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July 17, 2017

The Honorable Ryan Zinke  
Secretary of Interior  
U.S. Department of Interior  
1849 C Street, NW  
Washington, D.C. 20240

***Re: Secretary's Review of Executive Reorganization in the Department of Interior***

Dear Secretary Zinke:

Thank you for the opportunity to provide feedback on the Department of Interior's (the Department's) review of executive reorganization. As President and CEO of Cook Inlet Tribal Council (CITC), an Alaska Native tribal organization which serves as the primary education and workforce development center for Native people in Anchorage, Alaska, I am privileged to offer the following written comments in addition to the oral comments delivered on June 22, 2017, with regard to the Department of Interior, Bureau of Indian Affairs, based on the community experience and needs outlined below. CITC has been designated its tribal authority through Cook Inlet Region Inc., organized through the Alaska Native Claims Settlement Act and recognized under Section 4(b) of the Indian Self-Determination and Education Assistance Act (PL 93-638, 25 U.S.C. 450b). CITC builds human capacity by partnering with individual Alaska Native people to establish and achieve both educational and employment goals that result in lasting, positive change for our people, their families, and their communities.

**Summary of recommendations:**

CITC's comments are more fully detailed below, but in summary we emphasize the following components that have contributed to CITC's ability to implement a new model of sustainability for the Alaska Native and American Indian population in its service area: 1) PL 102-477 provides a strong and successful model of streamlining resources and services in Indian Country, maximizing federal funds and increasing outcomes for employment and training; the Department's leadership and authority in this program reduces duplication and costs associated with serving this vulnerable population. 2) Alaska, because of its geographic size, proportion of Alaska Native/American Indian population (AIAN), and number of tribes, should remain its own region and a regional director should be appointed as soon as possible. 3) AIAN programs are based on fundamental principles of political rights enshrined in the Constitution, case law and legislation, not race-based or affirmative action. As such, the trust responsibility between the federal

government and AIAN communities must be preserved.

**Background:**

Both directly and indirectly, CITC's programs serve the Cook Inlet Region with an Alaska Native/American Indian population of more than 42,000, or roughly 40% of the total Native American population in Alaska. In Anchorage alone, the Native population is almost 30,000. Directly or indirectly, CITC's programs have statewide impact.

CITC's continuum of care in Employment and Training, Education, Recovery Services and Child and Family services address many of the social, economic, and educational challenges faced by Alaska Native people. For example, Alaska Native students are *twice as likely* to drop out as their non-Native peers; 33% of Alaska's unemployed are Alaska Native people, and almost 20% of Alaska Native people have incomes below the federal poverty line – nearly three times the rate of non-Native people.

In-migration from rural, largely Alaska Native communities to the urban areas in the Cook Inlet region is accelerating as Alaska Native people find it increasingly difficult to make a living in rural Alaska. 59% of CITC's participants have been in Anchorage for five years or less; and employment, training, and education are frequently cited as reasons for moving to Anchorage. The current Bureau of Indian Affairs funding formula for CITC is based on the population figure of 14,569 -- from the 1990 Census -- which leaves CITC with a funding shortfall to meet the needs of the 40,000 Alaska Native and American Indian people currently residing in our service region.

In addition, CITC has forged a new model of sustainability by creating for-profit subsidiaries to fund programs. Based on leveraging financial and human resources to maximize potential, this model will create the basis for sustainability for individuals and the organization moving into the future.

**PL 102-477**

Unemployment in American Indian and Alaska Native communities ranges from 22 percent to nearly 80 percent. Public Law 102-477 authorizes tribes and tribal organizations to combine funds for employment, training, child care and related programs from the Departments of the Interior (DOI), Health and Human Services (HHS) and Labor (DOL) into a single annual tribal training and employment plan ("477 plan") subject to approval by the Secretary of the Interior under a single annual budget, and single annual reporting system. This allows tribes and tribal organizations to consolidate programs, increase efficiency, lower overhead and reporting, coordinate services, and produce jobs.

477 Tribes are located in the following States: Alaska, Arizona, Idaho, Michigan, Minnesota, Montana, Nebraska, Nevada, New Mexico, New York, North Dakota, Oklahoma, Oregon, South Dakota, Washington, Wisconsin, and Wyoming. In total, 267 tribes and tribal organizations operate 63 separate 477 plans. Roughly \$110 million is funded through 477 plans on an annual basis. Eleven regional tribal organizations in Alaska participate in the tribal 477 program.

The 477 program grants tribes the flexibility to plan the programming to best fit the needs of the community and minimize administrative redundancy by merging reporting requirements, while adhering to the Government Performance Results Act's accountability standards and the Single Audit Act. Under tribal 477 plans, tribes have created "one stop" training and employment offices. They operate the funds under existing Indian Self-Determination and Education Assistance Act (ISDEAA) contracts and compacts.

The 477 Program is essential to the success of our program as it allows CITC to increase effectiveness and innovation, enhance interoperability, and eliminate inefficiency while maximizing program outcomes. CITC's Employment & Training Services Department (ETSD) provides comprehensive services to assist Native job seekers, including job training and placement, TANF, and child care. CITC's employment and training programs are based on the premise that effective solutions to workforce development require integrated approaches to ensuring job readiness, training, and placement. By working closely with state and federal programs, community and tribal non-profits, universities, vocational training centers, employers, and Native corporations, CITC is able to provide a wide array of training and employment assistance, coupled with supportive services, to help overcome many barriers to employment and self-sufficiency for our people.

CITC has demonstrated that the 477 program is very successful in connecting people to long term, meaningful jobs. In short, the 477 program is a "win-win" for the federal funders and CITC, since it eliminates wasteful inefficiency while maximizing program outcomes. In addition to being successful on the ground, the 477 program is fully accountable. It achieved the highest Office of Management and Budget PART (Program Assessment Rating Tool) rating in Indian Affairs. The 477 program is critical to our effectiveness, especially in this environment of shrinking funding sources.

**In sum, this program reduces administrative costs, reduces duplication of services, streamlines the approval process, and improves and simplifies accounting procedures and reporting mechanisms so that maximum financial and human resources are directed at moving AIAN people in life-sustaining employment.**

#### **Need for the Alaska Region and appointment of regional director**

Alaska is not only the largest state in the United States, but it also has the largest percentage of AIAN population (19%) and approximately 40% of the federally recognized tribes (231). In addition, AIAN history and structure in Alaska is significantly different from that of tribes in the Lower 48. Given the geography, percentage in population and the unique history, Alaska appropriately has its own region for the BIA. Currently there are over 40 statutes based on language of the Indian Self-Determination and Education Act (PL 93-638), which encompasses both Alaska Native villages and corporations in the definition of a tribe, thus assuring eligibility for funding and services. As a result, tribes and tribal organizations in Alaska have implemented federal Indian programs for over thirty years. Furthermore, the Departments are required by statute to consult with the Alaska Native corporations as well as the federally recognized tribes:

“The Director of the Office of Management and Budget shall hereafter consult with Alaska Native corporations on the same basis as Indian tribes under Executive Order No. 13175.” And, “Public Law 108-199 is amended in division H, section 161, by inserting ‘and all Federal agencies’ after ‘Office of Management and Budget.’ (Pub. L. 108-199, 118 Stat. 3, 452: SEC. 161, as amended by Pub. L. 108-447, 118 Stat. 2809, 3267: SEC. 518.)

Because of the unique Alaska landscape, federal programming and funding operates via several channels: tribes at the village and hub level, regional non-profit tribal organizations, and often through federal pass-through state contracts with tribes or regional tribal organizations. In the areas of workforce development, education and social services, legal and legislative history has led to a patchwork of service provision. For example, in workforce development, tribes and regional tribal organizations operate TANF programs, career development, child care and other services along a continuum to bring opportunity to Alaska Native people as well as economic development opportunities.

Alaska Native tribes and tribal organizations recognized under the Self-Determination Act partner to serve Alaska Native people throughout the state. At both the local, tribal level and regionally, tribes and tribal organizations fulfill the functions of economic development, social services, medical services and housing for Alaska Native people. It is critical for everyone to have a voice in the decisions that affect what programs and how they will be administered to our people. Alaska offers a prime example of how ownership and control of resources promotes self-determination for Alaska Native people, and the complex interweaving of tribes and tribal organizations, as recognized by PL 93-638 is an essential component of that self-determination. In this unique Alaska context, the federally recognized tribes are first and foremost in the government to government relationship between tribes and the federal government. At the same time, in order to adequately address Alaska Native issues and to comply with the law, the BIA needs to continue to recognize that tribes are not the only Native organizations intersection and contracting with federal agencies to provide services to Alaska Native and American Indian people in Alaska. **Finally, the Department needs to appoint the Alaska regional director as soon as possible.**

### **Political Basis for AIAN programs**

CITC would like to take this opportunity to provide some context and history on the federal relationship with AIAN people, and emphasize that the programs and preferences enshrined in the statutes referenced above are based on a political relationship of the federal trust responsibility. While other preferences may be based on race and gender (such as with the Small Business Administration), those related to tribes, tribal corporations and tribal organizations fulfill long standing treaty and statutory commitments made over the lifetime of the Republic in exchange for land. They are contractual and constitutional commitments that must be upheld.

### **Conclusion**

The needs of our Native community grow every day due to the current economy and the persistent disparity in economic, social and educational achievement. On behalf of Cook Inlet Tribal Council and the community we serve, I urge the Department to ensure programming

July 17, 2017  
The Honorable Ryan Zinke  
Page 5 of 5

remains in the hands of the tribes and tribal organizations, which understand at the community level the importance and relevance of the services needed and provided. We know what needs to be done, and we have proven strategies that require your support. CITC asks for the partnership and resolve of the Department of Interior, to work with us to close the persistent achievement gaps in our community, and allow our young people – our future generation of adults – to fulfill their unlimited potential.

Thank you for your consideration of our issues. I look forward to working with you in the future.

Sincerely,



Gloria O'Neill  
President/CEO