



NATIONAL CONGRESS OF AMERICAN INDIANS

TESTIMONY BEFORE THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE OVERSIGHT HEARING ON THE NEED FOR RELIABLE EMERGENCY MEDICAL TRANSPORTATION FOR THE ISOLATED COMMUNITY OF KING COVE, ALASKA

Denise Desiderio, *Policy Director*

April 14, 2016

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Good Morning Chairman Murkowski, Ranking Member Cantwell, and Members of the Committee. My name is Denise Desiderio and I am the Policy Director for the National Congress of American Indians.

On behalf of the National Congress of American Indians (NCAI), the oldest, largest, and most representative American Indian and Alaska Native organization serving the broad interests of tribal governments and communities, I'd like to thank you for holding this important hearing on the lack of reliable emergency medical transportation for the isolated community of King Cove in Alaska.

Formed in 1944 as a response to termination and assimilation policies that threatened the existence of American Indian and Alaska Native tribes, NCAI has fought to preserve the treaty rights and sovereign status of tribal governments, while improving the quality of life for Native communities and peoples.

NCAI fully supports the need for a safe and dependable road connection between King Cove and the Cold Bay Airport for the Agdaagux Tribe for emergency and routine medical and health care access for its tribal members.

Twice a year NCAI's membership comes together to meet on issues of importance to all of Indian Country. At those meetings, members submit, review, and pass resolutions that become the voice of NCAI on issues of national importance. These resolutions are passed much like legislation passes in Congress – through subcommittees, committees and ultimately by the full body. This process ensures that NCAI's resolutions are thoroughly vetted and become the consensus position of Indian Country.

NCAI's members have shown consistent and long-standing support for road access to King Cove. In 2007, recognizing the nearly 25 year struggle to build a road, our membership passed a resolution supporting land exchange legislation to build a road for the community of King Cove to improve their access to emergency and routine health care access #DEN-07-036 - *The Izembek and Alaska Peninsula Refuge and Wilderness Enhancement and King Cove Safe Access Act*.

Following the Secretary of the Interior's December 2013 decision denying road access to King Cove, NCAI's membership renewed its support for road access by passing resolutions in 2014 and 2015, recognizing the need for this life saving road. #ECWS-14-010 - *Supporting Legislation for a Land Exchange between and among*

the King Cove Corporation, State of Alaska, and United States of America for a Permanent Road between the King Cove and Cold Bay; #MSP-15-033 – Support for Road Access for the Aleut People of King Cove, Alaska to Cold Bay All Weather Airport.

This is first and foremost an issue of public safety. Access to emergency medical assistance is one of the most basic rights afforded to American citizens. Nowhere is this more relevant than in American Indian and Alaska Native communities who ceded millions of acres of land to form the United States. In exchange, Native communities expect the United States to uphold its federal trust responsibility in areas such as education, land management and health care.

In order for the residents of King Cove to receive high level medical services, they must fly more than 600 miles to Anchorage. This already inconvenient trip becomes impossible when weather conditions close the local airport which occurs an average of 100 days per year. Even when the airport is open, 40 percent of flights are cancelled due to weather conditions.

However, this situation changes from inconvenient to life threatening when serious medical emergencies occur and the residents lack any access to reliable medical transport to health facilities. In these cases, the only options for evacuation of residents becomes medevac airlifts to Anchorage. And oftentimes, those services are not immediately available to residents and take hours or days for evacuations.

For the most serious medical emergencies, including heart attack, childbirth, internal bleeding, dislocated joints and other emergencies, the residents of King Cove are not assured the same access to medical facilities that we all take for granted. In addition, when evacuations must occur, those who are conducting the medical rescue are also putting their lives in danger.

Since Secretary Jewell's decision in December 2013 to deny road access to the airport from King Cove, 23 medevacs have been needed for medical emergencies. That is an average of 1.5 evacuations per month.

The major reason the road has not been approved yet is concern for the beautiful, diverse, and natural habit that exists in the Izembek National Wildlife Refuge. When the Department of the Interior completed the required NEPA process to support this authorization, it focused solely on the natural environment of the Izembek Refuge and not the health and safety needs of the residents of King Cove.

However, there is no other group that has more at stake regarding the protection of the environment than the Aleut Native population which has inhabited the King Cove area for more than 4,000 years. Since time immemorial, the Aleut have hunted, fished, and subsisted off the land and continue to rely on the practice of their traditional and customary lifeways.

This area is their homeland, it's where their ancestors are buried, and it's where their children learn their language and culture from their elders. Respect and reliance on the natural environment is paramount in Indian Country and especially here in King Cove. While the road will have a financial cost and some impact to the natural environment, we must ask: what's the cost of human life?

While this would be the first road built following designation as a wildlife refuge, having a road in a national wildlife refuge is not something unique or out of the ordinary, especially when considering protecting the health, safety, and welfare of the people who live in the area. Many

federal lands including Forest Service, Bureau of Land Management, Fish & Wildlife, and others have small access roads built to reach citizens who might be in need or to prevent fires from spreading to vulnerable areas. This is the exact same concept here: providing a 10 mile, gravel, single-lane non-commercial access road would allow the citizens of King Cove the ability to always access medical services in all types of weather.

The Tribe and residents of King Cove have also made great concessions to meet the federal government more than half-way to build this road. This includes transferring more than 56,000 acres of land owned by the State of Alaska and the King Cove Native Corporation in exchange for only 206 acres to build the 13 foot wide gravel road.

In 2009, this Congress passed the Omnibus Public Land Management Act authorizing this land transfer and sanctioning the building of the road connecting King Cove to Cold Bay. The President signed this bill into law but the subsequent Environmental Impact Study led to rejection of Congress' intent.

NCAI is simply asking the Department of the Interior to fully implement that Act and provide for the health and safety of the residents of King Cove, Alaska.



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #DEN-07-036

**TITLE: "The Izembek and Alaska Peninsula Refuge and Wilderness
Enhancement and King Cove Safe Access Act" H.R. 2801 and S. 1680**

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WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, the Agdaagux Tribe of King Cove, Alaska have lived on the Alaska Peninsula for over 4,000 years and have fished, hunted and subsisted throughout this area the entire time; and

WHEREAS, the King Cove-Cold Bay area at the western end of the Alaska Peninsula is one of the most isolated areas in the State of Alaska and because of this isolation, the indigenous people of this area have lived relatively undisturbed until the last 50-60 years; and

WHEREAS, this relative isolation was abruptly interrupted by the invasion of the Aleutians in World War II and has continued unabated including the construction of one of the largest airports in the State of Alaska at Cold Bay by the US Army in the 1940's; and

WHEREAS, the Cold Bay Airport is the lifeline for the King Cove residents to the outside world, particularly for the life, health and safety needs of these indigenous residents, but there is currently no surface access to this airport despite the Cold Bay Airport being only 25 miles from King Cove and its residents; and

WHEREAS, the Agdaagux Tribe has been struggling for the past 25 years for permission from the federal government for the construction of a road between the village of King Cove and Cold Bay Airport, but until now the federal government has not agreed to this road construction; and

WHEREAS, the *Izembek and Peninsula Refuge and Wilderness Enhancement and King Cove Safe Access Act* has now been introduced in the 110th Congress (S. 1680 and HR. 2801) to authorize a land exchange between the federal government and the King Cove Corporation (ANSCA-village corporation) and State of Alaska in order to obtain the necessary road right-of-way to construct a 9 mile, gravel, single-lane road to complete the missing road link between King Cove and the Cold Bay Airport; and

WHEREAS, the U.S. Fish & Wildlife Service, State of Alaska, King Cove Corporation and all other interested tribes support this legislation; and

WHEREAS, all supporters of this legislation acknowledge that the eelgrass beds of the Izembek Lagoon are of vital importance for migratory waterfowl but that the road will not impact the migratory waterfowl.

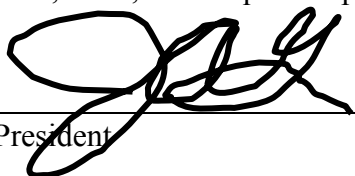
NOW THEREFORE BE IT RESOLVED, because of public health and safety concerns, the NCAI does hereby support the passage of legislation by the US Congress and the Alaska Legislature to endorse this proposed land exchange between and among the King Cove Corporation, State of Alaska, and United States of America which will ultimately result in the establishment of a permanent road between the King Cove and Cold Bay; and

BE IT FURTHER RESOLVED, that the road planning process will provide for consultation with all interested parties; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until the final adjournment of the 110th Congress.

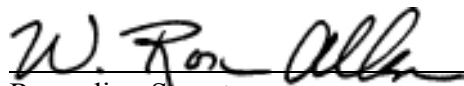
CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2007 Annual Session of the National Congress of American Indians, held at the Hyatt Regency Denver at the Colorado Convention Center in Denver, Colorado on November 11-16, 2007, with a quorum present.



 President

ATTEST:



 Recording Secretary



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #ECWS-14-010

TITLE: Supporting Legislation for a Land Exchange between and among the King Cove Corporation, State of Alaska, and United States of America for a Permanent Road between the King Cove and Cold Bay

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WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, the Agdaagux Tribe of King Cove, Alaska have lived on the Alaska Peninsula for over 4,000 years and have fished, hunted and subsisted throughout this area the entire time; and

WHEREAS, the King Cove-Cold Bay area at the western end of the Alaska Peninsula is one of the most isolated areas in the State of Alaska and because of this isolation, the indigenous people of this area have lived relatively undisturbed until the last 50-60 years; and

WHEREAS, this relative isolation was abruptly interrupted by the invasion of the Aleutians in World War II and has continued unabated including the construction of one of the largest airports in the State of Alaska at Cold Bay by the US Army in the 1940's; and

WHEREAS, the Cold Bay Airport is the lifeline for the King Cove residents to the outside world, particularly for the life, health and safety needs of these indigenous residents, but there is currently no surface access to this airport despite the Cold Bay Airport being only 25 miles from King Cove and its residents; and

WHEREAS, the Agdaagux Tribe has been struggling for the past 25 years for permission from the federal government for the construction of a road between the village of King Cove and Cold Bay Airport, but until now the federal government has not agreed to this road construction; and

WHEREAS, the *Izembek and Peninsula Refuge and Wilderness Enhancement and King Cove Safe Access Act* was introduced in the 110th Congress to authorize a land exchange between the federal government and the King Cove Corporation (ANSCA-village corporation) and State of Alaska in order to obtain the necessary road right-of-way to construct a 9 mile, gravel, single-lane road to complete the missing road link between King Cove and the Cold Bay Airport; and

WHEREAS, the U.S. Fish & Wildlife Service, State of Alaska, King Cove Corporation and all other interested tribes support this legislation; and

WHEREAS, all supporters of this legislation acknowledge that the eelgrass beds of the Izembek Lagoon are of vital importance for migratory waterfowl but that the road will not impact the migratory waterfowl.

NOW THEREFORE BE IT RESOLVED, because of public health and safety concerns, the NCAI does hereby support the passage of legislation by the US Congress and the Alaska Legislature to endorse this proposed land exchange between and among the King Cove Corporation, State of Alaska, and United States of America which will ultimately result in the establishment of a permanent road between the King Cove and Cold Bay.

BE IT FURTHER RESOLVED, that the road planning process will provide for consultation with all interested parties.


CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2007 Annual Session of the National Congress of American Indians, held at the Hyatt Regency Denver at the Colorado Convention Center in Denver, Colorado on November 11-16, 2007, with a quorum present and was amended at the 2014 Executive Council Winter Session of the National Congress of American Indians, held at the Westin Washington City Center March 11 -13, 2014, in Washington, DC with a quorum present.



 President

ATTEST:



 Recording Secretary



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #MSP-15-033

TITLE: Support for Road Access for the Aleut People of King Cove, Alaska to Cold Bay All-Weather Airport

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WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, the Agdaagux Tribe of King Cove, Alaska have lived on the western end of the Alaska Peninsula, contemporarily known as the Izembek area, for over 4,000 years and have fished, hunted and subsisted throughout this area the entire time; and

WHEREAS, the Izembek area is one of the most isolated areas in the State of Alaska and because of this isolation, the indigenous people of this area lived relatively undisturbed until the invasion of the Aleutian Islands in World War II and has continued unabated with the construction of one of the largest all-weather airports in the State at Cold Bay by the US Army in the 1940's; and

WHEREAS, the all-weather Cold Bay Airport is the lifeline for the Aleut residents of King Cove to the outside world, particularly for medical and health reasons, however, residents can only safely and dependably access the Cold Bay Airport about 60-70% of the time (see resolution attachment); and

WHEREAS, the Agdaagux Tribe has been struggling for the past 25 years for permission from the federal government for the construction of a road between the village of King Cove and Cold Bay Airport, but until 2009 the federal government had not agreed to consider approving this road connection; and

WHEREAS, the NCAI has supported the Aleut people's need for a safe and dependable road connection between King Cove and the Cold Bay Airport for the primary purpose of timely access for emergency and routine medical and health care at the Alaska Native Medical Center in Anchorage, Alaska; and

WHEREAS, the NCAI passed Resolution #Den-07-036 which supported the *Izembek and Peninsula Refuge and Wilderness Enhancement and King Cove Safe Access Act*, in which Congress authorized a land exchange to construct a 9-mile, single-lane, gravel road connecting King Cove to the Cold Bay Airport; and

WHEREAS, the Aleuts of King Cove were further encouraged that the land exchange and road approval would be forthcoming with President Obama's 2013 Executive Order, which stated "it is the policy of the United States to promote the development of prosperous and resilient tribal communities in providing greater access to, and control over, nutrition and healthcare, including special efforts to confront historic health disparities;" and

WHEREAS, on December 23, 2013, Secretary of Interior, Sally Jewell, rejected the land exchange and road authorized by Congress, and after many requests for reconsideration, the Aleut people, along with the State of Alaska, were left with no choice but to sue the Department of Interior over this arbitrary and capricious decision; and

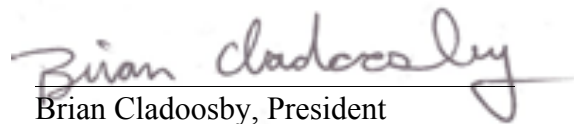
WHEREAS, the Aleut people of King Cove are continuing to seek justice for this basic right to safe and dependable transportation access for emergency and routine medical and health, which is an expectation that most Americans, Indian and non-Indian, take for granted.

NOW THEREFORE BE IT RESOLVED, because of public health, safety, and quality of life factors, the NCAI does hereby support the rights of the Aleut people of King Cove for this basic expectation of dependable transportation access, and calls upon Congress to immediately pass new legislation approving a land corridor for the construction of a permanent lifesaving road linking the community of King Cove to the Cold Bay Airport; and

BE IT FURTHER RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2015 Midyear Session of the National Congress of American Indians, held at the St. Paul River Centre, St. Paul, MN, June 28 to July 1, 2015, with a quorum present.


Brian Cladoosby, President

ATTEST:


Aaron Payment, Recording Secretary