AFN IMPLEMENTATION STUDY

Proposals to the United States Congress to implement recommendations of the Alaska Natives Commission pursuant to P.L. 104-270

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PREFACE

The AFN Implementation Project is part of a continuum of reports highlighting the critical situation of Alaska Natives and proposing actions to address problems. Each report, each hearing, each resolution, each act is built on what came before and is a step toward resolving problems and meeting the aspirations of Alaska's Native peoples.


Congress enacted Public Law 104-270 in 1996. That law provided for a grant to the Alaska Federation of Natives to examine the recommendations of the Alaska Natives Commission, to study pertinent initiatives in the United States and elsewhere, to conduct hearings on ways to implement the commission’s recommendations, and to recommend to Congress enactment of specific provisions of law and other actions to implement such recommendations. The AFN Implementation Report is the result of this process.

On behalf of the Alaska Native community, AFN thanks the U.S. Congress for its attention to Alaska Native issues and looks forward to actions on the recommendations contained in this report.

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CONTENTS

Preface

Introduction

A. ALASKA NATIVE SELF-GOVERNANCE

Self-governance authority

A1. Alaska Native decision-making powers and responsibilities

A2. Land transfer

Contracting and compacting

A3. Native participation and decision making in federal programs

A4. Contracting and compacting authority of federal agencies

A5. Disclosure of budget and cost data

Co-management

A6. Extension of co-management

Adequate and equitable financial support

A7. Minimum $200,000 tribal base funding level

A8. BIA funding categories; tribal law enforcement and tribal courts

A9. Eligibility of Alaska Native regional tribal organizations

Native managers training

A10. Institute of Alaska Native Self-Governance

B. CREATING JOBS AND ECONOMIC DEVELOPMENT

Economic opportunities in rural Alaska

B1. Management of conservation units
Native hire and contracting

B2. ANILCA Native hire and contracting requirements

B3. Federal local hire

B4. Force accounting project management

Coordination

B5. Office of Native Hire Coordination

Redefining unemployment

B6. Department of Labor and Bureau of the Census categories

Transportation infrastructure

B7. Indian Reservation Roads Program

Strengthening rural economies

B8. Federal rural development programs

C. DEALING WITH ALCOHOL, DRUG AND INHALANT ABUSE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND RELATED PROBLEMS

Tools and funding

C1. Civil and criminal authority

C2. Prevention programs

C3. Services to individuals and target groups

C4. Tribal ordinances, enforcement and adjudication

C5. National Institutes of Health and Substance Abuse and Mental Health Services Administration funding

Alcohol and substance abuse
C6. Fetal Alcohol Syndrome (FAS), Fetal Alcohol Effects (FAE), and other 
Substance Abuse Related Birth Defects (SARBD)

Healthy families centers

C7. Family resource centers

D. SUPPORTING ALASKA NATIVE EDUCATION

Reauthorizing Alaska Native Education Act

D1. Reauthorize Act

D2. Native language immersion and other titles

D3. Annual funding of $20 million

Program Administration

D4. Grants to Alaska Native organizations

D5. Management by Alaska Native institution

E. PROTECTING THE SUBSISTENCE HUNTING AND FISHING RIGHT OF 
ALSKA NATIVES AND OTHER RURAL RESIDENTS

Maintaining federal protection of subsistence

E1. No weakening amendments

Strengthening federal protection of subsistence

E2. Amendments on federal jurisdiction, subsistence defense, cultural 
and religious uses, non-rural Native communities, contracting and co-
management.

Subsistence and the federal role

APPENDIX. AFN-COMMISSIONED STUDIES
INTRODUCTION

In accordance with Public Law 104-270, enacted by the U.S. Congress in 1996, the Alaska Federation of Natives (AFN) has conducted an extensive process to develop recommendations to implement the Alaska Natives Commission report. Rather than reworking the same ground, we used the commission's work as the point of beginning.

The AFN process found that although most previously identified social, cultural, and economic problems persist, progress is being made. Innovations are coming about in areas of self-governance, education, delivery of health and other services, and other endeavors. Such progress has come about through both the efforts of Alaska Natives and the support provided by the Congress and federal agencies. Yet, social and economic needs remain tremendous, and it is toward meeting these that the AFN process has been directed.

As directed by Congress, the AFN Implementation Study examined recommendations of the Alaska Natives Commission and looked at successful initiatives in the United States and elsewhere. AFN held extensive hearings in the Alaska Native community, and consulted widely with different groups, including the Alaska Commission on Rural Governance and Empowerment. The resultant priority topics covered by this report are Alaska Native self-governance, jobs and economic development, substance abuse, education, and subsistence.

This report has a strict focus on recommendations. So as not to detract from this focus, we hold explanations to a minimum. Background and related research material are not presented here. They are available and will be marshaled as needed to back up and implement specific proposals.

Alaska's Native community was thoroughly involved in fashioning the report's recommendations. Participants at AFN conferences considered major recommendations and themes as part of a continuing process. Hundreds of comments and proposals were received in the hearings conducted throughout Alaska. Research reports commissioned by AFN as part of the study were distributed to organizations and individuals for their review. The work of many task forces and other efforts also fed into the process. AFN convention resolutions, hearing transcripts, research reports, and other documents are available.

The AFN Implementation Report has been approved by AFN's Board of Directors.
A. ACHIEVING ALASKA NATIVE SELF-GOVERNANCE

Strengthening self-governance authority

This AFN study and the Alaska Rural Governance Commission report both reconfirm the conclusions of the Alaska Natives Commission that Alaska Native self-governance is the essential element in overcoming economic and social problems in rural Alaska. All make clear that sustained, successful economic development and sustained improvement of social conditions can only be achieved by communities whose decisions, resources, and internal affairs are controlled at the local level -- by the people who bear the consequences.

Alaska Native tribes have been recognized by the federal government and their inherent powers of self-government over their members have been recognized by the Alaska Supreme Court in John v. Baker (No. S-8099, September 8, 1999).

The Alaska Native Claims Settlement Act (ANCSA) was established to settle land claims and develop economic engines to develop Alaska Native economies. ANCSA's purposes and effective tribal governments are complementary and not inconsistent. Native communities in the state have different opinions about what institutions should hold their land, and ANCSA should not be an obstacle to their self-determination.

AFN, therefore, recommends that Congress:

A1. Amend federal Indian legislation in order to explicitly clarify and strengthen Alaska Native decision-making powers and responsibilities in programs that affect Native communities and families, including alcohol control, child welfare, education, public safety, resource management, environmental protection, and other programs.

A2. Amend ANCSA to authorize land transfer options between Native corporations, tribal governments, and other Native institutions and individuals when so authorized by such Native parties, and to include lands acquired by Alaska tribes as trust lands.
Contracting and compacting

Contracting and compacting under federal programs have, where applied, proven effective in improving the way federal responsibilities are carried out, improving service delivery, and increasing local self-reliance and self-determination.

Self-governance compacting, in particular, helps attain greater efficiency in the expenditure of federal funds and allows more money to be spent locally without a federal agency acting as middleman. It helps streamline paperwork, reduce overhead and other deductions, and it provides opportunities for combining different programs and funding sources at the local level. However, only the Indian Health Service and Bureau of Indian Affairs currently have compacting authority.

A3. Encourage and achieve greater Native participation and decision making in all federal programs through delegation, contracting, and compacting.

A4. Expand contracting and compacting authority to all federal agencies and all federally funded programs in Alaska and assure preference to Native management in case of questions about benefited populations.

A5. Effect full and expeditious disclosure by federal agencies of all operating and related administrative budget and cost data in negotiating contracts and compacts.

Co-management

Resource co-management arrangements have emerged in recent years as an effective means of implementing national goals and carrying out federal responsibilities in consonance with Native cultures and knowledge. Agreements to date have been directed mainly toward developing effective and sustainable systems of wildlife management that are consistent with both Native and federal and state responsibilities for preserving and protecting natural resources.

A6. Authorize and extend co-management to all wildlife, fish, and land and subsurface (including public domain, parks, forests, refuges, and other reserves) where significant Native interests exist in such natural resources.
**Adequate and equitable financial support**

Tribal governments are the principal governing institution in most Alaska villages, yet are usually seriously underfunded to carry out basic local functions, such as public safety, conflict resolution, child welfare, alcohol enforcement, and others. The Joint Tribal/BIA Advisory Task Force recommended annual base funding of small tribes at $160,000 nationally, which has been achieved, and at $200,000 in Alaska, for which the additional amount has not been appropriated.

**A7. Fund all Alaska tribes at a minimum $200,000 base funding level.**

Bureau of Indian Affairs funding excludes Alaska tribes or providing them only limited support under resource management, tribal law enforcement and courts, roads, housing improvement, education, and other programs.

Further, despite the fact that Congress granted Alaska civil and criminal jurisdiction over Alaska Natives under P.L. 280, the state government has failed in its responsibilities by not providing adequate law enforcement and judicial services to Alaska Natives in rural Alaska.

**A8. Assure that more BIA funding categories be made available to Alaska and that contract support be fully funded, and specifically that Congress and the BIA provide tribal law enforcement and tribal court funding to Alaska.**

**A9. Ensure that Alaska Native regional tribal organizations are eligible to apply for federal funds when so authorized by their governing tribes.**

**Training Native managers**

The need for effective management of programs, projects, and self-governing institutions will grow as more Native communities take on contracting, compacting, project agreements, welfare program management, and other functions. That need can be met through the collaboration of Native organizations, both profit and non-profit, Alaska higher education institutions, municipal associations, and other groups. The requirement now is for seed money to initiate Native self-governance management training programs. Once under way, it should be self-sustaining.

**A10. Provide assistance to the Alaska Federation of Natives to create an Institute of Alaska Native Self-Governance in cooperation with tribal colleges, the University of Alaska, and**
the Alaska Municipal League in order to provide training in general management, budgeting, personnel management, grant writing, negotiation, and other topics of interest to rural administrators and managers. A top priority will be increased capacity for economic development and project planning.

Principal sources


Alaska Federation of Natives, Annual Convention Resolutions, 1999 and preceding.


B. CREATING JOBS AND ECONOMIC DEVELOPMENT

Expanding economic opportunities in rural Alaska

New studies undertaken by the Alaska Federation of Natives show that little has changed since 1994, when the Alaska Natives Commission concluded in its final report that "acute and chronic" unemployment was undermining Native society. Simply put, Alaska Natives need more jobs and economic opportunities, especially in rural Native villages.

Developments since that report was issued pose new threats to Native employment. Already marginal economies in many rural Alaska Native villages may be constrained even further by the new time restrictions that federal welfare reform imposes on benefits to the poor and unemployed. Also, the number of young Natives reaching working age is outstripping the number of new jobs being generated, a trend that is predicted to continue for at least the next decade.

Despite this sobering picture, however, there are promising approaches Congress and the federal government can take to increase Native hire. Meeting in its annual convention in October 1999, the Alaska Federation of Natives membership endorsed Resolution 99-07, entitled, "Expanding Federal Job Opportunities For Alaska Natives," specifying steps Congress and the federal government can take, both to carry out prior obligations to Natives that remain unfulfilled and to explore new ways to provide economic opportunities for Alaska Natives.

AFN, therefore, recommends that Congress:

B1. Support pending legislation to require the Department of the Interior to contract, in a demonstration project, with six Alaska Native tribes or tribal organizations to manage conservation units or other public land units lying in close proximity to these Native entities, providing operating funds no less than if these lands were being managed by the Department of the Interior.

Expanding and enforcing Native hire and contracting

Despite the passage of nearly 20 years since Congress enacted the Alaska National Interest Lands Conservation Act of 1980, Department of the Interior efforts to assure compliance with the Native hire and Native contracting provisions of ANILCA have been wholly inadequate.
B2. Direct the Department of the Interior to comply with ANILCA’s Native hire and Native contracting requirements.

Only three of 18 federal agencies operating in Alaska -- the National Park Service, Fish and Wildlife Service, and Bureau of Land Management -- are authorized to limit certain job opportunities solely to local residents with special knowledge of local conditions.

B3. Expand local hire authority to all federal agencies operating in Alaska, and direct the recently formed Denali Commission to require Alaska Native hire provisions in all forms of employment or contracting the commission may sponsor.

The federal government has successfully employed the use of force accounting to complete numerous construction projects in rural Alaska, but has largely confined the practice to village sanitation projects. Under force accounting, the federal government provides materials, equipment and a project manager, while local government sets wages, hours, and conditions of employment, giving rural communities a greater degree of self-determination and providing rural Alaska Natives with valuable training and work experience.

B4. Expand the use of force accounting project management methodology to all federally funded construction projects in rural Alaska, where feasible, and, to maximize the number of jobs, grant permission on force accounting projects to pay wages at the local prevailing wage rate rather than at levels required by the Davis-Bacon Act.

Coordinating Native hire

Previously, there existed a federally sponsored Alaska Native Employment Network, whose coordinator worked with federal agencies, Native organizations, and individual job applicants trying to work their way through the complexities of the federal hiring process. Although apparently effective, the network was disbanded because of lack of funding and agency support.

B5. Establish and fund an Office of Native Hire Coordination under the authority of the Denali Commission.

Redefining unemployment
The Department of Labor and federal Bureau of the Census do not count those in rural Alaska who report not looking for work “unemployed”, despite the fact that in many cases, the respondents say they are not looking for work because they realize there simply are no jobs available. The agencies also do not recognize subsistence activities as an economic pursuit.

B6. Direct the Department of Labor and federal Bureau of the Census to categorize non-working rural Alaska residents -- in communities where there is a jobs deficit -- as unemployed in their official counts, even if the respondents report not looking for work, and to recognize that subsistence activities represent not only a cultural underpinning to Alaska Natives but also are pursuits of great economic importance to them.

Developing transportation infrastructure

Failure to provide adequate federal funds for the Indian Reservation Roads Program has resulted in a decades-long backlog of work that should have been funded by this program in rural Alaska. Inadequate funding has deprived rural Alaska of transportation infrastructure critical to economic development and of jobs that would have resulted from construction projects.

B7. Authorize a continuing appropriation of $50 million annually for rural Alaska projects under the Indian Reservation Roads Program.

Strengthening rural economies

A near-universal complaint during AFN hearings on jobs and economic development in early 1999 concerned the lack of outreach by federal agencies to Alaska Natives in rural Alaska. While there are many programs and grants that Alaska Natives could qualify for, the agencies overseeing these programs are centered in the state’s urban areas and make very little effort to inform rural tribal councils and Native organizations of their availability. Even when they do learn of a program's availability, most of these councils and organizations are understaffed. Also, most have no one trained to negotiate the extremely complicated process required to successfully apply for these programs.

B8. Specify that Alaska Natives are authorized to participate, with the necessary funding, in programs designed to promote development and employment in rural America through programs overseen by various federal agencies, and specifically to:
a. Direct the Department of Agriculture to maximize efforts to notify Alaska Native tribal councils and organizations of rural development grants and programs for which they qualify and provide the technical information and assistance needed to successfully apply for these programs.

b. Direct the Department of Commerce to place more focus on economic development in rural Alaska, including technical assistance, seed money for business enterprises, adequate funding for rural Alaska planners through the Office of Economic Development Planning, and greater outreach and assistance to Alaska Natives qualified for Section 8-A minority contractor set-asides.

c. Direct the Department of Defense to contract with and train Alaska Natives to provide services to the department, such as computer programming, that would meet critical Native employment needs and help eliminate the current practice of loosening federal immigration policies to import foreign workers to meet the department’s programming skills requirements.

**Principal sources**


Alaska Federation of Natives, Annual Convention Resolutions, 1999 and preceding.


C. DEALING WITH ALCOHOL, DRUG AND INHALANT ABUSE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND RELATED PROBLEMS

Strengthen ability to deal with problems

This study, the Alaska Rural Governance Commission report, and other recent studies fully support and reinforce the findings of the Alaska Natives Commission that the tragic consequences of alcohol, drug and inhalant abuse in Alaska villages can only be resolved at the village level by Native people and tribal governments.

The Alaska Commission on Rural Governance and Empowerment report specifically recommends that tribes, through federal legislation, be empowered to find local solutions through enforcement of tribal ordinances in areas surrounding their villages and that there be adequate funding to effectively enforce, adjudicate, and otherwise implement tribal programs.

All studies and statistics demonstrate that domestic violence, sexual assault, child abuse, and other forms of violence are rampant in Alaska, and Alaska Natives, particularly women and children, are disproportionately victims of these crimes that violate the basic right of human beings to be safe and free from violence in their own homes and in their communities.

AFN, therefore, recommends that Congress and, as appropriate, the Administration, take the following steps:

C1. Establish clear civil and criminal authority for Alaska tribes to develop effective local programs to have control over and respond to alcohol, drug and inhalant abuse, domestic violence, and sexual assault at the community level - and provide the necessary funding.

C2. Increase funding and support for programs that provide community outreach and education efforts, village initiatives, direct services for victims, and other innovative approaches to prevent domestic violence, sexual assault, and other violence against Alaska Native women and their families.

C3. Adequately expand program funding support to meet the needs of individuals and target groups, rather than reducing services to all because of limited appropriations.

C4. Provide for specific grants from the Attorney General to
tribes and regional tribal consortia to assist Native communities with development of tribal ordinances prohibiting the use, manufacture, and importation of alcohol in their villages and with development and implementation of effective systems of enforcement and adjudication of such ordinances.

C5. Support the ability of Native communities to combat substance abuse by providing funding for local and regional programs through set-aside money designated for Alaska Native projects within the National Institutes of Health and the Substance Abuse and Mental Health Services Administration.

Alcohol and substance abuse

Fetal Alcohol Syndrome (FAS), Fetal Alcohol Effects (FAE), and other Substance Abuse Related Birth Defects (SABRD) are completely preventable. Yet, they are still entirely too common, not only in rural Alaska Native villages but also among Natives living in Alaska cities. The burdens on families and communities are extremely high: the estimated monetary lifetime cost of medical, disability services, and long-term care for each individual with FAS is $1.4 million. Agreement is widespread that there is an urgent need for a comprehensive community-based approach to prevent FAS/FAE/SABRD and for a coordinated approach to diagnosis, treatment planning, treatment and service delivery.

C6. Assist Alaska tribes, regional tribal consortia, and non-profit organizations with the prevention and treatment of Fetal Alcohol Syndrome (FAS), Fetal Alcohol Effects (FAE), and other Substance Abuse Related Birth Defects (SABRD) through the following actions:

a. Provide long-term support for a sustainable effort to implement and maintain prevention and early intervention substance abuse programs designed specifically for Native women of childbearing age and for young girls before they reach that age.

b. Support multi-disciplinary approaches for diagnosis, treatment planning and treatment, cognitive retraining, and other special educational services for Native children and youths; group homes where needed to prevent sexual misbehavior; and other activities to deal with those affected by FAS/FAE/SABRD.
c. Articulate FAS/FAE/SABRD as billable under Medicaid and other reimbursement programs.

Healthy families centers

Disparate programs exist to deal with problems of infants, children, the disabled, the elderly, and others, as well as for alcohol and drug use, physical and sexual abuse, and mental health. We propose to bring together the resources of all such programs to help the community heal itself and its members, without stigmatizing any one individual. This is particularly critical for the future, because in many villages 50 to 60 percent of the population is under 18 years of age.

C7. Establish and appropriate funds for a demonstration program in Alaska communities to set up family resource centers that are open to all members of the community and that provide a focus for all programs for children and families.

Principal sources


Alaska Federation of Natives, Annual Convention Resolutions, 1999 and preceding.


D. SUPPORTING ALASKA NATIVE EDUCATION

Reauthorizing the Alaska Native Educational Equity, Support and Assistance Act

A key finding of the Alaska Natives Commission was the critical need to create and implement programs designed to improve the quality of education for young Alaska Natives.

The commission found that innovative education programs were needed to help reverse the deterioration of socio-economic conditions and the poor educational performance of many Alaska Native children, the majority of whom attend schools in small and remote traditional Native villages.

The commission also urged that parents and community leaders become compelling voices in directing Alaska’s formal education system; that the education system employ teachers and administrators knowledgeable about Native cultures and respectful of them; and that Alaska Natives receive an integrated education -- one that provides them not only with the skills to succeed in life, but also the understanding necessary to carry on their cultures’ community values.

In response to these findings and recommendations, Congress adopted the Alaska Native Educational Equity, Support and Assistance Act of 1994 (108 Stat. 3805; 20 U.S.C. § 7931), incorporating it into the Elementary and Secondary Education Act. Although funding for Alaska Native education programs created under the Act was not authorized until 1997, the Alaska Federation of Natives believes these new programs already have shown they can be of immense value in achieving the educational goals for Native children recommended in the 1994 commission report.

AFN, therefore, recommends that Congress:


D2. Incorporate additional titles into the act to provide for Native language revitalization, including Alaska Native language immersion projects and the Alaska Rural Systemic Initiative/Rural Challenge Program.
D3. Increase funding under the act and the additional titles to a total of $20 million annually, to expand the number of Native communities able to participate.

Program administration

Under the act, three new education assistance programs – in the form of grants-in-aid administered by the U.S. Department of Education – were made available to Alaska Native organizations. They are the Alaska Native Educational Planning, Curriculum Development, Teacher Training and Recruitment Program; (Sec. 9304); Alaska Native Home-based Education for Preschool Children (Sec. 9305); and Alaska Native Student Enrichment Programs (Sec. 9306).

Under current procedures, eligible Alaska Native organizations -- tribal entities, nonprofit associations and other groups acting alone or in partnership with schools or educational association -- apply to the Department of Education for grants to participate in these programs. While changes in management are needed, the involvement of Alaska Natives is essential to achieving program goals.

D4. Continue issuing grants to Alaska Native organizations, acting alone or in partnerships.

DOE has not promulgated regulations specific to Alaska; instead, Alaska programs are governed by general regulations applicable across the whole country. The Alaska Federation of Natives has had some role in setting guidelines for grants and in subsequent project evaluation, but more complete Native involvement is called for.

A more effective and comprehensive management approach to improving the education of Alaska Natives can be achieved by having all the programs under the act lodged in Alaska and managed by an Alaska Native entity. Fuller Native involvement will result in greater synergy and continuity.

D5. Provide overall funding and management responsibility for programs under the Alaska Native Equity, Support and Assistance Act to an Alaska Native institution, rather than to the Department of Education.
E. PROTECTING THE SUBSISTENCE HUNTING AND FISHING RIGHTS OF ALASKA NATIVES AND OTHER RURAL RESIDENTS

The conflict between federal and state subsistence laws has divided Alaskans along geographical and racial lines for a decade. Federal law (Title VIII of the Alaska National Interest Lands Conservation Act of 1980) gives legal priority to rural Alaskans (Native and non-Native alike) to hunt and fish for subsistence in times of resource shortage. It defines subsistence itself as an activity performed by rural residents, and it was enacted in response to enormous urban population growth and increased competition for limited resources.

State law defines all 620,000 Alaskans (four-fifths of whom are urban residents) as subsistence users who may hunt and fish in most areas of the state. A rural subsistence priority was upheld by Alaska voters in a 1982 referendum. However, the Alaska Supreme Court in 1989 ruled that the rural subsistence priority violated the guarantees of equality in the state constitution. The resultant conflict is the most bitterly divisive issue in Alaska's politics.

Urban and rural Alaskans are very differently situated by history, culture and economics. If, suddenly, no one in Alaska could hunt or fish for any purpose, most urban dwellers would be inconvenienced and furious. But their economic and social existence would not be destroyed, and they would not be forced to leave the state in search of livelihood. However, the entire structure of Native cultures, social organization, and family cohesion rests on subsistence. It is the only economy by which such people can feed themselves and their families by their own productive labor. Most villages have no other protein base. The underdeveloped, artificial cash economy of rural Alaska, which depends on external infusions of public capital, will not feed the people. Absent subsistence as a dietary mainstay, there is no future for most Native communities in Alaska: they will deteriorate and eventually disappear through out-migration to Alaska's cities, creating an enormous social and economic burden. Despite the fact that every Alaskan has a vested interest in the success of the bush, that is a scenario which many state legislators are now determined to engineer.

Without a state rural subsistence statute, Alaska is out of compliance with the requirements of federal law. Because the Alaska legislature has refused for ten years to submit to the voters a constitutional amendment that would allow a rural priority in state law, the federal government has taken over regulation and management of subsistence hunting and fishing on all federal public lands and waters (almost two-thirds of Alaska's domain).

Maintaining federal statutory protection of subsistence
The only legal force that can ensure the continued existence of rural and Native communities in Alaska is the power of federal law -- which is why anti-subsistence groups are so determined to destroy Title VIII's rural priority, just as they removed it from state law in 1989. Anti-subsistence legislators demand congressional amendments to the federal statute as the price of a state constitutional amendment, since they would be delighted to allow state compliance with a toothless federal law that reduces subsistence rights to unenforceable rhetoric. AFN urges the Congress not to be drawn into that game and to stand fast in defense of the poorest and most traditional indigenous people in the nation.

AFN, therefore, recommends that:

E1. Congress should not enact any amendment to Title VIII of ANILCA that weakens current federal protections of subsistence, in particular:

--Congress should not adopt the current state definition of "customary and traditional" (the key term in defining subsistence), but should continue to require that subsistence regulations, whether enforced by state or federal agencies, accurately mirror real customary and traditional use patterns in local areas of the bush.

--Congress should not diminish the current federal requirement that subsistence regulations cause the "least adverse impact" on local customary and traditional practices, and it should reject any proposal to limit subsistence users to a "reasonable opportunity" to hunt and fish, as is now required by state law.

--Congress should not reduce the powers of the federal courts or administrative agencies to oversee and enforce Title VIII protections, and it should reject any proposal that limits federal judicial authority to matters in which the state has acted in an "arbitrary and capricious" way or has demonstrated "abuse of discretion"; that requires federal judicial deference to state decisions; that eliminates secretarial oversight or authority when the state is in compliance with federal law; or that allows state agencies discretion to define "customary trade"
--Congress should not require that, at Tier II, all currently protected subsistence uses other than food be eliminated

--Congress should not insert into Title VIII any other language, definition or process that makes it harder for federal officers to protect rural economies and cultures from urban resource competition or from the actions of an adversarial state government;

**Strengthening federal protection of subsistence**

E2. Congress should enact amendments to Title VIII of ANILCA that strengthen federal protections of subsistence, in particular:

--Congress should require that, at any time the state is out of compliance, federal jurisdiction shall include all federal public lands and reserved navigable waters, all selected but un conveyed lands under the Statehood Act and the Alaska Native Claims Settlement Act, any conveyed ANCSA lands agreed to by the Native corporations owning them, and federal "extraterritorial" authority over subsistence on state or other private lands and waters in order to provide for subsistence on federal lands and waters

--Congress should specifically provide for a subsistence defense in state or federal courts for any person accused of a fish or game violation

--Congress should add "cultural and religious" uses to the list of protected subsistence uses in Title VIII

--Congress should provide full statutory protection of the subsistence practices of Native communities which, through no fault of their own, have been dropped from the category of "rural" by non-Native population growth and socio-economic change -- recognizing that neither proxy hunting and fishing nor discretionary cultural/educational subsistence permits will adequately address this need
--Congress should require that federal agencies and the state contract to Native institutions, particularly to tribes and tribal consortia, as many subsistence management functions as are feasible and proper -- and that such delegated functions of co-management include effective roles in the regulatory process itself and in enforcement on the ground, not just counting fish runs, gathering soil samples, and monitoring harvests.

**Subsistence and the federal role**


For historical perspective, we conclude with these quotations from the former:

"Subsistence is...a critical part of the larger historical question about the status, rights and future survival of Alaska's aboriginal peoples. The economic and cultural survival of Native communities is the principal reason why Congress enacted its rural subsistence priority in 1980.

Subsistence should not be seen merely as an issue of fish and game management - because it is not principally about animals, their habitats, or their scientific management by public agencies. It is about human beings. In its distribution of limited resources among competing user groups, subsistence law is social policy on a grand scale. The way in which the current conflict over fish and game allocations is resolved will do more to influence the future economic and social condition of the rural areas of this state than any other issue addressed by the...Commission.

The protection of the individual and the minority against the power of the majority is an axiom of democratic systems. There is nothing wrong with a constitutionally valid state or federal law that provides minority guarantees. If the people of Alaska feel that maintaining traditional subsistence cultures is fundamental to the life of their state, they have every right to include protections thereof in organic law. That is one of the things that constitutions are for. But if the electorate is denied the opportunity to exercise that choice, Alaska Natives have no alternative but to seek such protections from the United States."
APPENDIX. AFN-COMMISSIONED STUDIES

Three major research studies were commissioned by the Alaska Federation of Natives to help provide the Native community with implementation of Alaska Natives Commission recommendations. Each study reviewed the existing situation in Alaska, identified problems and successes, examined pertinent experiences in the United States and Canada and in other countries, and provided directions for future policies and programs. The consultants' reports do not include recommendations, as that is the responsibility of the Native community.

Study reports can be found on Alaska Native Knowledge Network, as referenced below. The contents and executive summary depict the scope of each study.


ACHIEVING
ALASKA NATIVE
SELF-GOVERNANCE

Toward Implementation of the
Alaska Natives Commission Report

Final Report - AFN Version

May 1999

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## Contents

EXECUTIVE SUMMARY ................................................................. 1
Principal Findings and Conclusions ........................................... 1
Overview of the Report ............................................................ 3

I. WHY AND HOW SELF-GOVERNANCE WORKS .................. 6
   I.A. The Demand for Self-Governance ................................ 6
   I.B. Self-Governance Works ................................................. 7
   I.C. Self-Government Has to Be Organized Appropriately and Exercised Effectively 10
   I.D. In the Rest of this Report ............................................ 12

II. NATIVE SELF-GOVERNANCE TODAY ................................ 14
   II.A. Village Governments with IRA Status ....................... 15
   II.B. Traditional Councils .................................................. 18
   II.C. Municipal Governments ............................................. 19
   II.D. Boroughs .................................................................. 21
   II.E. Regional Profit Corporations .................................... 23
   II.F. Regional Non-Profit Associations ............................. 26
   II.G. Village Corporations ............................................... 28
   II.H. Resource Co-Management Arrangements .................. 29
   II.I. Other Governing Bodies ............................................. 31

III. THE BENEFITS AND COSTS OF THE CURRENT STRUCTURE OF SELF-GOVERNANCE .......................... 32
   III.A. Differences from the Indian Situation in the Lower Forty-Eight States ............ 32
   III.B. Advantages and Benefits of the Current Structure ..................... 34
   III.C. Costs and Limits of the Current Structure ...................... 35

IV. MODELS ............................................................................ 38
   IV.A. Consolidation of Municipal and Tribal Governments in Quinhagak 40
   IV.B. Formation of a Borough Government for Yakutat: Benefits and Costs to Native Governance 44
   IV.C. Extending Self-Governance Compacting From the Non-Profits to the Villages: The Tanana Chiefs Conference MOA/EMOA Process 48
   IV.D. The Council of Athabascan Tribal Governments: Intertribal Organization in the Yukon Flats 51
   IV.E. Akiachak: Local Autonomy and Regional Organization on the Lower Kuskokwim 59
   IV.F. The NANA Village-Regional Model ................................ 64
   IV.G. Metlakatla: The Model Reservation ................................ 70
   IV.H. Alberta Metis Settlements: A Provincially Recognized Federation ............. 76
   IV.J. Intertribal Courts in the Northern and Southern Rockies ......................... 84
   IV.K. Coordinating Off-Reservation Impacts on Natural Resources: The Confederated Tribes of Warm Springs Reservation .............. 87
   IV.L. General Conclusions ........................................................................ 90

V. STRENGTHENING NATIVE SELF-GOVERNANCE ................ 92
   V.A. Four Critical Considerations for Self-Governance Policy 93
   V.B. Conclusion ........................................................................ 99

VI. WHAT CAN BE DONE? .......................................................... 101

APPENDIX A: SELECTED GOVERNANCE CHARACTERISTICS OF BIA-RECOGNIZED VILLAGES
APPENDIX B: NATIVE ALASKAN DEMOGRAPHICS
APPENDIX C: HOME RULE AS A NATIVE SELF-GOVERNANCE OPTION
APPENDIX D: A LEGAL ANALYSIS OF THE VENETIE DECISION
APPENDIX E: A LEGAL ANALYSIS OF LAND BANK PROTECTIONS
APPENDIX F: ABOUT THE AUTHORS

THE ECONOMICS RESOURCE GROUP, INC.
EXECUTIVE SUMMARY

Principal Findings and Conclusions

Renewed attention recently has been focused on Alaska’s Native communities. News accounts, government reports, and academic studies make it clear that Native communities continue to struggle with serious socioeconomic problems despite extensive federal and state programs designed to address them. The public debates arising out of the U. S. Supreme Court’s decision in the Venetie case, the formation of the governor’s Rural Governance Commission (not to mention previous commissions), and continuing subsistence conflicts highlight unresolved questions about what Native, state, and federal institutions should do to address the problems of village Alaska. Finally, the recent Alaska Inter-Tribal Council (AITC)-Rural Alaska Community Action Program (RurAL CAP) Conference of Tribes and the subsequent march, rally, and declaration illustrate continuing Native resolve to address the problems themselves. Clearly there is consensus that Native problems need urgent attention, but there is less agreement on what is to be done.

A central issue in this debate concerns Native self-governance. Can Native self-governance do a better job of dealing with Native problems than non-Native efforts have done? What should be the extent of such governance? What forms should it take?

This report considers these and related questions. By picking up where the Alaska Natives Commission left off and examining Native situations and Native actions in Canada, the lower forty-eight states, and Alaska, it attempts to further the debate about the future of Native self-governance. The report is based on an extensive review of available materials on the current political, economic, and social situation of Alaska Natives, on our own research on Alaska Native self-governance, and on existing studies of indigenous peoples and self-governance elsewhere in the United States and Canada.

1 For a discussion of the legal implications of the U.S. Supreme Court decision, see Appendix D.

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Among our central conclusions:

1. Native self-governance is an essential ingredient in overcoming poverty and related social problems in rural Alaska.

   Without real powers of self-determination, Native communities are condemned to be either wards or victims of other institutions trying to either improve or exploit the Native situation. This is unlikely to produce sustained positive change. Nowhere in the history of Indian policy has sustained, successful economic development or sustained improvement in Indian welfare been achieved by communities whose decisions, resources, and internal affairs are substantially controlled by outside decision-makers. In asserting governing powers today, Native communities argue a principle that has found confirmation around the world: we who bear the consequences of decisions about our fate should be the ones making those decisions.

2. Alaska’s current approach to Native governance, while it offers some useful opportunities to Native communities, undermines their ability to deal effectively with their own problems and to develop their resources in ways that improve the socioeconomic conditions of rural Alaska.

   The current structure of self-governance in Alaska offers Natives a variety of institutional models to work with and has some benefits for Native communities. But it fragments responsibility and power among multiple governing units; tends to concentrate decision-making power and control over resources at regional and state levels, undermining rural development efforts and distorting accountability; provides inadequate fiscal support for local self-government; and otherwise constrains Native ability to effectively govern their communities and deal with their problems themselves.

3. Alaska’s Native peoples are currently engaged in a variety of resourceful and determined efforts to take control of their affairs and resources and use that control to solve their problems.

   The most promising Native political developments in Alaska today are happening at the village and sub-regional levels. The movement for tribal self-governance has produced a remarkable array of new governing strategies and institutions. From village-regional relations in the Northwest Arctic region to municipal-tribal government consolidation in Quinhagak to tribal consortia in the Yukon Flats and elsewhere, a number of Native communities are inventing solutions to their problems. Their efforts contain important lessons for all of rural Alaska and provide a number of self-governance options for Alaska’s Natives to consider.
4. These self-governance efforts deserve close attention and support.

The self-governance efforts being made by Native communities often suffer from inadequate financial resources; from the hostility of existing non-Native institutions and even, at times, from the hostility of Native institutions as well; from internal design and capacity problems; and from the difficulties of effectively communicating models, experience, and ideas across rural Alaska. These problems have to be overcome if these crucial efforts are to realize their full potential. This will require support at regional, state, and federal levels.

5. Certain key considerations should be taken into account in the effort to improve Native self-governance.

As Native communities either work within the current system or experiment with new strategies and models, they have to take certain considerations into account. Among those considerations are: which institutional strategies (current or new) actually advance self-determination, which ones have legitimacy with the relevant Native community, which ones not only put Natives in control of their affairs but can deliver effective governance, and which ones best fit Native capabilities and resources?

6. There are concrete changes that can be made at all levels—village, regional, state, federal—that could benefit not only Native communities, but the state as a whole.

A number of actions can be taken at all governing levels to improve Native self-governance and, thereby, the socioeconomic conditions of rural Alaska. These range from improving the financial management and judicial capabilities of villages to state recognition of tribal status, from federal efforts to facilitate land transfers between Native corporations and tribal governments to regional support for the rural economic development efforts of tribes. Sustained improvement in the situation of rural Alaska will require the reconsideration of some long-established institutions and basic assumptions. But the benefits to Natives and to the state can be substantial.

Overview of the Report

The report that follows is divided into six sections.

Section I: The opening section provides an overview of the general argument for self-governance. It draws upon existing empirical research on both Native and non-Native communities to highlight the relationship between self-determination and socioeconomic welfare. It offers empirical and analytical evidence for the assertion that self-governance is a necessary (though not sufficient) condition for creating healthier and more prosperous Native societies. It identifies some key strategic
questions confronting Alaskan Natives as they move forward on the path toward greater self-governance.

This section is intended particularly for public officials, tribal leaders, and others interested in the analytical foundations of this report and in the underlying logic of self-governance.

**Section II:** This section describes the forms, powers, and limits of the various institutions under which Native communities in rural Alaska currently operate. This includes both those institutions typically associated with governance, such as tribal councils and various forms of state governing entities such as municipalities, as well as those institutions which may not typically be thought of as governing entities but which in fact exert at least some discretionary political control over Native resources and welfare, such as regional corporations and co-management agreements.

This section is intended to provide a concise but detailed overview of how Native self-governance is currently exercised in Alaska for those readers who may not be familiar with the Native political and legal situation, as well as a reference for readers interested in particular institutions or their powers and limitations.

**Section III:** This section briefly presents some of the benefits and limitations of the current system of Native governance. By stepping back from the complex political structure described in Section II, it evaluates the strengths and weaknesses of that structure and the opportunities and constraints Natives face as they attempt to develop their own capacities for self-governance and their ability to deal effectively with social and economic problems.

The section is intended for those persons, Native and non-Native, who are interested in a general assessment of the existing political system and in how it promotes or hinders Native self-governance.

**Section IV:** Section IV is a compilation of eleven case studies in Native self-governance drawn from Alaska, Canada, and the lower forty-eight states. While many more such cases could be included, the intention was to illustrate the diverse array of strategies undertaken and outcomes achieved by Native communities dealing with issues related to self-governance. These solutions include governmental reorganizations, the formation of tribal courts, the creation of natural resource management systems, and other mechanisms for enhancing self-governance. None of these cases is intended to represent a “best” model for Alaska, but taken together, they not only illustrate the promising and resourceful self-governance efforts some Native communities are making, but include models or lessons that other communities can adopt or learn from.

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This section is intended primarily for those individuals, including Native leaders and tribal officials, working to develop greater Native political and/or institutional self-governing capacity and hoping to identify promising self-governance strategies. It also should be of interest to those readers seeking a broader view of the scope of self-governance efforts currently being undertaken by Alaska Natives, American Indians, and Canadian First Nations.

Section V: This section lays out the criteria we believe matter in the choice or formation of Native governing institutions and relationships. It discusses in more detail the strategic considerations faced by Alaska Natives (and other public officials) as they attempt to move from the current situation as described in Section II toward greater and more effective Native self-governance.

This section is intended to be used by Native leaders and public officials actively working to expand effective tribal decision-making and governing capacities.

Section VI: The report concludes by presenting a list of actions that we believe should be taken at village, regional, state, and federal levels to enhance Native self-governance and improve the socioeconomic conditions of rural Alaska. Some of these actions are modest; some are comprehensive and ambitious. Some are actions already underway to some degree or in some places; others are new. We believe that, taken together, they constitute a program for political and socioeconomic change that will benefit not only Native peoples in Alaska but the state as a whole.
EXPANDING JOB OPPORTUNITIES
FOR ALASKA NATIVES
(INTERIM REPORT)

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ALASKA FEDERATION OF NATIVES

November 1998

INSTITUTE OF SOCIAL AND ECONOMIC RESEARCH
UNIVERSITY OF ALASKA ANCHORAGE
# TABLE OF CONTENTS

**SUMMARY: EXPANDING JOB OPPORTUNITIES FOR ALASKA NATIVES**

Current Native Employment and Employment Trends S-1  
Promising Approaches to Increasing Native Hire S-4

## I. NATIVE EMPLOYMENT: THE CURRENT CONTEXT

The Native Labor Force I-1  
A Preference for Seasonal and Part-Time Work I-1  
Rapid Growth in Labor Force I-3  
Native Labor Force Concentrated in Small Rural Areas I-10  
Growth Will be Concentrated in Urban Areas I-14

The Job Outlook I-16  
More Than Half the Jobs are Support Or State and Local Government I-16  
Job Growth Will Slow but Continue to Favor Support Industries I-19  
Most of the New Jobs Will be in Urban Alaska I-22

Native Employment I-25  
Government I-25  
*Federal Government* I-25  
*State Government* I-27  
*Local Government* I-28  
Overall Composition of Native Employment I-28

Native Unemployment I-31  
Are There Enough Jobs to Satisfy Demand? I-36

Non-Resident Employment I-39

Economic Multiplier I-43

## II. WELFARE TO WORK: POTENTIAL EFFECTS ON ALASKA NATIVE COMMUNITIES

Background II-1  
Summary of Changes II-2  
Benefit Time Limits and Exempt Communities II-2  
Jobs and Other Work Activities II-2  
Hardship Provisions II-3  
Tribal ATAPs II-3
Concerns of Native Communities
Will Welfare Reform Affect Migration?
What About Training?
What About Education?
What Are the Opportunities for Community Service?
What About Child Care?

Conclusions

III. EXPANDING NATIVE EMPLOYMENT IN EXISTING JOBS AND PROGRAMS

Private Businesses and Regional Corporations

Red Dog Mine
Background
Employment
Recruitment and Training
Impediments to Increasing Native Hire and Retention
Analysis

Community Development Quotas (CDQs)
Background
Employment
Impediments to Increasing Native Employment
Analysis

Compacting Model
Background
Yukon-Kuskokwim Health Corporation
Recruitment and Training
Employment
Maniilaq Association
Impediments to Increasing Native Hire through Compacting
Analysis

Section 29, Pipeline Right-of-Way Agreement
Background
Employment
Analysis

Oil and Oilfield Service Companies

Arctic Slope Regional Corporation
Background
Employment
Recruitment and Training
Analysis
NANA Regional Corporation

**Background**

**Employment**

**Recruitment and Training**

**NANA Scholarships**

**Camp Sivunniigvik**

**Impediments to Increased Native Hire**

**Analysis**

Louden Village Tribal Council and Yukana Development Corporation

**Background**

**Employment**

### Federal Programs

**Construction of the Alaska Native Medical Center**

**Background**

**Employment**

**Recruitment and Training**

**Analysis**

**Emergency Fire Fighter (EFF) Crews**

**Background**

**Employment**

**Analysis**

**Leveraging Native Hire through Sanitation and Safe Water Projects:**

**Force Accounts, Contracting, and Cooperative Agreements with IHS**

**Background**

**Davis-Bacon and Mini-Davis Bacon Legislation**

**Use of Force Accounts**

**Alternatives to Force Accounts**

**One Village's Experience with a Cooperative Agreement**

**Barriers to Extending Force Accounts and MOAs**

**Employment Effects**

**Federal Agency Policies**

**Background**

**Equal Employment Opportunity Targets**

**Impediments to Increasing Native Hire and Retention**

**Federal Aviation Administration**

**Background**

**Impediments to Increasing Native Hire and Retention:**

**Analysis**
IV. PROGRAMS AND OPPORTUNITIES WITH POTENTIAL TO EMPLOY ALASKA NATIVES

Private Businesses and Regional Corporations
Bethel Native Corporation’s Proposed Contract with DOD

Cooperation between Native Organizations and Labor Unions:
    Project Labor Agreements
    Nome Area Sites Project
    Galena Sub-Region Agreement

Federal Programs and Policies
National Guard
Hazardous Waste Removal and Abatement  IV-7
   Background  IV-7
   Employment  IV-7
   Recruitment and Training  IV-7
   Impediments to Increasing Native Hire and Retention  IV-8
   Analysis  IV-8

Co-Management and Marine Mammal Research: Section 119  IV-8
   of Marine Mammal Protection Act and the Migratory Bird Treaty
   Background  IV-8
   Employment  IV-9
   Recruitment and Training  IV-9
   Impediments to Increasing Native Hire and Retention  IV-9
   Analysis  IV-9

Community Service: AmeriCorps and VISTA  IV-10
   AmeriCorps  IV-10
   Recruitment and Training  IV-11
   Employment  IV-11
   VISTA  IV-11
   Impediments to Increasing Native Hire and Retention  IV-11
   Analysis  IV-11

State Policies and Programs  IV-12
   The VPSO Program and Potential Expansion  IV-12
   Background  IV-12
   Expanding Duties  IV-12
   Employment  IV-13
   Recruitment and Training  IV-13
   Impediments to Increasing Native Hire and Retention  IV-13
   Analysis  IV-13

Rural Telecommunications  IV-14
   Background  IV-14
   Employment  IV-14
   Recruitment and Training  IV-14
   Impediments to Increasing Native Hire and Retention  IV-15
   Analysis  IV-15

V. BARRIERS TO INCREASED EMPLOYMENT AND STRATEGIES FOR OVERCOMING BARRIERS

Local Economic Activity  V-1
   Availability of Capital: Micro-Loan and Other Programs  V-1
   The Grameen Bank  V-1
   The Lakota Fund  V-1
RDA/Mini-Grant Program
Revolving Loan/Mini-Loan Programs
Alaska Village Initiatives’ EDA Boat Loan Program
Conventional Bank Loans
Analysis

Village Crafts and Services
InuCraft / NANA
Chukchi Sea Trading Company
Shishmaref Tannery

Rural Tourism
Background
Potential Barriers to Rural Tourism
Existing Employment
Training Opportunities
Analysis

Introducing Career Choices: TCC Summer Camps

Strategies from Other Times and Places
The Royal Commission on Aboriginal Peoples
and the Harvard Indian Project
Background
Findings on Economic Development
Harvard Project Findings

Relocation of Native Americans

VI. ORGANIZATIONS AND PROGRAMS TO IMPROVE ALASKA NATIVE EMPLOYMENT

Alaska Human Resource Investment Council
Tribal Employment Rights Offices
Alaska Native Coalition on Employment and Training
ANC SA Human Resources
Alaska’s People
Center for Economic Development
VII. CONCLUSIONS

What Do We Know From Demographic and Employment Data? VII-1

How Will Welfare Reform Affect the Employment Picture? VII-2

What Approaches to Increasing Native Hire Seem Most Promising? VII-2
Close Collaboration with Industry and Monitoring of Hiring VII-2
Compacting VII-3
Force Accounts VII-3
Project Labor Agreements VII-3
CDQs VII-4
Federal Agencies with Local-Hire Authority VII-4
Regional Corporations’ Shareholder Hire Programs VII-4
Co-Management VII-5
Micro-Loan Programs VII-5

What Are Specific Activities in Which Rural Alaska Natives May Have Some Advantages? VII-5
Data Processing VII-5
Firefighting and Hazardous Material Crews VII-5
Eco-Tourism VII-5

Can A Past Success be Revived?
Alaska National Guard VII-6

What Have We Learned from the Experience of Others?
The Canadian Royal Commission Report VII-6
The Harvard Project on American Indian Economic Development VII-6

APPENDIXES
Appendix A. List of Exempt Alaska Native Villages
Appendix B. Map of the Regulatory Environment
Appendix C. List of Contacts
SUMMARY:
EXPANDING JOB OPPORTUNITIES FOR ALASKA NATIVES

Alaska’s Native people need more jobs. In 1994, the Alaska Natives Commission reported that “acute and chronic” unemployment throughout Alaska’s Native communities was undermining Native society. The situation has not improved in the past several years, and it could worsen. The number of working-age Natives is growing much faster than the number of new jobs. Also, recent welfare reforms require welfare recipients to either get jobs or at least do some “work activity”—which means that more Alaska Natives will be looking for work.

The Alaska Federation of Natives wants to find ways of reducing the high unemployment among Alaska Natives. As part of that effort, it contracted with the Institute of Social and Economic Research at the University of Alaska Anchorage to describe current employment among Alaska Natives and to look for ways of expanding job opportunities.

This is an interim report, and it has some limits. First, information on employment by race is hard to get and hard to verify. The best information on Alaska Native employment is from the 1990 federal census. We used that 1990 census information and other data to put together what we consider a reasonable picture of Native employment. Clearly the federal census in the year 2000 will supply more current information. Also, we had limited time and money to collect information on the many public and private programs targeting Native hire. We were not able to learn about all programs, and in some cases we had to rely on just one or two people to tell us about specific programs. Despite its limits, we hope this report can contribute to increasing job opportunities for Alaska Natives.

Here we first summarize current Native employment and employment trends. Then we describe what seem to be promising approaches for increasing Native employment.

Current Native Employment and Employment Trends

A majority of adults in most Alaska Native villages were without jobs in 1990—and there’s no reason to assume the situation is substantially better in 1998.

Not everyone without a job wants wage work, for various reasons—but these figures indicate the level of unemployment in Native communities. Because unemployment is so high in Alaska’s Native communities, residents of 148 of the roughly 200 Native villages will likely be exempt from the new 5-year limit on receiving welfare benefits. They will, however, still have to make some efforts to move into the job market and do some community service or other “work activities.” And Native welfare recipients in places that are not exempt will need jobs within the next few years.
Thousands more Natives would have jobs, if Native workers made up the same proportion of total workers as they do of the adult population.

In 1990, Native adults made up 14 percent of Alaska's working-age population but fell nearly 11,000 jobs short of holding 14 percent of total jobs in Alaska. This doesn't necessarily mean that 11,000 Native adults who wanted work were unemployed. Some chose to be out of the work force—to do subsistence activities, stay at home with children, or for other reasons. But it is a rough measure of Native under-representation in the work force.

The number of Natives who want to work has been growing much faster than the overall Native population, and that trend is expected to continue.

The sharp projected growth in the number of Natives wanting jobs will be due to both substantial growth in the number of young adult Natives over the next decade and a continuing increase in the share of Natives choosing to work.
Job growth in Alaska over the past decade was only half as fast as in earlier times. It’s projected to be even slower in the coming years.

<table>
<thead>
<tr>
<th>Annual Average Job Growth</th>
<th>Projected Annual Average Growth</th>
</tr>
</thead>
<tbody>
<tr>
<td>1967-1987 Native Labor Force</td>
<td>2.6%</td>
</tr>
<tr>
<td>1986-1996 New Jobs</td>
<td>2%</td>
</tr>
</tbody>
</table>

Slow job growth coupled with fast growth in the number of Natives wanting to work could translate into worsening Native unemployment. The number of Alaska Natives looking for work is projected to grow about 4 percent annually in the coming years, compared with 2 percent annual growth in jobs.

The Native workforce will likely become more urbanized over time, since most new jobs will be in urban areas. A third of Native workers already live in urban areas.

Location of New Jobs, 1996-2015

<table>
<thead>
<tr>
<th>Location</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anchorage, Fairbanks, Juneau</td>
<td>84%</td>
</tr>
<tr>
<td>Rural Areas</td>
<td>16%</td>
</tr>
</tbody>
</table>

The fastest job growth will be in support industries like retail trade. It’s difficult for small places to create such support jobs, because dollars don’t stay long in small communities.

$15 in new community income = $1 for local wages in a support job

The example above shows that it takes a tremendous amount of new income entering a community to create a new local job in trade or services. That’s because so little of every dollar in new purchasing power stays in small communities. Most leaks out—for goods and services from outside the community and for other costs, leaving little for paying local wages.
In some rural places, there are not enough jobs to go around—even if Alaska Natives held all the existing jobs, and even if they worked less than full-time.

We can think of this situation as a “job deficit.” By looking at the total number of jobs in an area, and making some assumptions how much time Native adults need for subsistence activities, we estimated that in the rural parts of the Bethel, Wade Hampton, Dillingham, Lake and Peninsula, Nome, and Northwest Arctic Borough census areas, the available Native manpower exceeds the number of work hours available.

Promising Approaches to Increasing Native Hire

The picture we’ve presented of Native employment so far is sobering: existing high unemployment; large numbers of young Natives moving into the labor force; slow job growth; concentration of jobs in urban areas; limited capacity of small villages to generate jobs; and lack of enough jobs to go around in some rural areas, even if Natives held all the available jobs.

Yet we also found a number of promising approaches to increasing Native hire. We talked with more than 150 knowledgeable people in government and private industry. We collected reports, memoranda, statutes, labor agreements, and many other documents that helped us understand what kinds of programs and policies have been most effective for increasing Native hire. We also examined how some new approaches might create more job opportunities for the growing number of Natives looking for work. Limits on time and money prevented us from collecting information on all existing programs and from talking to all the people involved in trying to create more Native employment. But we learned enough to discuss some promising approaches. We can divide those approaches into broad categories:

• Expanding federal regulations and programs
• Modifying state policies
• Increasing local control
• Rewarding managers who hire Alaska Natives
• Negotiating and monitoring Native hire agreements with industry and unions
• Focusing on activities where Alaska Natives may have comparative advantages
• Improving education and training for Alaska Natives
Expanding Federal Regulations and Programs

Local-hire authority for federal agencies produces jobs for Alaska Natives.

Most federal agencies in Alaska can hire only through the national competitive process. But the National Park Service, the Fish and Wildlife Service, and the Bureau of Land Management have authority to limit certain job openings to just local residents, if those jobs require some special local knowledge. The other 15 federal agencies in Alaska don’t have local hire authority. Since the federal government is one of Alaska’s largest employers, giving local-hire authority to more federal agencies in Alaska would at least give Alaska Natives a better chance at some federal jobs.

The Community Development Quota program may be a model for bringing a share of the income from other natural resources into Native communities.

Coastal communities are apparently benefiting from the federal Community Development Quota (CDQ) program, which reserves a share of the pollock, halibut, and sablefish quotas for 56 coastal villages in western Alaska. The Alaska Department of Community and Regional Affairs reports that in 1997 employment in the half-dozen CDQ associations in western Alaska totaled 1,286 (including very brief seasonal jobs), with wages totaling nearly $8 million. It’s possible that similar programs to reserve a share of oil, timber, or other harvestable resources for Native communities could help create jobs and income.

Native-hire provisions in federal agreements are more likely to be enforced when they include realistic penalties for failure to hire Natives.

One of the best known Native-hire provisions in recent decades was drawn up as part of the federal government’s right-of-way agreement with Alyeska Pipeline Service Company, which built and operates the trans-Alaska oil pipeline. The agreement called for 20 percent of Alyeska’s work force to be Native. The Interior Department had the authority to shut down the pipeline if the operators failed to meet the Native hire provisions—but given the economic importance of North Slope oil, such a penalty was unrealistic at best. For 20 years Alyeska failed to meet Native hire requirements, and the lack of realistic sanctions may be partly responsible for that failure. In 1995, the agreement was re-negotiated. Smaller but more enforceable penalties at the outset might have been more effective. For instance, under a state local hire provision, the state government can withhold part of a contractor’s money for failing to meet local hire requirements.
Modifying State Policies

Alaska Natives might benefit if the state government tightened its definition of who is a “local resident” under the local hire statute for public projects.

State law gives hiring preference for public construction projects to local residents, but anyone who lives in an area for 30 days is considered a local resident. Under such a liberal definition, workers could move to an area just to get specific jobs. Other agencies require longer residence. For instance, when the National Park Service hires rural residents under its local-hire authority, it typically requires one year's residence.

Restoring matching state funding for the federal Rural Development Assistance program would help poor rural communities.

This federal program is one of the few that provides grants for projects to improve economic or social conditions in small rural places. Between 1989 and 1998 the program distributed $12.6 million to Alaska communities, and federal and state officials consider it very effective. But the program has been hurt by the state legislature's decision two years ago to cut matching state funding—leaving only $165,000 in annual federal funds.

Rewarding Managers Who Meet Native Hiring Goals

Rewarding state and federal managers who meet or exceed Native hiring goals could boost Native hire.

The federal and state governments are major employers in Alaska. Alaska Natives make up only about 6.5 percent of the more than 13,000 state employees. We don’t know the overall percentage of Native workers among the federal government’s 10,000 civilian employees. We do know that the percentage of Native workers holding federal jobs varies considerably by agency, but that apparently in no agency do Native workers make up the same proportion as in the Alaska work force—about 14 percent. Although government agencies can't recruit Alaska Natives at the expense of other groups, they can take a number of steps to make sure Alaska Natives know about jobs and to help them apply for jobs.

Private industry successfully uses cash awards as an incentive for managers who meet or exceed minority hiring targets. We believe rewarding federal and state managers who meet or exceed hiring goals or targets for Alaska Natives would also be an incentive.
Increasing Local Control

Native organizations and governments are using authority granted under federal law to increase local control over federal programs and projects—and thereby increasing Native hire.

Compacting authority: The Indian Health Service and the Bureau of Indian Affairs have authority to “compact” with Native organizations. Compacting means that a Native organization—like the Yukon Kuskowim Health Corporation—receives and directly administers federal program funds, with no government agency acting as a middleman. YKHC is the largest employer in its region, with about 4 percent of the regional population on its payroll. Many federal agencies do not currently have compacting authority. If they did—especially those like the National Park Service, with significant operations in rural areas—Native organizations would have more control over hiring.

Force accounting: Another way of leveraging local hire is through “force accounting” for construction of sanitation projects. Under force accounting, the federal government provides the materials and equipment and a government foreman oversees the job. But local governments can set wages, hours, and conditions of employment—thereby giving Native workers the flexibility to hold jobs but also take time for subsistence hunting and fishing. Force accounting is used on most but not all sanitation construction projects in Alaska, and most communities report being satisfied with it.

Negotiating and Monitoring Native Hire Agreements with Industry and Unions

Native organizations have promoted Native hire by collaborating with industry and unions. The most successful collaborations have also included monitoring of hiring to make sure industry and unions kept their promises.

We found several recent instances where Native organizations were able to negotiate significant Native hire, especially when they had some leverage—for instance, when federal contracts included Indian Preference hiring provisions or when a Native organization owned or controlled a resource. Among the most successful such collaborations we identified were between NANA regional corporation and the operators of the Red Dog mine and collaboration between the Cook Inlet Tribal Council and trade unions during construction of the Alaska Native Medical Center in Anchorage.

Several elements seemed to make these and other collaborations work. Successful collaborations with industry involved: (1) negotiating Native hire procedures and targets before contracts were let; (2) creating trust with contractors; and (3) monitoring Native hire and making the results public.

Collaborations with unions can create project labor agreements that include special local hire preferences for Alaska communities not on the road system. Benefits for Native
workers who join unions can include, beyond the immediate job, free training, a pension plan, and the opportunity to be called for jobs outside their home villages.

**Focusing on Activities Where Alaska Natives May Have Comparative Advantages**

*For some kinds of work, Alaska Natives may have advantages—because of their special knowledge of arctic conditions, their status under federal Indian law, or for other reasons.*

A provision of federal law allows Native corporations and tribes to be sole-source contractors for some government services. Under that authority, the Bethel Native Corporation recently proposed to do work for the Department of Defense. The department was looking for a contractor to convert its hard-copy instruction manuals to electronic form. The department ultimately rejected the corporation's proposal, but the idea remains sound. There promises to be a lot of computer conversion work in the coming years—and Alaska Natives could do such work while living in remote places.

Alaska Natives also may have advantages as crew members working in arctic environments. Native firefighting crews have long demonstrated their skills, at least partly based on their knowledge of arctic conditions and ability to deal with those conditions. More recently, a number of Alaska Natives have attended training programs to learn how to manage hazardous wastes. Some Native organizations (like the Louden village tribal council) have assembled crews of trained local residents for cleanup of oil spills or other hazardous wastes. Here again, Alaska Natives may have advantages in such work because of their knowledge of arctic conditions, their ability to work in extreme cold, and their resourcefulness in getting jobs done in remote places.

Rural tourism—especially "eco-tourism"—has already created some jobs in remote places, including the Pribilof Islands, Afognak Island, and northwest Alaska. Local residents certainly have the advantage of being the most knowledgeable about their own areas. But tourism is an unpredictable, seasonal industry that requires trained workers and local investment in facilities. Native communities and organizations need to carefully weigh the costs of establishing tourism ventures against the benefits.

Wildlife management may also increasingly offer job possibilities for Alaska Natives. Native groups are becoming partners in Alaska wildlife management under various federal laws. For example, the Marine Mammal Protection Act and the Migratory Bird Treaty allow federal agencies to develop cooperative management agreements with Alaska Native organizations. A number of such Native organizations—including the Eskimo Walrus Commission—have been established. Other organizations, including the Alaska Eskimo Whaling Commission, have gained direct congressional appropriations and other federal funds to conduct their own research.
These Native co-management organizations create jobs in rural places, but no employment figures are yet available. As time goes on and co-management increases, more jobs will be created. However, many jobs will require formal degrees in research and game management fields. Rural schools need to examine both instruction and curriculum, to make sure they are preparing Native students for success in college.

Focusing Education and Training on College and Job Skills

Some businesses and Native organizations are taking steps to provide the education and training Alaska Natives need to be more competitive in the job market.

In our interviews we repeatedly heard that many Alaska Natives need better preparation for both the job market and college. Evidence also suggests that Natives are being denied jobs and promotions because they lack formal education as well as necessary job skills and work habits. We found that some businesses and organizations are taking steps to help Native employees:

- Native corporations, oil companies, and others are successfully using mentorships, apprenticeships, and internships to improve job-specific knowledge and skills.

- Some Native organizations—including the Arctic Slope and NANA regional corporations—are encouraging formal education in their shareholders by awarding scholarships, paying for classes, and requiring certain levels of training among employees.

However, evidence suggests that rural schools are not currently providing Native students with the skills required for success either in the work place or in college.

The Alaska Federation of Natives and other Native organizations face a tough job in the years ahead, as more and more young Native men and women move into the work force. Yet, as we’ve seen, there are some approaches that could help create the jobs Alaska’s Native people need. We hope this report helps in the very important effort to expand job opportunities for Alaska Natives.
Alaska Natives Combating Substance Abuse and Related Violence Through Self-Healing: A Report for the People

Prepared for
The Alaska Federation of Natives

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# TABLE OF CONTENTS

Acknowledgements .................................................................................................. i
Preface ..................................................................................................................... ii
Executive Summary .................................................................................................... iii
Table of Contents ..................................................................................................... vii
Introduction ............................................................................................................... 1

## CHAPTER I: Cultural Change

A. Changes in Alaska .............................................................................................. 3
B. Alaska, "The Great Land" ................................................................................ 4
C. Alaska’s Original People ..................................................................................... 5
D. Impact of Change on Native Cultures ................................................................. 5
   1. Acculturation Stress ....................................................................................... 5
E. Addressing Cultural Change ............................................................................... 9

## CHAPTER II: Effects of Cultural Change on Native People ..........................

A. The Effects of Contact with Western Cultures .................................................. 11
B. A Call for Traditional Healing ............................................................................. 16
C. Origins of Traditional Healing in Alaska .............................................................. 16
D. Definition of Traditional Healing in Alaska ........................................................ 17
E. Accessing the Spirit and Traditional Values ...................................................... 18
F. How One Knows Their Gifts: Definition & Characteristics of Traditional Healers .................................................................................................................... 19

## CHAPTER III: Acculturation and Alcohol in the Arctic: An International Circumpolar Perspective

A. Stress in Circumpolar Environments ................................................................... 21
B. Circumpolar Directions Towards Solutions ......................................................... 23

## CHAPTER IV: Behavioral Health Effects of Cultural Change

A. Alcohol-Related Problems in Alaska ................................................................ 27
B. Alcohol, Sexual Abuse and Post-Traumatic Stress Disorder .............................. 28

## CHAPTER V: Alcohol and Drug Abuse Among Alaska Natives

A. Patterns of Drinking ............................................................................................ 31
B. Genetic Research ............................................................................................... 32
C. Alcoholism and Co-Existing (Co-Morbid) Disorders ........................................ 32
D. Alaska Natives and Other Ethnic Groups ............................................................ 33
E. The Problem of Inhalant Abuse ......................................................................... 35
CHAPTER VI: Understanding the Relationship Between Alcohol and Violence
A. Alcohol and Violence ................................................................. 37
   1. Pharmacological Violence .................................................. 37
   2. Alcohol Expectancy ............................................................. 38
B. The Special Problem of Women, Alcohol and Violence .......... 39
C. Treatment Implications for Substance Abusing and Abused Women 42
D. Why Treatment Often Fails for Alcoholism & Other Drug-Related Problems for Alaska Natives 44
   1. Culture-Related and Culture-Specific Treatment Issues .......... 45
   2. Culturally Relevant Treatment ......................................... 47
   3. Spiritualism in Alcohol Treatment ................................. 48

CHAPTER VII: Prenatal Exposure to Alcohol and Other Drugs ......... 52
A. Defining Fetal Alcohol Syndrome and Effects ............................ 53
   1. Facial Characteristics of Fetal Alcohol Syndrome: Implications for Alaska Natives 53
   2. Growth Criterion for Fetal Alcohol Syndrome ....................... 54
   3. Cognitive and Behavioral Characteristics of Fetal Alcohol Syndrome 55
B. Defining Fetal Alcohol Effects ................................................... 56
   1. Characteristics of FAE: The Danger of Misdiagnosis ............... 57
C. Estimates of FAS in Alaska .......................................................... 57
D. Searching for Solutions: What Should be Done to Find the Answers to the Problem of Fetal Alcohol Syndrome? 59
E. Need to Recognize the Multigenerational Effects of Substance Abuse 59
F. Need to Reexamine the Concept of Adult Children of Alcoholics 60
G. Need to Explore the Relationship between Prenatal Exposure and the Breakdown of Effective Parenting 60
H. Need to Reexamine the Idea That Fetal Alcohol Syndrome is 100% Preventable ......................................................... 61
I. Need to Examine the Idea of Alcohol as “Self-Medication” ........ 62
J. Need for Studies of Prevalence Rates in the Corrections Systems 62
K. Need to Document Relationship of FAS and FAE to Sex Offenses 63
L. Need to Examine the Effectiveness of Substance Abuse Treatment for Individuals with FAS or FAE 63
M. Need to Examine the Economic Impact of FAS and FAE Across Multiple Generations ...................................................... 64

CHAPTER VIII: Alaska’s Local Option Law as a Means of Controlling Alcohol ...................................................... 66
A. Local Option ................................................................................. 66
B. The Local Option Law ............................................................... 66
C. Use of the Local Option Law .................................................... 68
D. Effectiveness of the Local Option law ...................................... 68
Appendix B: Sentencing Circle Procedures
Statement of Purpose

For more than a decade, the Alaska Federation of Natives (AFN) has sought to bring attention, understanding and solutions to the problem of substance abuse and related violence among Alaska Natives. Progress has been made in some communities, but substance abuse continues to cause suffering, pain, death and despair among many Alaska Native families. At the request of AFN, this report was undertaken to provide a basis for deriving effective, lasting solutions.

Dimensions of the Problem

Substance abuse in Alaska Native communities is a complex problem that encompasses elements far beyond the act of drinking or drug abuse and their immediate effects. Alaska Native substance abuse is intimately linked to events that have transpired in Alaska since its occupation by non-Native people. Drinking and drug use are intricately tied to cultural and economic changes that have affected Native people since the early Russians, and those who followed, began imposing their cultures and values on the Native way of life.

Scope of Analysis

This report provides perspective on how drinking and drug use have come to be so prominent within the Alaska Native community. It details the extent and effects of substance abuse and suggests strategies to reduce these problems and to improve treatment outcome for Alaska Natives. The report includes statements from Native people about how they were impacted by cultural change, and describes difficulties experienced by Alaska Natives resulting from acculturation stress. It also illustrates how Alaska Native groups have begun to deal with substance abuse issues in their own communities. This report includes discussions of:

- The origins of the current predicament facing Alaska Natives concerning substance abuse;
- The prevalence of alcohol-related health and social problems within the Alaska Native community, including homicide, suicide, family violence, child abuse (both physical and sexual), accidental death, inhalant abuse, and drinking and other forms of substance abuse;
- An analysis of the relationship between violence and substance abuse with respect to cause and effects, and the development of effective intervention strategies, with special attention given to violence against women;
• A comprehensive discussion of Fetal Alcohol Syndrome (FAS), specifically
detailing the problem of obtaining reliable estimates of FAS prevalence levels in
Alaska;
• Examples of the experiences of other indigenous cultures, and the methods they
are pursuing to reduce their alcohol-related distress and accompanying violence;
• Examples of efforts undertaken in Alaska to deal with problems within Native
communities; and
• A critical discussion of what can be done to reduce problems related to substance
abuse, to achieve healing, and to restore cultural integrity.

Specific Findings

Historical Context: Culture in Crisis

• Since Russians, Europeans and Americans first settled in Alaska during the 18th
Century, they attempted to dominate Alaska Natives through economic policies,
religion, laws, and by imposing cultural changes.
• The Russian and early American traders frequently drank until highly intoxicated,
thereby establishing a pattern of binge drinking modeled by Alaska Natives.
• Alaska Natives were told that their "problem" was their culture. Many of their
children were taken away and sent to boarding schools where, among other things,
they were punished if they used their own languages.
• Alaska Natives were told that their spirituality was based on superstition, and that
to be "saved" they needed to adopt the religions of different missionary groups.
• Many Alaska Natives today remember the loss of entire families and villages due to
diseases from which they had no immunity.
• Whereas Elders tended to exercise control over drinking in the early days in many
villages, this traditional role was lost as successive non-Native governments-
dictated policies regarding the sale and use of alcohol by Natives.

Results of Acculturation and Cumulative Stress

• The widespread occurrence of cultural loss and social disintegration puts stress on
minority groups, such as Alaska Natives, that results in the loss of physical and
mental well-being.
• Acculturation stress can become cumulative within communities, and its effects can
be experienced over time as intergenerational grief.
• Any culture in crisis experiences significant stress-related problems, such as
homicide, suicide, family violence, child abuse (both physical and sexual), drinking
and other forms of drug-taking behavior, including inhalant abuse, all of which have
been experienced by Alaska Natives.
• The destructive effects of substance abuse, including inhalant abuse by youth, are
inextricably interwoven into all aspects of the abusers' lives; any effort to alleviate
these problems must be comprehensive in scope, and account for all these
elements.
Alcohol, Drug Abuse and Violence

The findings below characterize the severity of substance abuse and related violence within the Alaska Native community. The information is provided to illustrate the seriousness of the situation and to highlight the need for continued efforts to overcome these problems.

- Alaska Natives' alcohol problems are severe and frequently involve other drugs, such as marijuana and cocaine.
- Many Alaska Natives in treatment manifest psychiatric problems such as depression and Antisocial Personality Disorder.
- Alaska Native men in treatment have perpetrated higher rates of alcohol-related violence compared to non-Natives.
- Alaska Native women entering substance abuse treatment have experienced exceptionally high rates of victimization.
- In a study of women in treatment for substance abuse, 100% of the Native women reported being victims of either physical and/or sexual abuse.
- Violence against Native women takes many forms, including sexual abuse (i.e., incest, rape and other kinds of sexual offenses), psychological abuse, and physical assault and murder.
- Violence can occur any time during a woman's life, and alcohol and/or drugs may be used to ease the pain associated with victimization.
- When compared to other ethnic groups (Whites, African Americans and Latinos), Alaska Natives are more likely to be perpetrators or victims of alcohol-related violence.
- Alaska youth reportedly start at early ages abusing inhalants.
- Children are dying from inhalant abuse, adding to the cascade of substance abuse fatalities among Native people.
- To date, research has shown that Alaska Natives do not possess any unique or identifiable genetic characteristic related to metabolizing alcohol that makes them susceptible to alcoholism (i.e., they are not different from people of European heritage, American Indians, Hispanics or African Americans).

Improving Treatment Outcomes

- The problems Alaska Natives bring to substance abuse treatment programs are more complex than just alcohol or drug addiction; therefore, it is critical that these complexities are addressed to improve treatment outcomes.
- Alaska Native women who maintain a sense of cultural identity are more likely to complete treatment than women who have lost their cultural identity.
- Many Native women who have experienced severe childhood sexual abuse and/or physical assault are at high risk for Post-Traumatic Stress Disorder (PTSD), similar to that experienced by war Veterans; PTSD must be addressed for treatment to be effective.
• Substance abuse counselors must work within the cultural framework of their clients' backgrounds with an understanding and appreciation of Native values and traditions.
• Traditional Native healing methods help individuals regain a balance of body, mind and spirit, and should be incorporated into treatment programs.

The Role of Alaska Natives and Non-Natives

• Change cannot occur without the participation of the non-Natives who must recognize their historical role in the transformations that occurred in Alaska; non-Natives need to make amends and support Native initiatives.
• Alaska Natives are the people who best understand their dilemma and what can be done about it.
• Any new programs to find the "road back" must incorporate what each community decides will be helpful in meeting its needs.
• Western knowledge can complement traditional knowledge if it is contextualized within a culturally and community relevant framework.
• Alaska Natives have taken action to reduce the incidence of substance abuse-related problems in a variety of ways, from small village initiatives to large formal programs. All these programs should be supported.
• More can be done, and Alaska Natives have the power to take control of their own destinies and forge a new, united and strong future based on the traditions of the past.
• The non-Native community's responsibility is to recognize and support the process of change and self-healing.

Conclusion

These conclusions are based on: (a) a comprehensive analysis of information pertaining to cultural change and substance abuse among aboriginal peoples, (b) the history of events in Alaska, (c) the words and writings of Native people, and (d) an evaluation of the effectiveness of initiatives undertaken to combat substance abuse in Alaska and elsewhere. Consideration of all the information gathered has led to one major conclusion: significant progress in restoring the lives, the dignity and the cultural pride of Alaska Native peoples can only be achieved through self-healing. Alaska Natives must unite, despite their individual cultural differences, to create solutions in their various communities that draw strength from their cultures, traditions, heritage and spirituality. With lives no longer shattered by the violence resulting from alcohol and substance abuse, Alaska Natives can move into the 21st Century as a united, strong and healthy people.