. And I'm sitting there listening to them, and I confronted numerous individuals on this and says:

"Why are you giving two different sets of figures?"

And I was actually removed from the board when the new governor got in, because I was too vocal. I didn't want to come to where we're coming to now; and the fish is there. The fish were there this year; but because the biologists over there refuse to come out and look at the fisheries while its happening, they kept us shut down. And so if you're talking about government, my first reaction to all this is probably to shut off the game biologists' budget and just have nobody over there, and maybe we can come to an agreement we had way before we were a state, where everybody fished and had consideration for everybody else up and down the river.

COMMISSIONER BOYKO: Okay. Anybody else wishing to be heard on economic planning and development? If not, we'll -- or did you have any questions that you saved?

COMMISSIONER THOMPSON: No, I don't.

COMMISSIONER BOYKO: Okay. If not, we'll shut this segment down.

RECORDER: May I have copies of your presentation?

MR. MADROS: (Inaudible response.)

RECORDER: Oh, great. Thanks a lot.

COMMISSIONER BOYKO: The next item on the agenda, and we're relentlessly moving along here way behind schedule is -- this was supposed to come after the lunch break at 1:30; and it is now 3 o'clock. The next item is Governance, and I wonder if Father Elliott would come and join us here, and take over. We're told we've got to move faster.

(Laughter)

COMMISSIONER BOYKO: I tried, but you guys have so much good stuff, it seems like a crime to cut you short.

COMMISSIONER ELLIOTT: I may have to throw it back to you. I have to leave here at quarter to.

COMMISSIONER BOYKO: Well, why don't you get started, and I'll pitch in when the times comes.

COMMISSIONER ELLIOTT: I'm going to apologize to all of you in advance is that I'm not officially supposed to be here, but I'm delighted that I can be; but since I wasn't officially supposed to be here, I have to leave in 45 minutes, so if I walk out, it's not because I'm not interested in what you're saying, it's just that I have made this prior commitment which I can't change. Now, if you would introduce yourself, sir, and I believe that you're the first speaker. Is that the agreed order?

MR. TONY: I'd defer to Jonathan Solomon. He's the eldest here.

COMMISSIONER ELLIOTT: All right. From Fort Yukon.

MR. SOLOMON: Members of the Commission. My name is Jonathan Solomon. I'm from Fort Yukon. I'm the Second Chief of the tribal council there. I'm supposed to speak on government issues; but it seems to me that everything on this agenda is a government issue, and I'd like to speak a little bit on all parts of it. You know, we heard all this morning about education and economics and all this kind of things. You know, I can only speak for myself, because this Commissioner meeting is not in rural Alaska or in a village. It should be. I am not an

expert, and I'm not authorized to speak for every individual in my tribal member at this point; but if you were in rural Alaska, in the village of Fort Yukon, you would hear from them. I can only speak for myself as a tribal member.

But we didn't even know that this Commission was going to meet here until Friday. It was only by the generosity of Tanana Chiefs that I'm here, because the rest of the tribal members can't make it over here because of low funding. I think that if the commissioners is going to accomplish anything, it's going to accomplish what you guys are after in rural Alaska, at the least, the sub-region level, if not the village level.

When we talk about education, we need to hear from our elders, which are our teachers; and we need to hear from our family parent, which is our teachers. You have heard it all, but it didn't come from rural Alaska, it came from individual members like me. And I totally agree with Pauline and Madros when they say the responsibility is the parent level. I'm a parent. I got 10 kids. My oldest boy is over 40 years old now, and he has a college degree because he wanted one. I didn't want a college degree for him; he wanted one. My oldest girl is back in college, because she wants a degree. My

youngest son got a degree from University of Denver, Colorado, because he wanted one.

It's not up to the educators to educate your kids. It's up to you and him or her for what you want. There is not a bad teacher in this whole country. The teacher has got the education. All you have to do is ask for it. This is a teaching of our elders.

When I was brought up, my father and my uncle say:

"Hey, get what you want from the White people, and then leave them alone."

I was brought up by six uncles and a father. Taught me these things. Says you've got to ask if you want something. If you don't ask, you'll get nothing. And he sent me to school for three years, because they were reading in truth in their own Native culture. But they knew that they have to learn the other one, so they sent me to school for three years after they said:

"That's enough."

And then me and them started teaching each other. And they taught me the Native way of life, how to read the Native language, and I taught them how to speak the English language. But it belongs to us. Nobody can blame anybody if you lose your Native language. It's you, the parent; us, the parent, that is losing it for

them. And I'll tell you how easy it is, because we got a Native tongue to speak our language. In 1960, a gentleman come back to us from Outside, and he couldn't speak his Native language. Wanted to run for council, and the rules at that time, you have to speak the language on the floor and make a speech before they get elected. He couldn't do that. He lost his Native language, and he went to his aunt for one year, and the year after that, he made a speech in the Gwich'in language at the floor, and he got elected.

You can't blame nobody on these kind of things. It's you the parent. You the grandmother. You the uncle. You the teachers. Not the White man teachers. They can't teach you the Native language, 'cause they don't know it. It only takes one hour in the day to sit down with your kids. That's all. Sacrifice one hour every evening after supper for your kids to understand your language. My father had 23 kids; they all spoke the language. I've had 10 kids; they all hear me, some do speak to me.

On economic development, all the tribal and the village people have set for many years, and they keep escaping, the commissioners, and the board of directors, and all this kind of stuff that are there at these hearings. Economic development for Fort Yukon is

hunting, trapping, and fishing. We got a project right now at Fort Yukon -- airport project. The streets of Fort Yukon were flooded, wiped out this year. With all kind of work, Monday morning there was eight jobs opening; not one was filled, because the kings happened to show up. When September hunting come around, you're not going to find anybody to work in Fort Yukon, because this is their economic development you're talking about. Their livelihood. They can't preserve anything in almighty dollars. They quit a construction job to go fire fighting, because that's where they belong, on the land.

A lot of people do a lot of study on this job thing. Sure, they'll do a lot of study in Fort Yukon. Fort Yukon job thing is (indiscernible). One out of every hundred work, because if you take a survey in Fort Yukon, you approach the people and say:

"You'll work for nothing?"

And they will say:

"No."

And that's the statistic they're using. They should ask:

"Do you want to work?"

Then they'll get another statistic.

Our own corporation, our own nonprofit, the people that are supposed to be representing us are doing these things. We're tribal government; we're sovereignty. We need that. When Alaska became a state, they never asked the tribal people if they wanted to be part of the state of Alaska. But in our Constitution says that. And that's federal Constitution. We need the federal and the state government to get out of our life.

Just like the subsistence issues. It's federal and tribal government problem. It's not their problem. It's the State problem, cause the State is the one that wrote that thing. We need to get rid of a 280 law that came with statehood that says that the State will govern the Native people. Bullshit. Let the Native people and sovereignty run their own life.

When I grew up in the village of Fort Yukon, I was under tribal government law. And I can speak here before you with three years of education. That's the kind of law (indiscernible). It's the kind of law I grew up in. Respect, but in another term, ask and demand of your people what you want. Ask for it, 'cause if you don't, you're not going to get anything. And these kind of things that we have to talk over. We don't want to have to talk about all this stuff you guys put here. We

all know that you got to go out to rural Alaska and ask. You're not going to find it here in Fairbanks. Least of all me. Thank you.

COMMISSIONER ELLIOTT: Thank you, Jonathan. And who is the next speaker, please?

MR. ISAAC: My name is Jerry Isaac. I'm the Chairman of the Tanacross Village Hiring Council. I share with Jonathan the statement that he made that all of these are tribal government issues -- all the panel discussion issues. But, however, there's a few things that I'd like to expound upon to give credence to why I personally feel the way I do concerning tribal government.

Broken down, tribal government to have three basic elements that's: powers, responsibilities, and its very existence. Under the tribal government powers, there's law and order; there's more principals; there's authority; there's an enforcement. Under the responsibilities, there's passages of ordinance, moral teachings, protection of tribe, betterment of tribe, i.e. training, education -- and training is a very ambiguous word -- it could be training in the subsistence way of life and/or training in the Western culture sense -- regulations of resource use, such as economic

development, business development, archeological development, art and crafts development.

Some of the existence factors include sources of power, reasonable use of the powers. The judicial arm of the tribal government is the tribal court, and the tribal government's relationship to other governmental agencies, i.e. the State of Alaska's Division of Family and Youth Services, one of the most dictatorial, Hitler-type agencies, along with EPA and DEC. Some of the things that I really object to and I disagree with is the principal of the right of -- first discovery theory, the Monroe Doctrine, some of the Constitutional provision under the Statehood Act, the potlatches, right to the religion of my choice, potlatch. I do not question the validity or the sanctity of the Holy Communion in the Roman Catholic Church or the Episcopalian Church. Why do they question my taking of fresh game to consecrate the religious practices?

The right of first discovery. Were the indigenous people of the American continent contacted and consulted with? The framers of the Monroe Doctrine, have they gone to the indigenous people and asked them as to how they feel about the provisions of that doctrine? Some of the problems that I face every day, every year within the Village of Tanacross -- I've been on the

tribal government there since 1976 -- I'm growing along with Tanacross Village Council. There's several things, limited things. I've broken it down, as there's various things that is very problematic to the tribal council, but some of these are just the ones I'd like to expound upon.

One of it is outside agitation. Being subjected -- tribal governments being subjugated in words and opinionating by conservatism. There are attempts to try to control tribal governments by outside entities. And there's constant movement and threat of termination. There's also the constant questioning of the tribal government's authority. We have problems that are forever dogging us due to the size of the tribe and the land jurisdiction, which causes lack of funds on a per-capita basis.

We also have a well-intended legislation that goes in the form of the Alaska Native Claims Settlement Act. It's a document for which diligence and fierce determination are owed to those spearheading that particular drive. However, there are several factors that I feel very concerned about concerning Alaska Native Claims Settlement Act. One is the very guts of that act plays on basic drives: greed, selfishness, and 100 percent individualism. It necessitates the use of

foreign vehicles. Our forefathers do not know anything about the corporate system. I had to learn it. It is a direct contrast to the structure of the Native community, and it caught the Native populace in the state of unpreparedness.

There is many, many questions. Tribal governments are being attacked with questions on its land and jurisdiction, its very cultural identity. Does the U.S. government pay tax to the Royal British government? Why do they have regulations that mandates Tanacross Village Council to pay organizational taxes to the State of Alaska and the federal government? Regulations that govern different types of programs, be it federal or state. Because it works in Anchorage or D.C., it does not necessarily work in Tanacross.

Another feeling that I have towards the present system is the importation of another's government, and that government expecting the Tanacross Village Council to conform to its expectations and to abandon the original system of tribal government.

A word on economic development is many positive that can happen within the realm of economic development. There can be local control, local jobs, local experience, with onsite technical assistance, benefits to people as individuals and then as a community. Local control

meaning the local organizations take the lead in the development, and all other carpetbaggers taking the status of technical assistants. Some of the reasons for some of these problems are banks are very unwilling to take risks in rural areas for good reason. Because of this -- there's too much use of subsidized banking system. More often than not, villages are approached with, quote:

"We'll do it for you. Stand aside,"

type of an attitude. Those days are over. I may not have a Master's degree in business administration; but I have the interest and the motivation to truly set a site forward that I can lead my people towards.

There's constant use of the double-standard system as a subterfuge. For example, the Native land you subject to an all-out application of existing law, but cases like the Hazelwood Blythe Reef fiasco was easily let off. A good portion of public programs and policies, the regulations governing these things, basically are almost non-practical in rural Alaska. Tribal court authorities are not fully understood and respected. It seems we have to consult state laws at all times; for example, to do simply little things, like to place a foster child in a foster home within the village. These are some of the concerns that the tribal councils face.

I'd like to conclude with the same question: What is going to happen to these valuable testimonies? Many times I've been party to many different types of studies, all designed on how to make the Indian better. It's often put on a shelf, gathering dust. We're going to make something work. We're going to make this Commission work. We also need full Commission member participation. I would ask you not to take these comments lightly. You sit down and ponder upon them. I'm hearing the jurisdiction of the Fairbanks City Council. I subject myself to their governing powers, and I abide by their rules. I do not bring four-wheel trucks, or four-wheelers, or boats, and go swashbuckling all over their community unchecked. I ask for the same respect. That is all I ask. Thank you.

(Applause)

COMMISSIONER ELLIOTT: Thank you, Mr. Isaac, and I think I can assure you, and I think I can speak on behalf of all 14 members that none of your remarks we're hearing today are going to be taken lightly. None of us would have accepted appointment to this Commission had we not had a sincere desire to faithfully serve the Native people of Alaska. Thank you for your testimony. Please -- and let me say, I may have to interrupt; but if

I walk out, again remember, it's not being disrespectful to you; and I hope you'll understand.

MS. LEE: Oh, I was just going to say, I'm going to keep my testimony short, 'cause I need to make sure my kids haven't hogtied my husband at home -- (laughter) -- so I'm going to keep this short. I have -- my name is Shirley Lee; I'm Director of Village Government Services for Tanana Chiefs Conference.

COMMISSIONER ELLIOTT: I have read your written report, while I was waiting for you to speak. Thank you.

MS. LEE: Okay. I'm here on behalf of Tanana Chiefs, and, in some part, as a tribal member of Evansville, which is a small community up in the Brooks Range. The Village Government Services Program for Tanana Chiefs Conference is charged with providing technical assistance and training to all the villages that we serve under the 638 Contract. And when I was asked to prepare testimony, my mind went in a hundred different directions on what we could discuss concerning tribal government; but I've tried to condense that into my written testimony. I'm not going to go into my written testimony, because I've made enough copies for you to read.

Several days ago, I saw in the paper that a task force on local government made a recommendation to

Governor Hickel that a new hybrid government be considered for Alaska, utilizing local and state municipality-type organization. They also recommended to him that by the year 2,000, there be organized governments in each village. When I read that, I had to shake my head like I often do when I read about State actions concerning tribal government, because this is just a prime example of people not looking toward tribal government that exist in each village; and that they're just so easily dismissed.

In Alaska, there are generally two types of tribal governments. They're either traditional government, or the government is organized under a federal statute under the Indian Reorganization Act of 1934, which was made applicable to Alaska in 1936. So we have those two types of governments, one or the other, existing in most villages. They are active. They do utilize their powers, and they should be afforded more courtesy and legal comity than they are. Also, in addition to tribal governments in each village, there usually exist in most areas as state municipality or city.

What I just wanted to emphasize is that state municipalities do not reflect the true cultural government of the Native people, and they do not

incorporate tribal practices into their infrastructure. Tribal governments, on the other hand, directly utilize the customs and tradition of their ancestors; and things that are passed down generation to generation are employed in their governments. Unfortunately, in Alaska, we have a State administration that has asserted that there are no tribes in Alaska; that there are just merely clubs based on -- membership is based on racial ties. This can be no farther from the truth. When we have that on the -- in addition to the State perception, we also have a general public perception that seems to fear tribal government. When we hear the word sovereignty, many people's hackles go up. When I worked for the Bureau, I was almost afraid to say the "s" word. But now it's -- sovereignty is merely a reference to self-government that does exist in our villages.

In my paper, what I tried to do is I tried to - focus on specific issues, not general concepts -- the specific issues that are facing tribal governments today; and very quickly, I'll just go over them.

(TESTIMONY OF SHIRLEY LEE ATTACHED AS EXHIBIT #6)

COMMISSIONER ELLIOTT: Miss Lee, I noticed -- or obtained from the Bureau of Indian Affairs, oh, some months ago, a listing they had of what they called the Tribes of Alaska. Is that the listing that you're

referring to, which is regarded as tribal entities by the Secretary of the Interior?

MS. LEE: Well, I'm not sure, because I haven't seen it; but they certainly don't call us tribes.

COMMISSIONER ELLIOTT: They did -- well, when I asked the Bureau of Indian Affairs, that's what they said:

"This is the listing."

MS. LEE: The Juneau area office has made the 1988 list and made a recommendation back to D.C., and perhaps that's the list you were looking at.

COMMISSIONER ELLIOTT: I don't know. I received it a few weeks ago from the Bureau of Indian Affairs office when I inquired.

MS. LEE: I'd be happy to provide what we have later on.

COMMISSIONER ELLIOTT: Thank you very much.
- And now, sir, I'm going to excuse myself, so I don't interrupt you in your testimony.

COMMISSIONER BOYKO: Thank you, Father Elliott,
for --

COMMISSIONER ELLIOTT: Thank you.

~~COMMISSIONER BOYKO: -- coming when you --~~

COMMISSIONER ELLIOTT: Thank you very much.

COMMISSIONER BOYKO: -- weren't required to.
All right, who is our next speaker, please?

MR. TONY: Good afternoon, members of the Commission. My name is Paul Tony; and I serve as Tribal Affairs Planner and General Council for Ahtna/Tananena (ph.), otherwise known as the Copper River Native Association, and frequently referred to as CRNA. I'm also a member of the Subsistence Advisory Commission Committee to the Alaska Federation of Natives. Thank you for the opportunity to testify here today. I hope that through the ears of your Commission members, Congress will hear what we have to say. CRNA is located in the Ahtna Region, and is a tribal organization serving the eight villages of the region. It administers programs which are funded through the Bureau of Indian Affairs, the Indian Health Service, as well as other federal and state agencies. I offer comments in the area of subsistence and tribal governance, with the hope that the Commission's report will lead to both changes in policies affecting Alaska Natives, as well as legislation to address areas of concern to the Native community at both the federal and state level.

Subsistence is not a Native word, rather it is the non-Native word used to describe Native sustenance from the land. As a Native person, I know that

subsistence is not merely physical or nutritional, as the name implies; but is inherently tied to cultural and spiritual aspects of the Alaska Native way of life, or as it is call in the Ahtna Region, Indian Way.

Subsistence for the Ahtna Region is a very serious issue, because our region is very heavily impacted by thousands of residents of Anchorage and Fairbanks who come to the region to participate in fisheries, such as the fishnet fishery, personal-use fishery at Chitina, the sport fisheries at Gulkana and Klutina Rivers, as well as hunting for the Nelchina caribou herd, and moose, and sheep.

We are affected also by the dual system of management which exists, and which leads to confusion, and by State administration by subsistence, and management of fish and wildlife resources on Native-owned lands, due to the steadily diminishing protections which - this state government and state law have afforded to subsistence.

State administration -- or management of fish and wildlife resources on Native-owned lands is essentially a breach of an implied promise, which was made at the time that the Alaska Native Claims Settlement Act land selections were made. Many of the selections were made relying on the implied promise that

subsistence, and the hunting and fishing practices of the Alaska Native people, would be protected. Through that process, many of the land selections made under ANCSA were of traditional hunting and fishing lands.

For the Ahtna Region, the net result of these policies has been the absence of moose, where once there was moose to feed the people in the Ahtna villages; the absence of fish, caribou, ducks, and sheep, where once there was plenty. This absence leaves in its place a deep, unabiding hunger, which is tantamount to suffering.

I don't expect -- although it would be nice -- for those who have been raised on domesticated beef, pork, and chicken to understand that these foods will not satisfy the hunger that the Ahtna people have. But please take our word for it.

What solutions are there to these complex - problems? One solution that I would propose that the Commission seriously look at is a review of ANILCA and the findings which Congress made under ANILCA that the subsistence priority was essential to Native well-being, health, and that Native preference on Native-owned lands was essential to Native well-being and health. Please ask Congress to make ANILCA consistent with the findings that Congress has already made, and extend the priority

or protection for subsistence management to Native-owned lands which were primarily selected in reliance on the idea that they would be protected.

This Commission could also recommend changes in the structure of laws and policies concerning both state and federal government to lead more towards a cooperative management, which exists in other states with respect to tribal entities.

I was at the Federal Bar Association's Indian Law Conference in Albuquerque this year, and there was a presentation given there on a cooperative management system that exists up in the Great Lakes Region, which has as one of its elements, a lot of tribal control over the resource, as well as tribal biologists and managers.

The law could be clarified to strengthen the relationship between Native governments and wildlife management in Alaska. In addition, out of respect for knowledge which has been passed down for generations, the scientific management can also be valuably supplemented by knowledge of the elders.

Another issue where there is room for improvement is management of fisheries in Alaska. The Alaska National Interest Lands Conservation Act is clearly broad enough to give the Secretary of Interior

authority over the management of fish stocks in Alaska. However, in the implementation of regulations, the federal subsistence board defined very narrowly the definition of public lands. This should be reviewed and broadened in the regulations to allow for the subsistence priority of ANILCA to extend to fisheries and to allow for federal and tribal cooperative management over fisheries.

Perhaps the strongest suggestion that could be made to Congress in your report is that Congress exercise its authority under the United States Constitution over the management of Indian affairs to make federal policy consistent in the area of wildlife management; and I'm speaking of the Marine Mammal Protection Act exception which applies to Alaska Natives. There should be consistent protection of the traditional hunting and fishing practices of Alaska Native people, based not on their racial characteristics, but rather on their unique and distinct political status as members of a culture and a sovereign group of people that exist only in Alaska; and, if wiped out, or if their cultural practices are threatened, will exist nowhere else on earth.

And I don't know what background some of the non-Native members of the Commission have; but, for example, if you are of Irish descent, you can go back to

Ireland and find your culture still intact there; but if Alaska Native culture does not exist here in Alaska, it will not exist anywhere on this earth. And that is a very strong reason to support policies -- federal government policies especially, which affect Alaska Native culture.

In the area of tribal governance, the failure of state and federal government policies is clear from the statistics that exist, and I saw a column done by Mike Doogan that said that Alaska Natives have an abundance of everything bad and not very much of the good things, like State jobs, economic opportunity, as well as a number of other things. But we rate high in the number of prison inmates. In fact, I believe the latest statistic that I've heard is over 35 percent of the inmates in the State Prison System are Alaska Native.

The answer? Support and empower Native governments to address their own problems. On the State level, stop opposing through litigation and try to work cooperatively with Native governments.

Another area of concern is the area of tribal status; and, right now, there's some potential for tribes having to go through costly litigation and have what amounts to possibly 200 trials on the issue of tribal status, and proving tribal status among the 200 tribes in

Alaska. Rather than this costly and burdensome process of litigation, it makes a lot more sense for the federal government and federal policymakers again to address this and to recognize the tribal status of Alaska Native governments.

In the area of land status and tribal governmental control over land, it would be advantageous to create a mechanism to allow for the easy transfer of ANCSA land into trust for village council ownership for regions which are wanting to do that. Both the federal and state government could provide some of the money that is presently going to basically bandaid fixes to social problems that are being caused by the federal and state government, or administration of Native matters to support tribal self-government. It's more cost effective, and it makes better sense from a policy standpoint.

In addition, there should be a consistent policy both on the state and the federal level with respect to tribal organizations that contract under the Indian Self-Determination Act; and that contract for the provision of State services on the issue of indirect costs, or otherwise known as contract support costs.

From a policy standpoint, there are many reasons to support Indian self-government; reasons such

as cultural understanding, cost effectiveness, and the basic results of government programs. On the other hand, there are no good reasons for non-Native administration over affairs which only affect Native people. The failure of this approach is evidenced by the many statistics and reports which have been done; and in the case of this Commission, the report that was done by the Alaska Federation of Natives, which brought about the existence of this very Commission.

From a philosophical standpoint, there are several principles which could be applied in this area, and I would like to ask you to think about two statements which have a lot to do with the history of this government. One is:

"No taxation without representation,"

which could be translated into:

"Don't give us the negative consequences of government without the benefits of having our interests represented."

And another statement which comes from the Declaration of Independence; and that is that:

"The consent of the government legitimizes government."

A government which does not employ, understand, protect the rights of, benefit, or respond in a meaningful way to

Alaskan Native interests does not represent Alaska Native interests, does not govern with the consent of Native people; and, consequently, is not legitimate.

Thank you, again, for the opportunity to testify here; and since I'm participating on the task force on Governance, I will be further comments in the future, I hope.

(Applause)

COMMISSIONER BOYKO: Thank you, Mr. Tony. Is there anyone not on our printed list that wishes to be heard on the Governance Issue that has signed up since? If not, what is the pleasure of the panel here? Pretty soon we're going to take a five-minute seventh-inning stretch. I'm going to try to see what we're going to try to do about the rest of the program. We have an hour to cover what was scheduled to take three hours, so there's going to be some major surgery, unfortunately; and there's nothing much we can do. Did you wish to ask questions of this particular group of presenters now, or take the stretch and then decide?

COMMISSIONER THOMPSON: I think we ought to take the.....

COMMISSIONER MASEK: Take the stretch and (indiscernible).

COMMISSIONER BOYKO: All right, we'll take a five-minute. I mean five minutes, folks. I realize that we're all operating on Indian time. (Laughter) Forgive me for making what would appear to be a racist remark. It's not; I operate on Indian time myself, by virtue of my own predilections. But we must for once -- five minutes is five minutes.

(Off record)

(On record)

COMMISSIONER THOMPSON: May I have your attention for a moment. When we go to the Health Panel, we're going to have Group A and Group B. Group A is going to be Melinda Peter, and second is going to be Cindy Adams. They both have planes to catch. Donna Galbreath is going to speak next, Lorraine Jackson, and then Andy Jimmie. Group B is going to be Rose Ambrose, Mim Dixon, and Margaret Wilson. Okay? We did have a request, and we're trying to work on the room to see if we can extend a little bit. We would ask, and I appreciate that this is a bit maybe unfair, 'cause some of those of you who haven't testified, if you could by -- Ed made the request, and I would second it that if you could summarize your statement, we would appreciate it. If you could keep your statements to five minutes; and maybe what we could do is I'll try to be the timekeeper

and wave at you when you're coming close to five minutes. We would appreciate it. The only reason we have to do this is to be fair to everybody to make sure that they're heard. You've all come a long way; you all have something to say; and it's all important; and we all want to hear it. And we want to be as subjective as we can, and fair to you; and we will go as long, physically, as we can in this room to make sure that everybody is heard. So that will be the Native panel. I guess, is that fair? We don't want to be unfair; but, yet, we don't want to not listen to people either; and I think that is the most discourteous thing we can do is not listen to you. And to do that, requires you working with us, as well as we with you. Doctor Soboleff?

COMMISSIONER SOBOLEFF: (Indiscernible - away from microphone) the good things about is that panel -- I mean, the Commission people are your friends. We are not here proposing anything whatsoever. We are your friends; and if you haven't had a chance to speak; and if you've already spoken and forgot something, you really should write it down and send it in. Just write down what you think should be done, or ought to be changed; some problems that you are facing. Write it down and send it in.

COMMISSIONER BOYKO: For those who don't know this, Dr. Soboleff is a member of the Commission and who has been modestly sitting in the back of the room. There were two folks who wanted to be heard on Governance. Would you please come forward, and state your name, and keep your remarks to five minutes. And if you don't, I'll sick Morrie Thompson on 'em.

COMMISSIONER THOMPSON: As Dr. Soboleff said, we're your friends. We think we're not from the government.

(Laughter)

COMMISSIONER BOYKO: Yeah, right.

COMMISSIONER THOMPSON: Gideon James from Arctic Village.

MR. JAMES: Thank you for letting me testify here. My name is Gideon James. I'm from Arctic Village. Arctic Village is one of the two villages located on a former Indian reserve -- (indiscernible) Indian reserve. And we have an IRA-charter government. Shortly after passage of ANCSA, our corporations -- both corporations have transferred all of its land back to (indiscernible) tribal government IRA. This is something like 1.8 million acres of land. The IRA government was ratified in 1940. Presently, (indiscernible) IRA is pursuing to implement certain programs for our tribal members. The

provision in the IRA documents qualified or tried to exercise its tribal jurisdiction over our tribal land and members. The existing federal programs for Native Americans are directed to tribes to administer and have; and (indiscernible) local governing body to have priority and also have ability to contract under the Self-Determination Act. In working with our tribes and IRA traditional government, I am convinced the direction the state of Alaska has taken is that many times tribes in Alaska have been ignored when appropriating funds for Alaska Natives.

Federal government, through its regulation and tribal regulation, recognition make it clear that tribes in Alaska will be treated equal with the rest of the Native Americans across the nation. When we talk about tribal government, we are not only talking tribe that owns the land, the interpretation in the ANCSA seems to be in question; but that is not so. The aboriginal title, aboriginal rights, is two different things. Aboriginal title to a land that we lost and that then Native people got paid for is the one that is real. But aboriginal rights is not lost. That's why the traditional government and IRA charter are in place today. And each tribe in Alaska should pursue to exercise those powers that's still in place. And it

seems like state of Alaska does not look at it that way. They'd rather take us to court and spend many, many hours; many, many years, just litigation, litigation, after litigation. And we have experienced that. We at IRA government experience that, and we know what we're talking about. We're not going to compromise over any specific interest decision or recommendation. We will stand by the promise and the law that was written for Native tribes and IRA documents that's in place today.

So that's why I want you to know that each tribe, or each Native people in Alaska are eligible to exercise these things.

COMMISSIONER THOMPSON: Thank you, Gideon. Any questions of Gideon James?

COMMISSIONER BOYKO: Did Mr. Tony leave?

COMMISSIONER MASEK: He did, I'm afraid so.

(Side conversation not transcribed)

COMMISSIONER BOYKO: Was there one other person that wanted to speak on Governance?

COMMISSIONER MASEK: She changed her mind.

COMMISSIONER THOMPSON: No, no, she changed her mind.

COMMISSIONER BOYKO: Okay. The next issue will be Health Issues, and Father Sebesta has graciously agreed to volunteer to chair them. Thank you, sir.

COMMISSIONER SEBESTA: We move now to the section of health issues, and we have quite a group of people that are going to testify; and I think we should move right along. The first person that is on the list is Melinda Peter. Maybe we could have the -- is it Group A --

COMMISSIONER THOMPSON: Group A.

COMMISSIONER SEBESTA: -- who should come up to the table, and introduce themselves.

(Side conversation)

COMMISSIONER SEBESTA: And I understand that there are two members of this panel that need to make planes, and so I would -- if you would just make a brief introduction of yourselves, and then we'll ask Melinda Peter to lead the comments.

MS. PETER: Hi, my name is Melinda Peter, and I'm a youth from Fort Yukon. I want to talk about concerns the youth of Fort Yukon and the other villages have. It's something that I experienced also, and it's teenage pregnancy. I have a son that was born this year on January 29. He's five months old now. I know that the youth have already heard a lot about it, but are they really trying to prevent it? Are they practicing safe sex? I know that I heard a lot about it all the time; but I never did anything about it. I thought teenage

pregnancy was something that would never happen to me. I was pretty sure of that; but I was wrong. It did happen to me. Something that I never expected. I can't even begin to tell you how hard, and how much frustration there is in raising a child. It really changes your life. You have to grow up real fast and start taking a lot of responsibility. You're bringing another human being into the world, and you have to raise that baby the best that you can. I wanted to go to college, but I don't know if I'll be able to do it now. I still have one more year of high school; and it's so hard to try to raise a baby and do homework at the same time. But I'm lucky to have my family and my friends helping me out. But even with their help, it's still hard at times. A lot of girls don't even have anyone to turn to. Their boyfriends, or whoever got them pregnant, might not even care.

I'm not saying that this is only a girls' problem; it's also a boys' problem. I really urge the youth and any others who may be sexually active to use condoms and practice safe sex. They not only prevent pregnancy, they also protect against HIV and a lot of other sexually-transmitted diseases. Both boys and girls should carry condoms, even if they're not sexually active, 'cause you never know what will happen. Tell

your friends and family to use them, too, 'cause they're easy to get. Some people think it's too embarrassing to buy or ask for them; but would you rather be embarrassed for a few minutes, or have HIV? Go to the store and buy them, or go to your local health clinic, and you can get them free.

Oh, I think that the schools in Alaska need more sex education classes. People always laugh, or make jokes about condoms, and I think that that makes teenagers and other people not want to use them. They need to know that it's okay to use them, and that it prevents a lot of diseases. Condoms should be available in schools, or maybe teen centers where they're easy to get without them having to ask for it.

I hope that the youth will learn from my experience with teenage pregnancy and use some type of birth control during sex; and I hope that there could be more sex education in school, 'cause I think they really need it. Thank you.

(TESTIMONY OF MELINDA PETER ATTACHED AS EXHIBIT #7)

COMMISSIONER SEBESTA: Thank you, Melinda. I think that what you bring up is a very important problem, and it's one of the ones that we're asked to address very seriously. And it's something which a great deal of thought has to be given to and a lot of input on the part

of you, and just generally across the spectrum of people that are affected by this. I think we should move on, and we'll have questions at the end. Cindy Adams I'll ask to testify next.

MS. WIEHL: Hi, my name is Cindy (Adams) Wiehl, and I'm from Beaver. I'm a Water Treatment Plant Operator, I'm an Alternate Health Aide, and I'm also the Second Chief of the Beaver Tribal Council. And the main thing I wanted to talk about today is the water sanitation facilities. You know, as a resident of Beaver, I know what it's like to live without a water and sewage system. We did have a safe water before; but it failed due to the fact that -- well, I'm nervous.

COMMISSIONER THOMPSON: Relax, take your time.

MS. WIEHL: We didn't have any qualified operators; and our village council didn't have the funds to train operators. And, therefore, just one by one, everything broke down; and there was just an entire loss. And during this time that we didn't have a water facility, we had no alternative but to go back to drinking the Yukon River water. And during this time of consuming contaminated water, there was a lot of water-borne illnesses going around the village; and we had a case of salmonella, and that is a bacterial infection

from consuming drinking water with animal and human feces in it.

And so now we have a laundromat, and a place to take showers, and everything's looking pretty healthy; but I think a problem that we're still having is maintaining the facility. And the Beaver Village Council is responsible for the electrical, the fuel, the operators' wages, and parts when repairs are needed and everything. And we just don't have the funds for that. And we don't have funds to send operators to training. And I, myself, thanks to TCC's Remote Maintenance Workers Program, have just completed and passed the operator and training course, so I'm not certified by the State for that. But that's just way down there. I want to learn more about it, but we need more training programs; and we need -- 'cause this is really important. This is the only facility in our village with running water, and it's -- and I think people -- and that we need to train the operators and everything to keep it going, 'cause it's essential.

RECORDER: I'm sorry, your last name was not Adams?

MS. WIEHL: I just got married. It's Wiehl.

RECORDER: Okay, thank you. Congratulations.

MS. WIEHL: Thanks. So, with that, I'd like to thank you. And I have a plane to catch. I was supposed to check in at 4:30. I see you guys are running on Indian time here.

(Laughter)

COMMISSIONER SEBESTA: Well, maybe before you leave, we should ask the panel if they have any questions of either of you.

COMMISSIONER BOYKO: Do have a question of Cindy.

COMMISSIONER THOMPSON: She -- they both have planes to catch.

COMMISSIONER BOYKO: Yeah, just a very quick one. Have you folks learned anything from the Point Hope experience not to put any junk into your drinking water?

MS. WIEHL: Could you explain some --

COMMISSIONER BOYKO: The fluoride death --

COMMISSIONER SEBESTA: Well, that was Hooper.

MS. WIEHL: Oh, I test all that daily, so -- like I said, we're all healthy right now.

(Laughter)

COMMISSIONER BOYKO: Do you add fluoride to your water?

MS. WIEHL: Yes, we do.

COMMISSIONER BOYKO: You need to read some more on recent scientific reports on toxicity of sodium fluoride.

MS. WIEHL: Well, see, I need more training, too.

COMMISSIONER BOYKO: Have a good trip. Thank you.

COMMISSIONER SEBESTA: Congratulations, and thank you for your testimony.

COMMISSIONER BOYKO: Hooper Bay, yeah, that's right.

COMMISSIONER SEBESTA: And now if we could have the next person. Let's see, Donna Galbreath?

DR. GALBREATH: Correct.

COMMISSIONER SEBESTA: Would you introduce yourself and give your testimony. _____

DR. GALBREATH: Hi, I'm Donna Galbreath. I'm from Mentasta (ph.), Alaska. I'm a physician, and a family practitioner at Chief Andrew Isaac. I work for Tanana Chiefs. I know all of us are a little frustrated here. This is kind of -- for me, having to summarize all of this stuff, and for everybody else -- like asking a woman to birth a baby in less than nine months.

(Laughter)

DR. GALBREATH: You know, it's almost impossible.

COMMISSIONER THOMPSON: Let me say, before she starts, she's one of our first and only Alaska Native physicians working in our region. So we're very, very proud of Donna and glad that you're here.

DR. GALBREATH: Thank you. Alaska is known as a Great Land. The indigenous people of Alaska have always known the land was great, in terms of size and resources. As with many indigenous people, Alaska Natives have lived in harmony with the land. With the advent of the fur traders, this balance ended; and from that point on, others learned of Alaska's greatness and its vast resources. The furriers, the gold rush, timber companies, fishing industry, oil companies, and others have always flocked to Alaska, and continue to. As a result of that, we've become a boom-or-bust lifestyle.

Alaska has a richness that is a two-edged sword, between needed resources and the blatant rape of the land. Unfortunately, Alaska Native people have been trapped in between. The cultures have gone from self-sufficient nomadic peoples to being thrown into, quote, "modern civilization," unquote. In the name of progress, religion, and assistance, Alaska Natives have been

stripped of parts of their culture, self-sufficiency, and heritage.

Alaska's isolation created a group of people unexposed to many diseases that are now common. As a result, when other people came to Alaska, vast epidemics swept through the state. Smallpox, measles, mumps, influenza, TB, and other illnesses swept through, resulting in widespread death.

Early on, the anglo influence also included the introduction of tobacco and alcohol. At the turn of the century, the health care of Alaska Natives was appalling. This poor health status was eventually recognized and accepted as a problem. Gradually, many changes were made. The health of Alaska Natives have markedly improved. Alaska Native people were placed on a roller coaster ride, moving at great speed, with changes in culture and lifestyle. This ride initially started with - massive death, secondary to the epidemics that occurred. Unfortunately, the roller coaster still continues.

We have made great adaptations to a new way of being, and continue to survive. Unfortunately, many of us have become confused between two different cultures, and drug and alcohol are common escapes. For some, self-unity has been lost; and physical abuse, sexual abuse, and suicide are common occurrences.

We cannot expect to move beyond a certain point with health care, education, welfare, and community development until self-abuse in all its forms are addressed. Some of our people are caught in a vicious cycle of drugs, alcohol, tobacco, and abuse. All are inter-related, and all result in numerous medical problems and affect all aspects of community. Until these problems are addressed, we cannot expect to move on. The situation is dangerous culturally for our people. If changes are not made, the death of unique cultures will occur. The problems are overwhelming, and the causes are multi-factorial.

Much effort has gone into discussion as to why abuse itself is so prevalent. Many programs have been aimed at, quote, "curing," unquote, the Alaska Natives. I do not think that knowing the exact cause of this spiritual decline need to be discussed in great detail, as there is not one cause, but many. All babies are spiritual beings born in innocence. All are given foundations to live by. Some of these foundations are stronger than others, but all have the ability to crumble as the weight of more and more abuse is piled on top. Despite the overwhelming nature of these problems, there is a solution and a starting point. That is the individual. If each person were to say:

"From this point on, I will no longer abuse myself or others,"

then drug abuse, alcohol abuse, sexual abuse, physical abuse, and suicide would cease to be. This is easy to say, but very hard to implement. Programs need to recognize this point and begin with rebuilding our individual foundation. Many communities have already recognized this and have begun to teach traditional values and our culture. Down's (ph.) groups have sprung up. Our youth are involved with Native Olympics, moose hide tanning, fishing, beading, and many more activities. Regional spirit camps are commonplace. Our people are rising to this challenge.

If the government wishes to help us in our self-healing, they can assist from a resource point of view. Coming in with programs for us is ineffective. The government needs to recognize this. The programs - have to come from within our own communities and have to be run by our own people. The resources that we need will be, initially, financial in making available consultants for expertise in certain areas. The financial part should not be an ongoing blanket sum of money, as this contributes to the problem. Finances should be allocated in plans that initial costs are met, and gradually programs become self-sustaining. Problems

have arisen in the past from money being given; and when the money is gone, so is the program. Planning for continuity is of the essence.

In order to strengthen and/or rebuild our foundations, we need to focus on self-development. This means physical, emotional, spiritual, and mental well-being. As the cause of our abusive problems is multi-factorial, so will be the solutions. But the starting place is with the individual and with self.

Once this is addressed, then the pieces fall into place. Our families will become strong; our communities will be strong; and, therefore, our world will be strong.

There's a couple last little points I'd like to make, just based on this Commission. I'm real pleased that this Commission is here. I think that each of you, as members, should be very honored to be on it. But - there's two points that I'd like to make. One is that this Commission was set up by anglos; and, as a result of that, despite, I'm sure, vehement denial, there is an inherent bias in this Commission. Just be aware of it.

The Commission is also a political vehicle, which it needs to be in order to make any changes; but, because it is political, this can be blinding of actual reality, because you have a focus that's a different --

more of a government focus and more red tape tied into it. So you need to be aware of that, so that you're open to what people say, and you're open to solutions. Thank you.

COMMISSIONER SEBESTA: Thank you very much.

(Applause)

COMMISSIONER SEBESTA: That was excellent, and your comments are very deeply taken and listened to, including the comments about the Commission. I hope that we can incorporate them into our recommendations, and maybe we could call upon you for a further filling out of some of your ideas, 'cause I think they're very good.

DR. GALBREATH: I'd like that, thanks.

COMMISSIONER SEBESTA: Maybe we should move along to Lorraine Jackson.

MS. JACKSON: Hello, my name is Lorraine Jackson, and I want to thank you for the opportunity to speak of behalf of the Copper River Native Association. Just a brief background of the Cooper River Native Association, of which the Native population is of 1,074; which makes us the smallest region of Alaska with a high rate of health problems. It is sad to say that we had the highest rate of fetal alcohol syndrome; and, needless to say, that we have a tremendous need for services for families and children. Alaska has managed to secure two

treatment centers for Native youth with subsistence abuse. However, we have young people who have other problems, such as sexual abuse and who are currently in suicidal stage. And these youth need long-term counseling programs; and, as of now, we do not have any child advocacy center or other referral programs which will help our children. The criteria for the funds available for this type of program is set up for our larger communities; so, therefore, CRNA is not eligible.

Throughout the Indian Child Welfare Act's history in Alaska, funds for this program have not been fairly or consistently distributed to the tribes. Programs which were funded one year were not funded the next; and, in general, it was difficult to provide consistent services. This year, BIA is interested in contracting directly with tribes, and it would be a competitive process. This program should not be competitive, but be based on needs. For as long as the ICWA have been around, we have not had a program in operation to protect our children in the Ahtna Region.

But on the positive note, I would like to compliment the statement to health for its efforts on the suicide program. This program is a community based, and is a step in the right direction; but, on the other hand, mental health has allocated some money to serve the

seriously mentally ill adults. And we have just a small number of clients in this category. And we are not allowed to reprogram this money to better suit the local needs. Community-based programs seems to be more effective, because it is based on what the community needs to help solve their problems. It will encourage the villages to take the responsibility. Every village has different views and ways to pursue their goals. In closing, I just want to say that distribution of the funds should be based on needs and not be competitive or based on population. And I want to urge you to support community-based program.

And earlier today I heard comments about the hearings should be held out in the sub-regions of TCC. Well, I think it should be equally, and be fairer, and be held in every region, so that you will be able to hear from each of the region and understand where we're coming from. And I was told there wasn't going to be any held in the Ahtna Region, so we came up here to this hearing today. And it would have been a lot easier for us if you would have come to our region.

With that, I just want to thank you.

COMMISSIONER SEBESTA: Lorraine, thank you very much.

(Applause)

COMMISSIONER SEBESTA: And we are aware of the fact that there are many people to hear from, and there may be some way of getting into your area. And I think that the Commissioners will be very seriously discussing that, because we do realize that. The best suggestions are going to be coming from the grassroots, the people who are there. And Any Jimmie?

RECORDER: Excuse me, off record.

(Off record to change tape)

(On record)

MR. JIMMIE: Thank you. Been waiting all day. (Laughter.) My name is Andy Jimmie. I'm from Minto. I appreciate the opportunity to testify. I am presently the President of Tanana Chiefs Regional Health Board. I'll be speaking a little as a health board member and a little as a village resident. When I say "little," I mean short. (Laughter.)

First of all, the Tanana Chiefs is working on expanding the Tanana -- I mean, Andrew Isaac Health Clinic, and that really it's a must, I think. We're short of space. In reading the IHS -- Indian Health Service and the guidelines, it's 600 square feet for the clinic. And it's -- what they're operating now is a little over 10,000 square feet; and with the amount of people -- 1,200 or so people, this is not enough. We

need to expand that clinic, and there was a lot of us that can drive in from villages not sick enough to be admitted in the hospital, but sick enough to see a doctor; and then come up here and have to wait three or four hours; and you're pretty sick by the time you finally get to see the doctor. So it is really important that we expand that clinic.

And, in the villages, one of our main problems there is alcohol and drugs. We do have, in a couple of sub-regions, a alcohol recovery camp, which is working very well, I think. It's helping a lot of people, but we need a backup program; have a counselor in each village, where they can go to after they leave the camp. The way it is now, they stay at a camp for 30 days, and they leave, and they can go right back into the same place. There's a lot of them that I know of that's keeping pretty good, but there's a lot going back; and if we have a counselor working with these clients after they get out of this recovery camp, I think we'll see a lot more progress.

And alcohol syndrome. Every village have students, kids, with alcohol syndrome. And what we need to try to do -- I've been pushing this for a long time -- is to try to get the school district to recognize this, and they're just now, in our area, recognizing that they

have a lot of students with alcohol syndrome that couldn't learn; and now they're trying to get special education for them. In the past, they were just working with them as normal students, and it's just not doing the trick. It's not. We need to have these students counseled. I'm pushing for a counselor in each school. But like everybody, say they're broke, they can't do it.

The old people. There's a lot of them up here like in Denali Center. And we need a whole home care service, where they can stay at home. When you get 75 years old -- 75, 80 years old, and live in a village all your life; and the only time you ever left the village was to hunt and fish, and they stick you in a place like Denali Center, you wouldn't be very happy. And these people I'm talking about just don't really need to have a professional working with them. All they need is some help; reminder taking their medication; work with them; clean up their places; and help them in any way. They need something like that so they can stay at home. There's a lot of unhappy people over at Denali Center, and I wish something can be done about that.

Sanitation. There's a lot of clinics in the state of Alaska, but not too many in our region. There is some that don't have running water. And that should be the first priority for everyone, to try to get running

water in these clinics. I don't think any one of you guys would be very happy if you go to Fairbanks Memorial or Providence in Anchorage and they don't have no running water; and you'll have to run outside to use the outhouse. So there is a lot of villages that don't have no running water. The State did appropriate \$500,000 last year; but it didn't even put a dent in the problem.

The health aides in the villages, they need counseling; they need help from different organizations. Out there in the villages -- to put out there meant that the stuff they have to go through is pretty stressful. And a lot of 'em don't really have the training that they should have, and it's pretty hard for them. That's why, in some places, the health aides have a big turnover; and they need to have someone to talk to. And if we -- I don't know how to solve that problem, but they do; and it was brought up to me several times that the health aides - just barely hang in there. It's really stressful. And, again, I thank you for the opportunity to testify.

COMMISSIONER SEBESTA: Thank you very much, Andy. The points that you make are very good, and I think that the health aide program is one of the best programs I've seen, and I agree with you. They do a wonderful job, and I know I've been personally treated by them, and I appreciate them very much, and I think they

need to be supported. I think you're right. And I also think the drug and alcohol, as you mentioned, is a very serious thing; and there needs to be cooperation with the school districts. And I agree with the points that you make. I thank you very much for them. Are there any questions that the panel -- the Commissioners would like to address this panel?

COMMISSIONER THOMPSON: I just want to make a comment or two on what Andy said, and maybe, rather than agreeing, we need to be -- and we all tend to agree when we come up with some good points; but I, too, want to echo his comments. Those health aides, and other counselors -- now there's some suicide counselors, alcohol prevention counselors that are being trained out there -- I think, and doing a very good job. Those are very high-stress jobs. They're low pay. They're long hours. You're dealing with emergency situations with minimal skills sometimes. Not that they're not dedicated; but the skill level that they have to deal with some of the traumas that they deal with would overwhelm most of us; and they really and truly are a cadre out there. They're doing a great job.

And I appreciated your comments on the recovery camps, because I know Tanana Chiefs and others have really done a great job in getting these things going,

and the fact that we need support when the individuals leave the camp and go back home. And I know, in some areas, there is some local concepts, or local ideas being put together. I visited a couple of communities where they're developing community support groups; and I applaud them, where they're -- if they see someone coming back, they have a group of people who are trying to stay clean and sober themselves, meet with that individual, and try to support him or her through these times when they come back to the community. And that's a community-base program, I think that Donna mentioned. I think it has a lot of good ideas and, I know, good, solid support in the communities. So, it is the number one problem. I appreciate the AFN and other groups with the Strong and Sober Blue Ribbon Commission approach, and others that are taking place in the region. I have no further comments, Mr. Chairman.

COMMISSIONER SEBESTA: Donna, I just was very impressed with the testimony that you gave, especially the fact that programs need to come from the people and be run by the people. I really appreciate that, and I'm very happy to see you, a Native person as a doctor among Native people; and I think that it's very encouraging. I would like to talk with you more about some of the

suggestions, so that we can make good recommendations to the governments, both state and federal.

DR. GALBREATH: Okay.

COMMISSIONER SEBESTA: Thank you very much. I think, if there are no further questions, we should move along here. We've got about 12 minutes for a long program. Okay, it sounds like we can probably go a little bit longer, so let's still try to restrict the comments to five minutes; and I would invite Group B to come up: Rose Ambrose, Mim Dixon, Margaret Wilson, and, let's see, Melinda Peter has already given her testimony, so..... (Pause.) Dennis Taddy? Okay, would you like to each introduce yourself, and then we can start with Rose Ambrose?

MS. AMBROSE: My name is Rose Ambrose. I was raised on the Kikuk (ph.) River, kind of half and half -- Kikuk (ph.) River and Yukon River. I went to school in - Holy Cross Mission. I worked in a clinic for about 23 years, and I thought that the two most important subjects for village needs -- I have lots down, but my -- a top priority was the elders' concerns, elders' care. Elders are the most ignored people in the villages. They need some -- we need some stuff out there for the elders. We should have at least one hospital bed to each village, and a little commode right by the bedside. I have seen

elders fall off the bed, because the bed is not the right kind; and this hospital bed will also help the caretaker, because it's really hard to stand right there, and trying to pack them around, and trying to move them around. And also a body lifter for bathtub. I experienced all these things from taking care of my mother. It's really hard to pack them around.

Also, we need elders' dinner out in the villages. We don't have this anymore; it's always they tell us:

"No money."

Okay? We can't have nothing. Everything is we can't have no money.

Another thing I had in mind was we send up a escort with each elder patient, and this escort doesn't get paid. All they get is their airplane ticket, and maybe about three meals, and eat with the patient - wherever they end up. It's hospital cafeteria, or it's somewhere in the restaurant. And it's very little that what they ate. And us health aides, when we're going to send up elder, I'm going out to the houses, and I'm trying to get a escort for this elder; and some of them tell me:

"I don't know. I got to have money. I just got to have money to make that trip, or else I

use my own pocket money; and I cannot do that.

I cannot do that anymore."

At the same time, it's not health aide's job to escort everybody for a routine checkup. Health aides are only supposed to escort emergencies: somebody that's on oxygen; somebody that's on I.V. And I believe that the health aides ought to be at the clinic, because they got enough work today, and they got to keep up their work right there at the clinic and let somebody else escort. I was thinking why don't we pay -- they pay the person who is going to escort? And then the people give back time to health aides, because they say:

"Well, that's your job to escort these elders. That's your job. That's your job. That's your job."

Somebody else can do that. The health aides say:

"You're -- "

- The people say -- they tell us:

"You're not helping us."

Okay? If we're always flying on the airplane, and we're not at the clinic to work, how are we to get all our work done? We wish that we could keep up. In the bigger villages, it's still worse yet. The people just run over the health aides. They tell the health aides:

"It's your job. It's your job to escort all these people."

Not for routine things. Not to bring somebody to Fairbanks for audiologist to get hearing aid. Not for a routine eye checkup. Those are routine things. Their families, or their friends, or somebody can do that part. Not the health aides.

Also, I thought to myself that many of those old people, they can't hear. They can't communicate with people. And they spend a lot of lonely times, because they can't hear nobody. I thought:

"Why don't they hire language sign teacher in school, so we can get started on that, so this can be for later on?"

Just hire somebody that can teach language sign, so people could communicate with each others, especially the elders. They're the wise people, and they're the people that's going to leave all the information to the rest of the people.

Another thing, too, that always get me stuck is there's no room over at Tanana Chiefs Patient Hospital. It's always filled; it's always filled. Why don't you make it bigger? It's hard for the old people to stop in hotel, because they don't really understand those people behind the desk. It's easier for them, if it's bigger

over there, and if everybody stop over there and have cafeteria in there that make it altogether easier for the older people -- for anybody. So all these Native people, they could help each others over there. Somebody will be on wheelchair, and they got to go back and forth over there, too, because the cafeteria is over at the hospital. That's dangerous for somebody to be on wheelchair and go back and forth. Not only for them, for all the old people; because they can't hear, and their eyesight is poor, too. They can't see the traffic. Sometime we'll have accident. And we're also so sick to go back and forth. Even me, last winter, I was so sick that I don't know how I go across and I come back. And when we're that sick, too, we could care less what happens to us. Sick people are sick people. That's all I have down on that one.

And I was thinking that, speaking on alcohol, still it's a real problem. Drugging and alcohol is still yet a real problem. I just want everybody to think about it and to try to find out what to do about it. We done quite a bit in our village to try to control this alcohol; and it's really hard work, but it's worth it. In our village, we have watched all the planes, but it's hard to be working in the clinic and be running up to the airport. We meet the airplane, and we cut open the boxes

when we think that there's -- somebody is bringing in booze. And, by doing that, we held it quite a while; and still it's like that. We're holding the alcohol down in our village, and that -- I just talk about it, because I want people to think about it and trying to find ways to help the rest of the villages.

And VPSO -- old people are pretty important in all the villages. I keep on hearing that there might be no VPSO after while, because there's no money, and that's the most important thing in the village is VPSO and the clinic workers. That's the two most important positions that we have in the villages. I hate the VPSO's job to be cut out. From the time that VPSO was hired in our village, I did less tutoring and less medi-vac from right there on. So I hate that to be cut out. I think that's enough on that one now. I think that's all I had.

COMMISSIONER SEBESTA: Rose, thank you very much. (Applause.) I think you speak very well for the elders, and I think it's something that we have to be aware of; and I would like to ask you a little bit later about maybe some of your suggestions about how to address this problem of drugs and alcohol. But I think we should move on with the testimony right now. Let's see. Mim Dixon?

MS. DIXON: Hello, I'm Mim Dixon. I'm the Director of Chief Andrew Isaac Health Center in Fairbanks. I've prepared some written testimony on a number of subjects, including cancer prevention, detection, and treatment; birth control; alcohol and mental health; long-term care; the effectiveness of the Public Law 93-638 Contracting in our region; and the need for health facility construction. I know the time is late, and I want to give my time so that more Native voices can be heard, especially the people that have come from far away today.

COMMISSIONER SEBESTA: Okay, wel --

MS. DIXON: But I'll submit this to you in writing. Thank you.

(TESTIMONY OF MIM DIXON ATTACHED AS EXHIBIT #8)

COMMISSIONER SEBESTA: Okay, thank you very much. That would be very good to read that, and it'll be very seriously considered. Thank you very much for relinquishing your time. And I'd like to pass it on then to Margaret Wilson?

MS. WILSON: Good morning. My name is Margaret Wilson. I'm originally from Kaltag. I work for Tanana Chiefs as a Community Health Services Director. Under Community Health Services, we have several different programs. Some of those programs address alcohol and

substance abuse. Some of those programs address FAS. Safe -- some of our other programs address health promotion and injury prevention. What I have is written here, and I'll just go over it real quickly.

(TESTIMONY OF MARGARET NELSON ATTACHED AS EXHIBIT #9)

(Ms. Nelson broke down while reading her testimony, saying she could not continue.)

COMMISSIONER SEBESTA: Okay, Margaret, thank you very much. I know these are very difficult problems, and that's one reason the Commission was asked to come into existence. I would like to talk with you personally about your own suggestions of how this very difficult problem might be approached. But thank you for what you have given us, and we -- you will submit the written -- what you have written?

MS. WILSON: I guess I will continue.

(She continued with reading written testimony.)

- (Applause)

COMMISSIONER SEBESTA: Thank you, Margaret. Your report certainly encompasses a lot of things that we need to investigate much more completely. But, given the time, we should move on right now. I do have some questions for you afterwards though. Would you introduce yourselves and --

MR. TADDY: I'm Dennis Taddy. I'm an engineer with the Tanana Chiefs, and I also manage the Low-Maintenance Worker Program, which is one where Cindy did so well. She basically made my whole talk, because I purposely had where -- Cindy Wiehl -- and I do want to apologize. That was one of the things I guess, which a lot of times we do, we hurry and do something for the Natives, and we forget to think about them when we're doing it. We're -- the comment:

"We're from the government; we're here to help you."

And I made that blunder. I knew she got married, and I spaced it.

My part, which I'm going to talk about just briefly; and I wish I could be as brief as Mim, but then some people wouldn't believe it if I was that way. I have a reputation to uphold. Mine is dealing with the sanitation facilities in the villages, and deals primarily with Public Law 86-121, which came into effect July 31, 1959, and we're still, 33 years later, trying to provide the key part of it -- essential sanitation facilities in villages.

Most of what I have already written covers a lot of it. There's a couple of other items, which I want to briefly go over, which I happened to omit. Several of

them are -- one of the major ones is somewhere the State needs to recognize that Natives do have some rights. The biggest one, which we just went through, TCC was a real battle to get the Village of Circle sanitation facilities, which we were going to put on airport land; and the Village of Circle was not eligible to -- well, they were eligible; but probably not in their lifetime to complete all of the legal headache to get control of it. So TCC leased it, and turned out; and we sub-leased the land to the Native village, so they can have a washateria built. It's been a three-year process, which, hopefully, we'll see start this year.

Another one, which Andy Jimmie talked about just briefly, very, very many of our clinics in the villages do not have running water; and, as Andy had stressed, how many of us would continue to go to a doctor, who he washed his hands under an igloo cooler? And that's prevalent in a good share of TCC villages, and it's also prevalent throughout the whole state of Alaska. It's definitely something that needs to be addressed. It is being worked on; and, as Andy said, there was a half million dollars allocated a year ago; that took care of 13 villages. That's not a very good success, when you consider there's over 200 of them out there. At that rate, we will be at it quite awhile.

Another issue, which Cindy had mentioned briefly, was the operational maintenance costs of sanitation facilities in villages which are living on a subsistence lifestyle. A washing machine costs money to run; it costs money to replace; but it's real hard to shove that moose in the coin slot and make it work. So they have a real problem of trying to adapt our culture; which we, in some ways -- and I guess I don't have to -- I commented to Mim earlier:

"At least I don't have to show that I'm credible."

I think poor sanitation facilities are poor sanitation facilities no matter who they're for.

But we've made -- and because of the health -- the improvements of providing sanitary facilities, has made a big difference; but with it goes a lot of the things which cost money; and they don't have the money. - Many times their needs, or interests, are not considered when the facilities are given to them. So it's very frustrating on their side to accept ownership for something that they were never even asked to be involved in the development of.

And, with that, I'm actually going to read my conclusion, 'cause I did -- the one thing which our office at TCC we've come up with -- we believe probably

the most important step in solving some of the issues of sanitation facilities is recognizing that people in the villages are a member of -- need to be a member of the team that solves the problem and provides these essential sanitation facilities. And I will stop at that. Thank you very much.

(TESTIMONY OF DENNIS M. TADDY ATTACHED AS EXHIBIT #10)

(Applause)

COMMISSIONER SEBESTA: Dennis, thank you very much for that, and for being brief. I think that what you conclude with is very important, that the Native people need to be involved with the planning, and on that level; and I think that that's one of the reasons that this Commission has been brought into existence, because of Tanana Chie -- or AFN asking that Native people be consulted on the programs which come into their villages. We're asking for that input now, and thank you very much for giving it.

Let's see. Are there any questions from the other members of the Commission for each one of the members of this particular board?

COMMISSIONER MASEK: I had one thing I'd like to comment on in regard to Margaret Wilson's testimony about the the alcohol problem and everything that's been happening in the villages with the suicide. I'm

originally from Anvik, and there have been a great deal of people who I grew up with that are gone because of suicide and accidental deaths; and I was listening to your testimony, and you mentioned something about informal help before -- I'd like to know, how can you capture that back to get to informal help? Maybe through the traditional councils, or there should be some type of incentive for the healthy, young people? I think they should start working and helping the elderly. This is something that is so important for the villages, and for the people who are living there, and how do you think you can obtain that informal help, or how can we help in stressing that out in the village?

MS. WILSON: What we have done over the past year at TCC is we've formed our own task force within our agency. And some of the people who are involved are psychiatrists and a couple of mental health people, Substance Abuse Trainer, myself, our Youth Program Director, who is Richard Frank, and there is a group of 12 of us who are trying to get together to try and figure out how we can address this problem. And, at this point, we've kind of come up with three different elements that we have decided that we needed to address. And, as yet, again, because of lack of funding, we're still trying to address some of the issues. What we have come up with is

both short-term, which is like a suicide crisis intervention team. And this is what we have done in the past. We've sent out some of our own people. We'll be doing that next week, sending a group of people down to a couple of communities that have experienced suicide in the past month. And these are professional people from the Mental Health, and Department of TCC, and some of our people from our Health Education staff. And they will be in the community for two to three days, doing presentations on several different things like breathing, or suicide, and they'll stay within the community.

What we're trying to do is trying to encourage some of our village leaders to take responsibility for what is happening in their village. We can offer our resources. Again, our resources are limited; but, I think, until you take ownership of the problem, it's not going to be their problem. It's always going to be someone else's problem. And I heard an African proverb, and I think it should be one of ours; and that proverb like:

"It takes a whole village to raise a child."

And I think maybe we should start taking responsibility for our own, and start addressing some of the problems that beset us in the villages. And, so, what we are trying to do right now is to try and raise the

responsibility level of some of the community leaders. What we are also trying to do is looking at some other activities which would maybe help some of our youth in the villages. One of them is dog sledding.

COMMISSIONER MASEK: Well, I think that's a very, very good way to go. I believe that's one of the traditional values, and it'll keep you busy year round, and you don't have time to get bored, and you're working constantly.

During some of the testimony, I also heard a lot of the questions is -- when you were asking for help, or asking for some funding, I heard the phrase used that they didn't have this, or they didn't have that, and I'd like to know who is they?

MS. WILSON: Let me see. I'm not really sure. I kind of went over a lot of --

COMMISSIONER MASEK: Is that some of the nonprofit organizations, or some of the regional corporations, or.....

MS. WILSON: I'm not really sure in which context I used that (laughing).

COMMISSIONER SEBESTA: Let's see, where you were talking about actions, you mentioned that after you got through, you said the rural alcohol and mental health program, recovery camps, traditional values, the

education programs in the schools, and the HIV-prevention educators. And you mentioned that there wasn't enough money to really pursue those programs, and I think -- is that where you were.....

COMMISSIONER MASEK: Well, in -- I think it was in Rose's testimony in regard to the elders being forgotten, and that there wasn't enough funding available; but I kept hearing the word:

"They didn't have; they asked for help, but they didn't have the money; they didn't have the funding."

And I just wanted to know who is the they.

MS. WILSON: So the question is directed at Rose, not me, right?

(Laughter)

COMMISSIONER MASEK: Maybe so. Well, you used that term in your testimony, too, and --

MS. WILSON: Well, I think part of what I was trying to say is that we have tried to do a lot with limited funding.

COMMISSIONER MASEK: Okay.

MS. WILSON: And we are still trying to do a lot, in that we're emphasizing training for many of our para-professional counselors in the villages. Excuse me, I'm a little bit nervous. Plus, we have hired new para-

professional counselors this year. We opened a new recovery camp this year out in the McGrath area, and these things cost a lot of money, and we don't get a lot of money from the State to do a lot of these things. And I realize everybody is suffering from lack of funding, or inadequate funding, but I guess I'm just expressing what we are trying to do, even if we have limited funding.

COMMISSIONER MASEK: Okay, thank you.

COMMISSIONER BOYKO: We keep coming back to the state and to the federal government. How long do you think we can go to that well? Don't we have to start generating something locally, from the land grants, and from the resources, and from the ANCSA Corporations, and so forth?

COMMISSIONER MASEK: Well, that's -- I think should start demanding help from the regional corporations, from the nonprofit organizations, and what - other organizations are set up to help the people, 'cause I've seen so many causes that are set out to -- their mission is to help the Native people socially and economically the well-being of the people; and I think a lot of this that we're discussing is fitting under that category.

MS. DIXON: If I could just say that the federal government does have a trust responsibility to

provide health care, and there isn't really another payer, other than billing insurance companies, Medicaid and Medicare. And you heard Eileen Kozevnikoff speak at the beginning about many people who resent having Medicaid as a requirement before they can tap into contract health funds. But, in reality, I think the federal government has got to accept its responsibility for health care for Native American people.

COMMISSIONER BOYKO: That's not the question.

MS. DIXON: And I think, ultimately, the federal government needs to look at a national health policy for all people, not just Native people. And I don't think we should turn away from that as a source of funding, just because it's unpopular right now to keep tapping government sources. This is one program that should be funded from government sources in my mind.

COMMISSIONER BOYKO: The trouble with that - though is that the moment you start taking government funds, you get government strings, and government regulations, and government-imposed terms that we then complain about; because they're made in Washington, or maybe in Juneau; but they certainly don't take into consideration the local needs, and the local concerns; and that's the price you pay when you go there. And it seems to me there are ways to generate these things in-

house, rather than going out there and asking for government assistance.

COMMISSIONER THOMPSON: I think we need to keep in mind that, as citizens of the state, and as citizens of the United States, we as Native people are entitled to certain services; and I would question whether we're getting our fair share of those services that are being dispensed to other cities and municipalities. I can almost guarantee you that in the state of Alaska, we're not getting a proportionate, nor a fair share of State spending in rural Alaska. So to say that nonprofits, or the regional corporations, should pick up these responsibilities is, number one, not appropriate; it's not their responsibility; and if we were to pick it up, we'd be gone in about two years, because the responsibility of the state and federal government is so large that no nonprofit, or no profit could assume that, - nor should they. The obligation is clearly the obligation of the federal government to perform what they're obligated, by law, in many instances, and by statutes in some, to perform.

That's what we're talking about; and I think we need to -- however, Ed ha -- I mean, my good friend has a good point. We need to think about other sources, because these sources aren't limitless; and we need to

think of innovation; but we need to make sure that we're getting our fair share.

COMMISSIONER BOYKO: I don't disagree with any of this. But I only wanted to again emphasize that when you deal with government, and get government help, you pay a high price.

COMMISSIONER THOMPSON: I agree, too.

MS. DIXON: I do think that the challenge for this Commission is to find ways that the federal funding can be spent more efficiently, more creatively, with fewer layers of bureaucracy, where getting money closer to the sources, to the people; and some of the written testimony I provided has given some suggestions for that; and I think we have a very good history with 638 Contracting for doing that; and I do want to mention that the nonprofit regional corporations, like Tanana Chiefs Conference, have no other source of funding than government contracts. They are a vehicle for government contracting. There is no way to generate money, other than government contracting; so, I think, with the challenge to help make that work better --

COMMISSIONER BOYKO: I don't buy that at all. Many nonprofits and charitable organizations in this state and other states are able to raise funds without going to the government, and I'm not saying that we

should stop going to the government; but we should start being creative, and raise our own; and if that means growing some marijuana, I don't give a darn, whatever it is. And I'm saying that for shock value, not because I advocate it. But there are ways to do it. You can have a casino on an Indian reservation and make all kinds of money; and we're going to have to face those things, because they -- the well is going to run dry one of these days. This is -- our country, at the moment, is headed towards total financial collapse; and all of a sudden, if that happens, are we going to just throw up our hands and say: "It's over"? Can't do that.

MS. DIXON: Sir, I would submit to you that if the government can find us the money to bail out savings and loans -- if the government can find the money when it wants to for various other things, it can find the money to serve the health needs of the people.

COMMISSIONER BOYKO: I agree with you; but, unfortunately, it's not without limits. We are now the greatest debtor nation in the world, and we have the biggest deficit, and it's growing every year; and one of these days, you're going to have a depression and an economic collapse that you won't believe. And we better start --

MS. GALBREATH: Well, why start with the Alaska Natives?

COMMISSIONER BOYKO: No, no.

COMMISSIONER SEBESTA: May I --

COMMISSIONER THOMPSON: Could we -- we got to get going here, Ed. (Laughter.) I mean, this is great; but this is not on the subject.

COMMISSIONER SEBESTA: Yeah. This -- I really appreciate the testimony; and I'd like to question both -- all of you a little bit more, because I think that it's very important that we get the suggestions to make solid recommendations to both government agencies; and I would like to follow up privately with you, because I think you have some very good things to suggest. If there are no further questions bearing particularly on health, I would ask the Social and Cultural Issues' people to come forward, particularly Group A. That's - Susie Sam, Benedict Jones, Don Shircel, and Joe Neal Hicks.

MS. FATE: I think that last statement my good friend and lawyer -- not my personal lawyer -- Boyko said his personal view on growing marijuana, which I totally, 150 percent object. (Applause)

COMMISSIONER BOYKO: I said: "That's for shock value." I don't use it; I don't support it; but if we

had to grow guinea pigs, whatever it is, there are ways to raise money if you need to.

COMMISSIONER SEBESTA: Do I chair this one?

COMMISSIONER BOYKO: Yes.

COMMISSIONER THOMPSON: Keep going.

COMMISSIONER SEBESTA: Okay.

COMMISSIONER BOYKO: You're doing good.

COMMISSIONER SEBESTA: I would just like to make one observation. When we as a Commission were called together, one of the points that was brought to us by Julie Kitka from AFN was the fact that there were four very critical areas, which I think have been continually identified; and they were: suicide, and alcoholism, violence, and teenage pregnancy. And the question was to us as Commissioners to go to the people and find out what might be effective solutions. And I don't think that there needs to be proving to us, or to the senators and - Governor that they are very serious issues. They have been proven. And what we're looking for is your very sincere ideas on solutions to these things, innovative approaches, things that might be more efficient, and things that might be working. And I would very much appreciate maybe the comments being directed toward those areas; and I know we're moving on to the social and

cultural issues; and I think that those items that I mentioned may come up there also.

The first person who is on the list is Susie Sam; and, Susie, would you like to identify yourself and --

COMMISSIONER THOMPSON: I think she needs that white mike. The others ones don't work.

MS. SAM: I don't like to speak with my back toward most of the people, so I'll turn my back this way, and have only four people behind me, to keep everybody from whispering in the back; and if you see anybody whispering back there, please let me know. (Laughing.) I'm not a good public speaker. I am, for a lot of Alaska Natives, I really would encourage this Commission to actually go out to the villages. I think it's very important. I think we have a lot of people speaking here today that are for organizations; and I see I'm - representing one; but I think if you talk to individual Alaska Natives, I think it would be more effective.

Another thing is that I would really appreciate the whole Commission members, if they're going to set up a meeting, they should all be here. I mean, we all sacrificed our Saturdays. I mean, we have a lot of other things that we want to do. I have a two-year-old boy. This morning when I was getting ready, he goes:

"Mom, you not have to work today. It's Saturday."

And that kind of thing just makes me want to stay home instead of coming up here. To people that are supposed to be interested but are not all here, that just kinds of tells us that our testimonies and stuff is not important. I think that it is; and I think it should be portrayed that way for future --

COMMISSIONER BOYKO: Do you give extra credit to those of us who are here?

MS. SAM: But you're getting paid, you said today.

COMMISSIONER SEBESTA: Some.

MS. SAM: Okay, some of you are getting paid. I just want to go back to what Peter John was saying this morning that it is really important for us to listen to our elders and be proud of who we are. I think that there is a lot of kind of misconceptions that I think that are out there. People are always saying:

"Get an education. Get an education."

Yet, when we do work our way through school, get a four-year degree, there's not a lot out there for us. And we have to take one route or the other. Ot's just tearing the younger people apart. I feel sorry for the people that are younger than I am that are making that decision

right now. They're listening to their elders, and getting all their traditional values in store; but yet, people are telling them:

"Get an education."

That's a pretty tough decision. I think that's where a lot of the confusion of the younger people are trying to make that choice right now. And I just have a lot of gripes. I just want to let you know that I did apply for this Commission. I wasn't accepted. I don't know why. They didn't give me any reason; they just wrote me a one sentence, saying I wasn't accepted. But I think it's very important for the younger people to get involved, state what they have to say, even though sometimes they're not listened to. I think, if you talk it out and get it out of your system, you'll be feeling a lot better about yourself. And I think a lot of the trouble that we experienced today about running overtime is a lot of the testimony was put into other words by the Commission members. And maybe our words should just be taken for what it's worth, instead of being edited; and if they have any personal questions, I'd be glad to answer them over the phone, instead of taking all these people's time all through their Saturday. And in order for this Commission to work, it has to be very committed people on there to make it work. That's the only way it's going to

pull through. And that was just my major gripes on the Commission with how it's being handled today. I know it's their first meeting, and I was very excited when I heard they were going to be formed, and I thought that was a big step for the Alaska Natives, but I was kind of disappointed today.

I was encouraged by the two younger girls that came up here today. You know, very well spoken, stating right to the point what they had to say. I think their comments, as well as their elders', should really be taken seriously.

I think there's a lot of things that this Commission can do, especially on the subsistence parts; and one of the questions asked was:

"Well, what can we as Alaska Natives do to convince non-Natives, or non-subsistence users that we need subsistence?"

And one suggestion was that we can scratch all the politicians' backs down there, and maybe they might scratch ours' after.

The education, I had one real concern; and one of the Commission members asked the question:

"Well, what can we do with the people that" --

not in these words, but if one of the panel members had any suggestions on -- what is that word? -- incentives for letting our younger people go to school? And I am one of the people who had to sacrifice four years of my life away from my family, to get an education, and it's going on six years, and I still haven't paid my student loan off; so that's ten years of my life sacrificed for that formal education; which, to my knowledge, it hasn't done me too much good yet. They keep telling me it will. But I just wanted to say that I did that because my grandfather and my mother always told me to do that. You know, they said:

"We're always going to be Native wherever you live. You can always go back to the village, and you can always adapt to that village lifestyle."

And I think that's true. So they don't think ten years of living in the city will change me in any way, because every time I go back, I adapt to their ways just as quickly. And that's all I had to say.

COMMISSIONER SEBESTA: Okay, Susie, thank you very much. I think that your comments, particularly about the Commissioners going to the villages, is heard very well. And of the whole Commission also. I think that, of the fourteen members of the Commission, I think

they're all very dedicated, and they're very conscientious and interested. I'd like to move on to Benedict Jones.

COMMISSIONER THOMPSON: May I just follow up real briefly, Susie? Just so you also know, all 14 were not invited here today. And the reason was to hold the cost down; and so we can have more hearings, rather than just a few hearings with 15 people sitting up here, and four people -- or 20 people in the audience. So, it was by design; and the people that are not here, it's not that they don't want to be here, and please understand that; it's just that it was set up so that we would have a few people taking testimony, so we can go to more places.

MS. SAM: That should have been stated right off in the beginning.

COMMISSIONER THOMPSON: Maybe it should have been, and it was a good suggestion. Thank you.

MR. JONES: I'm Benedict Jones from Koyukuk. I just recently got elected as an Denakkanaaga Elders Chief, and I'm on the Board of Directors of Dennakkanaaga. I just recently retired from the State of Alaska, Department of Transportation, 20 years' service for the public; and I'm presently Second Chief of my Traditional Village. I have limited education due to

World War II interruption on my education. Because of the BIA's school in Koyukuk, and during the war, they took all the teachers out of the village, so we didn't have no teachers during the war; and then I think the BIA forgot about Koyukuk, where it existed in the map of Alaska, so for about four years, we didn't get no teachers back into Koyukuk at that time. Somewhere in '48 or '49, we finally got our teachers back, and I came back to school again; but, at that time, the BIA and the Territorial Alaska had regulation that if you turned 16, you automatically had to get out of school, so that stopped my education there.

As for Denakkanaaga, we've been pushing with State of Alaska -- maybe, we can ask the Commission, too, with your help to try to get more elders' home with the Tanana Chiefs Region. We have one in Tanana, but we would like to have another one in Galena or Fort Yukon area where these elders have to move away from their villages. It's hard for the relatives -- say for the Tanana, it's hard for the expense. The transportation is so expensive to travel from their village to visit the elders. And also for up here in Fairbanks. So we would like to see more elders' home within our region, or within the state of Alaska. I know the other elders throughout Alaska is pushing for the same thing, too.

I listen to a lot of statement that Peter John made that for Native culture. As a Chief, or a Elder's Chief now, as a youth, I used to listen to the elders, because we didn't have no radio or anything in those days. The only education that we were getting, at that time, was going around to the elders. Maybe one elder would tell us a story from the time the earth was formed; and we'd listen to about how the animals was created, and the stars, and the moon, and all that. So that's mostly my culture education is from the elders. And I respect them for that.

As for preserving the Native language, I know Georgianna Lincoln's felt (indiscernible) and the legislation, but I would like to see it maybe put more wording, and so the other legislators could understand what our Native language is all about. Because preserving our language, it comes to help. For me anyway, when I was going to school and trying to learn how to speak English, it kind of helped educate me to understand the two language, my language and the English language. So it'll be more helpful for the youths to understand our culture, our Native way of life, and so on.

As for fishing, as Pat Madros stated earlier, I'm a subsistence user; but he said a game biologist

doesn't understand our subsistence way of life. As for this past two years since I moved back, the best time of our salmon run is the first run, and they limit our fishing to coincide with commercial fishing. So we could not preserve our king salmon. They're bad when they just come off the coast; but if you go back -- we're still catching king right now, but they're not as high quality as the first run, so we're only limited; but if they shut us off for three, four days during the commercial, to make up their mind -- this past fishing season, we back in the villages from the -- oh, say, from Ruby down to Holy Cross area, we didn't know from day to day when is the fishing, even for subsistence. We didn't know from day to day. We asked and called the Fish and Game, but we don't get no response from them. They didn't know themselves when the next fishing season's going to be opened another 24-hour period or what. So, when they closed it three or four days, by that time, the high-quality fish has already gone by.

And another thing about drug trafficking into the villages. This is real critical in our area anyway. I know that the federal and state agencies watch only the big airlines and other drug traffic, but they don't pay attention to villages, where there is the drug traffic, so I'd like to see the state and federal drug agency to

check priority with air taxi terminals. Maybe dogs sniffing. I know several drug dealers in the villages, but as for one of the State Troopers in the past, he was a drug dealer, too; so we couldn't do anything about it. So I'd like to see the federal and state agencies do it. Watch the village. This would help cut down on suicide and all that.

And another thing, too, on alcohol, there's been a lot of accidents due to alcohol. Not only in the summertime, but in the wintertime; and I would like to see us -- I asked the State legislators, but I don't know what's become of it to -- or the Alcohol Board to limit or enforce like they do here in the city. If the guy's intoxicated, he could not buy another bottle of liquor or a case of beer from the liquor store. But out in the Bush, there's no control. A person is half-intoxicated can still buy a case of whiskey, and takes off, and he falls off a river boat or something. So this is something that you need to enforce in the rural area liquor stores.

I've been trapping all my life as a subsistence user. I use most of my -- this is since I've retired, I use most of my fur trapping as for my own subsistence use. And there's a lot of anti-trappers that's going out, and maybe the Congress or somebody can stop the

anti-trappers that -- anti-trappers are coming up with new traps that we could not afford to buy -- what they call leg-hold trap; and I saw it in a magazine advertised; and just for one trap was \$80, and we could not afford to buy that. So, as long as I'm able to trap, I want to continue using these traps that we presently have.

COMMISSIONER SEBESTA: Okay, Benedict, thank you very much.

MR. JONES: I think that's all I got to tell you.

COMMISSIONER SEBESTA: Okay, thank you very much. Let's see, the next person on the list is Don Shircel.

MR. SHIRCEL: Thank you. My name is Don Shircel, and for the past nine years, I've been the Director of Family Services for the Tanana Chiefs Conference. As a social worker, I've come to know two key elements: family and tribe, as the most important issues in viewing Native social concerns, and in developing culturally-appropriate services to effectively approach the myriad of social problems which exist in Alaska's villages today.

Ten years ago, the late Gerald Wilkenson (ph.), a Cherokee elder and social worker, wrote an article in

the Journal of Contemporary Social Work about the relationship of families and tribe. This is what he said:

"Indian people are a family. Family is really what a tribe is all about. A tribe is a collection of families in which everyone has accepted duties and obligations to each other. In a tribe, everyone has an important function, a purpose, and a role to play."

He went on in the same article to say this:

"The Indian family is in a lot of trouble, and that means that Indian people as a whole are in a lot of trouble, because a tribe simply cannot withstand the disintegration of its families. The family is the tribe, and it is that type of relationship that keeps people going. The family is the tribe. Native tribes are a family."

Social services, which assist to empower Native families, strengthen Native tribes. Programs and policies which assist to empower Native tribes, strengthen Native families. You don't have to be a social worker to realize that fully functioning strong and healthy families produce strong, healthy, and happy children, who feel good about themselves, who feel they

have an important purpose, and who have a most important role to play in the future of their tribe.

Unfortunately, the converse is also true. We all know of families, even ourselves, who, at one time or another, have experienced problems. As this Commission has stated, the statistics alone indicate that many problems are just as great, and even greater, in Alaska's villages as in other places. Family violence, child neglect and abuse, alcoholism and drugs, problem youth, the slow deterioration of respect for elders, unfortunately, have all become part of village life for a growing number of some village families. Many of these problems are not new. Problems such as these develop over a long period of time. No one is drawing attention to anything that people haven't known or seen coming. Although the problems are really nothing new, perhaps the way people work to help to find the solutions of these family and village problems will have to be new. Well-meaning attempts at addressing the problems that village families have had, have often been ineffective. Many of these old solutions have concentrated on help coming from outside the village. It was thought that experts, professionals, might have the answers to solve the problems experienced by village families. It was thought that money applied directly to the family might somehow

buy the solution. Both methods have been tried in different ways at different times. Both methods have and do help in some ways. But the problems continue, and they continue to get worse. And, in some cases, new problems are created by the very methods tried to eliminate other problems.

Experts coming from outside the village keep villagers dependent on the skills from someone else, so that local skills and leadership are not developed. Money given directly to a family can keep families dependent on someone else for their livelihood, or can be used to exacerbate other problems. The Athabaskan value of self-sufficiency can easily become lost in the good intentions of people outside the village trying to help. At times, help is needed. Professional expertise is needed, and it does take money for many important services. But perhaps the focus of these services must be realized.

As a social worker, I strongly believe that dollars and services must be committed where the problems are experienced -- in the village. Dollars and social workers in the village. Training dollars to train village tribal members to become para-professionals and to become social workers. Social workers from the village helping their tribal members and families working

together, watching out for and caring for their families. Villages making their own decisions for the care and best interests of their families and children; empowering tribes, empowering families.

This Commission will have little difficulty in finding someone with some number someplace to put on just about every problem related to the status of social conditions in Alaska's villages. But there are a number of reports, such as the Governor's Interim Commission on Children and Youth of 1988 that also focused on the issue of where the services need to be. Pulled from the 1988 Governor's Interim Commission:

"A major shift from categorical funding to more block grant structure, must be designed within and across state agency boundaries. State dollars and human resources must be committed to the belief that the true source of healing lies in the ability of rural communities to do it themselves."

I would also like to submit to this Commission, "Into the 90's, the Strategic Plan for Service to Alaska Families and Children." This plan recognizes that neither the Division of Family or Youth, or any agency or organization can truly serve children and their families

without the help and support of other agencies, organizations, families, and tribes.

It focuses on the special need to work cooperatively and in creative partnerships with Alaska Native village councils and tribal courts. It call for changes in the ways in which the state relates to Alaska Native tribes. Changes that are necessary to fully implement the Indian Child Welfare Act. It calls attention to the disproportionate number of Alaska Native children who continue to be placed outside their extended families, their tribes, and their cultures in non-Native foster homes. It calls for the State to take a close look at tribal certification of foster homes, to work with tribal courts, to work with the village, and put the services where they're needed -- in the village. I thank you for this opportunity to speak.

COMMISSIONER SEBESTA: Go ahead.

COMMISSIONER THOMPSON: We've had a request, and I wonder if you'd help us honor it? We've had -- and I know everyone's waited, but we do have a couple of elders who have waited all day; and we'd like if you -- and I know you would allow us to allow Neal Charlie to testify, and then we'll come directly to you, if that's okay. Neal? And then Marjorie Mayo also wanted to know if she could go ahead. And if you wouldn't mind, we'll

put Neal, who is from Minto; and, Neal, we welcome you; and we'd ask if we could move Marjorie Minto up if she's still here? Okay. At this time, Neal, we welcome you to the Commission here.

MR. CHARLIE: Thank you. I want to thank this board for letting me talk before them. I don't have too much to say. All I have to say is that I think we need jobs in our villages. There is a lot of jobs -- paying jobs -- that could be done in the villages, that's been done from way back a long time as volunteer jobs. These boys they're still volunteer jobs today.

Tribal court is one of them. We've got tribal court system set up in our village, and this is just a volunteer from the village. Like everywhere else, they pay everybody for doing things. I think it's about time that these people should start getting paid for a job that they do like that, because that's one of the most important things in the villages -- tribal court. I know in our village, we depend on it a lot. And these people they have put in a lot of their own time on it.

Another thing that I keep thinking about is that we should have our own place to keep our people and our own village. And that should be paying job there, to take care of our own people. We have five or six old people in our village who could get -- the government can

pay people to take care of them, so (indiscernible - coughing). That kind of things.

I think that there's a lot of jobs that can be found in the villages for younger people. Pretty near every day we have young people with education, go through high school and everything, we hear it repeated over and over say:

"It's boring; nothing to do."

Heck, me, with not one grade in my life, I keep myself busy. Here, these educated kids, they say they got nothing to do. They're bored, and I think that if you educate these poor kids, they should have something to look forward to, instead of just left out on the street.

What I think that I would ask that whoever can should go out there and take a survey of what we're talking about. We're talking from the village right now. We're not talking about Fairbanks or Anchorage. We'd like to have somebody out there survey on these things and see what we're talking about. Try to get some job paid for these boys in the villages. That's all I got to say. Thank you.

COMMISSIONER THOMPSON: Thank you, Neal.

COMMISSIONER SEBESTA: Thank you very much,
Neal.

(Applause)

COMMISSIONER SEBESTA: And Marjorie Mayo? Is she still here?

UNIDENTIFIED VOICE: Yes.

COMMISSIONER SEBESTA: Would you come forward, Marjorie?

UNIDENTIFIED VOICE: She left.

COMMISSIONER THOMPSON: I think she left.

COMMISSIONER SEBESTA: Oh, she left? Okay. Then, Joe, thank you very much for yielding to the elders. Would you like to give your testimony?

MR. HICKS: Yes, I will. My name is Joe Neal Hicks. I am an employee of Ahtna, Inc. I have been working there since -- well, on and off since approximately 1981 after my term in the military. I agree with the lady that was here, Susie Sam, when she said she wanted to talk to the audience. You know, I agree with her, too; because, basically, my report has to do with all Alaska as a whole, basically. My report is intended to give you an insight on issues regarding HUD-funded housing within the Ahtna Region. I see that my cause was put on Native Social and Cultural Issues. I think it should have been up further -- higher. But anyway, though my report is not conclusive, it gives you a general overview of the situation as it exists today in our region.

The housing program began in the Ahtna Region in the late Seventies, as a result of inadequate need of homes, poverty, poor health standards, and the need for better Ahtna Native living. Through the CCAH (ph.) Corporation, the Native village corporation for the village of Copper Center, was the first applicant for HUD-funded home. Attended at the time was to provide low-income housing for the Native elderly. With assistance from the Copper River Native Association, HUD responded by appointing the housing authority, now commonly known as the Copper River Basin Regional Housing Authority. Through the CCAH's (ph.) request, was based on the understanding that the moneys used would come from Indian housing moneys. Thus, it was understood that the benefit was theirs. Within six years after this request, five villages would have applied for and received these types of housing.

But first, before HUD moneys could be spent, there was a need for a land base. Discussions and meetings abounded; and, in short, the Ahtna Regional Corporation was held to provide the needed land base. This approach, as was the understanding between the parties, would provide low-income housing to Natives in need. It meant better living, and economic self-sufficiency. The agreements reached was that, once the

home was paid for, the land and house would revert to the home buyer. Housing would be exclusively for Native use and occupancy, as Indian moneys were used. It is this scenario that would later become a major problem. Because a land base was vital to the upsurge in housing requests, ANCSA corporate lands was but one solutions. Repeatedly, the Copper River Basin Regional Housing Authority elaborated on a clause known as ANCSA Section 14(c)(3). As it obligated villages to reconvey lands, have not incorporated out of the city to the state in trust. The avenue of lease, sale, or other agreements were discarded, since 14(c)(3) was the law. It could be done expeditiously; it lacked paperwork, meetings, and was less costly. Agreements were signed and executed; and the end result of providing 14(c)(3) lands by Ahtna totaled 79.6 acres plus as it stands today.

Today, Ahtna no longer provides the needed land base, due to the legal implications involved that have arisen. The Ahtna Native home buyers have long been told that the land and home would revert to them after a period of 20 years, or when the home is paid for. They understood that these homes were built for their use and occupancy; that it was theirs to keep. It is the result of policies, or lack of, that Ahtna no longer provides needed lands for HUD housing.

I have outlined four basic problem areas, explaining why this decision was reached. The land base. Questions regarding whether the Native home buyer will ever receive these lands remain uncertain. Lands conveyed under 14(c)(3) are for future city governments, basically as a source of revenue. Given this, as was understood, the Native home buyer could never gain title, unless the city opts to do so. The question of becoming a city within our region is far, farfetched; at least a hundred years.

Non-Native occupancy. The Copper River Basin Regional Housing Authority asserts that moneys used to build the homes are public moneys. Therefore, providing homes to only Natives is discriminating. Today, there is approximately 60 percent Native occupancy; forty percent of those homes -- the other forty percent are either vacant, occupied by others, or in a state of disrepair. - Given this, the question of land, and who will actually own the home remains to be answered.

Three, low-income. There is approximately 57 HUD-funded homes and apartments, etcetera, within the Ahtna Region. Approximately 48 of these homes are on lands belonging to Ahtna, Inc., the rest situated on Native allotments, or on townsites. Each home cost us approximately \$100,000 apiece; and, depending on

individual income received, which is from your job, fire fighting, whatever the case may be, your monthly payments is derived at -- at about 50 percent plus. That's a floating monthly payment. There is no fix. The Copper River Basin Regional Housing Authority requires a person to report any kind of salary increases. They want you to verify it, call up your boss, whatever it is in order to get that verification.

Your monthly payments do not include electricity or telephone. The home buyer is charged for any repairs, improvements, and/or maintenance as is necessary and deemed appropriate by the housing authority. This leaves no money for other necessities, such as groceries; and the Native home buyer is in no better position than he or she were before. Many receive Welfare and food stamps as a supplement.

Four, other HUD or Copper Basin Regional Housing Authority requirements. They impose on the home buyer, at their cost, that each home be maintained, repaired, and kept up to par at standards that they come up with. If not, the home buyer is subject to eviction, or put on notice that penalties could be assessed. Again, an individual home buyer must report all income, whether it be winnings in bingo, and/or trapping.

In conclusion, the end result of all the above is many unhappy home buyers who feel infringed upon. Many have moved out; others try to make ends meet; others take it day to day. Most have approached Ahtna, requesting assistance. Encroachment by non-Natives in predominantly Native villages is on an uprise, increasing awareness and dissatisfaction toward the housing authority. Given this, it is very unlikely that 100 percent Native occupancy is ever to be achieved again. The laws of land is certainly a question that remains unanswered. Twenty years or more to pay off a home is a long time for a home to remain in good condition. Priced at 100 Gs, some homes are yet without electricity, lack running water, require enormous amount of money for fuel and heat, and are inadequately insulated. Overall, it is more of a burden on the Native than an achievement.

Adequate housing is needed in the Ahtna Region, but with current policy and procedural requirements, which do not allow the Native land base through Ahtna, it is basically useless, unless changes are made. There may be a settlement that may be reached through Ahtna. I have recently been appointed to the Copper River Basin Regional Housing Board; and, who, for your information, has denied my request to attend this meeting. Basically, I asked them to fund me, and they said: "No." And what

is disappointing is the likelihood that changes can be made. It is my position that a review of all policies, procedures, and guidelines be discussed, elaborated, and addressed. I seek changes for the betterment of the Native people of Alaska. I thank you for allowing me to speak and give this report.

(Applause)

COMMISSIONER SEBESTA: Thank you, Neal. I think your comments about HUD housing are something that have to be seriously considered, and I appreciate your testimony. I think what we should do right now is take a -- we have three -- four more people that would like to testify; but I think that we need about a three-minute restroom break. If we can do that and be back here in three minutes. It's 21 after now, let's say about 25 after.

(Off record)

(On record)

COMMISSIONER SEBESTA: The last of our Commission members is on the telephone right now, and she'll be right in; but I think that I would like to call up the last group of people; and there's no specific area designation for these people. It would be Robert Silas, Sarah James, Al Ketzler, and Shirley Moses. If they would come up? And I thank you all for your patience in

this extended hearing. We're, as Commissioners, new at hearings, and we will try to streamline the way that we run hearings in the future, so that it will be less of a frustration on you, and so that there will be more satisfaction and more testimony. I thank you very much for your patience. Robert Silas, you're the first on the list, if you would like to present your testimony, we would..... Introduce yourself, give us a little bit of your background, and give your testimony.

MR. SILAS: Yes, I'm Robert Silas. I'm employed by Tanana Chiefs as a Sub-regional Village Liaison Officer, and my job duties is to (indiscernible - away from microphone) offices and their directors. My testimony is on a worst-case scenario of events that happen in a village. I come from a village that has high unemployment, high alcoholism, an elevated debt rate due to alcoholism, and pretty much just lack of jobs in the rural areas, and the lack of education. In general -- my report is on general issues in nature. However, I will show how these categories intertwine, so that each of these six issues that the Government on Commission all intertwine one way or another -- I think there's seven. But they all intertwine. The Native people in rural areas face many daily issues in their lives, such as accidental deaths, alcoholism, boredom, domestic

violence, elderly abuse, lack of education, low self-esteem, murder, peer pressure, prejudism (ph.), rape, suicide, and unemployment. And these are just part of a host of maladies that they suffer in rural areas.

First, I'd like to try to give you an understanding -- I'd like for you to understand that most of the people in the rural areas live a seasonal lifestyle. The majority of the jobs are seasonal. The few that are permanent year-round, the majority of them are held by women, so we have a lot of young men and women out there that are unemployed and have no other resources, other than what they can get through (indiscernible - away from microphone), and it's seasonal.

The other issue that's seasonal is subsistence. Subsistence in the rural areas is a seasonal lifestyle also, because we are governed by the state laws and federal laws, as to when we can hunt, when we can fish, when we can trap; and also, there are times of the year when we can pick berries, and (indiscernible), and other natural resources.

Jobs in the rural areas are very few; and those that are held, a majority are held by women. And with this kind of a lifestyle we have in the rural areas, we have people that are bored, have a low self-esteem, and

also have a very possible suicidal tendency, due to these maladies that they face every day.

Because of the lack of an education for many of the people in the rural areas, the job market is very competitive; and the job market being very competitive, the people in the rural areas have a hard time getting jobs in their own village. Many of the villages receive capital improvement project funds for schools, for road improvements, airport improvements, and just community building improvement. And a lot of these jobs, if they're awarded by the State to a contractor, the contractor usually brings his own people in. Because they look at an application, and they see many gaps in an employment application; and they figure:

"Well, this person is unreliable."

Not taking into consideration that a lot of the people are just working a seasonal lifestyle, because that's all they can afford -- or can do because of the competitiveness of the job market.

Economic projects -- developing economic projects in the villages are usually stores, the power company, motels, restaurants, service stations, and/or fuel companies; and a lot of these are held either by the corporations, held by private citizens. So if a person was to try to go into economic development into the rural

areas, they'd find that a lot of these are already established, and they do not have the resources or the education, or the understanding of the federal and state laws, would be very hard for them to obtain an economic development project for their community that's already there.

In most villages, there is one form of tribal government, either it's an IRA or a Traditional. And then sometimes in other cities and villages, there are two forms of government -- IRA, or a Traditional, and also a First- or Second-Class City. When these two different governments are competing for the same funds or projects under the auspices of one entity or another, it usually goes to the City government. And those positions are usually held by non-Native persons in the community.

So, how are the State of Alaska, in its reluctance to recognize tribal status, does, indeed, work with the tribal government? Whenever the Governor lifts a telephone, or writes one word to a village, he, indeed, recognizes the tribal governing powers.

In the last 20 or 30 years, the Indian Health Service has seen a dramatic increase in the service it provides to the Native people. However, the Chief Andrew Isaac Health Center, which serves the Interior, has also

seen a dramatic increase, to the point that it is crowded, there are long waiting periods for health care to be taken care of; so we are looking at possibly trying to expand and renovate Chief Andrew Isaac Health Center.

Education is another issue I'd like to kind of expound on. The majority of the people in the rural areas that are graduating from high school, after they do graduate, the majority of young men stay home, they don't go on to college; and if they do go on to college, they either drop out or are dropped out, because they cannot complete the courses.

If you look at the statistics today, three to five times more Native women are in school over the men. In the rural areas, eight women to one man are employed in the rural areas, so we do have a high unemployment rate of men in rural areas.

These all lead back to the fact that young men are pushed in school for sports and not academics. The women, in turn, are pushed academically, and not as hard in sports; so we have a lot of young people out there that are graduating from high school, who can't even read up to sixth-grade level, or even do sixth-grade math.

I will now try to attempt to present to this Commission the average life of a Native male that has graduated in a rural village. It starts out in the

springtime. They all wait -- if there's no construction projects foreseen in their villages, they all look toward fire fighting. When the fire-fighting season is over with, they look toward hunting season. And when that's over with, they look toward receiving their Alaska Permanent Fund Dividend. They fill out applications for energy assistance; and during the winter, if there is another hunting season, they'll hunt again. These are all due to the laws that are laid onto the villages in the rural areas through state regulations, that they have certain hunting seasons. They can't hunt anytime they want, so they are stuck with doing nothing during the off-season hunting times. And during the winter, being no jobs in the village, other than the store clerks, and/or restaurant cooks, or teacher aides, which are normally, like I said, filled by women, so we have people -- men that are, after their Permanent Fund Dividend Checks come in, they kind of have another lull season until the springtime, when they receive their income tax, if they are entitled to one. Then they turn around and look again back to fire fighting, if there are no construction projects in their areas.

The life of a woman in the rural areas is no picnic basket either. Their lives are spent in poverty, spousal abuse, sexual abuse, rape, single parenting,

husbands that have an alcohol problem, death threats from husbands, boyfriends, relatives, fathers, uncles, brothers, and even strangers. Should a Native woman live with a type of person I described in the previous paragraph, this person would suffer unmercifully under a domination of a person that has low self-esteem, has no income coming in, so they're living in a poverty level. And if this case should ever go to a court, where the relationship is at the end, if a woman takes it to court, she usually ends up with the children; and if it doesn't go to a court, and it's settled with a weapon, it's usually a woman on the receiving end, receiving possible physical or possible death due to the breakups.

This is all done -- a lot of these programs that I've tried to describe here have been with the attitude that the U.S. Government says:

"We will take care of you. We will provide (indiscernible). We will do whatever we can to help you to get -- we'll do it on our terms; and if you don't like it, then we will not do those projects in your villages."

And it's time that we, as village people, are called in any projects that are planned in our communities; and these meetings that you're having here today should be held in the villages, so that you'd hear from the village

people their concerns. Not every one of us that have spoken today can give you the best of an idea to what's going on in the villages, unless you go out their yourself. And I did hear a young lady say here today that she'd have liked to have seen all the Commissioners here; but due to saving money, they'd only allowed so many to be here. So, when they do go out to the villages, will they be also taking only so many again, so that we have a lot of people on this task force that have probably never been to a village; or, if they have, have just gone through; have not stopped and taken the time to listen, or even talk to the people? And we need those issues addressed.

One social program that I've seen in the villages that had been a hindrance was the GA -- General Assistance Program funded through BIA. The BIA gives people money that are not working to help subsidize their income, whatever they can to help those people in rural areas. And the problem with it is that there's people taking advantage of it. Instead of trying to help them to build their self-esteem and hold their head high with dignity, we're giving them another handout for the GA. And I feel that we need to be starting to looking at getting programs formed from the village point of view, which is one of the things we worked at in the community

I'm from was the TWEPE Program, which is the Tribal Work Experience Program, where we have people that are not working, are looking to get some general assistance, that they do some community service work, and that they help build community buildings, or repair community buildings, work in the communities to earn this money, rather than just sit home and get a free check every month. And the only thing that I ask is that just don't give the money for doing nothing.

If we want to build our society back up to the point that we are proud of ourselves, and we are doing something, I ask that we start working with the villages on village-based ideas, instead of ideas that were formed out in Washington, D.C., or New York, or wherever they came from. Thank you.

COMMISSIONER SEBESTA: Thank you, Robert. I appreciate your comments, and I do live in the villages; and I know the problems that you're talking about; and I very much appreciate the suggestion that you gave of need for a tribal work program, because I think that's a very positive suggestion of how to address some of these problems, and I appreciate that very much. The next one on the list is Sarah James. Sarah, would you like to introduce yourself, and share your comments with us?

MS. JAMES: Yes, I just happened to be in town, and I was called by Father Shiselty (ph.) to be in here, and it was kind of last minute; and I will have written reports, and written material from the organization I represented here. My name is Sarah James, and I'm from Arctic Village, Alaska; and I'm from a Gwich'in Nation. I represent Anchorage ANWR Steering Committee. I'm the Chairperson. I am known as a spokesperson for the Gwich'in Nation. We're the one that opposing gas and oil development up on Arctic National Wildlife Refuge. The whole 17 village of the Gwich'in Nation sign on to go against the development at the porcupine caribou herd within the Arctic National Wildlife Refuge, within the Arctic Coastal Plain. We did that with one voice, and so far we have a Gwich'in last -- the first one was 1988, second one was 1990, the last one is 1992 in Villipine (ph.) just recently. All these three times, the Gwich'in came together to protect the caribou. They're known as the caribou people. They identify themselves as the porcupine caribou people; and they're not compromising in any way, but protect the calving area. The first time they came together, the elders -- we spoke in our language, in Gwich'in language, for four days; and make decision to preserve our language, to make it easier to go back and forth over the border, which covers northeast

Alaska and northwest Canada. We all speak the same language, same relation -- we're all related; and we depend on the very porcupine caribou for thousands of year, and we want to protect that. We want to protect our culture. It's sad for me to see that unless -- there was no natural resource category. Without natural resource, each one and every one of us won't be here today. Clean air, clean water, clean land, clean life. That have to come first; and we're going to govern ourself. We need to get that power back to our Indian people. We've done it before; we're going to do it again.

The government is at that time of collapsing, because of the deficit. When it do come, the Indian people are going to survive, because -- the Alaska Native is going to survive, because we still have clean water; we still have clean air, clean land. And we shouldn't underestimate ourself, because we're pretty unique in our situation in Alaska, because we do speak our language, we do hunt and fish. There's no place across the nation where I speak on behalf of ANWR that I see that. The Indian people have very limited resource, and very limited cultural. They're protecting down that way. And we are really fortunate to have most of it yet. And we

need to protect that, and Alaska is pretty good model for the other Indian nations.

I'm also representing one of five to Western Hemisphere Inter-Continental Indigenous of 500-Year Resistant. Due to opposing the development, I have to travel to convince the other states, because it's really up to the Congress to open up the ANWR. It's not only up to Alaska. So that means we have to go across the nation to convince these grassroots people that think like us and knows what we're talking about. And that's how we defeated energy bill last year, through grassroots people. And we do have a power as a people yet. We can't give that up.

Many places I go across the nation, I see the Indians lost a lot of ties to their culture. The last thing they're holding onto is the freedom of religion, and that's being jeopardized right now, too. If we give up our rights of subsistence, that's what we're giving up, too; because in the Gwich'in, we say: (spoke in Gwich'in); that means, a way of life to survive. That's what subsistence describe to me, and that's how my elders describe it to me. So that really goes back to our religion.

Across the nation, I know that Alaska got the highest suicide and alcohol-related death. It's really

sad, because we still have a tie to the land. We still -- we think and we appreciate that thing -- we lift that light every day out in the village. But then the outside is the one that's telling us that we don't have it. And looks like the future down the line, looks like we might lose it to profit-making corporations; because, in order to be profit-making, you have to be giving into your resource. And that is happening many places; and I don't blame them for doing that, because they're going to go bankrupt if they don't. But there's other ways. There's tourism; there's a renewable resource. We're rich with resource, Alaska. We're just selling out, and they're selling back to us at an outrageous price. I still have to pay \$25 for five gallon of gas, with oil in Arctic Village yet. So, that come to show that we're giving up our rights. So we really need to come together. And when we first heard this about this Commission that was going to come about, everybody was excited in Arctic Village. Everybody was calling me on the phone, say:

"Who are we going to appoint?"

So we all got together in the Upper Yukon and appointed four names in the -- it wasn't individual decision; it was everybody's decision. But none of them got on the Commission. That was kind of disappointing for us.

On the education, I was on the school board; I was elected in as a write-in; and it was landslide vote. The education, I see one place down in Lower 48 that Indians went back to their way of teaching; and those kids are getting national level or above. They're only teaching reading and math. After we fight this ANWR issue, a lot of our people went -- a lot of young people went and got married, so they can support each other. Before that, they had been living on Welfare, food stamp, any way they can get a -- that's what happened since then. A lot of our people sobered up, because they have a reason to sober up.

And this last gather, we hardly had any money to get people together, but all of them showed up. That's how proud they feel. So if we could just make a headway and come together, and with this kind of support that we get and if it works, I'm just kind of optimistic about it, because like many people say that they come forth and testify on a lot of different things that come up; and it seems like we never make a headway.

Well, anyway, all we can do is try again and see if we can get our responsibility back in our hands, because I don't think it'll succeed at the rate we're going, at the rate of greed and waste that's out there, because we still have it, like I say.

Another way is they can come in is take over our allotment. That's how they did other places. So you have to think about how we can protect these allotments. And a lot of things that I see in the villages, there's no recycle; because the land is still clean; the water's still clean. Down there -- the toxic has to be there first before they can get money for it; and that's where we're at, the rate we're going now. So there is EPA, Environmental Protection Agency, that we can make use of, if we can be heard there. I just went to Rio Earth Summit. I just seen -- there was very few Alaskan, but the people are interested in us. Want to sell our resources, put our roads in there, put the cement down. So we need a better communication system like radio among the villages. Thank you.

(Applause)

COMMISSIONER SEBESTA: Thank you, Sarah. I think that I do have some questions for you. I think I better ask Al Ketzler to give his testimony; and then we can ask questions when we're finished.

MR. KETZLER: All right, thank you. My name is Alfred Ketzler, Jr. I'm originally from Nenana. I've been living in Fairbanks here for the past 12 years or so, and work for the North Star School District as a schoolteacher; and then, presently, my job is at Tanana

Chiefs in the Natural Resources Department. I work a lot with natural resource issues; and initially, when I was told I'd be testifying, that I would be under this Economics; and when I got here -- or, I guess, when I got the schedule yesterday, I just see that I was dropped off; which is good, because now maybe I get to touch on other subjects I want to talk a little bit. But I won't go into really elaborate as I initially planned, I know, due to time; but, anyway, my life has been pretty much involved in Native politics probably since about the day I was born. My grandfather was very much involved in Indian politics, as my father; and my heritage runs right down to the Chief Thomas in Nenana, who was a very famous chief in that area; and I remember the days in the early Sixties when the Tanana Chiefs first started organizing in this area. And going back and reflecting in this 30 years of existence, and 20 years of existence of the Native Land Claims Settlement Act, a lot of the issues are still the same then as they are now. And, to me, it's kind of saddening just to see that. A lot of the main concerns of our people are still the same -- the status of the land, the jobs, the education. And now we have some new things that weren't really there then. This disease of alcoholism. It was on a rampage up until -- it peaked out, I'd say, in the middle Seventies.

I'm a Class of 1975, with 18 students; and now half of my classmates are dead, every one of them from alcoholism, from suicides to other alcohol-related deaths or drugs. And today, I see the drugs that are more sophisticated, I guess you'd say, or more chemically intense, say as crack. They're really affecting our young people; and it's, as a result, I even see them worse off today than it was when I was growing up; and I grew up in Nenana with -- and I can't think of a student really in my class that didn't drink alcohol, and at a very young age. And so the problems with the intensity of drugs, and the high pregnancy rate, and the threat of AIDS. AIDS seems to be underplayed quite a bit in the Native community; but, boy, once it catches hold like it has in other countries, especially some of the African countries where communities are totally wiped out. I'm talking about a 70,000 population down to zero; and the dysfunctional sexual behavior among Natives, or Alaska in general, leads to that -- that leaves a strong possibility of this happening in Alaska. So I don't want to underplay AIDS at all.

But, I guess, I might go back a little bit to talking about governance; and I've spent 15, 16 years in the educational system of the United States, was taught that Columbus was a great man, and he did all these great

things; but here in the last five or so years, we're finding out -- a little bit different stories are coming out. The reality has finally come in a flourish after 500 years; and I hope that this Commission, when it finally makes a report, that I'm hoping that it will say in the front page that Alaska Natives want their independence; they want their sovereignty; they want their own governance; they want their own court systems; they want to develop themselves something similar to what Sarah was talking about on a spiritual level. We're a spiritual people, and we're so spiritual that diseases like alcoholism, and drug abuse, and overeating, and sexaholics, and there's all kinds of different type of addictions out there in the world, that it's so easy to fall into, that we as Indian people have lost our spiritual identity. And a lot to do with that was the encroachment of the Western culture and stripping of our Native language.

I'm 36 years old, and I can probably only speak about 10 Native words in my own language; and I can speak more Spanish, and, to me, that's real sick. And my kids don't speak any Athabascan language. And I, myself, as other young Native men who -- I'll point out, I'm an alcoholic in recovery, have lost their identity; and I'm finally learning about my identity. I want to learn

about my Indian people. I want to preserve my culture. I see how important that is. As has been pointed out by Sarah, again, that we will be here. We will be here 500 years from now; we'll be here 1,000 years from now; just as we've been here for -- it depends what anthropologist you talk to, 40,000 years ago or 10,000 years ago. And my own personal spiritual recog -- identity and learning more about other countries that are related to us, say like for instance, Mexico. I spent a lot of time in Mexico, learning about the Mayan people, the Aztecs, or what they call Indios (ph.), Children of God, the indigenous people that we need to develop. And I see that the people in my generation are finally wising up, growing up, sobering up, whatever; but the next couple of groups down below us, I see a real lot of problems. So, under the governance part, I see as real important that Alaska Natives have to be able to have the authority to regulate, to set laws, set precedence. It's become to where, nowadays, a Native person living in a village and trying to live as a traditional person, without a doubt, will break some sort of a law, under Fish and Game, or IRS, or all these different kind of regulatory organizations that are totally irrelevant to life. And, I guess, as time goes on -- and I knew -- know a young man -- older gentleman; and when I was a

kid -- Charlie Smith -- who used to go out and shoot a duck out of season just so he could go to jail and have a meal. Well, that was kind of a joke; but today it costs \$90 a day to put somebody in jail -- the cost to the state or the federal government; but then the ideology of this kind of -- that we're all criminals. You know, the Indian people are all criminals. You know, they're savages. I've heard all kinds of different scenarios of what we are or whatever; and we need to establish our own laws, and enforce our own laws; and we need to address this in a different way.

I recently had a good friend of mine in Minto commit suicide here, that just really upset me, because I knew exactly what -- it was the way he perceived the process of -- he was charged with a sexual abuse charge, and he knew exactly what he had to go through, through the White Man's courts, the White Man's law, the White Man's jails; and he could see no other alternative but to commit suicide; and that's what these laws are doing to our people. They're making them commit suicide. They -- their hopelessness. I know what hopelessness is. I've seen it, and I've been in it myself. I'm fortunate that I didn't get down to a certain degree of hopelessness, but when you have low self-esteem; you've been told all your life that you're a second-class citizen; and these

underlying -- and I find myself looking more or working more like an Anglo. I didn't get to suffer some of the other things that my fellow classmates had to suffer.

But, anyway, I can't stress the importance of establishing, I guess, sovereignty. We need sovereignty. This world has recognized sovereignty, and it's a growing movement; I know, from European countries, from Russian, and it's something that Alaska needs to address. The State of Alaska does not, and probably will not ever, really fully recognize Alaska Natives as a separate entity. And we need to develop a separate entity from the federal level, so that we can start administering our own laws, our own way of doing things to where we are judged by our peers, and not by outsiders who were raised in California, or New York, or wherever, and think that this is what's good for you.

I know that one law that really affects a lot of young men is this child enforcement law that passed in 1990. Child -- is under the Family Reform Act, where financial responsibility is placed on a person who -- mainly males -- who have had a child out of wedlock, or even in wedlock, and through divorce, or whatever like this; and I have met and I've been involved in a group called -- out of Anchorage -- Alaska Family Reform Association, or something similar to this to fight some

of these laws, that -- I forgot exactly what the percentage of Alaska Native males that owe money to this federally and state-funded program. Some of these young men owe up to like sixty or seventy thousand dollars. An astronomical amount of money that they'll never be able to pay; and I've already known two young individual men who have committed suicide; and, basically, I mean that was, to me, one of the contributing factors that these kind of laws that come in; and that's one thing that's hard for Alaska Native people; and White people can't understand it that we perceive money differently. And the White Man system is money, money, money, money; and lawyers, and things like this are not a part of our culture. We have a better -- you know, money is not our god. That's how I'm going to put it. Now that's -- and it's hurting a lot of people, and that needs to be particularly addressed.

Another issue that you rarely hear about is the IRS. The last time I talked to the BIA, which has a list that they cannot fund certain villages, we had 16 in our region that cannot be funded by any federal or state agency, because they owe back taxes. And, to me, these villages are, in the last maybe -- since the State had all the surplus (indiscernible) money, which -- that's how most villages got in trouble, of receiving all these

grants and not reporting taxes and things like this, now they're being penalized. Of course, there ain't no money; and there won't be any money in these particular communities until some of these problems are remedied; and, unfortunately, this problem with IRS, not many people want to take on the IRS -- not Tanana Chiefs, not Doyon, nobody. And they're a power that need to be reckoned with, because they're hurting villages, and they're hurting the political process of developing a strong village council and economic opportunity for these particular communities.

Moving to economics and economic conditions in the villages --

COMMISSIONER THOMPSON: Bear, if we may, we do have another witness, and we're running way over. Appreciate it.

MR. KETZLER: Okay. I'll move real --

COMMISSIONER THOMPSON: Summarize. We know you waited a long time, and we want to hear you, too. Sorry.

MR. KETZLER: Well, I'll just go to economic conditions in the villages, I want to point out one thing, that the major economic source in the villages still today is subsistence. I want to point that out. That is the number one. It's not fur trapping; it's not

mining; it's not anything. It's subsistence. And, hopefully, and God willing, it will continue to be so.

Housing conditions. I won't -- just make a couple points on that. The housing conditions in our particular region in Alaska, we're ju -- I'll just say statewide Alaska, we are 6,000 houses short; in Interior of Alaska, we're 3,000 houses short from what the federal government considers adequate housing. And I, myself, as a housing Commissioner here, we just opened some bids -- just to give you example -- in Anchorage. An average bid to build a house in the village of Anvik or Alakanuk is reaching almost \$200,000 per unit. Now this is where we was talking about government layers and bureaucracy, and things like this, this has to be addressed -- in a sense of self-help programs, where we can build our own homes for maybe -- probably -- well, a home in Anvik would bid at \$167,000 was the lowest bid, not counting other things - that need to be done -- the water, and sewer, and things like this, that there's other methods of dealing with this; and that -- there again, it's the federal bureaucracy level that demands that this house has to meet this particular criterias, and meeting these criterias elevates the cost; and the villagers or the home owner who has these kind of, what they call super-insulated, high-efficiency homes, are having a lot of

problems, a lot of physical structural problems. And that's another one issue.

In closing, I'll cut it short here, Morie, I guess, and through my experience, and I've been back to Washington, D.C., many times, and things like this; and every time I go back there, I have to give an educational process that, yes, that Alaska Natives live here; that, yes, Alaska is part of the Union of United States. I had to even say that before. And the one important factor that needs to be brought out is that -- and I've examined this many, many times, but it -- and it's part of Alaska Native's problem. We've done a poor job of educating Congress about who we are and what we are, and some of the problems. And this is why we're here today. We're here today because mainly one senator, Senator Inoyue (ph.), who came up here to Alaska and seen some of the problems here. And, believe me, we're no different than the other problems in other Indian reservations in the Lower 48. In some ways, we're better off; in some ways, we're worse off. But, anyway, this is how the Commission really got its first start. One of my recommendations is that all of Alaska Native tribal entities establish -- I don't care what you call it, embassy or whatever -- in D.C., to work with the different federal agencies. There was a report that was just done by the Arizona tribes,

Michael Hughes (ph.), who used to be assistant for Mike -- for Dr. Brown, of the Assistant Secretary of BIA there -- he did a report to find out exactly just what happens to that billion point one dollars of the BIA; and, based on population, land ownership, and all this kind of stuff; and, boy, the report was real amazing, and I plan on getting that report to Michael, so that he can present it to you, and show you that, just on the federal government level of one entity, Department of Interior, that the amount of money that -- where it's placed at, and how grossly underfunded Alaska is, both on population-wise, health-wise, and -- actually, health we did pretty well on health. We're about in the middle. But, and land-wise, and people-wise. But even Navaholand. I thought all the money went to Navaholand, but it doesn't. It goes to the tribes in Oregon.

So, anyway, one thing that, under this kind of - scenario, we need a educational -- or not particularly educational, but maybe embassy-type scenario in Washington, D.C., as to work with all branches of the government. At Tanana Chiefs, we're finally now developing a relationship with Farmers Home Administration; we're developing a relationship with Cooperative Extension Service; we're developing a relationship with Soil Conservation Service; and they

have all kinds of programs and services that they do not provide the rural communities; mainly because they don't know about the Native culture. They don't know how to access, and it's -- there again, it's another political -- or another educational level on the state level. For instance, the Farmers Home Administration turns back more money from Alaska that could be reached in rural communities, than they spend in the rural communities of Alaska. They turn back more money. And some of this money is weatherization money. I mean, amazing. We have about, we figure around the state, of close to over 10,000 units that need to be weatherized. And they're turning back weatherization money. And they have been doing that for over ten years, to this person who's been working that job here in the state. So, anyway, that all branches of the government have a responsibility to work with all tribal American Indians, or Alaska Native people.

And another concern is that Alaska -- and I watched the political process in Washington, D.C., and it's real tough to do, but we still have to do it; but on a Congressional level, we always need to insist on Alaska set-asides. Alaska -- once it gets into the main process of the Department of the Interior, Alaska, there again, always gets hurt. And we need to emphasize special set-

asides just for Alaska Natives to get into the mainstream process.

And, with that, I suppose I can close here. I'd like to at least I, myself, travel to the villages quite a bit. I hope to hear that you as Commissioners are out in the villages. I think that would be real important to get another perspective on this; and, with that, I thank you for this time and opportunity to speak.

COMMISSIONER SEBESTA: Okay, thank you, Al. Shirley, would you like to share your comments with us?

MS. MOSES: Okay, I sat here, not because I really wanted to testify. It's more a learning experience. I enjoyed listening to everybody; and I look upon these meetings and hearings as part of my formal education experience. I learn more here and going to meetings like this than anything I could learn in my Master's program in education on campus. This is the real world, and these are real problems that we're dealing with in education. I'm going to be presenting a position paper on alternative school board training for rural Alaska. I see that's a way that I can contribute to possibly making a positive impact on things that are going on in rural education; and I won't go into the details of it, but I'll just tell you briefly why I'm

interested in this; and you can read my paper later, if you're interested.

I'm Shirley Moses. I'm Inupiat Eskimo, who was raised in Nome and in Tanana. My parents are Floyd and Martha Wheeler. My older sister testified this morning. As a child, our parents instilled in us in part to giving something back to our communities; you know, sharing and learning from our elders. And I think that's really something important that we have to pass on, and I'd encourage the Commission to invite young people to attend these hearings. It would bring us a step closer to becoming proactive, instead of reactive. And I see this time and time again. As we stand on education and other things, we're always reacting to problems. It's about time that we take our Native people; and especially the youth in our communities, and expose them to problems, so as they're getting an education, they can realize that these are problems they are going to have to deal with, and they can work on getting a solid educational background, so they can deal with the problems that we're dealing with.

I've been involved in education for a long time; and it gets old coming to meetings like this, but it's well worthwhile, because if we are going to get anywhere in education, we need to make our thoughts

known. We have to tell people that we're not going to sit back anymore; that we want to take control. And I think that's really important that you involve the youth.

In 1975, I obtained a Bachelor's degree in elementary education. It was exciting to be formally entering the education field at this time, because our state had just taken a big leap into turning over local control of rural schools to regional attendance areas. As then Commissioner of Education, Marshall Lind (ph.), reaffirmed, the State was decentralizing the governance of operating local schools from statewide control to local control. It's been 17 years since I became a teacher; and I've since then become a parent of four children, ranging in high school age to elementary; and, as a parent, and as a teacher, and as a community person, and as administrator at times in schools, we see the same - problem over and over again. People say that parents have to take control of education. A lot of people attend school board meetings. They want to be involved. A lot of times, they come to roadblocks, where administrators say:

"You are advisory school board members. We will listen to your comments, but you're advisory only."

We have to get beyond that and take control of our schools. And I think that we need to -- yes, we do elect people to regional school board and to local school boards, but the training that they're given is very watered down, and it's given by the Association of School Board Presidents, who are ex-administrators and ex-superintendents, so they're indoctrinated to one point of view. They need to know both their rights and responsibilities of the positions they take on as being elected officials. And I think most would happily live up to the standards that are set by local people, if they're educated to what they're left to. A lot of them, out of ignorance, don't realize that they have responsibilities that they're neglecting. It's time that we get independent school board training for them, so they can do justice to their positions and do justice to our education for the children.

Teachers are hired to teach in rural Alaska that don't have the basic background in cross-cultural communication; and I think that's where we do an injustice to both the teacher and the children, because these teachers are brought in from Outside, because they're not given a background on how to communicate with parents and children, and they're coming into a foreign culture. A lot of them, if they do make it through the

school year, are making it on a day-to-day basis, without the help of people. We need to have more ties to the local community and get that cross-culture communication going, so we can have effective teachers that don't have to deal with things.

You know, they might learn about that cross-cultural things that they need to by the time they leave. You know, we have a revolving door -- real high rate of teacher turnover; and we need to slow that down. We need to give our teachers the background they need; and we need to support them; but yet, we need the school boards to support us as parents and as Native teachers also.

I have a lot of other ideas in curriculum. I won't go into that; but we need to have relevant curriculum in the schools. That doesn't mean teaching totally Native culture; but they need to recognize if kids come in with a unique culture, that they shouldn't be put down. Their culture should be recognized and celebrated. They need to have like Alaska history talk, so that people realize where they're coming from and where they're going. They shouldn't just be taught foreign history.

We need to get away from the stereotyping of being looked upon as drunken Natives or slow learners. This past winter, I was really taken aback when someone

called me, when we were dealing with the University of Alaska on controversy, that:

"The problem that Natives face at UAF stem from partying, drug abuse; these kids need to grow up and pull their weight."

Little did that person know that many Native students are older adults who have been in the workplace and have returned to school to gain the benefit of a University-based education. They're functioning in many facets of our culture; and want to strengthen their background of interest, so they can come back to the community and the people that serve, and work to their full potential.

We need Native leaders that can become mentors to strengthen the tie between the students, and business, and educational community. And I guess I'll stop at that.

I just want you to know that there are people out in rural Alaska that really believe in giving the best education possible for our students; and that we support the people that are going to the university, whether they go into education, or business, or whatever. And we don't want to be looked upon as being passed on, or passed through a system. We earn our degrees, and I think that the time has come for people to realize that we don't have to have people speak for us. Thank you.

(Applause)

COMMISSIONER SEBESTA: It's encouraging to see that you're a teacher for these years, and I think that that's one of the very important solutions to a lot of the problems that we face. And I appreciate your comments. I'd ask the Commission members if they have any questions for this final group before we conclude?

COMMISSIONER MASEK: Well, I'd just like to talk with Sheryl [sic] a little bit about the education. I know we don't have a whole lot of time now; but I'd like to see -- you said you had a report, or --

MS. MOSES: Sure, I'll -- I had planned on writing that anyway. It's part of my project.

COMMISSIONER MASEK: Yes, I would like to -- okay.

COMMISSIONER SEBESTA: I see you have notes there. Are you going to submit those?

MS. MOSES: I tried to get a computer when you were at lunch, but I didn't have a disk, so I couldn't get it. I'll type it up.

COMMISSIONER SEBESTA: Can you send them to us?

MS. MOSES: Sure I will.

COMMISSIONER SEBESTA: Yeah, because I think that -- I notice you said you had ideas on curriculum,

which you didn't expound upon. And I think that those things are important, too.

MS. MOSES: Well, it was -- you know, I brought that up because of Sarah's talk about environmental education. I worked this past year in writing curriculum for Alaska Native schools, and getting them introduced to environmental education. And that's going to be piloted this next winter.

COMMISSIONER THOMPSON: Just to comment. I've worked with Shirley through some difficult issues; and she's always a true advocate, and one who has beliefs and follow through on them. And so she's going to be a great addition. I'm glad to see she's back getting her Master's; but she's dogged in her determination and follow through, which we really need. She doesn't take no for an answer.

MS. MOSES: You should know that (laughing).
- Well, thank you for your.....

COMMISSIONER SEBESTA: I guess we're -- Morie, why don't you finish it up?

COMMISSIONER THOMPSON: Well, thank you for your patience. I know we had one guy here, other than the Commissioners. I'd like to note we had Ory Williams (ph.) with us all day, and we wonder whether he's sane or

not, but (laughter) we appreciate him being here. And we also had the gentleman from Nenana here all day.

(Off record at 7:35 p.m.)

END OF PROCEEDINGS

DEPOSITION EXHIBIT #1 - TESTIMONY OF EILEEN KOZENIVKOFF

TESTIMONY
OF
EILEEN KOZENIVKOFF
BEFORE THE ALASKA NATIVES COMMISSION
PUBLIC HEARING
FAIRBANKS, ALASKA JULY 18, 1992

Good Morning Ladies and Gentlemen. I thank you for the opportunity to speak of my concerns about the social and economic status of Alaska Indians, Eskimos, and Aleuts.

Biographical

My name is Eileen Kozevnikoff. I am the daughter of Floyd Wheeler and Martha Stein Wheeler. Both my parents are Eskimo. Although I was born in Nome, I was raised in the Athabascan village of Tanana on the Yukon River. I married Ted Kozevnikoff in Tanana and I have two children and three step-children who are Eskimo and Athabascan Indian. Although both my husband and I are employed, subsistence plays a big part in our lifestyle. We are commercial and subsistence set-net fisherman; salmon, whitefish, moose meat and caribou are staples of our diet.

I am currently a director on the Executive Board of Tanana Chiefs and I serve on the Governor's Task Force on the Homeless; I have served on the Tanana Chiefs Health Board; and the Alaska Native Health Board. I am a past president of the Tanana Tribal Council. Through the years I have been employed in Tanana with Indian Health Service, by the Yukon-Tanana School District, by the City of Tanana, and most recently as the Executive Director of the Tanana Tribal Council. I am a volunteer EMT with the Tanana Tribal EMS program.

Native Village Tanana - Tanana Tribal Council

Tanana is a village that focuses on Self-Determination. The City of Tanana incorporated as a first class city in order to operate its own school system. The Tanana Tribal Council contracts directly with BIA and IHS under P.L. 93-638 to provide a broad spectrum of programs to Tanana Tribal and Community members. The Council operates the Tanana Health Center, the EMS system, the Social Services and Alcohol programs, Higher Education, HIP housing, Realty, and a number of other BIA and IHS

programs. The Tribal Council is a fully functioning governing body with an active Tribal Court.

Healing and Sobriety

There is a strong sobriety movement in Tanana that uses personal growth and self-esteem as its core. The Council views empowerment as the key to healing and growth for the tribe and members of the tribe. Tribal sovereignty is seen as a crucial part of that empowerment. There must be more funds appropriated by the federal and state government to provide access to treatment programs that deal holistically with both alcohol and drug abuse; providing therapy for underlying problems as well as focusing on the disease.

Economy

The four hundred and eighty people in Tanana are economically poor. There is very little cash economy within the community; summer fire fighting provides the only income for a number of people in the village. In years like this one where there are no fires, the economic outlook is grim. Although people are able to exist on subsistence hunting and fishing activities, basic necessities like electricity and propane require cash. Tribal Council members feel strongly that welfare programs such as AFDC, food stamps and general assistance have worked to devalue subsistence activities and are keeping people weak and dependent. Welfare programs need to be changed into employment programs for able bodied recipients. Economic development that takes into consideration the traditions and subsistence lifestyle of tribal communities must be developed. Strong management trainee programs need to be a part of the economic development.

Contract Health Care

There has been an increasing reliance on welfare programs by community members since the Tanana IHS hospital closed in 1982. The closure of the Hospital not only took away jobs from the tribe but also took away access to direct medical care within the region. Since federal contract health care dollars require that low income people sign up for and use Medicaid benefits before any IHS dollars can be used, this forces people into the welfare system just to have basic medical care needs. The Tanana Tribe is adamantly opposed to this practice because the tribe feels that the federal government has a trust responsibility for health care for Indian people and that Indian Health Service is an entitlement rather than a need-based program. Once people have been forced to complete the

demeaning and intrusive application process for Medicaid, there is often a sense of defeat that makes AFDC, food stamps, and other welfare programs an easy next step. The regulations regarding the use of Contract Health funding must be changed so that Indian people are not forced into the Medicaid and welfare systems. Every effort needs to be made to keep people independent not dependent.

Village-based Health

Tanana is extremely fortunate to have a Health Center staffed by mid-level practitioners. There is a tendency for IHS and TCC to be complacent about the Health Aide system of health care available in most villages. This is wrong. Although many health aides are experienced and skilled, some villages have health aides that have very little training and almost no experience. Health Aides are presented with critical medical and trauma cases with the added burden that almost all are close friends or family. The support system for the health aides is not sufficient and village clinics are often very poorly equipped. I have seen patients who were treated and medivac'd from the Tanana Health Center that probably would not have survived if they lived in a village with only a health aide. Access to medical care is a very critical problem. Women must travel to Fairbanks to deliver their babies leaving behind family and other young children. The cost of their stay in Fairbanks while waiting to deliver is extreme. Indian Health Service must do a thorough and objective study of unmet health care needs for village people. Village clinics should be surveyed for adequacy of equipment and medications. Level of training and level of support for health aides should be analyzed. Established accepted standards of medical care should be the basis of comparison. Access time; availability of aircraft; quality of inflight escort and care should also be a part of the study. Consideration should be given to providing a prematernal program in Fairbanks that includes family units and day care for mothers awaiting delivery.

Social Problems

Although there is a strong healing and sobriety movement in Tanana, alcohol continues to be a major problem as does the use of cocaine. The federal government must fund treatment programs based on traditional cultural healing practices. The federal and state governments

also need to encourage and support tribal government intervention to stop the sale and use of drugs on the village level.

Years of dysfunction within families have caused a pattern of inappropriate sexual behavior that many times include sexual abuse of children. The problem is multigenerational. The federal, state and tribal governments must work to educate judges and social workers about the differences between pedaphiles and "casual" sexual abusers. Emphasis within village culture must be on healing the abuser and the abused rather than just punishment and retribution. There is a frightening lack of therapists skilled in healing children who have been sexually abused. Often the system of intervention is more abusive to the child than the original act.

Justice and Sovereignty

The State of Alaska wastes scarce resources fighting the concept of tribal self government and yet is not able to provide essential governmental services itself. Numerous felony assault cases have gone uninvestigated by the State. Break-ins, domestic violence, theft, and other serious offenses are never prosecuted if they occur in a Native Community. If a tribal member is charged with a crime, there is no court in Tanana and very inadequate legal representation. Many people are told to plead "no contest" even when there is serious doubt about the guilt of the party charged. The federal government needs to firmly assert its trust relationship to the native people of Alaska and to defend the tribes from the often malicious interference of the State of Alaska. The energy and resources of tribes are being wasted in the fight with the State of Alaska to preserve the essential sovereignty of the tribe. The federal government must provide better education to non-Indians about the basis of the trust relationship and the body of Indian law that recognizes the right of tribes to govern their own affairs. Much of the concern about tribal sovereignty is based on ignorance, fear, and racial bias.

The Answer

The key to the survival of the culture of the Indians, Eskimos, and Aleuts of Alaska lies in the empowerment of village people. The federal and state governments can foster the empowerment of tribes and tribal people by encouraging tribal governments and initiatives rather than fighting them.

DEPOSITION EXHIBIT #2 - ANGELA JACKSON

Alaska Natives Commission Hearing
Fairbanks, Alaska
July 18, 1992

Good Morning! I'm very honored to have the opportunity to speak to you on behalf of my people from the Ahtna Region. I was born and raised in Gulkana, Alaska. I attended Gakona Elementary School and graduated from Glennallen High School. I entered my freshman year at Glenallen along with approximately 16 Native students. When I graduated there were only four of us. In my testimony I hope to give you a few ideas which may help the future education of the Ahtna Native students.

The Copper River School District serves most of the villages in the Ahtna Region. Throughout my elementary and high school education, our district has only hired two Native teachers out of a total of 6 elementary and 3 high schools. As a student, the only teachers I had were non-Native. I feel very strongly that Native students would succeed in school if we had Native teachers to be our role models.

During my school years, I had a very hard time with Native pride. During the first few years of elementary school I remember having a beading class taught by one of our Native elders. I enjoyed this beading class because it not only helped the Native students but also gave the other non-Native students an understanding of part of our culture. Other than the beading class held for only a couple years I saw no other aspects of my Native culture. The teachers were White. Everything we faced was completely of the Western culture.

In order for the Athabascans to survive as a distinct culture, we need to regain the language in my generation. The schools in my district are minority Native. I understand there is a Native Language bill which would implement Native language classes in majority Native schools. Native language classes are very important to know if a culture is going to survive. I would like to see the Native languages implemented in all elementary and high schools. The language is just as important to us for survival as it is for others.

I have grown up in my region with the non-Natives knowing little about my culture. I strongly believe that most of

the teachers knew nothing of my culture. I was taught by teachers whom most were recruited from the Lower 48. I would have felt more comfortable in school if not only the students knew more of my culture but also the teachers. The district needs to educate all the new teachers of the history of the region including knowledge of the local Athabascans. I would have also liked to learn more of the history of the region in school and more of the diverse cultures in Alaska.

My parents are foster parents and the Native girl who is living with us is attending elementary school. I also have a younger brother who is a freshman and a sister who is a senior in high school. This year our village received a grant to hire a tutor for all the students in the village. Since the tutor has been hired we have seen a lot of improvement in all their grades. I am very proud of all of them. I believe tutors in every village would help the Native students as it did for our village.

I would have been more encouraged as a Native student to graduate if the schools in the Copper River School District made an effort to hire Native teachers, implemented in their curriculum the Athabascan language in both the elementary and high school, hire tutors in every village for the Native students, and require more to be taught of the region's history including the local Athabascans to the students and teachers of the district.

Once again I am very honored to have been chosen to speak to you. I hope this will help the future Native students to succeed in their education. Thank you.

Sincerely,

Angela Jackson
Gulkana, Alaska

DEPOSITION EXHIBIT #3 - CHUCK AKERS
SUPPLEMENT TO THE TESTIMONY

DEPOSITION EXHIBIT #4 - TESTIMONY OF BOB COGHILL, JR.

Alaska Native Commission
from Bob Coghill Jr., 1603 College Rd., Fairbanks,
AK 99709 452-8119 (w) & 457-2667 (h)

Commission members, it is an honor to speak to you. This Commission is made up of sincere dynamic people involved in Alaska Native issues. I appreciate this body giving up a summer weekend day to hear the people of the Interior.

I am the manager of K'oyitl'ots'ina, Limited. K'oyitl'ots'ina is the ANCSA corporation for Huslia, Hughes, Allakaket and Alatna. Our corporation operates two stores in those villages and other investments.

I am from Nenana. My Uncle Jack, like my father, was a small business owner in Nenana before retiring to Juneau.

My comments are not those of my corporation. They developed from my experience with K'oyitl'ots'ina and the community of village corporations.

Government spending such as Airports, fire fighting and municipal revenue sharing have allowed our traditional villages to remain active.

Our corporation has had modest success through conservative investments and careful operation of our village stores. Regrettably, government policies that seek to improve life in the village limits our potential for business development in the village.

- State subsidies and grants pushed on the villages create artificial services that can be pulled by political expediency. Many of these services can only be funded through the municipal government. In other cases not-for-profit entities can receive the funds.

The individual or the corporation must compete for investment dollars on the commercial market. When the State subsidizes the service at a level that the private entities cannot compete. Dollars going directly to government circulate in the community the least number of times.

Some services provided by government could be provided by ANCSA corporations are:

	<u>Government</u>	<u>Private Investors</u>
Television	RATNET	cable television VCR rental
Retail fuel	Municipal operations	Private fuel sales
Laundry facilities	Municipal operations	Private laundromat
Dirt and Gravel	Municipal heavy equipment	Privately owned equipment

We all agree that certain levels of services are required. Some of those services are beyond the ability of the local economy to provide. What I ask is for is a policy that strikes a balance. A policy that allows private and ANCSA corporations to provide services before public funds pour into the communities.

In this period of income reduction in the State of Alaska, fuel subsidies may be eliminated leaving the community with an expectation of utilities that outstrip it's economy.

The political winds are growing stronger every year against public radio and RATNET television.

Perhaps it is too late for the well capitalized ANCSA corporation to take over those services. Will or can a community pay for the level of services that it has experienced through government subsidy and grants? With the creation of unaffordable expectations have we set up villages for destruction?

Our governor has promised to use State resources to create jobs. This is a policy I enthusiastically support. Beyond the creation of jobs, what the villages need is the development of economies of their own. Planning must allow village services to reach the level the economy can support while creating options to create sustained economic development.

DEPOSITION EXHIBIT #5- TESTIMONY OF GARY MOORE
AND EDWARD RUTLEDGE

Testimony For The Alaska Native Commission
by; Gary A. Moore, Economic Development Specialist
& Edward Rutledge, Planning Director
Noel Wein Library, Fairbanks, Alaska
July 18, 1992

ECONOMIC ISSUES

In order to determine the economic viability of a specified region, state, or nation as a whole, unemployment figures are often used as one tool to paint a picture of either a healthy, employed, productive society or one that is unemployed and in despair. To try and portray the economic situation of the Interior Region of Alaska, which encompasses the majority of the forty-two native villages served by the Tanana Chiefs Conference, Inc., these same tools will be utilized, but only to reflect a portion of the whole picture.

The Alaska Department of Labor's latest unemployment figures, as stated in the Alaska Economic Trends, July 1992 issue, indicates that the Interior Region of Alaska had a regional unemployment rate of 12.3% for the month of March '92. This is up 1.8% from two years prior or reflects an increase of 420 additional unemployed individuals. To be more specific, we can break down the Interior Region into three designated areas, the Fairbanks North Star Borough, Southeast Fairbanks, and the Yukon-Koyukuk area. The North Star Borough contains all of the urban residents within the entire Interior Region and had an unemployment rate of 11.8% for March '92, also up 1.8% from two years earlier. The Southeast Fairbanks area, containing rural residents, had an unemployment rate of 16.7% for the same month, an increase of 3.8% from two years before. The Yukon-Koyukuk area, mostly consisting of rural, remote (off the highway system) residents, acquired an unemployment ratio of 14.5% for March of this year, up slightly by 0.2% from two years previous.

What these figures verify is that high unemployment is commonplace for the Interior Region residents of Alaska and the situation is not improving. An economist with the Alaska Department of Labor described the current economic situation in Alaska as being in a stagnated state. The rates of unemployment for the Interior, as high as they may appear, do not represent the true percentages for the region. The Alaska Department of Labor's official definition of unemployment, currently in place, excludes anyone who has made no attempt to find work in the previous four-week period. Most Alaska economists believe that Alaska's rural localities have proportionately more of these discouraged workers. What is not mentioned by the Department of Labor is that in most rural, remote areas, discouraged workers do not result from those individuals not seeking work, but as a result of no work being available during much of the year. Therefore, after a period of four non-working weeks they drop out of the system and no longer register on unemployment statistics. If these factors could be sufficiently measured and incorporated into the statistical system, actual unemployment figures would show numerous rural villages with unemployment rates as high as 90+%.

In addition to minimal job opportunities, we should also look at a few of the daily living expenses from the rural resident's perspective. To avoid giving a worst case scenario of village life, we will select a village which has done relatively better economically, in comparison to many other villages within the Tanana Chiefs Conference Region.

The village of Holy Cross is located 420 miles Southwest of Fairbanks on Ghost Creek Slough, just off the Yukon River. The 1990 census showed Holy Cross to have a total population of 227 residents of which 93.5% were Native. Holy Cross, like many others on the Yukon River is dependent on a seasonal economy of fishing for King, Silver and Chum salmon. Approximately 20 residents have commercial fishing permits and approximately 50 full-time employment opportunities are located within the village. 70 of the residents 16 years and over were registered as being in the labor force. The registered unemployment figure for those in the labor force was 38.6%. This percentage is quite high and cannot be interpreted from reading the regional statistic from the "Alaska Economic Trends" monthly publication, not to mention the number of discouraged workers who still are not indicated if they

have had four consecutive weeks of no employment at the time the census was taken.

To present one example of the differences between the urban and rural daily cost of living expenses, we gathered prices of commonly used food items, gas, and heating oil in Holy Cross and compared them to Fairbanks prices. They are as follows;

PRICE LIST

	Fair- banks	Holy Cross	% Up
Bread (loaf)	\$1.07	\$2.00	87%
Meat (ground beef)	\$1.89 lb.	\$2.95 lb.	56%
Cheese (sliced, 16 pk)	\$3.47	\$4.95	43%
Milk (12 oz. can)	\$.69	\$1.25	81%
Peas (1 lb. can)	\$.75	\$1.50	100%
Corn (1 lb. can)	\$.59	\$1.39	135%
Green Beans (1 lb. can)	\$.99	\$1.35	36%
Tang (15 oz. jar)	\$2.39	\$4.45	86%
Gas (1 gallon)	\$1.20	\$2.25	88%
Heating Oil (1 gal.)	\$1.10	\$2.15	95%
Total Cost Difference	\$14.14	\$24.24	----
Total Averaged Increase	-----	-----	71%

The above cost figures and percentages indicate that rural villages and communities not only have to deal with higher rates of unemployment, but also with daily living expenses that are considerably higher than urban centers. It must be also noted that Holy Cross has relatively good transportation access by plane and barge services, which keeps their cost of goods lower than many other villages in the state which are not as fortunate.

Coming to the conclusion that rural communities or villages endure greater economic hardships certainly comes as no surprise. However, what villages critically depend on to offset the high cost of living is the utilization of subsistence wildlife resources. Without this resource the village lifestyle would quickly perish. Bringing rural Alaska into a cash dependent economy is still fairly new, considering that Alaska Natives lived and survived solely in a subsistence way of life for thousands of years prior to the onslaught of Western

civilization in this country. In the anticipated future, all change, adaptation, and evolving of the Native way of life should be controlled by Native people. This can be accomplished by maximizing their participation in proposed changes. This state and our nation, as a whole, has had a notorious history of paying little or no regard for the indigenous people's rich cultural past, prior to permanently altering their lifestyle. Let it be noted, that regardless of future economic conditions in rural communities, subsistence activities will always play a vital role in the lives and cultural practices of modern Native people.

Other related factors affecting the economic development in rural Alaska are the state and federal budget processes. It is not uncommon to hear state and federal officials focus on the costs of economic development programs. It may be advantageous for these officials to consider the costs of not adequately funding such programs. The combination of the lack of jobs and high cost of living results in a myriad of social and behavioral problems that burden society in general, and cost the state and federal government millions of dollars each year. These funds are spent to support social, family and mental health programs, including alcohol and drug abuse programs, which, to some degree, are the result of low self esteem stemming from chronic unemployment.

Specific economic considerations for jobs in rural Alaska have two basic points.

- 1) Save existing jobs.
- 2) Create new jobs.

Probably the most significant segment of jobs at risk of loss are those that pertain to fisheries - both commercial and subsistence. The combination of high seas interception of Alaska salmon and the exploitation of mixed stock fisheries, most notably the False Pass fishery, have resulted in a drastic reduction in the wild resource available for harvest in our Interior rivers. We are the last in line to have a chance at harvesting salmon and are the first in line to suffer due to diminishing salmon populations.

Salmon enhancement programs for the Yukon River, the Kuskokwim River, and the tributaries of both of these rivers will greatly enhance the economic conditions of the Interior. The value of fisheries is not limited to

only the dollars earned by fishermen, crews and processors, but also includes the import substitution value of salmon products harvested and used by subsistence fishermen.

The Economic Development Administration has documented that saving jobs is far less costly than creating new jobs, not even considering the social costs discussed earlier.

Creating new jobs in the rural communities of the Interior will involve overcoming many obstacles, such as:

- a) High cost of transportation, both time and money.
- b) Lack of human resource with business skills.
- c) Land use obstacles for any enterprise larger than a cottage industry.
- d) Difficult access to capital.
- e) Lack of business support infrastructure.

New jobs are more likely to evolve if those jobs are culturally relevant, employ locally available skills, and are grass roots; that is, evolve out of community needs and desires.

Employment opportunities in the villages typically occur at four different levels:

- 1) Entrepreneurial activities, including proprietorships and partnerships. Job creation at this level should probably focus on providing persons with the business skills necessary to allow them to become self employed. These newly acquired skills, combined with vocational and cultural expertise, could also open up or enhance additional opportunities, such as in tourism.

- 2) Cooperatives/ Village Corporations/ Tribal-Owned Enterprises. Job creation at this level will likely require land and capital in addition to the human resources.

- 3) Local government (City or Tribal). Job creation would likely involve the implementation or expansion of health services, public safety (including Tribal Courts), and/or utilities.

- 4) State Government, typically involving airfield maintenance and School Districts. Job creation in the areas of Native Language and Native Arts curriculums

would not only infuse cash into the village economies, but would likely strengthen the relationship between schools and residents.

5) Federal government employment in Interior villages is almost nonexistent - the exemption being those few communities with military sites that hire civilian services.

The ultimate repercussion for failure to adequately address economic development needs, in the future, for rural Alaska will be;

1) Continued influx of rural residents to urban centers, resulting in rural community and village regression and possibly extinction.

2) Additional competition for urban jobs by a larger residency, in turn increasing unemployment percentages.

3) Increased cost to address social needs of rural displaced residents in urban areas.

DEPOSITION EXHIBIT #6 - TESTIMONY OF SHIRLEY L. LEE

TESTIMONY BEFORE THE
ALASKA NATIVE COMMISSION
ON
TRIBAL GOVERNANCE ISSUES

Shirley L. Lee, Director
Village Government Services

July 18, 1992

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INTRODUCTION

When the words "tribal government" or "sovereignty" are used many people become confused. They do not understand tribes in Alaska do exist, both customarily and in a legal sense, and possess inherent powers unique only to tribal governments. Tribes in Alaska perpetuate timeless practices of self-government and traditions.

Many times there exist two governmental organizations in a village - the tribal government and a state municipality. Municipalities or cities are non-Native systems which do not incorporate tribal practices into their infrastructure. Tribal governments, on the other hand,

reflect and utilize the culture and traditions of the tribe.

In Alaska, there are two forms of tribal governments. A tribe is either organized under common tribal law or under the Indian Reorganization Act (IRA) of June 19, 1934 (48 Stat. 984) as amended. The IRA, a federal statute, was passed in an effort to have tribes formally organized pursuant to an "Anglo" system. It was applied to Alaska in 1936.

There has been much discussion on which government, traditional or IRA, possesses the "most" powers. In recent court cases it has become apparent that tribes organized under the IRA seem to hold a stronger legal argument that they do indeed exist as a tribe and thus their powers are more easily identified.

Tribes organized under the IRA have a written constitution approved by the Secretary of Interior and this is perceived as having a stronger federal acknowledgement of tribal status as opposed to a traditional government which has not been federally organized. Regardless of this perception, tribes organized traditionally hold and exercise all powers enumerated in the IRA.

When we speak of being sovereign governments we refer to our right of self government. Only tribes themselves know what is culturally appropriate for their governmental operations. In order for tribes to function it is not required that their laws be written, that a tribal constitution be drafted or that their tribal membership be identified. That is a non-Native yardstick of existence which does not validate or invalidate tribal governments.

The lack of written documentation of tribes, coupled with the fact that only one reservation exists in Alaska, leads many people unfamiliar with Native laws to dismiss tribal governments. Unfortunately, tribes in Alaska must even fight to assert their very being. The following is a discussion of the current issues affecting tribal governments today. One of those issues is the status of tribal governments in Alaska.

1. **PROPOSED DOI SOLICITOR'S OPINION ON TRIBAL STATUS IN ALASKA.**

Secretary of the Interior Lujan has directed the Interior Solicitor to prepare an opinion on tribal sovereignty in Alaska. Secretary Lujan has asked for "views on the nature and extent of governmental powers which an Alaska Native village may have over lands and non-members" because he "believes such an opinion would be useful to him in resolving questions which may arise in the context of approving the constitutions which villages are seeking to adopt pursuant [to the Indian Reorganization Act]".

The specific issues to be addressed by this opinion are unknown to us. It is generally believed that tribal status, Indian country, tribal authority and jurisdiction will be reviewed in such an opinion. The Secretary of the Interior is charged with the approval of IRA constitutions so long as they contain no language "contrary to applicable law". Applicable law is defined in the Indian Reorganization Act, P.L. 100-581, as being:

"[A]ny treaty, Executive Order or Act of Congress or any final decision of the Federal courts which are applicable to the tribe, and any other laws which are applicable to the tribe pursuant to an Act of Congress or by a final decision of the Federal courts."

The stated reason for the opinion is that the Secretary needs legal advice on what can and cannot be approved in IRA constitutions for Alaska. The basis for disapproval is clearly defined and any other reasons used for disapproval would be capricious. Additionally, we believe the Secretary is without authority to define tribal sovereignty issues in Alaska. These matters are for the courts to decide.

Too often important decisions concerning tribes in Alaska are politically motivated. We have requested Secretary Lujan to withdraw his request for a Solicitor's opinion and to process IRA constitutions within the established and adequate guidelines already in place.

2. FEDERALLY RECOGNIZED TRIBES AND ALASKA "NATIVE ENTITIES".

Pursuant to 25 C.F.R. 83.6 the Secretary of the Interior is required to annually publish in the Federal Register a "list of all Indian tribes which are recognized and receiving services from the Bureau of Indian Affairs". "Indian Tribe" is defined in those regulations as "any

Indian group within the continental United States that the Secretary of Interior acknowledges to be an Indian tribe". (These regulations are being rewritten and hopefully the revision will clarify and correct the exclusion of Alaskan tribes from this definition).

Tribal status in Alaska is constantly being challenged, most notably by the State of Alaska. The state government has a long record of opposing tribal status and asserts that there are no tribes in Alaska but merely Native entities with membership based on race. The state refuses to deal with tribes in a government-to government relationship.

Meanwhile, Alaskan tribes continue to participate in and utilize federal tribal legislation such as the Self-Determination Act, the Indian Child Welfare Act and the Indian Reorganization Act. They could not utilize these laws if they did not possess sovereign powers. Native entities do not and cannot exercise such powers.

The required listing of tribes is important in that it identifies tribes with which the federal government maintains a government-to-government relationship and thus which tribes are entitled to federal services and protections.

The last list was published on December 29, 1988. It included a separate section for Alaska Native Entities which contained a lengthy preamble. The preamble set out criteria under which entities could be included in the list.

Generally, the list includes councils organized under the Indian Reorganization Act, village and regional corporations formed pursuant to the Alaska Native Claims Settlement Act (ANCSA), Native groups formed or identified under ANCSA and mere reference to a village. Traditional councils are not specifically addressed in the criteria or listed. This leaves the status of traditional councils in doubt.

Another major problem with this listing is that not all "Alaska Native Entities" are included in it. The Juneau Area Office conducted a review of the 1988 listing in addition to subsequent listings and made recommendation to add villages and make further corrections. These recommendations were submitted to the Assistant Secretary of Indian Affairs on January 13, 1988.

To date no follow-up action has been taken by the Bureau. We are on record, together with many others affected by this matter, as having requested the 1988 list be rescinded, corrections made and a new list published.

Tribes do exist in Alaska. That has been recognized by the courts, most notably in Noatak v. Hoffman, 872 F.2d 1384, (9th Cir. 1989), which reaffirmed an earlier ruling that all Alaska Native villages organized under the IRA or listed in ANCSA have tribal status at least for purposes of suit under 28 U.S.C. 1362 and that they are tribes for purposes of the Eleventh Amendment to the United States Constitution.

The statements and structure of the federal listing is in direct contrast to Presidential policy of self-determination. President George Bush, in a written

statement dated June 14, 1991, reaffirmed the government-to-government relationship between the federal government and the 500+ tribes in America, including the 200+ tribes in Alaska. In his policy statement President Bush commented that these government-to-government relationships were "the result of sovereign and independent tribal governments being incorporated into the fabric of our Nation, of Indian Tribes becoming what our courts have come to refer to as quasi-sovereign domestic dependent nations." These relationships certainly are not sustained by the Secretary's listing of Alaska tribal entities.

3. TRIBAL COURTS

One of the powers exercised by tribal governments is the administering of tribal justice. This is most often done through a tribal court. Again, many people might not recognize a tribal court in the village as there are numerous forms of organization and operations. Some tribes simply utilize their tribal councils as a court while others form a separate body. Some tribes adopted written laws or ordinances while others rely on customary practices.

Due to the great importance of protecting individual rights, including those of due process and equitable treatment guaranteed by the Indian Civil Rights Act of 1968, many tribes are working toward formalizing their tribal courts. This entails careful planning and implementation.

Throughout the years Alaska tribes have been on the short end of the stick when it comes to tribal court funding and technical assistance from the Bureau of Indian Affairs. One tribe in all of Alaska was funded in Fiscal Year 1992 out of a one-million dollar BIA grant source. This grant money was available on a national competitive basis and some 13 tribes in Alaska applied. Fiscal 1991 also only saw one tribe in Alaska funded by BIA for tribal court grants.

Despite the lack of federal funding tribes strive to continue to operate their tribal courts. The need for training is great. We have urged Assistant Secretary of Indian Affairs, Eddie Brown, to evaluate the grant process for tribal court monies to Alaska and foresee an immediate need for a tribal court training center or program.

4. IRA CONSTITUTIONS

The Indian Reorganization Act of June 19, 1934 (48 Stat. 984) as amended, allows tribes to reorganize under federal statute. Tribes must submit a proposed constitution to the Secretary of the Interior for approval. A draft constitution goes through three levels of review at the Bureau of Indian Affairs. Reviews are done consecutively at the local Agency, Area Office and finally the Central Office in D.C. A tribal roll must also be submitted to identify eligible voters.

Until recently the Bureau withheld any action on IRA requests. (Most Alaska IRA requests on file with the Bureau were submitted at least ten years ago.) This practice was successfully challenged in court in Coyote Valley Band of Pomo Indians v. United States of America, 639 F. Supp. 165, 172 fn.7, (E.D. Cal. 1986). Because of this decision the IRA was amended on November 1, 1988 through P.L. 100-581, and set specific timeframes for the processing of IRA requests.

While the processing of IRA requests has improved there remains problems. In the last two IRA elections held in Alaska, Assistant Secretary of Indian Affairs Eddie Brown has attached a disclaimer to the approval of the constitutions. This disclaimer states that Bureau approval does not validate any tribal assertions of powers over lands and non-members. (See discussion above on proposed Solicitor's Opinion on Tribal Status in Alaska.) This

disclaimer, we believe, exceeds the Secretary's authority to issue approvals without attachments.

The State of Alaska and private groups opposed to tribal governments continue to delay the IRA process in Alaska by opposing the processing of IRA requests. Because of this political pressure legal questions are raised which further hinder the rights of tribes to reorganize as permitted by federal statute.

5. TRIBAL FACILITIES

While this is not a major issue we felt it deserved comment. In the rural villages office space is at a premium. Most tribes do not have tribal offices in which to conduct routine business. Tribes do not have easy access or the financial means to basic office equipment. They cannot simply type up a letter. This lack of tribal facilities directly affects effective tribal government delivery. TCC is working to improve this situation by employing a tribal administrator for each of the 43 tribes we serve and helping to secure office space and equipment.

6. EQUITY OF BIA OIP FUNDING FOR ALASKA.

Every year the Bureau of Indian Affairs allocates Operation of Indian Programs monies to BIA Agencies and tribes. As follow-up to an analysis of FY 1991 OIP distributions done by the Arizona Inter Tribal Council in January 1992, TCC prepared a report on OIP distributions for Fiscal Years 1992 and 1993. A copy of our report is available if needed.

Generally our research revealed that the Juneau Area Office of BIA comprises the third highest service population in the Bureau while it receives only about 3% of the national OIP funding. Additionally, Alaska is home to some 200 of the 500 tribes in America.

This inequity will be hard to resolve as the funding is based on existing distributions, needs and availability of funds. TCC continues to review this issue.

DEPOSITION EXHIBIT #7 - TESTIMONY OF MELINDA PETER

Melinda Peter, Ft. Yukon

My name is Melinda Peter. I am a youth from Fort Yukon.

I want to talk about concerns the youth in Fort Yukon and the other villages have. It is something that I have experienced - Teenage Pregnancy. I have a son that was born this year on January 29. Jared is five months old now.

I know that the youth have heard a lot about it but are they really trying to prevent it? Are they practicing safe sex? I know that I heard a lot about it all the time, but I never did anything about it. I thought teenage pregnancy was something that would never happen to me. I was pretty sure of that. But I was wrong. It did happen to me. It's something that I never expected. I can't even begin to tell you how hard and how much frustration there is in raising a child. It really changes your life. You have to grow up real fast and start taking a lot of responsibility. You're bringing another human being into the world and you have to raise that baby the best that you can. I want to go to college and stuff, but I don't know if I'll be able to do it now.

I still have one more year of high school and it's so hard to try to raise a baby and do homework and stuff at the same time. I'm lucky to have my family and my friends helping me out. But even with their help it's still hard at times. A lot of girls don't even have anyone to turn to. Their boyfriend or whoever got them pregnant might not even care. I'm not saying that this is only a girl's problem, it is also a boy's problem. I really urge the youth and any others who may be sexually active to USE condoms and practice safe sex.

Condoms not only prevent pregnancy, they also protect against HIV and a lot of other sexually transmitted diseases. Both boys and girls should carry condoms. Even if you're not sexually active you never know what will happen. Tell your friends and family to use them too. Condoms are really easy to get. Some people think it's too embarrassing to buy or ask for them. But would you rather be embarrassed for a few minutes or have HIV? Go to the store and buy or go to your local health clinic and get them free.

I hope youth will learn from my experience with teenage pregnancy and use some type of birth control during sex. And also remember that latex condoms are the only things that will protect you against HIV and sexually transmitted diseases.

DEPOSITION EXHIBIT #8 - TESTIMONY OF MIM DIXON

TESTIMONY TO THE ALASKA NATIVES COMMISSION

Presented by Mim Dixon, Health Center Director, Chief Andrew Isaac Health Center, 1638 Cowles St, Fairbanks, Alaska 99701, on July 18, 1992.

I appreciate the efforts of the Commission to gather data from many sources to look at the status of Alaska Natives and to make recommendations about how federal programs can be improved to serve people in our region. Currently, Tanana Chiefs Conference, Inc., (TCC) is undergoing a health planning process to develop a health plan to the year 2000. We are looking at many of the Year 2000 objectives for the nation that have been developed by the U.S. Department of Health & Social Services and the Indian Health Service (IHS). We are also looking at other sources of information which the Commission is probably reviewing as well. At the present time, we don't have many accurate, current facts and figures to offer about morbidity and mortality among Alaska Native people in Interior Alaska. What I would like to offer instead is a summary of issues, needs and recommendations identified by patients, staff, the TCC Health Board, and the TCC Board of Directors. While these are admittedly impressions, they nevertheless merit further attention from the Commission.

Cancer Prevention, Detection & Treatment. Often we are so focused on treating emergencies, trauma, and other urgent needs that there simply are not enough resources to do the necessary work of cancer prevention and detection. Once cancer has been diagnosed, the patients in our region do get very good treatment. At issue is the availability of prevention and detection services. Specifically the IHS beneficiaries in our region need more access to sigmoidoscopy for detection of colon cancer and culposcopy for detection and prevention of cervical cancer. At the present time Chief Andrew Isaac Health Center cannot schedule more than 1 sigmoidoscopy per day because of limitations in space, equipment, and staff. This means that the maximum number of sigmoidoscopies we can offer in a year is 250. The National Foundation for Cancer Research recommends that after age 50 adults receive sigmoidoscopy every 3 to 5 years and after age 60 they receive it every year. We have nearly 1000 patients over the age of 60, so less than one-fourth can be served with our current limited resources.

With regard to prevention and detection of breast cancer and cervical cancer, we do a relatively good job providing Pap smears and referrals for mammograms. However we have neither the space nor the staff to do culposcopy, which is an important test for the detection of cervical cancer.

You have probably reviewed the book, "Cancer Mortality Among Native Americans in the United States: Regional Differences in Indian Health, 1984-1988, Trends of Our Time 1968-1987", published by the Cancer Prevention and Control Program in the IHS. After reviewing the findings in this report, Dr. Ann Lanier, epidemiologist in the Alaska Area IHS, has recommended that smoking cessation programs are probably the single most important thing that we can do to prevent cancer among the population that we serve. Here at TCC we have been planning a smoking cessation program to begin in August. However, our resources are limited to hiring a single individual to serve Fairbanks and the entire region. We are also working on an AIDS prevention campaign with less than two individuals serving our entire region. This year for the first time we helped join a community effort for a bone marrow drive. Since that time three IHS beneficiaries residing in our region have needed bone marrow transplants. In the future, there will be an on-going need to expand and maintain the bone marrow registry for our region.

Birth Control. Teen pregnancy continues to be a problem in our region. In the last three months, 9 babies were born to girls 15-19 years old, for an average of 3 babies per month. Currently residents of our region are very interested in the new birth control technology called Norplant. The Norplant device is implanted in a woman's arm and lasts for approximately 5 years. The cost of the Norplant is about \$400. In addition to this expense, it requires a minor surgical procedure which again takes space and time at the clinic. At the present time we are unable to keep up with the demand for Norplant. Additionally, sterilization is a growing method of choice for birth control among the population we serve, as well as in the rest of the United States. A problem with the IHS eligibility criteria is that married couples cannot obtain sterilization for a non-Native spouse even though this is the preferred method for birth control. IHS failure to fund sterilization for non-Native spouses leads to more unwanted children, higher risks of FAS and other drug affected babies, and higher costs for the IHS.

Alcohol and Mental Health. Many of the patients who are hospitalized from our service unit suffer from complications caused by chronic alcoholism. The costs of their care are enormous and we have little to offer them to prevent further on-going complications. Many of these patients return to the hospital time after time. We need more psychiatrists to provide inpatient care for these and other patients with mental health problems. We also need more help from psychiatrists in medication management for patients using narcotics and mood altering drugs. At the present time the psychiatrists hired by TCC are spread very thin trying to supervise programs all over the region.

Long Term Care. Currently the IHS does not pay for nursing home care for patients in need of long term care. People in our region would like to bring their elders home to live as close to their families as possible. There is a desire for facilities similar to the Tanana Elders Home in various subregional centers in Interior Alaska. Also there is a need for adult foster care, home health, homemaker services, and nursing home care. The Greater Fairbanks Community Hospital Foundation is building a new nursing home, Denali Center. However there are no mechanisms in place for IHS to pay for beneficiaries who do not qualify for Medicaid to use this facility.

P.L. 93-638 Contracting. Through a P.L. 93-638 Contract with the federal government, TCC manages the Interior Service Unit of the Alaska Area Native Health Service in the Indian Health Service. This contract has been in place since 1984. Chief Andrew Isaac Health Center (CAIHC) is the main facility that serves about 12,000 Alaska Native people living in Fairbanks and 28 villages in Interior Alaska. TCC management of the Interior Service Unit has been characterized by creative problem solving, courage, and excellence. Let me give an example of each. With regard to excellence, CAIHC is the only IHS funded facility in Alaska to have received a commendation from the Joint Commission on Accreditation of Health Care Organizations. It took courage for TCC to close the Service Unit Hospital in Tanana in 1982. Instead of rebuilding the 40-year old, 95,000 square foot facility, TCC used creative problem-solving to enter a somewhat unique relationship with the private sector.

With planning and guidance from TCC, in 1970 a P.L. 95-151 agreement was signed between the IHS and the Greater

Fairbanks Community Hospital Foundation (GFCHF) which built and owns Fairbanks Memorial Hospital (FMH). Through this agreement IHS provided \$1.8 million to GFCHF to construct 18 inpatient beds and a 6,125 square foot outpatient facility. In return the GFCHF agreed to provide the outpatient facility to the IHS for 20 years under a cost-free lease, and to provide inpatient care to IHS beneficiaries at a discounted rate negotiated to exclude the hospital's cost of capital.

This creative partnership between TCC, IHS, and GFCHF has had many benefits:

- a. It has given IHS beneficiaries access to the best private medical care in Interior Alaska and allowed them to be served closer to home.
- b. It enabled FMH to develop better facilities to serve all people in the region.
- c. The federal government saved money. Only \$1.8 million were spent by the federal government to help build FMH and CAIHC, compared to an estimated \$75 million which would have been needed to replace the Tanana Hospital.

Health Facility Construction. Over the years, TCC has saved the federal government money both by not replacing the Tanana Hospital (\$75 million saved), by having a 20-year cost-free lease for CAIHC (\$3.7 million saved) and by obtaining discounted rates for hospital care at FMH (currently 22% of charges, for a savings of \$784,000 per year).

Now the cost-free lease has expired and it is time again for the federal government to invest in health care for IHS beneficiaries in Interior Alaska. CAIHC is 20 years old. It is crowded and does not have enough room to meet current and future needs. While IHS guidelines suggest that 60,000 square feet of space are needed for a free-standing facility here, currently CAIHC has only 10,400 square feet. There are problems with heating and ventilation. More exam rooms are needed to reduce waiting time for appointments and walk-in care. More space is needed for cancer prevention and detection activities and other needs already discussed.

Once again TCC is proposing a creative solution which will help save the federal government money. Our plan is to add onto the existing clinic and renovate the old

space. This will create a 40,000 square foot clinic attached to FMH. The total space proposed has been reduced from 30% from 60,000 to about 40,000 square feet because laundry, x-ray, housekeeping, maintenance, and other services will be shared with FMH. The estimated cost is \$12 million. GFCHF has agreed to finance the facility if a government lease could be secured, however, a direct appropriation would be the preferred method of financing.

Instead of embracing this creative public-private partnership and cost-effective means of delivering health services, the IHS relies on old formulas which make this project too low a priority for funding. The irony of the situation is that, if TCC were seeking to replace the Tanana Hospital, we would have a very high priority for \$75 million worth of construction, while we have a very low priority for the alternative \$12 million project. This leaves us to pursue the political route for funding. However, our congressional delegation has a hard time finding the funds for this project because they have already made substantial commitments to the new Alaska Native Medical Center in Anchorage and the new IHS hospital in Kotzebue.

We hope this will not turn out to be another case of broken promises by the federal government to the Indian tribes. Before TCC decided to close the Tanana Hospital we sought assurances from the federal government that this approach would not have long term negative impacts for the people we serve. In a letter from G. Ivey, AANHS, to William "Spud" C. Williams, President, TCC, dated December 16, 1981, the federal government stated:

"This is to provide you written assurances that in the event that Tanana Hospital does close as an inpatient facility, the Interior Service Unit budget will not be affected adversely simply because of this change and the method by which health services are provided in the Interior Service Unit."

Nevertheless, it is this very change which puts us at a lower priority level for the expansion of the clinic.

Several times in the past few years, TCC has undertaken the construction and financing of facilities without federal support. In 1989, we built a new dental clinic on the first floor of the TCC Building, allowing the dental program to expand from 6 to 12 operatories. The

total project, from conception to completion, took about 6 months and cost about \$500,000. Similarly, in 1991 we financed and constructed an eye clinic and in 1992 a mental health facility. Without the constraints of the federal government, TCC was able to complete these projects very quickly and cost effectively.

Once again we are proposing to do this with the expansion of Chief Andrew Isaac Health Center. However, we cannot finance this \$12 million project from self-generated funds. Before we can go to the bank for financing, we need the assurances of a federal lease guarantee. While this seems like a simple and straightforward process, we have already spent two years grinding through the bureaucracy and paperwork of the federal government. Still, it seems we are no closer to our goal.

In closing I would like to request that the Commission consider the following actions to help the Alaska Native people residing in Interior Alaska:

1. Support funding for the Chief Andrew Isaac Health Center expansion.
2. Find ways that the federal government can reward cost effective and creative approaches to the delivery of health services, rather than penalizing those programs which have taken steps to be more efficient.
3. We need to assure that Alaska Native Medical Center funding does not jeopardize funding for construction of other health facilities around the state.
4. Recognizing that 638 Contractors can seek the advice of private architects and engineers, we should eliminate the requirements for lengthy, costly, and bureaucratic reviews of building plans at the IHS Area Offices and Headquarters. TCC asks the Commission to review the IHS system for construction of new facilities with the intent of streamlining it and moving funding from oversight to direct funding of facilities and programs.

Thank you for the opportunity to present these issues and suggestions.

DEPOSITION EXHIBIT #9 - TESTIMONY OF MARGARET WILSONTESTIMONY TO ALASKA NATIVE COMMISSION
July 18, 1992

This testimony was prepared in response to identified health needs of Alaska Natives residing in the Alaskan Interior.

WHY THIS POPULATION IS AT RISK

Prior to the presence of non-Natives in Alaska, aboriginal peoples congregated in non-competitive extended family groups. The family was both the chief socializing agent and the economic unit. This social organization relied upon informal response systems for decision making and for social control while Elders made known the cultural values.

Within a relatively short period of time, cultures which allowed Natives to survive in one of the earth's harshest environments have been nearly destroyed, leaving many Alaskan Natives in a state of cultural limbo. The problems that besiege us have not been historically prevalent in Athabascan culture; we know that this current solution is both tragic and unacceptable.

BEHAVIORAL HEALTH

A study by Dr. Bernard Segal, of the University of Alaska-Anchorage, outlines prevalence and incidence rates and substance abuse patterns among Alaskan youth. Segal's 1988 study suggests that several noteworthy changes in drug taking behavior have occurred among Alaskan youth since an initial study reported in 1983. Overall, the lifetime experience of youth with one or more chemical substances has increased, especially experiences with marijuana, hallucinogens, and inhalants. Lifetime experience with marijuana is up 7.7%, while hallucinogen and inhalant experiences are up 9.4% and 9.1% respectively. Crack use was not reported in the initial (1983) study, however, a 4.7% lifetime experience was reported in 1988 (all are reported at 95% confidence intervals). Segal also reports that 5.8% of the students polled drink alcoholic beverages five or more times per week. In a more recent study Alaska Adolescent Health Survey 1990 in which over 5000 students were assessed the rates have increased dramatically. Marijuana usage was reported in 45.9% of males and 45.8% of females in grades

10-12 or ages 15 to 18. 22.2% of males and 20.5% of females in the 7th-9th grades or ages 12 to 14 admitted to marijuana use. While most teens have tried alcohol, 25% of 12th graders in larger communities (population over 2500) and 16% of smaller communities (population under 2500) drank either daily or weekly. Many start their drinking patterns early on. And many of these youth already have problems as a result of alcohol use and abuse. Although the use of inhalants (sniffing glue, gas or paint) is not as common in our region it is a problem and the population using it is much younger. The use of cocaine in rural areas is increasing but because of the cost is usually not the drug of choice in the rural setting.

The above information suggests that substance abuse is epidemic among youth in the Interior region. Our observations suggest that, as they are elsewhere, drug use incidence and prevalence rates are even higher among high school drop-outs. While drop-out rates are not officially calculated in Alaska, it is known that rural Native students drop out at a higher rate than do their non-Native urban counterparts. This suggests that rural Native drop-outs are even more likely, than those polled by Segal, to have or to develop a substance abuse problem.

In 1987 alone there were 641 youth age 17 and under who were treated for substance abuse in programs supported by the Alaska State Division of Alcoholism and Drug Abuse (ADA). This figure does not include adolescents who were treated at private for profit inpatient facilities such as Charter North.

A variety of other factors contribute to, and are associated with, adolescent alcohol and drug abuse. The following social conditions and problems have been identified as significant indicators which suggest that Alaskan Native youth represent a vulnerable, multi-risk population.

SUICIDE - A 1986 study of suicide rates among Alaskans reported by Hlady and Middaugh reconfirmed the established finding that suicide is epidemic in Alaska, especially among young Native males. During 1984-1985, the proportion of Alaskans committing suicide that were Natives (33%) was significantly larger than the proportion (14%) of Natives among the population. For all races, the average annual age-adjusted rate was 21.0 per

100,000 population per year. Among Natives it was 42.9 suicides per 100,000 population per year, 2.2 times the White age-adjusted rate of 19.1 suicides per 100,000 population per year, (pg.14). Of 57 Alaskan Native suicides in which the blood alcohol level was tested, 79% had detectable levels of blood alcohol compared to 48% of the 110 White suicides tested, (pg.16). Clearly, the risk of suicide increases when alcohol use is involved.

This year, the Interior Native population has experienced an explosive increase in the number of suicides completed, a number of which were carried out in public. Within the TCC region in the past year, we have experienced 12 completed suicides, ranging in ages from 16 to 72. We are gravely in need of effective intervention measures but limited resources constrain our efforts to a limited response. Limited staffing precludes a simultaneous response to crisis calls from the villages, continuation of full service levels to urban beneficiaries, and the provision of routine itinerant clinical and prevention services. Our ability to do more with less has reached a critical point. The TCC Community Health Services has established a Suicide Task Force in the past year and have come up with a prevention plan that consists of three elements that combine both short-term, suicide crisis intervention and long term community development and educational efforts. We know that this will require major effort and more funding.

HOMICIDE - According to the Alaska Office of Alcoholism and Drug Abuse, **over 80% of all homicides in the state are alcohol related.** The homicide rate in Northern Alaska is even higher than that seen statewide. In 1987, homicide was the seventh leading cause of death. Homicide rates in the rural areas of the TCC region are 50% higher than those in the urbanized Fairbanks North Star Borough and nearly 50% higher than the statewide average.

ACCIDENTAL DEATH - Alaskans from rural communities are also at great risk of accidental death. Accidents are the number one killer of Northern Alaskans, accounting for 24.7% of all deaths for the five year period 1979-1983. Motor vehicle accidents were the most frequent cause of accidental death each year from 1979-1983, followed by water-related accidents, aircraft accidents, and firearms. Accidents claimed 424 lives in Northern Alaska during this period.

In Alaska, alcohol involvement in motor vehicle fatal accidents for 1987 was 58%. Juveniles, ages 16-20 made up only 6.8% of Alaska Drivers in FY-87, but were involved in 21% of alcohol-related traffic deaths and 13% of all alcohol related accidents (Alaska State Office of Alcoholism and Drug Abuse). With the arrival of ATVs and snowmachines the accident rates are higher because of alcohol involvement.

Water related accidents are the second most frequent cause of accidental death. In the northern region, outside the Fairbanks North Star Borough and the highway corridors, water related mishaps are the leading cause of accidental death. Most of the victims of drowning and boating accidents are Native males. No hard data exists to show a relationship between alcohol use and water-related accidents but we are confident such a pattern exists.

Overall, Natives account for a much larger percentage of accidental fatalities than their proportion of the population would suggest. In 1981, accidental deaths among Alaska Natives accounted for 38.8% of all such deaths in the Northern region, while Natives at that time represented only about 20% of the population (Alaska Department of Health and Social Services, 1982b).

TEENAGE PREGNANCY - Early pregnancy is also identified as a potential factor in adolescent substance abuse. Of the 345 children born to rural Interior Native mothers, 14.8% were born to mothers age 19 and under. In one of our interior villages this year alone we had 4 teenage pregnancies, all these girls were still in high-school.

- For the years 1980-1984, the average annual birth rate for rural Interior mothers under age 19 was 12.1% (Alaska Department of Health and Social Services, Vital Statistics Annual report, 1981, 1982, 1983, 1984. Juneau, Alaska. 1983, 1985, 1987).

While Native teens (15-19) comprise only 18 percent of the population in this age group, they represent 43 percent of the teen births. It is well established that children born to young mothers have greater risk of developing health problems, of being physically abused or neglected and of becoming substance abusers later in life.

Poverty and unemployment contribute greatly to substance abuse problems. In the Northern region, most of the communities outside the Fairbanks North Star Borough are considered to be "poverty areas" by federal designation (U.S. Dept. of Health, Education and Welfare, 1978). Because of the extremely high costs of food, shelter and utilities, the federal guidelines for poverty are much too low. In many rural Alaskan communities, upper income bracket families have actual purchasing powers below those of urban "poverty level" families. These vast differences in living costs cause real impoverishment far in excess of "on paper" poverty. Year around paid employment is extremely limited and a significant proportion of rural Alaskans live in poverty.

As illustrated above, substance abuse and other conditions are clearly an overwhelming problem in rural Alaska. The implication for continued social problems, loss of traditional values and lifestyles, family breakdown, and decreased quality of life for Alaskan Natives is obvious.

SEXUAL ABUSE/PHYSICAL ABUSE - According to the Adolescent Health Survey 1 in 4 females report being sexually abused and nearly the same amount 23% report physical abuse. Who do these abused youth tell? **NO ONE**. The magnitude of abuse is vast as it is in other places.

MATERNAL AND CHILD HEALTH

The Tanana Chiefs Conference leaders and member village show a grave concern about FAS and its effect on the future of Alaska Native people. Every village in the region (43) participated in voluntary toxic fetal effects information and planning meetings in 1990. These meetings served to inform community members about toxic fetal effects and to gather ideas on how best to prevent FAS in the Interior communities. The proposed program represents an important part of this region-wide toxic fetal effects prevention effort.

The problems cited below suggest an urgent need for FAS, Alcohol Related Birth Defect (ARBD), and other toxic fetal effects prevention education services for the rural Interior population.

FETAL ALCOHOL SYNDROME - Alaska Natives suffer the highest rates of FAS of any studied population in the world. The statewide FAS rate for Alaska Natives is 4.3

per 1,000 live births as reported in 1989 by the Alaska Area Native Health Services, Community Health Services, statewide screening program. FAS rates among the Tanana Chiefs Conference region population are higher still at 4.6 per 1,000 live births. The FAS incidence rate of 4.6 per 1,000 live births reflects only cases which meet all three FAS diagnostic criteria: growth deficiency, altered morphogenesis, and mental retardation. In the Interior, this rate means one to two Native babies are born with FAS annually. This does not address the needs that these children born with FAS face in the future.

ALCOHOL RELATED BIRTH DEFECTS -Maternal drinking is linked to Alcohol Related Birth Defects (ARBD), which range from moderate to severe. These include growth retardation, increased risk of anomalies, behavioral effects, mental retardation, and increased mortality. It is estimated that for every child born with FAS, 10 are born with ARBD. The estimate rate for Interior Alaska would be 46.0 per 1,000 live births. Other factors contribute to the high incidence of FAS and ARBD in the Interior region and suggest an urgent need for FAS/ARBD prevention and early intervention services.

AT-RISK-MOTHERS - For the calendar year 1987, 19% of the prenatal patients at the Alaska Area IHS were identified as "at-risk" from substance abuse. In the TCC region, that translated to 60 per year.

YOUNG POPULATION - The Alaskan population in general is very young, with about 29% under 15 years of age. Among Alaska Natives, about 4,000 or 33% are under 19 years. In general, mothers who are 19 or younger or over 35 are more likely to have complicated pregnancies and to deliver children with physical problems than are women aged 20-34. In the Interior, 19.4% of Native children were at high-risk due to their mother's age (19 and under), while 8.7% of non-Native children were at such risk.

HIGH BIRTH RATE - For the Interior region, the Native Alaskan birth rates of 26.7 births per 1,000 population exceeds the statewide five-year annual average of 24.2 per 1,000 population by 10.8% and the national average of 15.7 births per 1,000 population by 70.1%. The Native birth rate in the Interior is very similar to that of the Interior population as a whole.

LOW BIRTH WEIGHT - The number of babies born weighing less than 5.5 pounds is an indicator of high-risk pregnancies. Natives experienced considerably higher low-birthweight rates both in the Interior (61.2%) and in the state (59.6%) than did non-Natives (48.4%, 45.5%) in 1984.

INFANT MORTALITY - Native infant death rates in Alaska and the United States have been declining for the past several years. From 1955 through 1982, the death rate for Indian infants in the U.S. fell by 82%. The rate is now similar to the U.S. population as a whole, although in Interior Alaska the experience has been more variable. Because of the small population size, considerable fluctuation in annual rates can occur randomly. Six-year average rates are more appropriate when studying occurrences in small communities.

The six-year (1979-84) annual average rate gives the Interior's non-Natives an infant mortality rate of 10.41 compared with a national rate 11.76. The rate for Native infants is different from non-Native infants with a rate of 19.74 for Interior Alaska Natives. The difference between the Interior Alaska Native and the national rate is 68%. The Interior's Native infants are more than half again as likely to die during infancy than were their counterparts nationwide.

SUDDEN INFANT DEATH SYNDROME (SIDS) - is the single greatest cause of death in the post neonatal infancy period. Recent research reports have linked SIDS deaths to prematernal cocaine use. One study reported a nearly 4,000% increase in SIDS incidence among infants born to cocaine-using mothers. (American Journal of Diseases of Children, May 89, Vol. 143, pg. 583). The Native mortality rate for SIDS (4 per 1,000 live births) exceeds the total national rate for all infant deaths.

PRENATAL CARE - In 1981, over 25% of pregnant women in the Northern region in Alaska did not receive prenatal care in their first trimester. The majority of women delaying care until the third trimester were Native. According to Northern Alaska Health Resources Association's Health System Plan for 1985-1989, prenatal service delivery in the Interior is not comprehensive enough and needs better coordination among service providers.

SEXUAL RELATIONSHIPS - Because of known high rates of sexually transmitted diseases and high incidence of substance abuse in rural Alaska there is great concern that HIV/AIDS will take hold and spread quickly. At the present time the diagnosed cases of AIDS is relatively low as is the number of HIV positive people. Again, according to Adolescent Health Survey, the average age of first sexual intercourse for females is 14 years of age and for males is 13.2 years. The first choice of contraception for both females and males is condoms; the second choice for females is birth control pills. Typically, as everywhere else, many teens get more misinformation than information and mostly from their peers.

PRESENT SERVICE - We have several rural alcohol and mental health programs in our subregions. We have hired more village based para-professional counselors and emphasized training for all our counselors. We have 4 alcohol recovery camps, one of which is open year round and staffed by Native people. We have emphasized family treatment as a unit and focused on traditional values. We are holding more workshops in the villages which focus on alcohol and alcohol-related problems. This year we have held 4 workshops in different villages and some of the subjects addressed are suicide, FAS, HIV/AIDS/SIDS, self-esteem, parenting, forgiving, children of alcoholics. We publish HUNK ZOO monthly, which addresses substance abuse prevention for our school age children. We have a substance abuse prevention trainer, an FAS prevention coordinator, and an HIV/AIDS prevention educator, all of whom travel constantly during the school year to reach our school age population.

- We have health and safety educators in each of our subregions and we do a variety of health promotion and injury prevention activities. Yet we fall short because of lack of adequate travel funds and lack of current material. We have attempted to work with the 7 school districts within our region trying to supplement their health education.

Our youth program has been active without adequate funding. We have been able to sponsor some of our youth for our TCC Conference and we have never been sorry. These young people have already impressed us with their abilities to move ahead and address and identify issues that are significant to them.

Since the late 1800's, the influence of religious groups, traders and American government policy has contributed greatly to the breakdown of village social organization. Moreover, changes in the economic life of Native communities, from subsistence to a cash economy, have resulted in further social disruption. Poverty has also resulted in increasingly limited or resisted subsistence resources. Torn between two cultures many Natives have turned to alcohol, suicide and violence as a way of alleviating the anger and confusion of losing the old ways and of not belonging to the modern world. These trends are more pronounced among the youth.

Many in our population suffer from low self-esteem and are poor decision makers. Unfortunately because of inadequacies with school funding many of our youth are not prepared for higher education. We need to start focusing on teaching the Athabascan language in our schools along with cultural activities; we need to prepare our youth for professional and vocational training; we need more positive role models. We need to start strengthening our family unit so that the provision of spirituality and culture can be met. We need to acknowledge domestic violence, sexual/physical abuse and depression as problems and stop denying that these problems exist. We need to nurture our youth because that is where our future lies, and we need to encourage them to take an active part in their well-being and we need to address the problems and difficulties that face our male population.

SOURCES: Alaska Dept. of Health & Social Services.
Alaska Vital Statistics Annual Report, 1984
Juneau, Alaska. 1987.

Northern Alaska Health Resources Assn.
Health Systems Plan, 1985-1989.
Fairbanks, Alaska. 1985.

The State of Adolescent Health in Alaska
Dept. of Health & Social Services
Office of Prevention
Juneau, Alaska 1989-90.

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-310-

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DEPOSITION EXHIBIT #10 - TESTIMONY OF DENNIS M. TADDY

TESTIMONY
Presented to
ALASKA NATIVES COMMISSION
July 18, 1992

HEALTH CATEGORY
Environmental Health Issues

by
Dennis M. Taddy
TCC Engineer

SANITATION FACILITIES

The Indian Sanitation Facilities Act, Public Law 86-121 was enacted to "provide essential sanitation facilities" for American Indians and Alaskan Natives. Today, over thirty-three years later we are still working to provide "essential" facilities to Alaska's first people. The reasons for this simple task still being incomplete are as numerous as the number of individuals working to solve the problem. I believe that some of the major problems are: a) the funding need is great; b) the myriad of funding agencies; c) lack of village involvement; d) inappropriate technology; and e) the training of village people.

The IHS FY92 Sanitation Deficiency System for the State of Alaska reported 378 projects with a total cost of over \$1,000,000,000. Of those projects more than five-hundred million dollars are to provide or improve potable water systems. In a typical year 10 to 15 projects will be funded. The State of Alaska, Department of Environmental Conservation, Village Safe Water Program (VSW) for the same time period had approximately one hundred grant requests with a cost of over one-hundred million dollars to address sanitization facilities projects. The state funded approximately \$25,000,000 worth of projects. EPA also funded about \$9,000,000 worth of projects, part of that funding was for projects in the lower forty-eight. EPA funded projects were limited to waste water system improvements.

This funding problem does not even address one part of sanitation facilities that we all take for granted that being running water in the village health clinic. The vast majority of the clinics have an igloo cooler which

provides water for the Community Health Aides to wash their hands. The bucket of waste water is dumped into the pit privy or thrown out the back door at the end of the day.

Villages face a major obstacle in identifying funding agencies and completing applications even if they are aware of the agency. IHS is the easiest for them to work with because Congress has along with grant funds they provide staffing specifically to aide in project development, design, construction, project accounting, administration and training. The VSW program has engineers to provide some assistance to the village through the hiring of a consultant. All other agencies (i.e. HUD-ICDBG, EPA, Soil Conservation Services, FHA, etc.) provide virtually no assistance to the tribe. EPA when it initially started funding Indian set-a-side projects required an entirely different reporting system than what IHS had been doing. This to me seemed very strange considering that most of the data used by Congress to create this special legislation was based on the IHS data system. This lack of technical assistance leads to communities: not getting projects funded, inappropriate design, inefficient construction, no training and/or no concept of the villages long term commitment.

While the dollars needed to address the sanitation needs of the Alaskan Natives are great, I don't believe that is the major obstacle to the provision of sanitation facilities. For many years those providing technical assistance to the Alaska Natives failed to work cooperatively with the tribes in the provision of sanitation facilities. In many cases it has appeared to me that facilities that were constructed during the 70's and 80's were built irrespective of village desires or needs. Even today, technical experts periodically provide facilities without consideration of tribal desires. This problem at least for IHS funds is, in part, exacerbated by the delay in construction dollars getting to the Alaska Area Native Health Service office. Without village input during the planning and design phase, it leads to no village©

There has been in the past problems with the construction being inappropriate or inadequate. For the most part that has been corrected, but there are facilities with some necessary safety features. The death in Hooper Bay from fluoride poisoning was in part a result of the lack of several redundant safety features. Also, of those projects several are to correct past inappropriate and inadequate facilities. Further, AANHS and VSW have found it difficult to adopt standards for the various components in the normal village sanitation facilities.

The last major problem that has led to deficient sanitation facilities in the villages has been the training provided was a one time shot without any follow-up. This coupled with complicated systems led to failures that have had to be replaced or repaired at huge costs, many times as an emergency which raises the cost of an already expensive project. The state has recognized the need for follow-up on job-training for village operators. They have created a grant that provides Remote Maintenance Workers who go to village and provide OJT to the operators. But that program only covers about half the state.

Tanana Chiefs Conference, Inc. has taken a very active role in initiating changes that we believe will help in providing and maintaining essential sanitation facilities in the villages. We have strongly urged villages to take charge of their own destiny. For sanitation facilities to operate successfully the villages must assume responsibility for the systems presently in the village. We recognize that there may be problems with these facilities and we will help in every way to correct them or identify agencies that can correct the problem.

The first step to providing sanitation facilities is for the villages to develop a mater(?) plan for future sanitation facilities improvements, and the subsequent acceptance by granting agencies of that plan. To date that has met varying degrees of acceptance with the two major grantors in Alaska.

Secondly, TCC through their Remote Maintenance Worker Program attempted to get AANHS and VSW to develop standard components for sanitation facilities. To date that has met complete resistance, and further, both agencies refuse to develop and/or follow standards of their own.

Another step in the provision of sanitation facilities is the coordination of the grant application process for the multiple agencies. This one, we to date do not have a clue on how it would be best accomplished, but it might be possible through the AANHS/VSW as they are the two largest grantors in the state.

TCC has initiated a very aggressive role in providing training to village operators for the operation of their facilities. We have found most all villages, and their respective operators, ready and willing to accept responsibility and accountability for the sanitation facilities in the community. In conjunction with that we have initiated a contract with a private consultant to develop a Village Utilities Management Guide and a Training Manual. This is being developed with input from agencies throughout the state to insure that it is comprehensive and universally acceptable through-out the state. Further, TCC has signed an agreement with ADEC to cooperatively work with the member villages to resolve deficiencies in their system.

In conclusion we here at TCC believe the first step in solving the problems in bush Alaska is to recognize that the village must be an integral member of the team to "provide essential sanitation facilities". Our job as team members is to recognize their needs, knowledge, desires, hopes and dreams for a healthy and better future.

DEPOSITION EXHIBIT #11 - TESTIMONY OF JOENEAL R. HICKSREPORT TO THE ALASKA NATIVE REVIEW COMMISSION
(HOUSING WITHIN THE AHTNA REGION)

July 18, 1992

Submitted by Joeneal R. Hicks
Commissioner, Copper River Basin Regional Housing
Authority

My report is intended to give you, the Alaska Native Review Commission, an insight on problem issues that are a direct result of Housing Urban Development (HUD) funding within the Ahtna Region. Though my report is not conclusive, it gives you a general overview of the situation, whether good or bad, as it exists today. I strongly point out that this report entails the Ahtna Region only, however, HUD funded housing problems in the State of Alaska can be considered the same.

The housing program within the Ahtna Region began in the late 70's as a result of inadequate and substandard native homes, poverty, poor health standards, and the need for better native living. Kluti-Kaah Corporation, the native village corporation for the village of Copper Center, was the first applicant for HUD funded homes. Intended at the time was to provide low income housing for the native elderly. With assistance from the Copper River Native Association (CRNA), HUD responded by appointment of a housing authority, now commonly known as the Copper River Basin Regional Housing Authority. Kluti-Kaah's request was based on the understanding that funds used would come from Indian Housing monies. Thus, any benefit derived would be theirs as only natives would be eligible for housing occupancy. Within six years following this request, five other villages would have applied for and received housing assistance.

But first, before HUD monies could be spent, there was need for land. Discussions and meetings abounded, and in short, the Ahtna Regional Corporation was held to provide the needed land. This approach, as was the understanding between the parties involved, would provide low income housing to Ahtna natives in need. Basically, providing land was a question of economics, as it would provide better living standards and allow the Ahtna native to be self-sufficient. The agreements reached was that when the home was paid for, the land and house would revert to

the home buyer. Housing was exclusively for native use and occupancy as Indian monies were used. It is this scenario that would later become the biggest problem factor regarding housing development in the Ahtna Region.

Because land was vital to the upsurge in housing requests, lands selected under the Alaska Native Claims Settlement Act was but one solution. Repeatedly, CRBRHA elaborated on section 14(c)(3) of said Act, as it obligated villages to reconvey lands, if not incorporated as a city, to the State of Alaska in Trust. The avenue of lease, sale, or other mechanisms were discarded since section 14(c)(3) was the law, it could be done expeditiously, it lacked paperwork, meetings, and was less costly. Agreements were signed and executed to this effect, and the end result of Ahtna providing 14(c)(3) lands total 79.6 acres, plus.

Today, Ahtna no longer provides the needed lands for housing due to legal implications that have arisen (i.e.: each home is not exclusively for Ahtna native use and occupancy, and the land is subject to loss, etc.). It is the result of policies or lack of, that Ahtna made its decision. I have outlined four basic problem areas explaining why this decision was reached.

1. Land Base - Questions regarding whether the Ahtna native homebuyer will ever receive the lands is uncertain. Lands conveyed under ANCSA section 14(c)(3) are for future city governments as a source of revenue or otherwise. Given this, the homebuyer can never acquire title to the land, unless a city opts to do so by its own stipulations. The question of becoming a city is far fetched, has not been thought of, and is entirely out of the picture at present.

2. Non-Native Occupancy - The CRBRHA asserts that the monies used to build the homes are public monies, therefore by providing homes to only Ahtna natives is discrimination. Today there is approximately 60% occupancy by Ahtna native families, the other 40% consist of non-native housing, are vacant or in need or repair. Non-native occupancy of the homes validates the question of who will actually own the land after the home is paid for.

3. Low Income - Within the Ahtna region, there is a total of 57 HUD funded homes and apartments. Of these, 48 are situated on lands conveyed under ANCSA to Ahtna,

Inc., with one exception by lease. Others are built on townsite lands or native allotments. Each home is priced at approximately \$100,000 dollars and depending on individual income, the monthly payment is derived at about 50% or higher. It is the responsibility of the homebuyer and apartment renter to report all income, whether it be from one's job or a salary increase, winnings in bingo, trapping, tips, or selling hand made materials and must be verified. Each monthly payment is never fixed, it is always subject to change and does not include the cost of electricity. The homebuyer is charged for all repairs, improvements, and maintenance including the cost of travel, purchase, and time. This type of monthly payment leaves little if any for other essentials such as groceries and telephone. Essentially, the native homebuyer is in no better position than he/she was before, but worse. Many Ahtna homebuyers resort to welfare and food stamps as a supplement. Many do not seek work, afraid of a cost of living increase.

4. Other HUD/CRBRHA Requirements - The CRBRHA imposes on the homebuyer, at their cost, that each home be kept in strict compliance of code. Home inspections are conducted and if repairs are needed, it is done at the homebuyer expense. Some homes lack a survey, while others are in a land status conflict. Many homebuyers are behind in monthly payments, others are subject to eviction due to non-compliance with CRBRHA requirements, while others are put on notice that penalties can and will be assessed.

In conclusion, the end result of all the above, is unhappy homebuyers who are angry and feel infringed upon. Many have moved out, others try to make ends meet, others take it day to day. Most have approached Ahtna requesting assistance. Encroachment by non-natives in predominately native villages creates undue hardship, conflicts, and competition, increasing awareness and dissatisfaction towards the housing authority. It is unlikely that 100% native occupancy can ever be achieved again.

The potential loss of land is certain to remain an unanswered question. Twenty years or more to pay off a home is a long time for it to remain in good condition. Priced at \$100,000 dollars some homes are without electricity and running water, although they are set up for it. Each home requires extra money for fuel and heat, and are inadequately insulated. Overall, the home is more of a burden than an achievement.

Adequate housing for the Ahtna native is still a need. But, with current CRBRHA policy and procedural requirements, the likelihood of obtaining needed lands from Ahtna remains a factor. The possibility of rescinding the Ahtna decision will not occur unless changes are made for the betterment of Ahtna natives. As is now, the CRBRHA continues to run the show.

I have recently been appointed to the CRBRHA board, of who has denied my request to fund me to give this report. My board appointment provides a likelihood that changes can be made. It is my position that a review of current procedures, policies, and guidelines be accomplished and addressed. I seek changes for the Ahtna native people and request that you do too. Thank you for allowing me to give this report.

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