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HCRA

HB

689

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HB

663



Official Business

Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

BILL WORK SHEET

BILL NUMBER HB 663

RE Appropriation / Tyonik / Art Eilon

Received from _____
Referred to Finnice

Fiscal Note _____
LAA Legal Contact Request

CONTACTS:

Sponsor: Malone



NATIVE VILLAGE OF TYONEK, ALASKA



INCORPORATED
TYONEK, ALASKA 99682

MANAGEMENT OFFICE
1675 "C" STREET -- ROOM 246
ANCHORAGE, ALASKA 99501

January 17, 1980

Rep. Hugh Malone
State Representative
Juneau, Alaska 99811

Dear Rep. Malone:

I believe some time ago I talked to you about a film we have of Tyonek.

The film has everything in it from Old Village to New one. Everything a villager did in the past are recreated, from weaving baskets to Indian Chief doing the war dance. We need in excess of \$80,000.00 to finish the film.

To finish the film we must, (1) Film a Tyonek shooting a moose and every family head going to get their share.

(2) Beluga Hunt.

(3) The first Oil Company on Tyonek lands and its effect on the Tyoneks and finally narrating the film.

We would appreciate anything you can do for us to get this very important and historic film completed.

Sincerely,


Emil McCord Sr.

EM/ab

c.c. Attorney Clark Gruening
Carol Hodge
Village File

TYONEK HISTORY FILM PROJECT

Sometime back the NVP council gave Emil McCord the assignment of coordinating the efforts to search for funding and to revive the completion of this film project started in 1966. Frank Brink was employed by the Village council to make a film to depict the history of our tribe. He worked for about 4 years and shot over 20,000 feet of film. His wife, Jo, made all the costumes, did all the research of the anthropology and history of the ancient times of our people. About five years ago Frank had worked and got a commitment from NEC to produce a one-hour documentary for Public Service TV to be televised nationwide. A proposal had been written to obtain the funding and Tyonek was required to put up \$10,000 as matching seed money. Apparently, the Village did not have the money to spend at that time and the project fell through.

With the hard work and interest of Emil McCord, Sr, this project was been revived. Emil coordinated the efforts of several people here in Anchorage, including myself, and Frank Brink was notified to come to Alaska with some work footage and a budget to get the project started again. Communicating with Emil, I arranged with Carroll Hodge, Channel 7, KAKM, to have a showing at my house on Sunday, October 22nd. I had called the public affairs people of ARCO, Sohio/BP, Xerox, and others who may be able to contribute. The showing lasted from 3p.m. until 7 p.m. That next day Arco called to apologise for not showing up. None of the other companies came.

I met with Gary Holthaus, Alaska Humanities Forum, Thursday Nov. 2, and got the materials to submit a grant proposal. Gary was confident that we would be successful, providing we can get \$30,000 from the private sector. That way Ak Humanities Forum might be able to match that plus give us an outright grant of \$27,000 to bring us up to the \$87,330.00 we need to finish the project.

I want to apologise to Emil for the misunderstanding of the film storage. Frank had indicated that several letters were written to the council in the past giving instructions as to how to store the film. Apparently that letter is in the files somewhere and had never been paid attention to. Nevertheless, it was the request of Frank (who has the knowledge and concern of the film) to get the film from KAKM and hold it until he arranged proper storage. The showing of the two reels of the original film cannot be checked for damage until Frank can get it to a laboratory. Just running the film on a regular projector can damage the film for use later. When I retrieved the film from KAKM it was just sitting out in one of the outside rooms where anyone could get to it and the temperature was not as Frank said it should be. Because of the importance and value of this original film, Frank is very concerned that it

be cared for properly so that the footage not be lost. In viewing two reels of work footage, already nearly a dozen people who were living are now dead. This film cannot be replaced, therefore, for that alone it is irreplaceable.

Frank is going to check on the cost of storage in a special vault in Hollywood with a company that does this type of storage and will let me know what the cost will be and whether we should store it there.

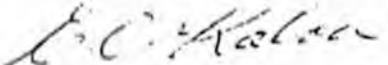
Today, Nov 9, 1978, I met with ARCO, Tom Brennan, Public Affairs, and showed the two reels of work footage Frank left with me. I wrote a new budget, as per Frank's figures and a cover letter with a summary and narrative of the film. This was given to Mr. Brennan and he is to call me back a week from next Monday to let me know what ARCO may be willing to contribute. (See attached packet).

The next step is to contact others, EXXON, XEROX, the Cook Inlet Historical Society, the National Endowment for the Humanities, and others to seek funding. This will take a lot of effort and time on my part. Frank also left some instructions for me to write up some information he needs and to look for an anthropologist. I have contacted Rosita Worl and she is going to contact some others and meet with me soon to discuss the project.

All the funding from the private sector must be committed before we submit the one to the Alaska Humanities Forum by Jan 1, 1978. If we are successful in getting \$30,000 committed from the private sector, then the Humanities Forum proposal will have a better chance of success.

In regards to the above work that is involved with getting all the pieces together, I will need to use the Anchorage office typewriter, telephone, and stationery. Already I have had a run-in with Bob McGlosion about this. I want to make it clear that much of what the Village council requires me to do will require me to use the above things mentioned. I do not have the proper typewriter at home to write the business letters, contracts, etc., that must be done in a business-like manner. If I cannot have use of the Anchorage office then everything will have to be sent to the Village for your secretary to do the typing. This will slow things down and make it difficult to operate properly. I will not do the work if this permission is not granted. It is only because of my desire to help Tyonek that I do a lot of what I do, and, without bragging, I do the work well. I would like an immediate reply to straighten out this matter, as there is much work to be done and it needs to be done as quickly as possible.

Respectfully submitted,



Esther O. Kaloa
Business Consultant

I wish to produce a one hour documentary film tracing three periods in the history of the tiny (200 member) tribe of Tyonek Indians who live of the west shore of Cook Inlet in Alaska.

The first period will trace the roots and rituals of this ancient Athabascan tribe.

The second period will reveal the effects of the tribe's first contact with foreign cultures-Russian (1796-1867) and American (1867 to the present).

The third period will document the catastrophic impact of oil exploration of the Tyonek Reservation and the instant inheritance of approximately sixteen million dollars. It will further show how members of the tribe attempted to cope with the monumental physical and psychological changes in their struggle for cultural survival.

Brief History

In 1963, oil exploration accelerated throughout Alaska with three areas coming under intense investigation. They were the North Slope, the Kenai Peninsula, and the Cook Inlet Basin. As a part of the Cook Inlet exploration, the Panamerican Petroleum Oil Co., (late Amco) obtained United States government approval to do exploratory drilling on the Tyonek Reservation.

The tribal council met , and from tribal records determined that the oil company might have no authority to encroach upon

the reservation without approval of the Tyonek people and compensation to tribe.

At that historic meeting, the tribe voted to seek legal advice to determine their position in the matter. A prominent Alaskan attorney Stanley McCutcheon volunteered his services to represent the tribe. He obtained an injunction against Panamerican Petroleum Oil Company, and after a year's legal battle, the oil company was required to pay lease monies to the Tyonek tribe versus other government agencies. Subsequent to this action the Pan American Oil Company paid Tyonek approximately fourteen million dollars for oil and gas lease rights on the reservation.

Prior to 1963, the Tyonek's depended mostly on fishing, hunting and trapping for survival. Tribal tales confirm periods of starvation during several winters when moose and fish take was down. At those times some tribal members either became seriously ill or died. Most affluent Alaskans were ignorant of Tyonek needs or ignored them. However, there are accounts of emergency food supplies being sent to Tyonek village by concerned citizens. This will reveal the status of the tribe when it was the recipient of 14 million dollars.

In an unprecedented action, the Tyonek Village Council determined that rather than divide the money per capita among the tribal members, they would establish a master family plan for the judicious use of the funds to provide adequate housing, health care, education and guaranteed employment for every adult who was able to work. The plan also included resource development,

old age assistance, and pensions. It further provided for investments for the future welfare of the tribe. No lump sums were given to any tribal member except an initial household fund of \$5000 for each family or household.

When the plan was completed, the old Tyonek village was systematically torn down. The village consisted of small one and two room log and clapboard cabins, where in some cabins ice often formed on the damp floors and parts of moose carcasses would hang down from the rafters. As many as eight people would bed down for the night in space no larger than twelve by twelve feet.

New prefabricated electrically heated houses were built. From that time on the Tyoneks were physically comfortable. However, there began a series of accidents and tragedies that involved alcohol, violent arguments, fatal shootings, fires, drownings. and with it all, a prevailing loneliness brought on by changes for which the culture was unprepared.

As the tribe struggled to adjust to a new way of life, some questionable investments were made, some money was misused and squandered in spite of all precautions. But perhaps, the saddest effect of all the deaths of a number of young bright people, still in their teens, whose own security may have been so threatened by cataclysmic change that they were unable to cope. However, there were values of better health and social services that did accrue.

valuable tribal traditions and a thrust to strengthen those which deal with family unity and pride. There is a strengthening of interest and devotion to their religious faith nurtured by the Russia Orthodox church, the major symbol of hope for release from the depression that has affected the lives of many Tyonek villagers since the change in their way of life. The church with its symbols and colorful ceremonies was the closest substitute for the ancient tribal rituals of thanksgiving, sacrifice and blessing.

For the Tyoneks the road back is long and precarious, but there is a feeling of hope and a growing sense of pride in a heritage once on the way to extinction.

This is the story of the Tyonek people I wish to explore on film. I am convinced that such an ethno-historical document on film could have a number of long-range benefits. The film could be used by other Native Americans like the Navajos who are faced with a decision regarding the development of shale oil resources on their reservation. Also, since the Tyonak people were involved in the largest native land claims settlement in American history (this is a part of the oil period of Tyonek nistory), their response and participation in the settlement would provide insights for many native groups contemplating the same experience.

to be provided by the Village

TRANSPORTATION

Round trip from Shreveport, Louisiana to Tyonek for two people-	\$1100.00
Round trips from Anchorage to Los Angeles (1)	376.00
Trips to Tyonek for four people (approx)	120.00

FOOD

Three people for six months, average \$350 per month	2100.00
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Lodging at Tyonek for six months, average for 3 people @ \$200.00 per month	1200.00
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Technical assistance (other than normal cooperation participation, interviews, etc.)

Reservation transportation (to include by vehicle, boat, etc.)

Mechanical-technical assistant

Scene reconstruction (from each period of Tyonek history, the primitive; the foreign influence; the coming of oil) It is difficult to accurately assess the many services to support and recreate scenes for shooting. This estimate of half-time equivalent services for six Tyonek people for six-months-to be paid by Tyonek village.)	21,000.00
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Archival slides and still photos of old village and people prior to 1966 (approximately 500 slides and 300 stills)*	550.00
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Archival footage (16mm color) old homes, people, village activities prior to 1966 (this also includes the tearing down of old homes and construction of new homes and new village activities from 1963 to 1966) estimated 5,000 feet at \$3.00 per foot*	15,000.00
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Total of Tyonek funds and services

\$41,446.00

* Most of the above costs have already been expended or film shot, the costs of transportation, food and lodging will be needed (\$5396.00), the \$21,000 for six people from Tyonek can be 000 if those people volunteer. The \$15,000 balance for archival film is that which is already shot, but not paid for. We may check with Frank to see if this cost is included in the \$87,000.00 budget.

ESTIMATED BUDGET ONE HOUR 16mm COLOR
DOCUMENTARY FILM

15,000 ft. ECO raw film stock @ \$15.00 per 100 ft.	\$2250.00
Ten-1800 ft rolls 1/4" professional recording tape @ \$7.50 per roll	75.00
Laboratory Costs:	
processing 15,000 ft @ .10¢ per ft.	1500.00
conforming-350 cuts (estimate) @ \$2.50 per cut	875.00
sound selection and editing (lab pro- duction service) 50 hrs. @ \$35.00 per hr.	1750.00
Music (composing, performing, scoring, editing)	5000.00
Narration, recording, editing, (written, plus live interview)	2500.00
Special effects	1500.00
Titles and credits	800.00
Workprint (archival footage and new footage) 20,00 ft @ 18¢ per ft.	3600.00
Trial prints, two-2000 ft @ 36¢ per ft.	1440.00
Release prints, two 2000 ft @ 26¢ per ft.	1040.00
Miscellaneous reserves	5000.00
Contract fees:	
Producer, director, cameraman, editor narrator, composer-for 1 year	30,000.00
Asst. producer, still camera, research, interviewer, \$2500 per mo., -6 mos.*	15,000.00
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TOTAL ESTIMATED COST	\$87,330.00
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* Anthropologist/sociologist to be hired in Alaska

November 9, 1978

Tom Brennan, Director
Public Affairs
Atlantic Richfield Company
711 W 8th Avenue
Anchorage, Alaska 99510

Dear Mr. Brennan,

As per our telephone conversations you will find attached a summary and narrative of the film tracing the history of the tribe of Tyonek.

It is the intent of the Native Village of Tyonek to find means to finish this film which was begun in 1966. Frank Brink, a well known man in his field of theater and film, was employed to produce and direct the movie. Due to the untimely death of Albert Kaloa, Jr, who played the main character of chief throughout the trilogy of the history of the tribe, continuation of the film making was stopped.

For several years an attempt to find funding sources to complete the film was unsuccessful. With the efforts of many interested parties the Alaska Humanities Forum has shown an interest to assist the Village to complete the film. They are willing to match funds allocated from the private sector, and also, to provide a grant.

With this possibility, the Native Village of Tyonek is now soliciting for funds from the private sector. The total amount budgeted to complete the filming amounts to approximately eighty-seven thousand dollars (\$87,000.00). We need to obtain thirty-thousand dollars (\$30,000.00) from the private sector. Tyonek has already invested thirty-eight thousand dollars and will provide board and room for the staff when the filming process begins again, and transportation.

Mr. Brink has negotiated with CBS to provide a one-hour documentation on Public Service TV. We hope this to be the main use of the film. There is enough subject matter in the film to produce a minimum of six (6) educational films. This is another market we have.

After seeing some of the footage we have to show, I am sure you will be as enthusiastic and excited as we are to finish this film. It is the most comprehensive film of this type ever made of a history of a people of Alaska and we are proud to be a part of that history. Would you assist us in a contribution, you will be given nationwide recognition if cur

Thank you for your interest.

Respectfully submitted,

Esther O. Kalou
Esther O. Kalou
Business Consultant
Native Village of Tyonek



NATIVE VILLAGE OF TYONEK, ALASKA



INCORPORATED
TYONEK, ALASKA 99682

MANAGEMENT OFFICE
1675 "C" STREET — ROOM 246
ANCHORAGE, ALASKA 99501

March 20, 1980

Bill Parker
Capitol, Room 104
Juneau, Alaska 99811

Dear Representative Parker,

I am writing to request your support for House Bill No. 663 that was introduced by Representative Malone on February 4, 1980. The Bill seeks an \$80,000.00 appropriation for the Tyonek Native Village to complete a historical and cultural film of our village which is located on the west shore of Cook Inlet. The film, which was started several years ago using our own resources, traces the development of our culture and village from ancient times to the present. Although a portion of the film has already been completed we need additional funds to finalize this important documentary.

This film is not only of great importance to the people of Tyonek, but could be a valuable aid to all of the Native people of Alaska by providing an insight on the problems that we have faced and the methods that we have used to overcome these obstacles.

Your favorable consideration of support for this Bill will be deeply appreciated by all of our people.

Sincerely,

David Trenton,
President

HB

685

ALASKA STATE LEGISLATURE

ELEVENTH Legislature SECOND Session

HOUSE BILL..... NO. 685....

By ..ELIASON.....

"An Act relating to regional housing authorities."

Regional housing authorities.

Introduced in the House ..2/7....., 19..80

HISTORY IN THE HOUSE

19 80

Feb. 7

Read first time and referred to Committee on
Community and Regional Affairs
Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused
Reported correctly engrossed	
Signed by Speaker	
Sent to Senate	

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused
Reported correctly engrossed	
Signed by President	
Returned to House	

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Received from Senate

Concurred in Senate amendment thus adopting:
VOTE

Failed to concur in Senate amendment; asked Senate to recede
VOTE

Senate receded from amendment
VOTE

Senate failed to recede from amendment
VOTE

CC appointed by House

CC appointed by Senate

CC adopted by House
VOTE

CC adopted by Senate
VOTE

To enrolling
Reported correctly enrolled
Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.



Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol

Juneau, Alaska 99811

Official Business

BILL NUMBER AND TITLE: SSHB 685 re Regional Housing Authorities

ORIGINAL SPONSOR: Eliason
RECEIVED FROM: --

OTHER SPONSORS: _____
FURTHER REFERRALS: --

HEARING DATE: 4/18/80

MEMBERS PRESENT:	Bill Parker	X	Pat Carney	
	Margaret Branson	X	Charlie Parr	X
	Pat O'Connell		Fred Zharoff	X
			Ray Metcalfe	

Jack Smody, Deputy Director HUD
E. Allen Robinson, Economist, HUD

Legally there is no reason why Sitka Community Association couldn't be given the power to function as a regional housing authority. Any recognized non-profit corporation can participate. If additional authorities were added to the enabling legislation, it would not reduce the amount of money available to Alaska. The "fair share" allocation method is used statewide and would continue to be used.

The materials distributed by HUD were referred to and explained. These included: A map of the regions used for distribution purposes by HUD; chart of assisted housing programs completed 1970-1979, under construction or planned for 1980; figures for the funded assisted housing in Alaska; and chart for the assisted housing allocation plan by household type and household size, 1979.

Considerations for the committee:
Conventional loans are open to anyone. Some of the program specify Indian housing. A municipality, IRA, etc. could in fact function as a housing authority. There must be the ability to manage for 25 years and there must be an entity HUD can deal with. A cooperation agreement and application are part of the process.

It has generally been determined that it requires 200 units to make a project financially workable. The maximum owners/renters can pay is 25% of their income including utilities.

In Sitka, there is a program reservation for 34 units. There have been problems constructing these units because of questionable land ownership status. 24 units for the elderly have been completed.

Parr - As the application process seems elaborate, there might be some merit to the argument for economy of scale in the issue. It might be beyond the capability of the smaller group to actually manage such a project.

Smody - Takes in excess of 200 units to carry a project financially

COMMITTEE ACTION: Committee recommends that HUD, Sitka Community Ass'n. and Tlingit Haida Housing Authority meet on issue.

TAPE # 9 SIDE 1 Footage 121-1358 Bill not passed out.

for 25 years. The average time from application to construction nationally is 18 months while in Alaska it is 9 months. Two people would be needed to administer, an executive director and an administrative assistant. The regional housing authorities were established in 1974. Some were carried for 2 years before they could get started. It is important to cut down administrative costs as much as possible.

Joe Wilson, Tlingit Haida Central Council

Concerned over the creation of another "competing" group. Tlingit Haida appoints Commissioners of the Tlingit Haida Housing Authority Bd. Not opposed to IRAs functioning as housing authority but (1) it would put them in competition with other communities in Southeastern Ak. (2) IRA organizations are federal entities. Articles and bylaws may be restrictive in allowing this involvement as they can only serve their own native membership.

Johann Dybdall, Tlingit Haida Housing Authority

Discusses allocation of units to Southeastern Ak. Refers to previous testimony. In response to question on the place of residence of the board members, Dybdall responds that they are from Sitka, Klukwan, Angoon, Hydaberg, and Craig.

Parr - Observes that economy of scale, i.e., a critical mass of people with expertise to handle the housing programs may be necessary and that IRAs are too small. If the problem was the unfair allocation of units, there might be a legitimate reason for giving the responsibility to the IRAs. There doesn't appear to be discrimination because of geographic regions. Generally, bill does not appear to be desirable.

Carney - Disagrees. More local control is desirable. Not convinced it is going to cost as much as HUD representatives indicated to administer.

Parr - No testimony has indicated any real reason for doing this. No discrimination is being practiced. There is no proof that the IRA can develop the program better.

Zharoff - Agrees with Parr. Regional housing authority in Kodiak contacted and they agree with the sentiments generally expressed by Parr.

Branson - Concerned that the bill opens the door to all the IRAs.

Eliason - The issue is not discrimination, rather local control.

Parker - Suggests that HUD representatives, Tlingit Haida Housing Authority, Sitka Community Association, and Rep. Eliason get together to solve the problems with the uncompleted housing project of 34 units. Bill will be held in committee pending the outcome of the meeting.



Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol

Juneau, Alaska 99811

Official Business

BILL NUMBER AND TITLE:

SSHR 685 Re regional housing authorities

ORIGINAL SPONSOR: Eliason
RECEIVED FROM: _____

OTHER SPONSORS: _____
FURTHER REFERRALS: _____

HEARING DATE: 4/14/80 Teleconference with Ketchikan/Sitka

MEMBERS PRESENT: Bill Parker
Margaret Branson X
Pat O'Connell x
Pat Carney X
Charlie Parr X
Fred Zharoff X
Ray Metcalfe

Andrew Hope, Pres., Sitka Community Association, Sitka

Supports passage of the bill. Sitka Village Planning Council was formed in 1968. Received a planning award in 1972. The housing unit in question has been in progress for 8 years. The City/Boro of Sitka and the Metlakatla Indian Association support the bill. The Association believes they can avoid delays if they can administer the projects themselves. Other aspects of community development can be incorporated into the planning in addition to housing. Comprehensive planning can be carried out if it is done on a local level. Local self determination is the issue.

Although the bill specifies just the Sitka Community Association, the resolution asks that all tribal councils be empowered to function as housing authorities.

The fact that the Sitka Community Association is a local organization will help to expedite things. Having to deal with out-of-town agencies is difficult. Local contractors would also benefit as they would be able to keep tabs on things.

Information on the allocations could be received from HUD, DPDP, and Dept. C&RA.

Ed K. Thomas, Ex. Director, IRA Council, Ketchikan

Administers programs. Community Block grant funds are administered by the Council. Supports the bill and an amendment which would include the Ketchikan Native Association as well. Many communities would be excluded the way the legislation is currently drafted. The problem of housing needs in Ketchikan is great and they have received little. The money is not being distributed properly. Want an opportunity to deal with the agencies themselves. In favor of having all tribal councils included.

Keith Red Eagle, Member of Sitka Community Association, Sitka

Directs CETA program. Supports bill. Most urgent that action be taken and that regional housing be created. Have been experiencing difficulties in getting HUD housing. Frustration, one-way communication, and delay have been their experiences.

COMMITTEE ACTION: No action on bill.

TAPE # 8 SIDE 1 Footage 1272-1709

Robert Nielson, Community Housing Program, Sitka

Communication gap exists with the Tlingit/Haida Housing Program. If the local group were given housing authority, they could work more effectively with the local Planning and Zoning Commission.

Marty Lasse, Planner for the Ketchikan Indian Ass'n., Ketchikan

Rep. Dick Eliason - sponsor of the bill

The Sitka Community Association is working out of a \$900,000 building now. It isn't a small operation. Highly credible. As he is not acquainted with all of the IRAs, he doesn't know if they could all function effectively. Sitka could be viewed as a "pilot project". They could probably administer better than T/H. He is not asking for a blanket authority, rather just that the Sitka group be allowed to operate. The bill is limited to the Sitka Community Association. The Ass'n was incorporated in the 1930s ; was inactive for a time and now has been reactivated within the last 8 years.

Branson - Could the Tlingit/Haida Housing Authority contract with the Sitka Community Association.

Rep. Dick Eliason - Not sure but assumes this would be possible. Communication gap is the biggest problem.

Parr - Appears that as the statute relates to ASHA's powers, that this would include non-native as well as native housing.

The Committee requests that a HUD representative be available to answer questions at the next hearing on the bill. Also want to know composition of T/H board, whether Sitka has representation. And if municipalities could function as a housing authority.



Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

BILL NUMBER AND TITLE:

SS HB 685 relating to Regional Housing Authorities

ORIGINAL SPONSOR: Eliason
RECEIVED FROM: _____

OTHER SPONSORS: _____
FURTHER REFERRALS: _____

HEARING DATE: 3/31/80

MEMBERS PRESENT: Bill Parker
Margaret Branson
Fat O'Connell

Pat Carney
Charlie Parr
Fred Zharoff
Ray Metcalfe

Andy Ebona, Executive Director, Tlingit Haida Central Council
Johan A. Dybdahl, Tlingit Haida Housing Authority

No formal position on the bill. There are a lot of problems caused by the amendment, however. Concern that there will be a reduction in the unit allocations. Difficulties in putting together a housing project were noted. Expertise required. Management feasibility must be demonstrated. The funding for a project could be in jeopardy if the project is not properly managed. Dependency on government subsidies must be realized and additionally, T/H has been there with monetary support when it has been necessary.

Andy Ebona - Must address the question of whether this will open the door for other IRAs as well to function as regional housing authorities. As there are well over 200 IRAs this could present a problem. Concern that passage of this and inclusion of many IRAs could be a problem in that HUD office in Anchorage can manage only a certain number of people per housing authority. Staffing to administer the monies and programs might be a problem.

Existing T/H authority should be used. Other entities shouldn't be created as housing authorities because there are problems. Under HUDs formula of "fair share allocation", units would be lost if construction isn't accomplished. Questions if local group could develop expertise. IRAs were created by the "wisdom" of BIA. The intervention of the federal government in "Indian Country" only confuses the issue. Don't create an entity just because there are problems.

Eliason - opportunity to prove themselves should exist for the Sitka Community Association. Ak. State Housing authority had units in Sitka originally. Twenty four units of elderly housing were under management. The Sitka "40" project is the reason for the request of the Sitka Community Association to function as a housing authority. Sitka Indian Village was

COMMITTEE ACTION: No Action

TAPE # 6 SIDE 1 Footage 844-1247

targeted and the units and problems existed with finding usable land in this area. The project was then changed to 34 units. Appraisal problems and waiver took 18 months.

Dybdahl- Central Council money was used to buttress programs which otherwise would have died. Property cost have been paid by the Central Council. HUD would have withdrawn if Central Council weren't backing.



Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

BILL NUMBER AND TITLE: HB 685 Relating to Regional Housing

ORIGINAL SPONSOR: Eliason
RECEIVED FROM: _____

OTHER SPONSORS: _____
FURTHER REFERRALS: -- _____

HEARING DATE: 3/24/80

MEMBERS PRESENT:	Bill Parker	X	Pat Carney	X
	Margaret Branson	X	Charlie Parr	X
	Pat O'Connell	X	Fred Zharoff	X
			Ray Metcalfe	X

Rep. Dick Eliason

Reviewed history of request and discussed the resurgence of the Sitka Community Association. Eliason stressed that the intent was not to eliminate those groups which already have the housing authority but rather to add this additional group.

Parr- Points out that these housing authorities have the same authority as ASHA and that there should be some caution as to who is allowed to exercise what amounts to substantial power re housing.

Bruce Horowitz, Alaska Legal Services

Supports giving Sitka Community Association, which is an IRA Council, the power to function as a housing authority.

Parr- If you open up the authority to IRAs you will have a real problem given the number of them in the state.

Eliason - There would be closer supervision and review of proposed projects if the group is right in Sitka and that's one of the reasons why it would be advantageous to allow HB685 to pass.

O'Connell - Has the idea of subcontracting or delegating of the contractual powers been pursued?

Committee requests that Tlingit Haida Central Council ^{Position} on the issue be part of the decision making and requests that the Council be notified of the proposal.

COMMITTEE ACTION: No action.

TAPE #5 SIDE 2 Footage 1645-end of tape



Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

BILL WORK SHEET

BILL NUMBER 53HB 685 RE Relating to Regional Housing Authorities

Received from _____
Referred to _____

Fiscal Note _____
LAA Legal Contact _____

CONTACTS:

Sponsor: Cleason 3876

↑
4150
(LAA - Veronica Clark)

Printies given to region now. Different groups inquiry might be a problem.

Contact - attached

*Condensed resolution.

Sitka Community Ass'n. 747-3207 - Kay Boebudge

Thingit/Hardy Central Council - Local Chapter

Pres. Gerald Thomas (41966-3029 (41966-3017) Box 625

Mark Jacobs, Jr, Vice Pres (41) 747-8168 Sitka 99835

Don't support. Small local groups. Don't improve program. Delays are still going to be there.

Avoided because (38 Self-determination) not resurrected. LAA called them.

Delay no problem. HUD reqs say 100% concurrence + 2 people won't move. City plan to under street

can't be changed. Program has been operating no major problem as worded. As long as it doesn't threaten local program.

Central Council opposed to bill. LAA's doing battle with Central Council. Minimum of 200 houses required. State HUD & combined.

[BIA creating resurgence of LRA's]

TH Housing Authority - Egoan Dipdall 6-2192

✓ Ad. Native Brotherhood - Bob Willard, ANB 6-2049

✓ Sealaska - Richard Stitt 6-1512

✓ TH Central Council - Andy Chona, Co. Director

Bonnie Lassiter
DRDP

2/3 - 1/3 match

Teleconference - Sitka/Metchikan
2/14/80 8:30 A.M. (Fred contact)

(over)

Contacts:

4/18/80 Hearing

Tribal
Chief Tribal Office
BIA - IIA Councils
Time Of Aids
58 6-7143
7454

- ✓ Andy Chona 6-1432 Joe Wilson
- ✓ Yolanda Dillard 6-2192 Farmer's Home - John Whitmeyer - 6-7140
John Anderson - 745-2176
- Yarry Kimball - 3545 3577 Watterman
Sally Rue -
- ✓ * John Duffy - HUD - Arch. > 271-4193
- * Newton Chase
- ✓ Harry Goldbar, ASHA 279-7643

Elderly Housing
Marketing
Public Health
Services
Water/sewer
Leg. should
determine what
kind of



Commerce - Some Creekman

Regional housing authorities not restricted for to native programs. Same as ASHA powers. Municipality of Arch. could choose to establish own program. Implied restriction lifted. None of cities or towns have chosen to exercise.

AS 18.55.010 - 996. Also supplement of IAA's know what I getting into, then it would be ok. Outside must be local authority, city or county. But might complicate matters. Fragmentation of housing power within state is a problem. Too many entities competing for funds might be problem.

Political considerations. Logic originally unjustified and conditions of Arch. justify. In non-urban areas where ASHA's doesn't have.

Only concern would be too many groups competing "Fair share allotment" to state. Then allocation passed down an Indian/non-Indian line. Private entrepreneurs of ASHA compete. HUD determination would be based on who had greater need and better development program.

✓ Jack Smody 271-4344
HUD
Regional office - Niki Benedetti, Director of Housing
✓ Al Robinson, Area office market analyst
wouldn't effect allocation.

Pete Gallett -

Questions -

- * Methodology for distribution of funds
- * Eligibility of housing authority to function
- * Impact of additional housing authorities - would still have - loss would be to existing Agency.

Fair share clause - subsequent yrs.
Section 8 subsidy

5 allocation areas - Urban.
4 non metro areas -

- ① Outer Metropolitan
- ② Central
- ③ South Central
- ④ South Eastern

Sufficient expenses of production 'non production'
Less funds for T/H
to allocate to show administrative capacity.
Admin. funds also part of funding.
Contracting possible

✓ Tom Abel, Craig
826-3228

✓ Col Thomas
Hick Nuclear Corp. 225-5158

99929
Hearst 874-3747 Beldie Pat Churchhill
Cooperative Union Box 868

Andy Hope
Selma Community Union
Box 4368
Mt. Pleasant 9983

Mulla Kulla Indian Aid
Greg Ajal
886-4868

ALASKA STATE LEGISLATURE

*House sent to
attached list*

PUBLIC HEARING

DOCUMENT TO BE CONSIDERED: SS HB685 Relating to regional
housing authorities

SPONSOR OF DOCUMENT: Rep. Dick Eliason

SPONSOR OF HEARING: House Community and Regional Affairs Committee

TIME: 8:30 A.M.

DATE: Monday, March 31, 1980

PLACE: Capitol, Room 112

SUBJECT MATTER OF DOCUMENT: Adds Sitka Community Association
to those groups empowered to
function as regional housing
authorities.

Your comments on the bill are welcomed. Please
write to the Chairman (Pouch V, Juneau, Ak.,) or
call at 465-3875.

Rep. Bill Parker
Chairman

Ms. Janie Sealaska, Ex. Vice

AFN

1577 C ST. Suite 304

Anchorage, Ak. 99501

Mr. Andy Ebona
Central Council T/H
One Sealaska Plaze
Suite 200
Juneau, Ak. 99801

Mr. Jim Wilscov, Ex.Dir.
SEACAP
P.O. box 449
Juneau, Ak. 99802

Mr. Bob Lohr
RURALCAP
P.O. Box 3-3908
Anchorage, Ak. 99501

Mr. M. Jamin
Ak. Legal Services
301 NBA Bldg.
Ketchikan, Ak. 99901

Ms. Mildred Weil
AK. LEGAL SERVICES
P.O. Bcx 131
Sitka, Ak. 99835

Mr. Roger Lang, Pres.
ANF
411 W. 4th Ave.
Suite 314
Anchorage, Ak. 99501

ALASKA STATE LEGISLATURE

*Not sent to
attached list*

PUBLIC HEARING

DOCUMENT TO BE CONSIDERED: SS HB685 Relating to regional housing authorities

SPONSOR OF DOCUMENT: Rep. Dick Eliason

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Rep. Bill Parker

Chairman

TELECONFERENCE HEARINGS



Please Print.

To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Marty Sasse

Here to Testify

REPRESENTING Ketchikan
Indian Corporation

Here to Observe

MAILING ADDRESS PO 6855 Ketchikan zip 99901

TELEPHONE NUMBER 5-5158

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Marty Sasse
(signature)

EVALUATION: Have you participated in other legislative teleconferences? No If so, how many? _____

How did you learn about this hearing?
Through the legislative

Would you have participated in this hearing if the network were not available? No

- If yes, did you use the network
- instead of travel
 - instead of phone conversations
 - instead of mailed testimony?

Are you also providing written testimony? _____

DATE 4-12-80 SUBJECT HB-685 LOCATION KTN

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME EDWARD THOMAS

Here to Testify

REPRESENTING KETCHIKAN INDIAN CORP

Here to Observe

MAILING ADDRESS PO. Box 6855 zip 99901

TELEPHONE NUMBER 225-5158

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Edward K. Thomas
(signature)

EVALUATION: Have you participated in other legislative teleconferences? No If so, how many? _____

How did you learn about this hearing?
NEWS MEDIA

Would you have participated in this hearing if the network were not available? No

If yes, did you use the network
_____ instead of travel
_____ instead of phone conversations
_____ instead of mailed testimony?

Are you also providing written testimony? Yes

DATE 4/14/80 SUBJECT H.B. 685 LOCATION Ketchikan

TESTIMONY

CRAIG COMMUNITY ASSOCIATION
P.O.Box 25
Craig, Alaska 99921

April 17, 1980

Honorable Bill Parker
Pouch V
Juneau, Alaska 99811
R.E. HB 685

Dear Representative Parker:

The Craig Community Association (CA), IRA Council, has been reorganized and active since January 1977; and now has an established office. The CC, now is the primary funding agency for the Craig Native community; presently we provide a comprehensive early childhood program in Craig and Klavock; we contract directly with the BIA for Johnson O'Malley Program funds; provide four CETA-PSE positions; and through a full time administrative office we provide administrative support to all programs, write proposals, and coordinate with any and all appropriate persons; or entities in regard to their relationship with the Craig Native community.

Our present budget, (direct grant and contract monies), is approximately \$258,000.00 We also have approximately \$90,000.00 in program monies which we affect indirectly, or which feeds into our programs indirectly. We presently employ 15 persons fulltime and also budget for some part time positions as well as local consulting services.

Attached you will find Resolution 80-10 of the Craig Community Association, IRA Council, concerning local housing authorities.

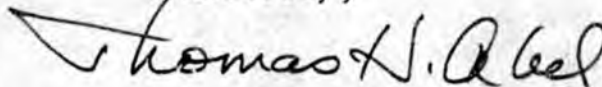
The Craig Community Association supports local housing authority formation for the following reasons:

- 1) Craig has received only 15 houses and only one phase. (HUD)
- 2) On site maintenance is either very sporadic or nonexistent for the existing houses.
- 3) In two unsuccessful attempts to reach agreement with the City of Craig, Tlingit & Haida Regional Housing Authority did not coordinate with existing, active, Native organizations; and did not follow up with negotiations.
- 4) Though the Craig Community Association has designated a Housing Committee, there has been no communication from T&HRHA to explore possible coordination.
- 5) As a result of inadequate communication and coordination the housing needs of the low and moderate income persons in Craig are not being met.
- 6) As a result of poor communication and coordination, the community of Craig has no inputs into existing programs.
- 7) We strongly feel that if a local housing authority existed that negotiations with the City could begin; and, ultimately, be successful.
- 8) There is a severe housing shortage in Craig

On March 28, 1980 the Craig Community Association sent a telegram to Terry Gardiner, Oral Freeman, and Robert Ziegler asking for support for amending Title 18 to allow IRA Councils to form local housing authorities. By copy of this letter we once again ask support.

Thank you for allowing us to present this testimony and for contacting our office in regard to Hb 685.

Sincerely,



Thomas H. Abel
President

enclosures
THA/vms

cc Rep. Gardner
Rep. Freeman
Sen. Ziegler

RESOLUTION 80-10
of the
CRAIG COMMUNITY ASSOCIATION
IRA COUNCIL
CRAIG, ALASKA

TITLE: Creation of Local Native Housing Authorities

Whereas, the Craig Community Association, IRA Council, is a duly constituted Indian Tribe organized pursuant to the Acts of Congress of June 18, 1934(49 Stat. 984) and May 1, 1936(49 Stat. 1250), and is recognized by the U.S. Government as a tribal governing body; and

Whereas, Regional Native Housing Authorities were created by the Alaska State Legislature in 1971 under Title 18.55.995 and,

Whereas, these Regional Native Housing Authorities were modeled on the Alaska Native Claims Settlement Act Regional Corporations, and

Whereas, the regional approach has failed on some occasions to take local concerns into consideration, and

Whereas, the enabling legislation required that: "A housing authority created by this section may not transact business or exercise powers granted to it until the governing body of the named association has, by proper resolution, declares that there is a need for the authority to function, gives it the authority to function and has named its commissioners...", and

Whereas, under principles of the Indian Self Determination and Education Assistance Act, the Central Council of Tlingit and Haida is not a Tribal Governing body. The Central Council is required to obtain resolutions of support from tribal governing bodies at the local level before they are permitted to contract programs for those communities, and

Whereas, the Department of Housing and Urban Development recognizes those Native Housing Authorities under Title 24, Section 805.108: "An Indian Housing Authority (IHA), may be established: Pursuant to a state law which provides for the establishment of IHAS with all necessary legal powers to carry out low income housing projects for Indians."

Therefore Be It Resolved, by the Council of the Craig Community Association: That the Alaska State Legislature be requested amend Title 18 of the Alaska Statutes, to allow local Alaska Native Tribal Governing bodies to create local housing authorities.

CERTIFICATION

I, the undersigned as President of the Craig Community Association, IRA Council, do hereby certify that the foregoing Resolution CCA 80-10, was adopted by the Craig Community Association, IRA Council at a special meeting held March 4, 1980 by a unanimous quorum vote.

ATTEST:

Charlene James
Secretary

Thomas H. Abel
President

excel in the life areas of their choice, and to achieve the measure of self-determination essential to their social and economic well-being.

DEFINITIONS

Sec. 4. For the purposes of this Act, the term—

(a) "Indian" means a person who is a member of an Indian tribe;

(b) "Indian tribe" means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688) which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians;

(c) "Tribal organization" means the recognized governing body of any Indian tribe; any legally established organization of Indians which is controlled, sanctioned, or chartered by such governing body or which is democratically elected by the adult members of the Indian community to be served by such organization and which includes the maximum participation of Indians in all phases of its activities: Provided, that in any case where a contract is let or made to an organization to perform services benefitting more than one Indian tribe, the approval of each such Indian tribe shall be a prerequisite to the letting or making of such contract or grant.

(d) "Secretary", unless otherwise designated, means the Secretary of the Interior;

(f) "State education agency" means the State board of education or other agency or officer primarily responsible for supervision by the State of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

REPORTING AND AUDIT REQUIREMENTS

Sec. 5. (a) Each recipient of Federal financial assistance from the Secretary of Interior or the Secretary of Health, Education, and Welfare, under this Act, shall keep such records as the appropriate Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the cost of the project or undertaking in connection with which such assistance is given or used, the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Comptroller General and the appropriate Secretary, or any of their duly authorized representatives, shall, until the expiration of three years after completion of the project or undertaking referred to in the preceding subsection of this section, have access (for the purpose of audit and examination) to any books, documents, papers, and records of such recipients which in the opinion of the Comptroller General or the appropriate Secretary may be related or pertinent to the grants, contracts, subcontracts, subgrants, or other arrangements referred to in the preceding subsection.

(c) Each recipient of Federal financial assistance referred to in subsection (a) of this section shall make such reports and information available to the Indian people served or represented by such recipient as and in a manner determined to be adequate by the appropriate Secretary.

(d) Any funds paid to a financial assistance recipient referred to in subsection (a) of this section and not expended or used for the purposes for which paid shall be repaid to the Treasury of the United States.

PENALTIES

Sec. 6. Whoever, being an officer, director, agent, or employee of, or connected in any capacity with, any recipient of a contract, sub-contract, grant, or subgrant pursuant to this Act or the Act of April 16, 1934 (48 Stat. 596), as amended, embezzles, willfully mis-applies, steals, or obtains by fraud any of the money, funds, assets, or property which are the subject of such a grant, subgrant, contract, or subcontract, shall be fined not more than \$3,000 or imprisoned for not more than two years, or both, but if the amount so embezzled, misapplied, stolen, or obtained by fraud does not exceed \$1,000, he shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

WAGE AND LABOR STANDARDS

Sec. 7. (a) All laborers and mechanics employed by contractors of subcontractors in the construction, alteration, or repair, including painting or decorating of buildings or other facilities in connection with contracts or grants entered into pursuant to this Act, shall be paid wages at not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor in accordance with the Davis-Bacon Act of March 3, 1931 (46 Stat. 1494), as amended. With respect to construction, alteration, or repair work to which the Act of March 3, 1921 is applicable under the terms of this section, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267) and section 2 of the Act of June 13, 1934 (48 Stat. 948, 40 U.S.C. 276c).

(b) Any contract, subcontract, grant, or subgrant pursuant to this Act, the Act of April 16, 1934 (48 Stat. 596), as amended, or any other Act authorizing Federal contracts with or grants to Indian organizations or for the benefit of Indians, shall require that to the greatest extent feasible—

(1) preferences and opportunities for training and employment in connection with the administration of such contracts or grants shall be given to Indians; and

(2) preference in the award of subcontracts and subgrants in connection with the administration of such contracts or grants shall be given to Indian organizations and to Indian-owned economic enterprises as defined in section 3 of the Indian Financing Act of 1974 (88 Stat. 77).

CARRYOVER OF FUNDS

Sec. 8. The provisions of any other laws to the contrary notwithstanding, any funds appropriated pursuant to the Act of November 2, 1921 (42 Stat. 208), for any fiscal year which are not obligated and expended prior to the beginning of the fiscal year succeeding the fiscal year for which such funds were appropriated shall remain available for obligation and expenditure during such succeeding fiscal year.

25 USC 450b.

P.L. 93-638

Record-keeping. 25 USC 450c.

88 STAT. 2204 88 STAT. 2205

25 USC 450d.

25 USC 452.

25 USC 450e.

40 USC 276a note.

5 USC app. 17.

25 USC 452.

INDIAN PREFERENCE

25 USC 1452.

88 STAT. 2205

88 STAT. 2208

25 USC 13a.

25 USC 13.

52a.

- Sec.
 271.17 Pre-application technical assistance.
 271.18 Tribal request for initial contracts.
 271.19 Status of contracts in effect before effective date of regulations.
 271.20 Recontracting.
 271.21 Submission of requests to contract.
 271.22 Review and action by Superintendent.
 271.23 Review and action by Area Director.
 271.24 Area Office recommendation to decline.
 271.25 Review and action by Commissioner.
 271.26 Appeal of Commissioner's decision to decline.
 271.27 Technical assistance after declination.
 271.28 Failure of Bureau Agency or Area Office officials to act.

Subpart C—Additional Requirements for Trust Responsibilities

- 271.31 Applicability.
 271.32 Contractable functions or programs.
 271.33 Content of application.
 271.34 Criteria for declining to contract.

Subpart D—General Contract Requirements

- 271.41 Advance payments.
 271.42 Use of government property.
 271.43 Wage and labor standards.
 271.44 Indian preference.
 271.45 Liability and motor vehicle insurance.
 271.46 Recordkeeping.
 271.47 Records—access to and retention.
 271.48 Freedom of information.
 271.49 Annual reporting.
 271.50 Penalties.
 271.51 Federal contracting laws and regulations.
 271.52 Term of contract.
 271.53 Performing personal services.
 271.54 Contract funds.
 271.55 Savings under contract.
 271.56 Privacy Act requirements.

Subpart E—Contract Revision or Amendment

- Sec.
 271.61 Requesting revision or amendment.
 271.62 Review and action by contracting officer.
 271.63 Contracting officer's recommendation to decline.
 271.64 Review and action by Area Director or Commissioner.
 271.65 Appeal of Area Director's or Commissioner's decision to decline.
 271.66 Revisions or amendments proposed by Bureau.

Subpart F—Retraction and Reassumption

- 271.71 Retraction.
 271.72 Full retraction procedures.
 271.73 Tribal assumption of retroceded contracts.
 271.74 Reassumption.
 271.75 Cancellation for cause.
 271.76 Bureau operation of retroceded and reassumed contracts.
 271.77 Authorized position and end-of-year employment ceiling reserve for Bureau operation of retroceded, reassumed or cancelled contracts.

Subpart G—Hearings and Appeals

- 271.81 Hearings.
 271.82 Appeals from decision or action by Area Director.
 271.83 Appeals from decision or action by Commissioner.
 271.84 Appeals from Bureau decision to cancel contract for cause.

Authority: Sec. 102, Public Law 93-638, 88 Stat. 2203, unless otherwise noted.

Subpart A—General Provisions

§ 271.1 Purpose and scope.

(a) The purpose of the regulations in this Part is to give the application and approval process for non-profit contracts with the Bureau under section 102 of Title I of the Indian Self-Determination and Education Assistance Act (Public Law 93-638, 88 Stat. 2203). Title I is known as the Indian Self-Determination Act. Contracts under the Act include "tribal governmental functions" as defined in § 271.2(q), "business related functions" as defined in § 271.2(d), and certain contractable trust resources programs or parts of programs as set forth in § 271.32. The nature of contracts with Indian entities which do not fall within the purview of the Act, including contracts which may provide for profit, and the conditions for entering into such contracts, are set forth in the regulations implementing the Act of June 25, 1910 (36 Stat. 861, 25 U.S.C. 47), commonly referred to as the "Buy Indian" Act.

(b) Section 104 of Title I of the Act provides authority for making grants for certain purposes. It is the Bureau's policy to make grants for the purpose specified in Section 104 of the Act in lieu of contracts. Part 272 of this chapter gives the procedures and requirements for obtaining grants under section 104 of the Act.

(c) Nothing in these regulations shall be construed as:

(1) Affecting, modifying, diminishing, or otherwise impairing the sovereign immunity from suit enjoyed by an Indian tribe;

(2) Authorizing or requiring the termination of any trust responsibility of the United States with respect to the Indian people; or

(3) Permitting significant reduction in services to Indian people as a result of this Part.

(d) Nothing in these regulations shall be construed to mandate a tribe to apply for a contract or contracts with the Bureau to plan, conduct, and administer all or parts of any Bureau program. Such applications under these regulations are strictly voluntary.

§ 271.2 Definitions.

As used in this part: (a) "Act" means the Indian Self-Determination and Education Assistance Act (Public Law 93-638, 88 Stat. 2203).

(b) "Area Director" means the official in charge of a Bureau of Indian Affairs Area Office.

(c) "Bureau" means the Bureau of Indian Affairs.

(d) "Business related function" means all programs authorized to be administered by the Bureau for the benefit of Indians enumerated as line items in the Bureau's annual budget request under "Tribal Resources Development as the Sub-activities of Business Enterprise Development, Credit and Indian Action Teams; Revolving Funds for Loans; Indian Loan Guaranty and Insurance

Funds; and also programs or parts of programs connected with construction projects but exclusive of the actual construction of the project.

(e) "Commissioner" means the Commissioner of Indian Affairs.

(f) "Days" means calendar days.

(g) "Economic enterprise" means any commercial, industrial, agricultural, or business activity that is at least 51 percent Indian owned, established or organized for the purpose of profit.

(h) "Indian tribe" means any Indian Tribe, Band, Nation, Rancheria, Pueblo, Colony or Community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688) which is federally recognized as eligible by the United States Government through the Secretary for the special programs and services provided by the Secretary to Indians because of their status as Indians.

(i) "Indian" means a person who is a member of an Indian tribe.

(j) "Previously private school" means a school (other than a Federal school formerly operated by the Bureau) that is operated primarily for Indian students in any grade or grades from age 3 years through grade(s) 12; and, which at the time of application is controlled, and sanctioned or chartered by the governing body(s) of an Indian tribe(s).

(k) "Recontracting" means the entering into a contract with a tribal organization which holds a contract for the same program.

(l) "Resolution" means the formal manner in which the tribal government expresses its legislative will in accordance with its organic documents. In the absence of such organic document, a written expression adopted pursuant to tribal practices will be acceptable.

(m) "Secretary" means the Secretary of the Interior.

(n) "Superintendent" means the official in charge of a Bureau of Indian Affairs Agency Office.

(o) "Tribal Chairman" means tribal chairman, governor, chief or other person recognized by the tribal government as its chief executive officer.

(p) "Tribal government, "tribal governing body" and "tribal council" means the recognized governing body of an Indian tribe.

(q) "Tribal governmental function" means all programs authorized to be administered by the Bureau for the benefit of Indians enumerated as line items in the Bureau's annual budget requests under the Activities of Education and Indian Services, the Subactivities of Direct Employment and Road Maintenance, and those programs related to Irrigation and Power Operation and Maintenance identified as a part of the subactivity minerals, mining, irrigation and power under the Activity of Tribal Resources Development.

(r) "Tribal organization" means the recognized governing body of any In-

dian tribe; or any legally established organization of Indians or tribes which is controlled, sanctioned, or chartered by such governing body or bodies or which is democratically elected by the adult members of the Indian community to be served by such organization and which includes the maximum participation of Indians in all phases of its activities; *Provided*, That a request for a contract must be made by the tribe that will receive services under the contract; *Provided further*, That in any case where a contract is let to an organization to perform services benefiting more than one Indian tribe, the approval of each such Indian tribe shall be a prerequisite to the letting of such contract.

(s) "Trust resources" means natural resources, land, water, minerals, funds or property, asset, or claim, including any intangible right or interest in any of the foregoing, which is held by the United States in trust for any Indian tribe or any Indian individual or which is held by any Indian tribe or Indian individual subject to a restriction on alienation imposed by the United States.

(t) "Trust responsibility" means, for the purposes of this part only, the protect, manage, develop and approve authorized transfers of interests in trust resources held by Indian tribes and Indian individuals to a standard of the highest degree of fiduciary responsibility.

§ 271.3 Revision or amendment of regulations.

In order to make any substantive revisions or amendments to the regulations in this Part, the Secretary shall take the following actions:

(a) Consult with Indian tribes and national and regional Indian organizations to the extent practicable about the need for revision or amendment and consider their views in preparing the proposed revision or amendment.

(b) Present the proposed revision or amendment to the Committees on Interior and Insular Affairs of the United States Senate and House of Representatives.

(c) Publish the proposed revisions or amendments in the Federal Register as proposed rulemaking to provide adequate notice to, and receive comments from, all interested parties.

(d) After consideration of all comments received, publish the regulations in the FEDERAL REGISTER in final form not less than 30 days before the date they are made effective.

(e) Annually consult with Indian tribes and national and regional Indian organizations about the need for revision or amendment, and consider their views in preparing the revision or amendment.

(f) Nothing in this section shall preclude Indian tribes or national or regional Indian organizations from initiating request for revisions or amendments subject to paragraphs (a), (b), (c) and (d) of this section.

§ 271.4 Statement of policy.

(a) The Congress has recognized the obligation of the United States to respond to the strong expression of the In-

dian people for self-determination by assuring maximum Indian participation in the direction of educational as well as other Federal services to Indian communities so as to render such services more responsive to the needs and desires of those communities.

(b) The Congress has declared its commitment to the maintenance of the Federal Government's unique and continuing relationship with and responsibilities to the Indian people through the establishment of a meaningful Indian self-determination policy which will permit an orderly transition from Federal domination of programs for and services to Indians to effective and meaningful participation by the Indian people in the planning, conduct, and administration of those programs and services.

(c) It is the policy of the Bureau to facilitate the efforts of Indian tribes to plan, conduct, and administer programs, or portions thereof, which the Bureau is authorized to administer for the benefit of Indians and to facilitate the coordination of all Federal and other programs on Indian reservations.

(d) It is the policy of the Bureau to continually encourage Indian tribes to become increasingly knowledgeable about Bureau programs and the opportunities Indian tribes have regarding them; however, it is the policy of the Bureau to leave to Indian tribes the initiative in making requests for contracts and to regard self-determination as including the decision of an Indian tribe not to request contracts.

(e) It is the policy of the Bureau not to impose sanctions on Indian tribes with regard to contracting or not contracting; however, the special resources made available to facilitate the efforts of those Indian tribes which do wish to contract should be made known to all tribes, as should the current realities of funding and Federal personnel limitations.

(f) Contracting is one of several mechanisms by which Indian tribes can exercise their right to plan, conduct, and administer programs or portions thereof which the Secretary is authorized to administer for the benefit of Indians. Another mechanism afforded Indian tribes is the use of a grant, as provided in Part 272 of this chapter, or other resources, to plan the manner in which it wishes the Bureau to operate a program or portion thereof.

(g) Contracting by its very nature places Bureau officials in the dual position of assisting Indian tribes, in many instances, by furnishing technical assistance in preparation of contract proposals, and of carrying out their fiscal and administrative responsibilities as officials of the Federal Government. It is recognized that very often these two positions are in opposition to each other. The Act and these regulations are designed to address this problem to the degree practicable. The Commissioner, Area Directors and Superintendents, as line officers of the Bureau, are expected to balance these two positions within the framework of the regulations in this Part.

(h) The regulations in this Part are not meant to and do not change the eligibility criteria which individuals must meet to be eligible for any program currently operated by the Bureau. The eligibility criteria for each Bureau program is given in the Part of Chapter I, Title 25 of the Code of Federal Regulations which deals with that program. A contractor shall use the existing Bureau eligibility criteria in operating all or parts of a Bureau program under a contract under this part unless a waiver is obtained from the Commissioner. The Commissioner may not waive eligibility criteria established by statute. The Commissioner may waive eligibility criteria established by regulation in Chapter I, Title 25 of the Code of Federal Regulations.

Subpart B—Application Process

§ 271.11 Eligible applicants.

Any tribal organization is eligible to apply for a contract or contracts with the Bureau to plan, conduct, and administer all or parts of Bureau programs under section 103 of the Act. However, before the Bureau can enter into a contract with a tribal organization, it must be requested to do so by the Indian tribe or tribes to be served by the contract in accordance with § 271.18.

§ 271.12 Contractable Bureau programs.

Tribal organizations are entitled to contract with the Bureau to plan, conduct, and administer all or parts of any program which the Bureau is authorized to administer for the benefit of Indians. All or parts of any program include:

(a) Any part of a Bureau program which is divisible from the remainder of the program so long as the contract does not significantly reduce benefits to Indians served by the non-contracted part(s) of the program. However, to the extent that it is within the Bureau's existing authority and the program or part thereof involves only one tribe and one Bureau Agency or Area Office, the benefits provided to Indians by the non-contracted part(s) of the program may be reduced at the request of the tribe. When the program or part thereof serves more than one tribe, the benefits provided by the non-contracted part(s) of the program may be reduced when all of the tribes served consent to a reduction.

(b) A single employee position only when the functions to be performed provide a direct service to Indians and meets the criteria in paragraph (a) of this section.

(c) Programs or parts of programs or services that are authorized but not currently operated or provided by the Bureau.

(d) Operation of, or services provided by, previously private schools.

(e) All of the foregoing paragraphs of this section apply to trust resources programs or portions thereof. Additional criteria for contractable trust resources programs, or portions thereof, are given in § 271.32.

nder § 14-7.5003 has been changed to clarify the method by which preference is to be given to Indian firms in the awarding of subcontracts, consistent with efficient performance of the contract.

Authorship Statement

The primary author of this regulation is Mr. William Opdyke, Office of Administrative and Management Policy, Office of the Secretary.

Determination of Significance

The Department of the Interior has determined that this document is not a significant rule and does not require a regulatory analysis under Executive Order 12044 and 43 CFR Part 14.

Pursuant to the authority of the Secretary of the Interior contained in 5 U.S.C. 301, 41 CFR Chapter 14 is amended as stated below.

Dated: October 22, 1979.

William L. Keadig,

Assistant Secretary of the Interior.

1. The Table of Contents of Part 14-1 is amended by adding a new § 14-1.354 as follows:

Subpart 14-1.3—General Policies

Sec.

14-1.354 Indian preference in employment, training, and subcontracting opportunities.

2. Subpart 14-1.3 is amended by adding a new § 14-1.354 as follows:

Subpart 14-1.3—General Policies

§ 14-1.354 Indian preference in employment, training, and subcontracting opportunities.

(a) *Statutory requirements.* Section 7(b) of the Indian Self-Determination and Education Assistance Act (Sec. 7(b), Public Law 93-638; 88 Stat. 2205; 25 U.S.C. 450e(b)) requires that any contract or subcontract entered into pursuant to the Act; the Act of April 18, 1934 (48 Stat. 596; 25 U.S.C. 452), as amended, (the Johnson-O'Malley Act); or any other Act authorizing contracts with Indian organizations or for the benefit of Indians shall require that, to the greatest extent feasible: (1) Preferences and opportunities for training and employment in connection with the administration of such contracts shall be given to Indians; and,

(2) Preference in the award of subcontracts in connection with the administration of such contracts shall be given to Indian organizations and to Indian-owned economic enterprises as defined in section 3 of the Indian

Financing Act of 1974 (Sec. 3, Pub. L. 93-282; 88 Stat. 77; 25 U.S.C. 1452).

(b) *Applicability.* (1) The Indian Preference clause, set forth in § 14-7.5002 of this chapter, shall be included in all solicitations issued and contracts awarded by: (i) the Bureau of Indian Affairs, except solicitations issued and contracts awarded pursuant to Titles I and II of Pub. L. 93-638, (25 U.S.C. 450 et seq.; and 25 U.S.C. 455 et seq., respectively), (ii) a procuring activity other than the Bureau of Indian Affairs when the contract is entered into pursuant to an act specifically authorizing contracts with Indian organizations and, (iii) a procuring activity other than the Bureau of Indian Affairs where the work to be performed is specifically for the benefit of Indians and is in addition to any incidental benefits which might otherwise accrue to the general public.

(2) The Indian Preference Program clause, set forth in § 14-7.5003 of this chapter, shall be included in all solicitations issued and contracts awarded by a procuring activity which may exceed \$50,000 which contain the clause required by paragraph (b)(1) of this § 14-1.354 and where, prior to solicitation, it is determined that the work under the contract will be performed in whole or in part on or near an Indian reservation(s). The Indian Preference Program clause may also be included in solicitations issued and contracts awarded by a procuring activity which may not exceed \$50,000, but which contain the clause required by paragraph (b)(1) of this § 14-1.354 and which in the opinion of the procuring activity, offer substantial opportunities for Indian employment, training and subcontracting.

(c) *Definitions.* For purposes of this § 14-1.354, the following definitions shall apply:

(1) "Indian" means a person who is a member of an Indian Tribe. If the contractor has reason to doubt that a person seeking employment preference is an Indian, the contractor shall grant the preference but shall require the individual within thirty (30) days to provide evidence from the Tribe concerned that the person is a member of that Tribe.

(2) "Indian Tribe" means an Indian Tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688; 43 U.S.C. 1601) which is recognized as eligible for the special programs and services provided by the United States

to Indians because of their status as Indians.

(3) "Indian organization" means the governing body of any Indian Tribe or entity established or recognized by such governing body in accordance with the Indian Financing Act of 1974 (88 Stat. 77; 25 U.S.C. 1451).

(4) "Indian-owned economic enterprise" means any Indian-owned commercial, industrial, or business activity established or organized for the purpose of profit provided that such Indian ownership shall constitute not less than 51 percent of the enterprise.

(5) "Indian reservation" includes Indian reservations, public domain Indian allotments, former Indian reservations in Oklahoma, and land held by incorporated Native groups, regional corporations, and village corporations under the provisions of the Alaska Native Claims Settlement Act, (85 Stat. 688; 43 U.S.C. 1601 et seq.).

(6) "On or near an Indian reservation" means on a reservation or the distance within that area surrounding an Indian reservation(s) that a person seeking employment could reasonably be expected to commute to and from in the course of a work day.

(d) *Compliance enforcement.* (1) The procuring activity concerned shall be responsible for conducting periodic reviews to insure contractor compliance with the requirements of the clauses set forth in §§ 14-7.5002 and 14-7.5003 of this chapter. These reviews may be conducted with the assistance of the Indian Tribe(s) concerned.

(2) Complaints of non-compliance with the requirements of the clauses set forth in §§ 14-7.5002 and 14-7.5003 of this chapter which are filed in writing with the procuring activity shall be promptly investigated and resolved by the contracting officer.

(e) *Tribal preference requirements.* (1) Where the work under a contract is to be performed on an Indian reservation, the procuring activity may supplement the clause set forth in § 14-7.5003 of this chapter by adding specific Indian preference requirements of the Tribe on whose reservation the work is to be performed. The supplemental requirements shall be jointly developed for the contract by the procuring activity and the Tribe. Supplemental preference requirements must represent a further implementation of the requirements of section 7(b) of Pub. L. 93-638 and must be approved by the Office of the Solicitor for legal sufficiency before being added to a solicitation and resultant contract. Any supplemental preference requirements to be added to the clause in § 14-7.5003 of this chapter shall be included in the solicitation and

ANCSA

85 STAT. 691

(C) \$70,000,000 during each of the third, fourth, and fifth fiscal years;

(D) \$40,000,000 during the sixth fiscal year; and

(E) \$30,000,000 during each of the next five fiscal years.

(2) Four percent interest per annum, which is authorized to be appropriated, on any amount authorized to be appropriated by this paragraph that is not appropriated within six months after the fiscal year in which payable.

(3) \$500,000,000 pursuant to the revenue sharing provisions of section 9.

Fund expenditures for propaganda or political campaigns, prohibition. Penalty.

(b) None of the funds paid or distributed pursuant to this section to any of the Regional and Village Corporations established pursuant to this Act shall be expended, donated, or otherwise used for the purpose of carrying on propaganda, or intervening in (including the publishing and distributing of statements) any political campaign on behalf of any candidate for public office. Any person who willfully violates the foregoing provision shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000 or imprisoned not more than twelve months, or both.

Distribution.

(c) After completion of the roll prepared pursuant to section 5, all money in the Fund, except money reserved as provided in section 20 for the payment of attorney and other fees, shall be distributed at the end of each three months of the fiscal year among the Regional Corporations organized pursuant to section 7 on the basis of the relative numbers of Natives enrolled in each region. The share of a Regional Corporation that has not been organized shall be retained in the Fund until the Regional Corporation is organized.

REGIONAL CORPORATIONS

SEC. 7. (a) For purposes of this Act, the State of Alaska shall be divided by the Secretary within one year after the date of enactment at this Act into twelve geographic regions, with each region composed as far as practicable of Natives having a common heritage and sharing common interests. In the absence of good cause, shown to the contrary, such regions shall approximate the areas covered by the operations of the following existing Native associations:

- (1) Arctic Slope Native Association (Barrow, Point Hope);
- (2) Pering Straits Association (Seward Peninsula, Unalakleet, Saint Lawrence Island);
- (3) Northwest Alaska Native Association (Kotzebue);
- (4) Association of Village Council Presidents (southwest coast, all villages in the Bethel area, including all villages on the Lower Yukon River and the Lower Kuskokwim River);
- (5) Tanana Chiefs' Conference (Koyukuk, Middle and Upper Yukon Rivers, Upper Kuskokwim, Tanana River);
- (6) Cook Inlet Association (Kenai, Tyonek, Eklutna, Iliamna);
- (7) Bristol Bay Native Association (Dillingham, Upper Alaska Peninsula);
- (8) Aleut League (Aleutian Islands, Pribilof Islands and that part of the Alaska Peninsula which is in the Aleut League);
- (9) Chugach Native Association (Cordova, Tatitlek, Port Graham, English Bay, Valdez, and Seward);
- (10) Tlingit-Haida Central Council (southeastern Alaska, including Metlakatla);
- (11) Kodiak Area Native Association (all villages on and around Kodiak Island); and
- (12) Copper River Native Association (Copper Center, Glennallen, Chitina, Mentasta).

Note that these are not the regional corporations
↓
a tribe is a village or a regional village corp.

ANCSA

December 18, 1971

- 5 -

Pub. Law 92-203

85 STAT. 692

Any dispute over the boundaries of a region or regions shall be resolved by a board of arbitrators consisting of one person selected by each of the Native associations involved, and an additional one or two persons, whichever is needed to make an odd number of arbitrators, such additional person or persons to be selected by the arbitrators selected by the Native associations involved.

Boundary disputes, arbitration.

(b) The Secretary may, on request made within one year of the date of enactment of this Act, by representative and responsible leaders of the Native associations listed in subsection (a), merge two or more of the twelve regions: *Provided*, That the twelve regions may not be reduced to less than seven, and there may be no fewer than seven Regional Corporations.

Region mergers.

(c) If a majority of all eligible Natives eighteen years of age or older who are not permanent residents of Alaska elect, pursuant to subsection 5(c), to be enrolled in a thirteenth region for Natives who are non-residents of Alaska, the Secretary shall establish such a region for the benefit of the Natives who elected to be enrolled therein, and they may establish a Regional Corporation pursuant to this Act.

Thirteenth region.

(d) Five incorporators within each region, named by the Native association in the region, shall incorporate under the laws of Alaska a Regional Corporation to conduct business for profit, which shall be eligible for the benefits of this Act so long as it is organized and functions in accordance with this Act. The articles of incorporation shall include provisions necessary to carry out the terms of this Act.

Incorporation.

The corp. is distinctly from the "associations"

(e) The original articles of incorporation and bylaws shall be approved by the Secretary before they are filed, and they shall be submitted for approval within eighteen months after the date of enactment of this Act. The articles of incorporation may not be amended during the Regional Corporation's first five years without the approval of the Secretary. The Secretary may withhold approval under this section if in his judgment inequities among Native individuals or groups of Native individuals would be created.

separate the "associations"

(f) The management of the Regional Corporation shall be vested in a board of directors, all of whom, with the exception of the initial board, shall be stockholders over the age of eighteen. The number, terms, and method of election of members of the board of directors shall be fixed in the articles of incorporation or bylaws of the Regional Corporation.

Management.

(g) The Regional Corporation shall be authorized to issue such number of shares of common stock, divided into such classes of shares as may be specified in the articles of incorporation to reflect the provisions of this Act, as may be needed to issue one hundred shares of stock to each Native enrolled in the region pursuant to section 5.

Stock, issuance.

(h) (1) Except as otherwise provided in paragraph (2) of this subsection, stock issued pursuant to subsection (g) shall carry a right to vote in elections for the board of directors and on such other questions as properly may be presented to stockholders, shall permit the holder to receive dividends or other distributions from the Regional Corporation, and shall vest in the holder all rights of a stockholder in a business corporation organized under the laws of the State of Alaska, except that for a period of twenty years after the date of enactment of this Act the stock, inchoate rights thereto, and any dividends paid or distributions made with respect thereto may not be sold, pledged, subjected to a lien or judgment execution, assigned in present or future, or otherwise alienated: *Provided*, That such limitation shall not apply to transfers of stock pursuant to a court decree of separation, divorce or child support.

Stockholders' rights.

CORRESPONDENCE

K
J
C

Ketchikan Indian Corporation

(IRA Council)

P.O. BOX 6855

429 DEERMOUNT AVENUE

Ketchikan, Alaska 99901

PHONE: (907) 225-5158

BOARD OF DIRECTORS
(IRA Council)

April 14, 1980

RANDY WILLIAMS
President

CARYL GOULD
Vice-President

ALBERT KETAH, JR.
Secretary

FLOYD GUTHRIE
Treasurer

DORIS VOLZKE
Councilwoman

JOE DEMMERT, JR.
Councilman

ALFRED JACKSON
Councilman

MARY E. GUTHRIE
Councilwoman

Chairman Bill Parker
Community & Regional Affairs Committee
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Sir:

As a follow-up to the teleconference April 14, 1980 on H. B. 685 we would like to summarize our position as one of frustration with the inefficiency and poor service delivery from the Tlingit-Haida Regional Housing Authority to the Native community of Ketchikan.

We feel that legislation enabling the creation of local housing authorities will result in strong and viable local housing programs. Currently, programs are either not available to the local citizens, as in the case of our proposal for turn-key housing, or else the service delivery is interminably slow.

In the matter of property rights of potential turn-key home owners, we intend to address this according to the law and give our assurances that one of our responsibilities as a local housing authority will be to eliminate this problem as is currently being experienced through Tlingit-Haida Regional Housing Authority.

For the amendment itself, please include the following:

* Section 1. AS 18.55.996(a)(10) is amended to read:

(10) Tlingit-Haida Central Council or Alaska Native Brotherhood (Southeastern Alaska including Metlakatla and excluding Baranof Island and Revillagigedo Island w/exception of Saxman).

* Section 2. AS 18.55.996(a) is amended by adding a new paragraph to read:

(14) Sitka Community Association (Baranof Island).

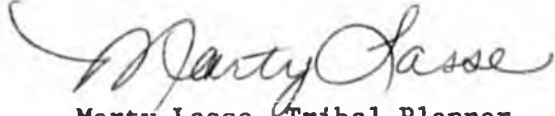
(15) Ketchikan Indian Corporation
(Revillagigedo Island, excluding Saxman).

April 14, 1980
Chairman Bill Parke
Community & Regional Affairs Committee
Page 2

Thank you for your time and attention.

Sincerely,

Edward K. Thomas, Executive Director

A handwritten signature in cursive script that reads "Marty Lasse". The signature is written in dark ink and is positioned above the typed name and title.

Marty Lasse, Tribal Planner
Ketchikan Indian Corporation

EDT:MS:fs



City and Borough of Sitka

P.O. BOX 79 · SITKA, ALASKA · 99835

March 27, 1980

Representative Richard Eliason
State House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Dick:

Be advised that the Assembly of the City and Borough of Sitka supports the Sitka Community Association in its request to be designated as the Housing Authority within the Sitka area.

Very truly yours,


Fermin Gutierrez
Administrator

cc: Andrew Hope, S.C.A.

MB6854

02227 WL IDA CRAIG ALASKA 66 03-28 155P-AST

TELEGRAM

PMS REP RICHARD ELIASON

1936

JUN

1930 MAR 20

THIS TELEGRAM WILL INDICATE THE FULL SUPPORT OF THE CRAIG PM 8 51
COMMUNITY ASSOCIATION IRA COUNCIL FOR MB685. RESOLUTION 53-13

OF THE CRAIG COMMUNITY ASSOCIATION STATES QUOTE THEREFORE BE
IT RESOLVED BY THE COUNCIL OF THE CRAIG COMMUNITY ASSOCIATION
THAT THE ALASKA STATE LEGISLATURE BE REQUESTED TO AMEND TITLE
18 OF THE ALASKA STATUTES TO ALLOW LOCAL ALASKA NATIVE TRIBAL
GOVERNING BODIES TO CREATE LOCAL HOUSING AUTHORITIES UNQUOTE.

THOMAS H ABEL PRESIDENT

CRAIG COMMUNITY ASSOCIATION

JAO2 0009 11.58 JAO1 0038 11.58 04/08/80

Chairman Parker

TO HOUSE COMMUNITY & REGIONAL AFFAIRS COMMITTEE

FROM KETCHIKAN INFO OFFICE

THE FOLLOWING INQUIRY IS FROM MARTY LASSE, KETCHIKAN INDIAN CORPORATION,
PHONE # 225-5158, EXT. 217:

WHAT IS THE CURRENT STATUS OF HB 685 WITH YOUR COMMITTEE? DO YOU PLAN
TO PASS IT OUT OF COMMITTEE, ARE YOU HAVING HEARINGS, AND ARE THERE ANY
PROPOSED AMENDMENTS?

PLEASE RESPOND THIS OFFICE OR CALL MISS LASSE AT THE ABOVE NUMBER.
THANK YOU. EOM/SLW \



City and Borough of Sitka

P.O. BOX 79 · SITKA, ALASKA · 99835

March 27, 1980

Representative Richard Eliason
State House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Dick:

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Very truly yours,


Fermin Gutierrez
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THE FOLLOWING DOCUMENT(S) MAY NOT FILM
LEGIBLY BECAUSE OF POOR QUALITY OF THE
ORIGINAL.

K
J
C

Ketchikan Indian Corporation

(IRA Council)

P.O. BOX 6855

429 DEERMOUNT AVENUE

Ketchikan, Alaska 99901

PHONE: (907) 225-5158

April 17, 1980

BOARD OF DIRECTORS
with Counsel

RANDY WILLIAMS
President

CARYL GOULD
Vice-President

ALBERT RETAN, JR.
Secretary

FLOYD GUTHRIE
Treasurer

DONALD WELZIE
Chairman

JOE DEMBOWY, JR.
Counselor

ALFRED JACKSON
Counselor

MARY E. GUTHRIE
Counselor

The Honorable Bill Parker
Representative, State of Alaska
Fouch V
Juneau, Alaska 99801

Dear Sir:

We are most interested in having HB685 amended to include all IRA Councils. We added our name to the present amendment to follow the form as set by Sitka Community Association; but since the issue has become a discussion on the feasibility of IRA Councils, in general, being open to develop individual housing authorities, we would like to the Committee to know that we do very much support this legislative change.

Individual IRA Councils representing individual communities with unique needs are in the best position to communicate directly with citizens, local government bodies and contractors for a service delivery of high accountability. From a citizen view-point, having a local and accessible agency is critical. Low-income people do not have extra funds to make long distance phone calls or visits to Juneau to work on their own behalf. We must remember the varied circumstances surrounding each community and not, through fear or paternalism, disband local control or watered-down or fragmentary.

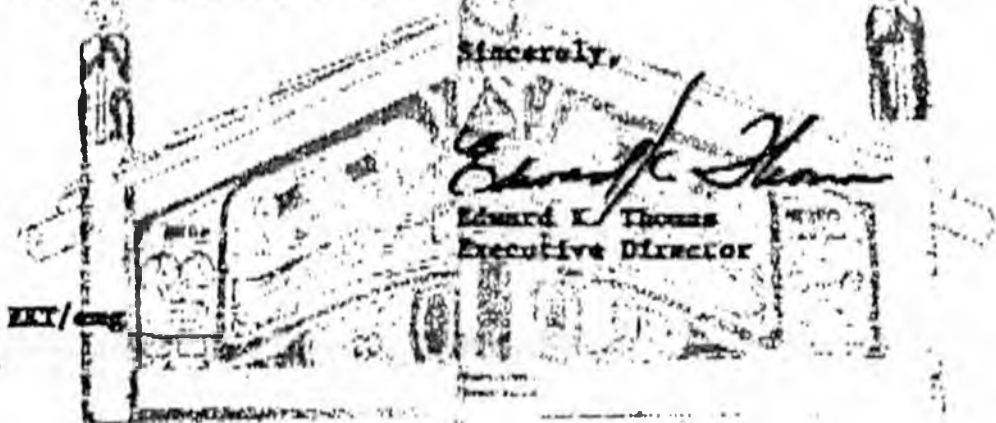
The State already supports a divisional housing authority system as evidenced by ASHA plus the regional Native Housing Authority legislation already in existence.

We feel very strongly on this issue and wish we could be present for comments. Please know we appreciate your attention and efforts in this matter.

Sincerely,



Edward K. Thomas
Executive Director



ERT/eng

Whereas, the Craig Community Association, Inc. is a duly constituted Indian Tribe organized pursuant to the Acts of Congress of June 18, 1934 (49 Stat. 984) and May 1, 1936 (49 Stat. 1250), and is recognized by the U.S. Government as a tribal governing body; and

Whereas, Regional Native Housing Authorities were created by the Alaska State Legislature in 1971 under Title 18.55.995 and,

Whereas, these Regional Native Housing Authorities were modeled on the Alaska Native Claims Settlement Act Regional Corporations, and

Whereas, the regional approach has failed on some occasions to take local concerns into consideration, and

Whereas, the enabling legislation required that: "A housing authority created by this section may not transact business or exercise powers granted to it until the governing body of the named association has, by proper resolution, declares that there is a need for the authority to function, gives it the authority to function and has named its commissioners....", and

Whereas, under principles of the Indian Self Determination and Education Assistance Act, the Central Council of Tlingit and Haida is not a Tribal Governing body. The Central Council is required to obtain resolutions of support from tribal governing bodies at the local level before they are permitted to contract programs for those communities, and

Whereas, the Department of Housing and Urban Development recognizes those Native Housing Authorities under Title 24, Section 805.108: "An Indian Housing Authority (IHA), may be established Pursuant to a state law which provides for the establishment of IHAs with all necessary legal powers to carry out low income housing projects for Indians."

Therefore Be It Resolved, by the Council of the Craig Community Association: That the Alaska State Legislature be requested amend Title 18 of the Alaska Statutes, to allow local Alaska Native Tribal Governing bodies to create local housing authorities.

CERTIFICATION

I, the undersigned as President of the Craig Community Association, IHA Council, do hereby certify that the foregoing Resolution CCA 80-10, was adopted by the Craig Community Association, IHA Council at a special meeting held MARCH 4, 1980 by a unanimous quorum vote.

ATTEST:

Edwina P. Thomas
Secretary

Thomas H. Abel
President

Whereas, the Craig Community Association, IHA Council, is a duly constituted Indian Tribe organized pursuant to the Acts of Congress of June 13, 1934 (49 Stat. 984) and May 1, 1936 (49 Stat. 1250), and is recognized by the U.S. Government as a tribal governing body; and

Whereas, Regional Native Housing Authorities were created by the Alaska State Legislature in 1971 under Title 18.55.995 and,

Whereas, these Regional Native Housing Authorities were modeled on the Alaska Native Claims Settlement Act Regional Corporations, and

Whereas, the regional approach has failed on some occasions to take local concerns into consideration, and

Whereas, the enabling legislation required that: "A housing authority created by this section may not transact business or exercise powers granted to it until the governing body of the named association has, by proper resolution, declares that there is a need for the authority to function, gives it the authority to function and has named its commissioners..." and

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CERTIFICATION

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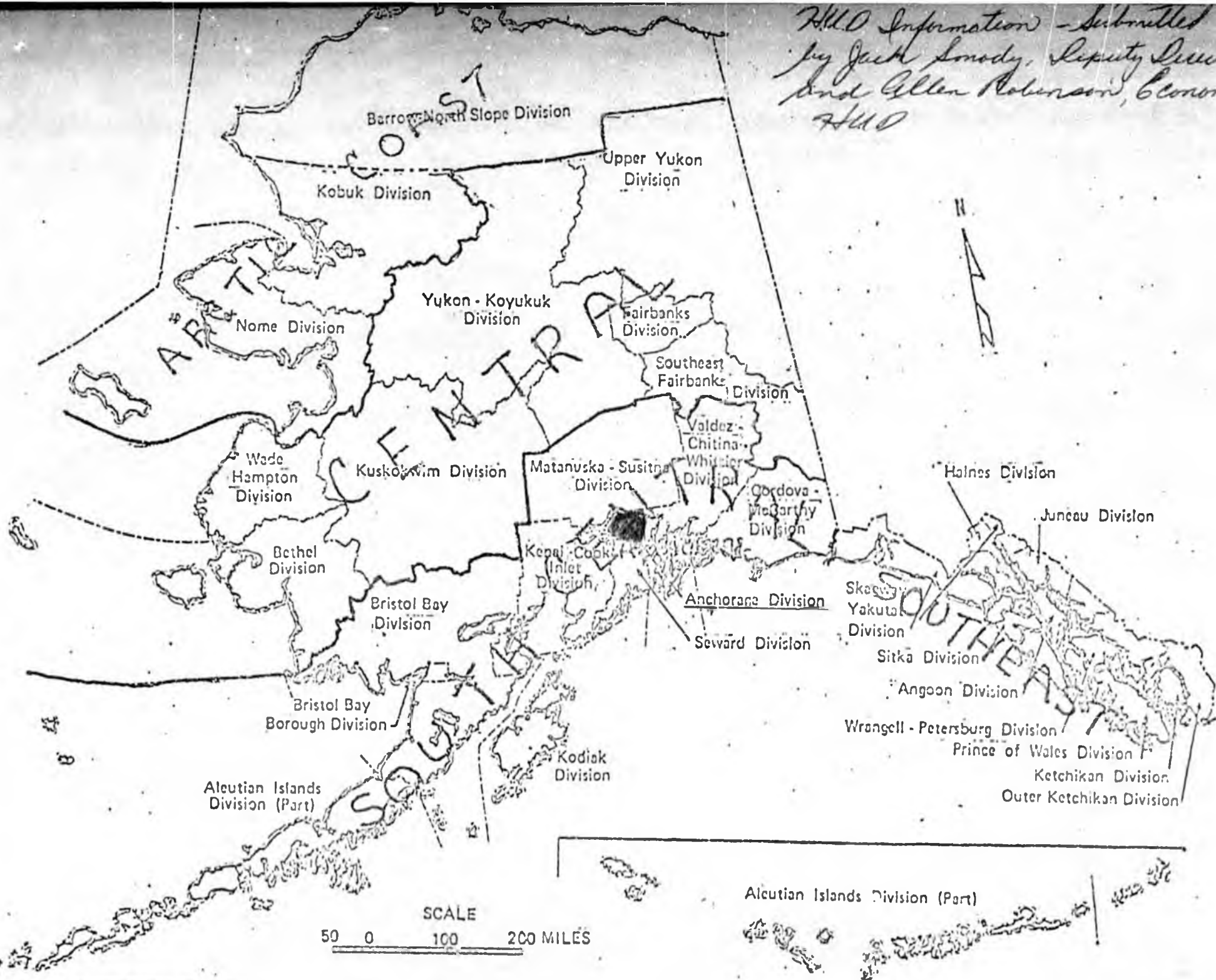
ATTEST:

Colleen P. Thomas
Secretary

Thomas H. Abel
President

THE PRECEDING DOCUMENT(S) MAY NOT FILM
LEGIBLY BECAUSE OF POOR QUALITY OF THE
ORIGINAL.

*H.O. Information - Submitted
by Jack Smody, Deputy Director
and Allen Robinson, Economist,
H.O.*



SCALE
50 0 100 200 MILES

Assisted Housing Programs Completed 1970-1979, Under Construction, or Planned for 1980.
 By Allocation Area and Locality in Alaska
 As of October 11, 1979

Area	Locality	Units	Locality	Units	Area & Locality	Units	Locality	Units
<u>Arctic Coast Area</u>				<u>South Central Area</u>				
Kiana 1115	31	Barrow 1111	80	New Stuyahok	17	Valdez 1111	20	
Kivalina 70415	26	St. Michael 25123	48	Mamokatak	19	St. Paul	20	Fulla
Elim	35	Stebbins 2011	20	English Bay 2011	26	Kodiak		Kodiak 36
Noorvik 711120110	52	Sawoonga 25123	50	Cuzinkie 111111	41	SEF 7	91	Kodiak 8
Shismoret 21120	41	Gambell 0111	60	Sand Point 51111	31	SEF 7		Palmas 31
Point Hope 2411150	55	Teller 6111	30	King Cove 5111	28	Kenai 211	34	Kodiak 54
Selawik 20118	44	Shaktolik 6111	27	Homer 011	20	St. George	5	135
Buckland	12	Wales	18	Cordova 011	20	Seward 211	36	
Wainwright 25112	37	Nuqsut 2015	35	Togiak	30	Curtwell	20	L2PH
Unalakleet 111220130	69	Atkasook	13	Naknek	15	Mentasta	14	Sellers 18
Ambler	16	Shungrak	18	South Naknek	15	Typuk	27	Copple 12
Golovin	10		1057	Dillingham	50	Eulitna	5	Gulka 8
Anaktavik Pass	8	Nat. Cap. Kotzebue	42	AKhisik	15	Port Lions 25111	35	Kodiak 54
Daring	8	Totok	1099	Karluk 815	23	Unalaska	20	Dillingham 20
Kaktovik 415	13			Larsen Bay	15	Nikolski 111	17	112
Koyuk 20114	26			Old Harbor	45	Akutan	18	1701
Noutak 21122	30			Levelock	15	Port Graham	31	311
Nome 201150	70			Clark Point	15	Tatitlek	18	48
Kotzebue 4119	57			Ateknuk	15	Port Hedden	14	Total 295
Shungrak	18			Egegik	25		919	
<u>Central Area</u>				<u>Other</u>				
Aniak	31	Kipruik	32	Palmer 11111	6	Total	295	
Nightmute	7	Atmautluk	24	<u>Southwestern Area</u>				
AKiachuk	15	Toksook Bay	26	Tanana 11111111E	142			
Chefchaek 1112	21	Napakialk	20	" (21) 91141E	137			BIA 78 65
Emmonak 1711130	48	Alakanuk 51115	56	" State (411111) 72				74-79 BIA 218
Kotlik	17	Bethel 183123	206	Wrangell 11011211111111	52			Fulla N.P. 32
Minto	20	Fairbanks-		Petersburg 11411111111111	35			315
Quinhagak 6155	61	20111111111111111111		Ketchikan 111111111111111111	80	<u>METRO-Anchorage S.M.A.</u>		
Chevak 2511	26	510		Yakutat 111111111111111111	70	Sec 8		Elderly 31
Summon Bay	15	(30111)		Angoon 111111111111111111	67	Fin 2-01	51	Eustchester 114
Hooper Bay 2411120	55	Fort Yukon	40	Metlakatla 111111111111111111	50	" 004	67	Pioneer Hosp 150
Pilot Station	22	Galena 61101	36	Sitka 111111111111111111	61	" 006	429	Espe River 57
Mountain Village	28	Tamarock	15	Klukwan 111111111111111111	38	" 007	97	Subtotal 226
Kallay 14117	36	Takotna	5	Haines 111111111111111111	46	" 009	30	
Mekoryuk	20	McGrath	30	Sixtymile 21111	32	" 012	125	
Goodnews Bay	20	Nenana	20	Hoonah 111111111111111111	107	" 014	95	Indian Assoc 45
Holy Cross	15	Sheldon Point	13	Kake 111111111111111111	62	" 016	13	
Kwethluk	30	Marshall	24	Craig 15111111	24	" 018	71	
Tellin	13	St. Marys	20	Klatowok 111111111111111111	44	Subtotal 985		Total Metro 1761
Chalkyitsik	11	Russian Mission	27	Hydaburg 111111111111111111	52			Total partial 5639
Feris	17	Northway	20	Kasaan 111111111111111111	15	230(4)		
Tunuk	23	AKolmanit	51	Total	1192	230(4)		
Tanana	25		1818			230(4)		

HMO Accomplishments in FY 77, FY 78, and FY 79 Assisted Housing
 Metro and Non-Metro Areas in Alaska
 As of September 30, 1979

	FY 77			FY 78			FY 79		
	Units	Contract Auth Reserved	C.A. Percent	Units	Contract Auth Reserved	C.A. Percent	Units	Contract Auth Reserved	C.A. Percent
Metro									
Anchorage - SMTA	513	2,592,288	100%	567	2,637,471	100%	153	891,148	100%
Section 8	513	2,592,288		395	1,895,796		108	601,488	100%
New	17	96,780		93	503,964				
Mod Rehab							13	82,392	
Existing	496	2,495,508		201	1,091,712		95	519,096	
Loan Mgt				101	300,120				
LIPH				172	741,675				
AWR				80	272,300				
AWOR				92	469,375				
Sec 8 + LIPH	513	2,592,288		567	2,637,471		108	601,488	
Indian							45	289,660	
Non-Metro	484	2,764,639	100%	575	3,574,685	100%	1236	2,448,175	100%
1. Arctic Coast	41	369,440	13%	170	901,783	25%	236	1,016,139	12%
Sec 8	41	369,440							
Existing	9	46,440							
AWOR	32	323,000							
Indian - AWR/New				170	901,783		236	1,016,139	
2. Central	227	400,076	51%	67	495,279	14%	594	3,018,817	45%
Sec 8	192	1,183,176			41,830		82	484,095	
New	192	1,183,176		add. funds	41,830		23	194,028	
Mod Rehab							38	194,235	
Existing							21	95,832	
LIPH									
Sec 8 + LIPH	192	1,183,176					82	484,095	
Indian - New	35	216,900		67	453,449		512	2,534,557	
3. South central	99	313,607	11%	318	2,109,439	59%	300	771,737	32%
Sec 8	79	1,792,444					88	469,104	
New	55	68,580							
Mod Rehab							10	45,216	
Existing							78	423,888	
FmHA	24	1,106,644							
LIPH				90	581,968		74	368,713	
Sec 8 + LIPH	24	1,792,444		90	581,968		162	837,817	
Indian - New	20	134,363		228	1,527,471		128	622,022	

FY 79 Assisted Housing Allocation Plan by Household Type & Household Size
 Anchorage Area Office
 As of September 30, 1979

Project No	Location/Program	Contract Auth.	Total Units	Household Type			Household size					
				Elderly	Family	Lg. Family	Eff	1	2	3	4	5
METRO		891148	153	13 (8)	70 (46)	70 (46)	-	11	72	57	13	-
	Indian - AWOZ	289660	45	-	6	39	-	-	6	26	13	-
12-7	Anchorage	289660	45	-	6	39	-	-	6	26	13	-
	Section 8	601488	108	13	64	31	-	11	66	31	-	-
E102-04	Anchorage - Existing	519096	95	-	64	31	-	10	54	31	-	-
E102-06	Anchorage - Mod Rehab	82392	13	13	-	-	-	1	12	-	-	-
NonMETRO		448175	1236	43 (2)	471 (35)	722 (58)	6	111	282	274	213	4
	Indian	775110	931	-	265	666	-	4	146	234	197	4
	LIPH	368713	74	4	45	25	-	12	37	15	10	-
	Section 8	304187	231	39	161	31	6	95	99	25	6	-
	New	194028	23	23	-	-	-	23	-	-	-	-
	Mod Rehab	590439	109	16	93	0	6	60	43	-	-	-
	Exsting	519720	99	-	68	31	-	12	56	25	6	-
1. Arctic		016139	236	-	63	173	-	-	19	54	30	-
	Indian	016139	236	-	63	173	-	-	19	54	30	-
8-14	St. Michael	155662	23	-	6	17	-	-	6	11	6	-
8-15	Unalukleet	203037	30	-	2	28	-	-	2	18	10	-
8-16	Elim	236877	35	-	8	27	-	-	8	18	9	-
006-001	Kivalina	101518	15	-	3	12	-	-	3	7	5	-
	Bartlett Rehab	319045	133	-	44 est.	89 est.	-	-	-	-	-	-
2. Central		018652	594	23	185	386	-	37	100	113	131	-
	Indian	2534557	512	-	133	379	-	-	62	106	131	-
7-7	Tanana	169197	25	-	15	10	-	-	15	4	6	-
7-8	Nulato	203037	30	-	5	25	-	-	5	11	14	-
7-9	Northway	135358	20	-	5	15	-	-	5	11	4	-
9-13	Tuluksook	182733	27	-	5	22	-	-	5	9	13	-
9-18	Akolmiut	345163	51	-	7	44	-	-	7	14	30	-
807-002	Kaltay	115054	17	-	2	15	-	-	2	10	5	-
2007-001	Nulato	67679	10	-	5	5	-	-	5	3	2	-
2009-004	Alakanuk	169198	25	-	2	23	-	-	2	12	11	-
809-005	Nightmute	47375	7	-	1	6	-	-	1	2	4	-
809-003	Atmautluk	162430	24	-	1	23	-	-	1	12	11	-
807-001	Kipruk	216573	32	-	6	26	-	-	6	5	21	-
8001-002	Aniak	209805	31	-	8	23	-	-	8	13	10	-
	Bartlett Rehab	510955	213	-	71	142	-	-	-	-	-	-

11	7-9	Northway	135358	20			5	15			5	11	14		30
12	9-13	Tuluksak	182733	27			5	22			5	9	13		31
13	9-18	Akolmiut	345163	51			7	44			7	14	30		32
14	807-002	Kaltay	115054	17			2	15			2	10	5		33
15	807-001	Nulato	67679	10			5	5			5	3	2		34
16	809-004	Alakanuk	169198	25			2	23			2	12	11		35
17	809-005	Nightmute	47375	7			1	6			1	2	4		36
18	809-003	Atmautluk	162430	24			1	23			1	12	11		37
19	809-001	Kipruk	216573	32			6	26			6	5	21		38
20	809-002	Aniak	209805	31			8	23			8	13	10		39
21		Bartlett Rehab	510955	213			71	142			8	13	10		40
22		Section 8	484260	82		23	52	7			37	38	7		41
23	806-001	Bethel - New	194028	23		23	-	-			23	-	-		42
24	802-002	Fairbanks - Mod Rehab	194400	38		-	38	-			12	26	-		43
25	802-015	Fairbanks - Existing	95832	21		-	14	7			12	12	7		44
26															45
27															46
28	3	Southcentral	771787	300		14	165	121			36	143	180	37	4
29		Indian	933970	138		-	66	72			4	62	47	21	4
30	13-9	Port Lions	67679	10		-	3	7			-	3	3	2	2
31	16-2	Sand Point	74441	11		-	3	8			-	3	6	2	1
32	16-7	Akutan	121822	18		-	3	15			-	3	8	5	2
33	16-8	Nikolski	40607	6		-	6	-			-	6	-	-	-
34	15-3	English Bay	135358	20		-	10	10			-	10	7	3	1
35	15-4	Port Graham	209805	31		-	21	10			-	21	7	3	1
36	805-001	Tatitlek	121822	18		-	7	11			-	7	6	5	1
37	800-001	Port Heiden	94751	14		-	9	5			-	4	5	5	1
38	803-001	Ouzinkie	67697	10		-	4	6			-	4	5	1	1
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Sitka Community Association

Sika Community Association
P.O. Box 4360
Mt. Edgecumbe, Alaska 99835
747-3207

The Sitka Community Association is a designated prime sponsor under the Department of Labor, Employment and Training Administration. This allows us to receive funds under the CETA for Employment and Training.

Comprehensive Employment and Training Act CETA

The Comprehensive Employment and Training Act provides for Classroom Training, On the Job Training, Work Experience, and Public Service Employment for eligible adults and youth.

The Act is designed to assist primarily economically disadvantaged segments of the population. The Department of Labor, Employment and Training Administration, recognizes economically disadvantaged as being a person who is either:

1. A member of a family which receives public assistance.
2. A member of a family whose income during the previous 6 months or an annualized basis was such that
 - (a) The family would have qualified for public assistance.
 - (b) It does not exceed the poverty level.
 - (c) It does not exceed 70 percent of the lower living standard income level.
3. A foster child on whose behalf state or local government payments are made.
4. Where such status presents a significant barrier to employment
 - (a) A client of a sheltered workshop.
 - (b) A handicapped individual.
 - (c) A person residing in an institution; a facility providing 24 hour support such as prison, hospital, or community care facility; or
 - (d) A regular out-patient of a mental hospital, rehabilitation facility or similar institution.

The Sitka Community Association CETA Program is administered under Titles II, III, IV, and VI. Eligibility for Title II requires a person to be unemployed 15 of 20 weeks prior to application. For Title VI the period is 10 of the last 12 weeks. In addition to the periods of unemployment, individuals must be economically disadvantaged, as described above. Title IV authorizes operation of the youth programs. The families of participating youth must meet the same eligibility requirements of the other titles.

The Sitka Community Association began its program in December of 1978. At our peak employment period, we provided jobs for 47 adults and 41 students in 1979. This does not include the many individuals that worked in the program and moved on to unsubsidized employment or furthered their formal education.

We presently have 35 Public Service Employee participants. In February of 1980, we will add an 'in-school' youth program that will extend through the summer.

Lack of funding for FY 1980 will not allow us to operate our Public Service Employee program past May 30. We are presently seeking additional funding for FY 1981.

We recently received funding under Title VII of the CETA, which allows us to employ eligible participants in the private sector for apprenticeship training in the construction trades. This will begin in January 1980 and run through September 30, 1980.

For further information about the Sitka Community Association CETA Program please contact Keith Redeagle or Robert Nielsen at the Sitka Community Association Building, 456 Katlian St., P.O. Box 4360, Mt. Edgecumbe, Alaska 99835; or call 747-3207, 3208, or 3209.

Higher Education Program

Policy. It is the policy of the Bureau of Indian Affairs and its contractors to encourage all qualified Native students to seek higher education. Scholarship grants *are not a right*. Funds are appropriated by Congress to aid Native students who are in financial need *after* other sources of funds are applied.

Scope of Program. The program provides financial assistance for post-secondary education in accredited colleges and universities with the intent that the assistance will lead to the attainment of a Bachelor of Science or Bachelor of Arts degree. Students may begin at a two-year college if they later intend to transfer to a four-year institution to complete their studies. Graduate students are also eligible for assistance.

Type of Aid. Scholarship grants do not have to be repaid. They are awarded to qualified applicants yearly. All students must apply or reapply *each year*.

Eligibility Requirements.

1. Students must be $\frac{1}{4}$ or more Alaska Native (Alut, Eskimo, and Indian).
2. Students must be residents of the Sitka — Mt. Edgecumbe area.
3. Students must be accepted for enrollment in an accredited college or university.
4. Students must have financial need.
5. If a student has received previous college assistance through another Bureau of Indian Affairs agency or contractor, he or she must be in good standing with that program.

Selection of School. Scholarship grants may be used at any accredited in-state or out-of-state school, whether public or private.

Use of Funds. Grant funds may be used for tuition, subsistence, fees, books, supplies, and miscellaneous expenses related to school attendance. Each student is responsible for his or her travel to and from school.

Student Responsibility.

1. Students must maintain acceptable academic standing; maintain school conduct within the policies and rules of the institution attended and demonstrate satisfactory progress toward degree requirements. Students must send a copy of their grades for each term to the Higher Education Program as soon after the end of the term as possible.
2. Students must inform the Higher Education Program of their withdrawal from school and the reason for the withdrawal.
3. Students must keep the Higher Education Program advised of their current school address.

4. Students must inform the Higher Education Program if they transfer to another institution before the end of the academic year.
5. Students should attempt to earn at least \$400.00 during the summer months (sophomores — \$500; juniors, seniors and graduate students — \$600).

Application Procedure.

1. Students must apply for financial assistance at the institution they plan to attend and complete all necessary forms.
2. Students must complete a Higher Education Program application on or before *April 1st* for the following school year which begins in September. Applications received after April 1st will be considered on a first-come first-serve basis.
3. Students must submit copies of their high school transcript or GED scores and a letter of acceptance to the Higher Education Program.

Further Information: Contact Jan Garcia, Director: Higher Education Program, Sitka Community Association, Box 4360, Mt. Edgecumbe, Ak. 99835; 747-3207, 3208, or 3209.

Adult Vocational Training Program

Objective. The primary objective of the Adult Vocational Training Program is to assist those individuals who apply who are either unemployed or underemployed and need a skill in order to obtain reasonable and satisfactory employment, to acquire such necessary skills.

Scope of Program. The program provides counseling, vocational guidance and direct aid to enable eligible Alaska Natives and American Indians to enter and complete vocational training programs at accredited schools and institutions, including those recognized by the Alaska State Department of Education. Training programs cannot exceed 24 months, except for those in registered nursing programs who may receive up to 36 months of training.

Type of Aid. Financial assistance is a grant, not a loan. It does not have to be repaid.

Eligibility Requirements.

1. Applicant must be $\frac{1}{4}$ or more Alaska Native or American Indian.
2. Applicant must be a resident of the Sitka — Mt. Edgecumbe area.
3. Applicant should be between the ages of 18 and 35.
4. Applicant must be in need of training and financial assistance.
5. Applicant should not have received previous training under this, or other Bureau of Indian Affairs Adult Vocational Training Programs.

Selection of School. All training facilities must meet the eligibility requirements of the state in which they are conducted and be approved by the Juneau Area Director of the Bureau of Indian Affairs.

Trainee Responsibility.

1. Trainees must meet full-time training criteria.
2. Trainees are required to make satisfactory progress in their course of training and to conform to a reasonable standard of conduct.
3. Trainees are required to maintain good attendance records.

Further Information. Contact Jan Garcia, Director: Employment Assistance, Sitka Community Association, Box 4360, Mt. Edgecumbe, Ak. 99835; 747-3207, 3208, or 3209.

Direct Employment Program

Objective. The primary objective of the Direct Employment Program is to assist those eligible who voluntarily seek permanent employment to enable them to become self-sufficient and self-supporting.

Scope of Program. Services include transportation to the job site, subsistence enroute, a living stipend (not to exceed one month) pending receipt of the first paycheck, funds for clothing or tools if needed, pre-departure counseling and referral services at the job site.

Type of Aid. Financial assistance is a grant. It does not need to be repaid.

Eligibility Requirements.

1. Applicant must be $\frac{1}{4}$ or more Alaska Native or American Indian.
2. Applicant must be a resident of the Sitka — Mt. Edgecumbe area.
3. Applicant must be in need of financial assistance.
4. Applicant should not have received Direct Employment Services during the preceding 6 months.
5. Applicant must be able to verify full-time employment.

Further Information. Contact Jan Garcia, Director: Employment Assistance, Sitka Community Association, Box 4360, Mt. Edgecumbe, Ak. 99835; 747-3207, 3208, or 3209.

Social Services

Overview. Social Services at the Sitka Community Association is funded through the Bureau of Indian Affairs in Juneau, Alaska. Pat Williams, MSW, is Director of Social Services and Joni Lewis is the Eligibility Worker. Social Services has three components: General Assistance, Child Welfare, and Social Services. Our working hours are 8:30 – 5:00, Mon – Fri.

General Assistance. General Assistance is for those people who are unemployed or under-employed. Eligibility is determined by family size and amount of rent, if any. Any income such as unemployment benefits, etc. are deducted from the basic grant. Persons who have applied for Social Security or Security Supplemental Income, but who have not received payments, may apply for general assistance also.

This is temporary assistance since other resources have to be investigated. Persons applying for general assistance are required to actively seek suitable employment. You must be at least $\frac{1}{4}$ Native American and/or Alaska Native and a resident of Sitka to apply for this program.

Child Welfare. If you have dependents that are not your biological children, under 18 years of age, and are residing in your household you may be eligible for child welfare. We fund child welfare only for the interim until the family makes application with state services for ADC (Aid to Dependent Children). Therefore, child welfare is only temporary funding and not an on-going assistance program. You must be at least $\frac{1}{4}$ Native American and/or Alaska Native and a resident of Sitka to apply for this program.

Social Services. Pat Williams, Director of Social Services, offers counseling to families and individuals in need. Social Services works closely with the Native Education Counselors in providing counseling services to the entire family. If you are experiencing crisis in your family, or if you would like to discuss parenting concerns, call Ms. Williams for an appointment.

Joni Lewis is a certified alcoholism counselor. She provides counseling to the alcoholic and his or her family. She is also available for consultation.

There is no charge for these services.

Career Resource Center

The career Resource Center is located on the second floor of the Sitka Community Association Building.

The services available through the Center are:

1. To enable SCA members to obtain Vocational Career Counseling and testing.
2. To improve basic educational weaknesses through individual self-directed use of the materials at the career Education Resource Center.
3. Through use of self-directed designed materials individuals may become educationally capable of taking advantage of the SCA Higher Education and Employment Assistance programs.
4. To enable SCA members to: identify specifically and assess their talents; increase their educational abilities; explore occupations and training programs or schools which match their talents and abilities; and implement their decisions to further their education or training.

Specific materials available for use are:

1. Exploring Careers filmstrips and tapes.
2. Life skills series — pamphlets.
3. Job skills series — pamphlets.
4. Strong-Campbell interest inventory.
5. Skills for daily living learning packets.
6. Career Exploration learning packets.
7. Community Resources.
8. Occupational outlook materials.
9. Information on colleges such as location, cost to attend, size of student body, and general studies offered.

In addition to Career guidance the Center offers help in obtaining a GED. Help is available to enroll in the GED program, to help work out problems that prevent clients from attending classes or tutoring sessions for the GED, and also to determine entry level for the GED.

Counseling is also available to alleviate any fears or reservations about the Adult Basic Program. Information and one-to-one consultation is available for everyday problems such as consumer problems, budgeting, and identifying community resources to meet specific needs.

(3) provisions relating to the subordination of the state's interest in and application of annual payments of principal and interest or the proceeds of a permitted sale of, or insurance or prepayments on, the mortgages; and

(4) the right of the authority to repurchase the mortgages at a predetermined price. (§ 3 ch 134 SLA 1976)

Effective date. — Section 4, ch. 134, SLA 1976, makes this section effective June 9, 1976, in accordance with AS 01.10.070(c).

Article 3. Slum Clearance and Redevelopment Act.

Section

934. State aid for an urban redevelopment or urban renewal project in a disaster area

Sec. 18.55.934. State aid for an urban redevelopment or urban renewal project in a disaster area.

(c) For purposes of this section, "cost of the project" includes, in addition to costs directly related to the project, the sum total of all costs of financing and carrying out the project. These include, but are not limited to, the costs of all necessary studies, surveys, plans and specifications, architectural, engineering or other special services, acquisition of real property, site preparation and development, purchase, construction, reconstruction and improvement of real property and the acquisition of machinery and equipment as may be necessary in connection with the project, an allocable portion of the administrative and operating expenses of the grantee; the cost of financing the project, including interest on bonds issued to finance the project; and the cost of other items, including any indemnity and surety bonds and premiums on insurance, legal fees, fees and expenses of trustees, depositaries, financial advisors, and paying agents for the bonds issued as the issuer considers necessary.

(am § 22 ch 168 SLA 1978)

Effect of amendment. — The 1978 amendment added subsection (c).

As the rest of the section was not affected by the amendment, it is not set out.

Article 5. Regional Native Housing Authorities.

Section

995. Purpose and intent
996. Creation of authorities
997. Residential loans

Sec. 18.55.995. Purpose and intent. The legislature finds that an acute shortage of housing and related facilities exists in the villages of

Alaska and that adequate housing cannot be provided by the private sector due to the economic depression which exists in most villages of Alaska. It is the purpose and intent of the legislature to provide a means for certain native associations to form public corporations with the powers and duties comparable to the Alaska State Housing Authority. (§ 1 ch 123 SLA 1971; am § 2 ch 151 SLA 1975)

Effect of amendment. — The 1975 amendment, effective June 19, 1975, deleted "for the specific purpose of implementing the President's National Indian Program for Indian Housing, under which the State of Alaska's share initially will be 1,200 new homes in 1972, in the

remote housing program" from the end of the second sentence.

Legislative committee report. — For report on ch. 151, SLA 1975 (HCS CSSB 289 am H), see 1975 Senate Journal, p. 769; 1975 House Journal, p. 1275.

Sec. 18.55.996. Creation of authorities. (a) The following associations are given the authority specified in (b) of this section:

- (1) Arctic Slope Native Association (Barrow and Point Hope)
- (2) Bering Straits Association (Seward Peninsula, Unalakleet, St. Lawrence Island)
- (3) Northwest Alaska Native Association (Kotzebue)
- (4) Association of Village Council Presidents (southwest coast of Alaska including all villages in the Bethel area and all villages on the Lower Yukon River and Lower Kuskokwim River)
- (5) Tanana Chiefs Conference (Koyukuk, the middle and upper Yukon River villages and the upper Kuskokwim and Tanana River villages)
- (6) Cook Inlet Association (Kenai, Tyonek, Eklutna and Iliamna)
- (7) Bristol Bay Native Association (Dillingham, Upper Alaska Peninsula)
- (8) Aleut League (Aleutian Islands, Pribilof Islands and that part of the Alaska Peninsula which is in the Aleut League)
- (9) North Pacific Rim Native Corp. (Cordova, Tatitlek, Port Graham, English Bay, Valdez, Seward, Eyak and Chenega)
- (10) Tlingit-Haida Central Council or Alaska Native Brotherhood (Southeastern Alaska including Metlakatla)
- (11) Kodiak Area Native Association (all villages on and around Kodiak Island)
- (12) Copper River Native Association (Copper Center, Glennallen, Chitina and Mentasta)
- (13) Alaska Federation of Natives, Inc.

(b) There is created with respect to each of the associations named in (a) of this section a public body corporate and politic to function in the operating area of the individual associations to be known as the regional housing authority of the associations possessing all powers, rights and functions now or subsequently specified for the Alaska State Housing Authority, under the Alaska State Housing Authority Act (§§ 10 — 290 of this chapter) except those specified with respect to the construction and acquisition of public buildings for lease to the state or any

subsequently specified authority which is inconsistent with § 995 of this chapter. The authority shall have the power to enter into agreements with local government, other political subdivisions of the state, the state or the federal government for the exercise of a function or power relating to construction, operation and maintenance of public facilities or public utilities. Upon execution of such an agreement and for the period of the agreement the authority shall have the same powers and functions relating to the subject matter of the agreement as those which may legally be exercised by the governmental unit with whom the agreement is made including the authority to separately or together with the other unit borrow money and issue notes, bonds or other evidence of indebtedness to finance a project within the scope of the agreement subject to the express limitations, if any, contained in the agreement. All obligations or liabilities of the regional housing authorities shall remain their own and shall not be obligations or liabilities of the state.

(f) The authority shall have the power to acquire, construct, operate and maintain group homes, multipurpose community centers, child care centers and other community facilities.

(g) If an activity associated with the planning, financing, construction or operation of a project by a regional housing authority established in this section conflicts with an activity of the Alaska State Housing Authority, the governing body of the municipality in which the project is located shall resolve the conflict.

(am §§ 3, 6 ch 151 SLA 1975; am § 1 ch 274 SLA 1976; am § 1 ch 12 SLA 1977)

Effect of amendments. — The 1975 amendment, effective June 19, 1975, added the present second and third sentences of subsection (b) and added subsection (f).

The 1976 amendment, in paragraph (9) of subsection (a), substituted "North Pacific Rim Native Corp." for "Chugach Native Association," deleted "and" preceding "Seward," and added "Eyak and Chenega" to the end.

The 1977 amendment, effective March 31, 1977, added subsection (g).

As the rest of the section was not affected by the amendments, it is not set out.

Legislative committee report. — For report on ch. 151, SLA 1975 (HCS CSSB 289 am H), see 1975 Senate Journal, p. 769; 1975 House Journal, p. 1275.

Sec. 18.55.997. Residential loans. (a) In addition to the powers authorized to a regional housing authority under § 996 of this chapter, a regional housing authority may, in accordance with procedures and policies adopted and approved by the board of directors of the Alaska Housing Finance Corporation, make loans for the purchase or development of residential housing in rural areas of the state. A loan shall be secured by collateral in an amount acceptable to the board of directors of the Alaska Housing Finance Corporation. The rate of interest on a loan authorized by this section may not exceed an interest rate approved by the board of directors of the Alaska Housing Finance Corporation.

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(b) In this section,

(1) "development" means the construction of a new residence or the repair, remodeling, rehabilitation or expansion of an existing home;

(2) "rural" means any community of the state with a population of 4,500 or less that is not connected by road or rail to Anchorage or Fairbanks. (§ 11 ch 167 SLA 1978)

Effective date. — Section 16, ch. 167, 18, 1978, in accordance with AS SLA 1978, makes this section effective July 01.10.070(c).

Chapter 56. Alaska Housing Finance Corporation.

Section	Section
10. Findings and purpose	92. Veterans' loans for residential housing
20. Alaska Housing Finance Corporation	94. New capital city mortgage loans
30. Corporation governing body	95. Mortgage insurance
50. Administration of affairs	115. Independent financial advisor
52. Executive director	125. Capital reserve fund
60. Employment of personnel	210. Definitions
88. Administrative procedure	
90. General powers	

Sec. 18.56.010. Findings and purpose.

(d) The program of making loans for residential housing to veterans in accordance with AS 26.15 has increased and improved the supply of adequate housing in the state, and the continuation of the program is essential to the economic growth of the state and the expansion of the supply of adequate residential housing in the state. Participation by the Alaska Housing Finance Corporation in the program of purchasing and insuring state veterans' loans as provided in this chapter will be of material aid in insuring the continuance of the program of making loans for residential housing to veterans in accordance with AS 26.15.

(e) Expansion of the program of the Alaska Housing Finance Corporation of purchasing insured and uninsured mortgage loans is essential to the economic growth of the state and the supply of adequate residential housing in the state.

(f) The legislature finds that enabling the Alaska Housing Finance Corporation to assist in financing the program of veterans' loans for residential housing in accordance with AS 26.15 and to expand its program of purchasing other mortgage loans serves a public purpose in benefiting the people of the state. The Alaska Housing Finance Corporation is empowered to act on behalf of the state and its people in serving this public purpose for the benefit of the general public.
(am § 4 ch 151 SLA 1975)

Effect of amendment.

The 1975 amendment, effective June 19, 1975, added subsections (d), (e) and (f).

As the rest of the section was not affected by the amendment, it is not set out.

Legislative committee report.

For report on ch. 151, SLA 1975 (HCS CSSB 289 am H), see 1975 Senate Journal, p. 769; 1975 House Journal, p. 1275.

HB

689

COMMITTEE REPORT

HOUSE

2/8/80

FURTHER: FINANCE

Date: 7

Mr. Speaker:

The Committee on COMMUNITY AND REGIONAL AFFAIRS has had HB 689

"An Act providing for the issuance of general obligation bonds in the amount of \$25,520,000 for the purpose of paying the cost of capital improvements for water and sewer systems; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION

JAY S. HAMMOND, GOVERNOR

POUCH 0 - JUNEAU 99811

December 12, 1979

The Honorable John G. Fuller
Box 689
Nome, Alaska 99762

Dear Mr. Fuller:

For the last several months, our Village Safe Water (VSW) program staff has been working with the 12 regional Native health corporations to develop a priority list of candidate villages for future projects, funded under the Village Safe Water Act. Our purpose is to provide you and others in the Alaska Legislature with a prioritized list of 15 villages which we and the regional health corporations feel are most in need of improved sanitation services.

The selection process began last July when letters were sent to each health corporation, asking them to select up to three communities in their area to be considered along with candidate villages from the other 11 regions. To guide their deliberations, the health directors were asked to consider a number of factors, the most important being the availability of safe drinking water. For instance, melting ice or collecting river water for drinking is less safe and convenient than having a protected community well nearby. In addition, to avoid duplication of effort we asked the health corporations not to consider communities where sanitation improvements are proposed by the U.S. Public Health Service (PHS) or some other agency. We also reminded the health directors that the Attorney General recently ruled that Village Safe Water funds cannot be used for solid waste disposal facilities. So only villages needing water supply, sewage disposal, bathing and/or laundry services were to be considered.

Seven of the 12 health corporations responded with candidate villages and supporting background information on each. Some of those that chose not to participate indicated that the Public Health Service had already provided sanitation services for all villages in their regions. VSW program staff then reviewed and checked the information submitted and used it to develop the following statewide priority list.

<u>Regional Health Corporation</u>	<u>Village</u>	<u>Priority</u>
Yukon Kuskokwim Health Department	Newtok	1
Copper River Health Department	Copper Center	2
Aleutian Pribilof Island Association	Nelson Lagoon	3
Copper River Health Department	Chistochina	4
Bristol Bay Health Department	Portage Creek	5
Tanana Chiefs Health Authority	Eagle Village	6
Tanana Chiefs Health Authority	Rampart	7
Tanana Chiefs Health Authority	Ruby	8
Yukon Kuskokwim Health Department	Chefornak	9
Bristol Bay Health Department	Kokhanok	10
Yukon Kuskokwim Health Department	Stoney River	11
Bristol Bay Health Department	Pedro Bay	12
North Slope Borough Health Department	Point Lay	13
Copper River Health Department	Cantwell	14
Mauneluk Association	Selawik	15

This list reflects the relative need for improved sanitation services in each village, with special emphasis on the need for safe drinking water. For example Newtok, a community of 154 people, was placed at the top of the list because residents can only use rainwater for drinking, and it is only seasonally available. Water can be obtained at the BIA School, but residents are limited to 5 to 10 gallons per family per day. While the regional school district plans to drill a well to serve a new high school in Newtok, there are no provisions to extend service to the village. In addition, PHS does not plan to improve sanitation services in this community.

Copper Center, population 275, is number two on the list. In this interior community some residents obtain their drinking water from individual home wells drilled by PHS in 1965. However, of the original 29 wells, 10 are not operating, and most of the others produce water of poor chemical quality. Iron and manganese concentrations exceed drinking water standards and create taste, color and odor

problems. Due to community growth since 1965, there are now about 75 homes in need of an acceptable water supply. With Copper Center anticipating electrical service from a hydroelectric system, the difficulty of powering sanitation systems may be less than in some other villages.

At Nelson Lagoon, which is number three on the list, residents must travel 16 miles to obtain drinking water. The shallow, hand driven wells in the village produce brackish water suitable only for washing clothes. Also Nelson Lagoon has excellent potential for the use of wind power to generate electricity. It is very likely that a VSW facility in this village could be powered by wind energy.

The fourth village is Chistochina, population 33, where residents obtain their drinking water from Sinona Creek, which is littered with dead salmon during the summer months. Water and sewer systems installed by PHS in 1970 have failed.

Number five on the list is the Bristol Bay community of Portage Creek, where water is available from the school. Eleven of 13 families use this source. However, the school is closed for the summer months, and in the winter the well occasionally runs dry.

In Eagle Village, sixth on the list, residents must drive three miles in the summer to the City of Eagle for drinking water. In the winter months the Yukon River is the preferred source of supply. This community has no water system and there are no prospects for improvements from other agencies.

Rampart, with a population of 58, is seventh on the list. Village residents haul water from a nearby creek except for a two week period during breakup.

In Ruby (eighth) and Chefornak (ninth) there is critical need for sanitation improvements, but PHS plans projects in those villages in the near future.

In Kokhanok, Stoney River and Pedro Bay (tenth, eleventh and twelfth respectively), good sources of drinking water are available to residents, but sewage disposal problems may exist.

Point Lay was placed thirteenth on the priority list because \$400,000 in VSW Funds have already been authorized for sanitation improvements there. Also, the North Slope Borough assembly has apparently appropriated an additional \$100,000 for this purpose.

Cantwell and Selawik were placed at the bottom of the list because water and sewer facilities already exist in those communities, and additional improvements are scheduled in the near future by the PHS.

More detailed background information on each of these communities can be found in the enclosed village data summary.

Estimating the cost of Village Safe Water projects in specific villages is nearly impossible at the time a bond bill is being considered. Costs can vary from \$100,000 to more than \$1 million depending on what services are to be included, and local factors such as availability of water, type of treatment required, waste disposal options, power availability, and soil conditions.

What services will be provided by a VSW facility (i.e. the scope of the project) is largely a matter of choice by the village receiving it. Choices authorized by the VSW Act are water supply, sewage disposal, bathing and laundry services. The project scope must be negotiated with the village after funding for their facility has been approved in a bond election.

After project scope is established, the cost of providing the selected services can be estimated based on local conditions and preliminary engineering investigations. At this time alternate sources of energy to power the VSW facility are investigated. The technical and economic feasibility of appropriate alternate energy sources are evaluated, and incorporated into the design of the facility whenever possible.

To accommodate the problem of having to identify funds for VSW projects before their costs are known with any accuracy, the Department recommends a "group funding" approach. This technique is based on the assumption that the cost of groups of five projects varies much less than the cost of individual projects. From past construction experience in the VSW program, the total cost of several randomly selected groups of five projects was determined in 1981 construction dollars. The average cost of these groups of five projects is \$6.5 million in equivalent 1981 dollars, or \$1.3 million per project.

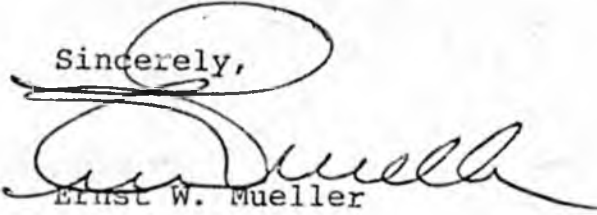
Because VSW facilities, and virtually any other village utilities project will fail prematurely without some degree of technical, management and financial assistance, this Department has been requesting and receiving general fund

December 12, 1979

appropriations for operation and maintenance assistance to villages receiving VSW facilities. An inevitable consequence of constructing more VSW facilities is the need for larger appropriations for operation and maintenance assistance as the facilities are completed.

If you have any questions on the VSW priority list or desire additional background information on any of the communities involved, please contact me.

Sincerely,



Ernst W. Mueller
Commissioner

Enclosure