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P.O. Box 86
ST. PAUL ISLAND, ALASKA 99660

February 12, 2013

Senator Mark Begich
111 Russell Senate Building
Washington, DC 20510

Senator Lisa Murkowski
709 Hart Building
Washington, DC 20510

Congressman Don Young
2111 Rayburn Building
Washington, DC 20515

Re: *Violence Against Women Act Reauthorization Concerns*

Dear Senator Begich, Senator Murkowski, and Congressman Young:

The Aleut Community of St. Paul Island (“ACSPI”), a federally recognized tribe located in the Bering Sea, respectfully submits to you these comments on the proposed *Violence Against Women Reauthorization Act of 2013*.

As an isolated Alaska Native tribe, the ACSPI is deeply disappointed with the Alaska delegation’s continued failure to adequately promote and advance the safety of Alaska Native families through the equal application of “Indian” legislation. The latest proposed amendments to VAWA is a blatant disregard for the needs of Alaska Natives, as well as an attack on the ability of Alaska Natives to provide solutions to the unmet social service and justice needs of Alaska’s remote communities.

Of particular concern are the “special” rules in the current proposed changes to VAWA that attempt to address Alaska Natives. Alaska Native tribes, with the usual exception of Metlakatla, is repeatedly excluded or given disparate treatment in Sections 905 and 910 of the proposed bill.

We are extremely apprehensive that Section 905, apart from application of the inequitable benefits provided only to Metlakatla, will not later be used in a detrimental manner to establish “facts” through the demonstration of Congress’ intention to define the limits of

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Alaska Native tribal jurisdiction and eliminate any potential for courts to find that “Indian Country” may exist in Alaska outside of Metlakatla. The ACSPI cannot support such an application of the legislation.

Additionally, while Section 910 attempts to provide a “savings clause” for Alaska Native tribal jurisdiction, this section demonstrates that Congress views Alaska Natives differently. Again, courts can easily interpret this as Congress’ intention to further limit and potentially eliminate whatever may be remaining of Alaska Native jurisdiction, including jurisdiction over non-members who threaten and harm their own tribal members.

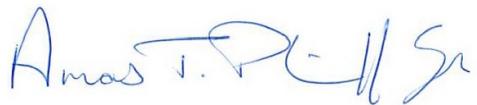
As you are all aware, Alaska Native tribal members comprise a disproportionate percentage of victims of domestic violence and sexual assault in the State’s population. Further, while the majority of the population in rural areas is Alaska Native, there is still an estimated 50% inter-racial intimacy rate among Alaska Natives. Alaska Native communities are largely remote and isolated, with many lacking any type of law enforcement, and almost all lacking any type of judicial presence in the community. This leaves an unacceptable amount of women and children exposed to violence and unable to quickly and conveniently access a judicial forum for protection.

The ACSPI has a fully functioning tribal justice system and we have experienced significant relationship achievements with different departments of the State of Alaska. However, like so many other Alaska Native communities, the ACSPI is served by a magistrate located hundreds of miles away. While we are fortunate to have a compassionate and proactive magistrate, our magistrate increasingly looks to our tribal justice system (including the services we offer through our Department of Health and Human Services) to assist with addressing the needs of our tribal members. Such an open act of cooperation demonstrates the inability of the State to fully ensure the safety of and meet the needs of Alaska Natives living in rural areas, while simultaneously supporting the ability of Alaska Native tribes to adequately protect their own tribal members. This ability should not be abolished by our own Alaska delegation through legislation intended to further the safety of Native people.

The ACSPI requests that all of Section 910 be stricken from the current version of the reauthorization of VAWA, and the application of 905(e) only to “Indian Country” be removed.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink that reads "Amos T. Philemonoff, Sr." The signature is written in a cursive style with a horizontal line underneath the name.

Amos T. Philemonoff, Sr.
President, Aleut Community of St. Paul Island