

Public Law 104-270

104th Congress

An Act

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

Oct. 9, 1996
[H.R. 3973]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONGRESSIONAL FINDINGS AND DECLARATION OF POLICY.

42 USC 2991a note.

The Congress finds and declares the following:

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

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

(3) The Alaska Natives Commission found that many Alaska Native individuals, families, and communities were experiencing a social, cultural, and economic crisis marked by rampant unemployment, lack of economic opportunity, alcohol abuse, depression, and morbidity and mortality rates that have been described by health care professionals as "staggering".

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

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

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

- (A) the systematic resumption of responsibility by Alaska Natives for the well-being of their members,
- (B) the strengthening of their economies,
- (C) the strengthening, operation, and control of their systems of governance, social services, education, health care, and law enforcement, and

(D) exercising rights they have from their special relationship with the Federal Government and as citizens of the United States and Alaska.

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

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

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

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

42 USC 2991a
note.

SEC. 2. ALASKA NATIVE IMPLEMENTATION STUDY.

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

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

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

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

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

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

(2) examine initiatives in the United States, Canada, and elsewhere for successful ways that issues similar to the issues addressed by the Alaska Natives Commission have been addressed;

(3) conduct hearings within the Alaska Native community on further ways in which the Commission's recommendations might be implemented; and

(4) recommend enactment of specific provisions of law and other actions the Congress should take to implement such recommendations.

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

(e) REPORT.—Not later than 12 months after the date on which the grant is made under subsection (b), the Alaska Federation of Natives shall submit a report on the study conducted under this section, together with the recommendations developed pursuant to subsection (c)(4), to the President and the Congress and to the Governor and legislature of the State of Alaska. In addition, the Alaska Federation of Natives shall make the report available to Alaska Native villages and organizations and to the general public.

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

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

Approved October 9, 1996.

LEGISLATIVE HISTORY—H.R. 3973:

HOUSE REPORTS: No. 104-838 (Comm. on Resources).

CONGRESSIONAL RECORD, Vol. 142 (1996):

Sept. 26, considered and passed House.

Sept. 28, considered and passed Senate.

