



April 27, 2022

The Honorable Teresa Leger Fernández  
Chair, Subcommittee on Indigenous  
Peoples of the United States  
Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, DC 20515

The Honorable Jay Obernolte  
Ranking Member, Subcommittee on  
Indigenous Peoples of the United States  
Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, DC 20515

Re: **TESTIMONY IN SUPPORT OF H.R. 437**

Chair Leger Fernández, Ranking Member Obernolte, and Members of the Committee:

As Chairman of the Board for Chugach Alaska Corporation (Chugach), the Alaska Native Claims Settlement Act (ANCSA) Regional Corporation for the Prince William Sound and Lower Cook Inlet, I would like to express my support for H.R. 437.

As an Alaska Native Corporation (ANC), we serve the interests of the Alaska Native people of the Chugach region and represent more than 2,700 shareholders and thousands of descendants. Many of these shareholders continue to live a subsistence lifestyle in rural and remote villages in our region, where they endure harsh living conditions. Villages have limited access to the road system and many are accessible only by air or boat, increasing costs for goods, services, and medical care. That's why many authoritative organizations and official agencies, including the U.S. Congress, U.S. Census Bureau, Indian Health Services, and the State of Alaska, recognize these Alaska Native residents as a vulnerable and disadvantaged population.

Building community is a core behavior engrained in our Alaska Native culture in order to survive the harsh conditions in rural Alaska. This is critical when it comes to taking care of our Elders. Elders who live in these areas express the challenges they face in making decisions to pay for healthcare and basic necessities, such as glasses, dentures, or food. We have also heard from Elders asking to give their shares away and Settlement Trust benefits back in order to protect their Medicaid and Medicare benefits. Many do not have pensions or retirement accounts.

Village and Regional Corporations provide benefits and opportunities to shareholders, including dividend distributions, educational scholarships, cultural programs, internships, and Elder's benefits and distributions from Settlement Trusts. However, they also rely on federal assistance programs for housing, nutrition assistance, Medicare, and Medicaid. Since 1976, Section 29 of ANCSA (43 USC 1626) has excluded the first \$2,000 in ANC dividends when making determinations of eligibility for these programs. That \$2,000 exclusion has not been increased or even indexed for inflation since 1988.

Congress first authorized ANCs to establish settlement trusts in 1988 and since that time, many such Trusts have been established to provide for the long-term, multigenerational protection and growth of our Alaska Native Settlement Trusts for the benefit of our shareholders. However, Congress has never amended ANCSA to create an exclusion for benefits received by Alaska Natives from settlement trusts authorized by ANCSA. This is ironic, as settlement trusts are one of the most powerful tools ANCs have to help Alaska Natives combat poverty, and the many ills that accompany it.

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H.R. 437 provides for a narrow but much-needed and important improvement in the treatment of distributions from the Trusts to the most vulnerable of our people – our Elders (and, in the case of the Senate “companion bill,” S. 2524, for our blind and disabled Alaska Natives as well), especially during the COVID-19 pandemic. Under H.R. 437, distributions of Trust benefits to Alaska Native Elders (65 years or older), will not count against those individuals for purposes of determining eligibility for governmental assistance programs. The legislation is critical because it prevents Elders from losing eligibility for important, life-sustaining benefits such as housing assistance and food stamps, by virtue of a distribution of benefits to them from their Alaska Native Settlement Trust.

Our Elders should not have to choose between healthcare and receiving a distribution that will allow them to pay their bills each month.

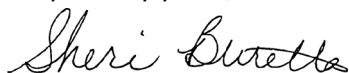
H.R. 437 is targeted to Alaska Native Elders, and does not provide a broad comprehensive exclusion of income from Settlement Trusts, for eligibility determination purposes across the total population of Alaska Natives. While Chugach believes such an exclusion should ultimately be enacted, because ANCSA benefits should not compromise other benefits to which Alaska Natives are entitled by virtue of their being U.S. citizens or by virtue of being Native Americans, Chugach also recognizes it is very important to prioritize the needs of our Elders in the narrower manner proscribed by H.R. 437.

While the number of Elders for whom H.R. 437 will provide relief is small, and represents a low percentage of the overall Alaska Native population, thereby resulting, as we understand from CBO’s analysis of the Senate’s companion bill, S. 2524, in the costs, or “score” of the bill being very low, it is nevertheless extremely important to those Elders who should not have to forego their benefits from ANCSA in order to maintain federal assistance benefits to which they are otherwise entitled.

For these reasons, I respectfully urge the Committee and the Congress to move this bill to enactment as soon as possible.

Please let me know if I can provide any additional information or materials for the Committee as it considers this important piece of legislation.

Respectfully yours,



Sheri Burette

Chairman of the Board