



CENTRAL COUNCIL
Tlingit and Haida Indian Tribes of Alaska
Office of the President • Edward K. Thomas Building
9097 Glacier Highway • Juneau, Alaska 99801

Executive Council of the Central Council
TLINGIT & HAIDA INDIAN TRIBES OF ALASKA

Resolution EC 24-37

Title: Opposing Passage of HJR No. 22 “Proposing an Amendment to the Constitution of the State of Alaska Relating to Subsistence Use of Replenishable Natural Resources by State Residents”

WHEREAS, the Central Council of Tlingit & Haida Indian Tribes of Alaska (Tlingit & Haida) is a federally recognized tribe with more than 37,000 citizens; and

WHEREAS, under Article X of the Tlingit & Haida Constitution, the Executive Council is the governing body of Tlingit & Haida when the Tribal Assembly is not in session; and

WHEREAS, the Tribal Assembly is not in session; and

WHEREAS, Tlingit & Haida citizens have relied on hunting, fishing, and gathering to sustain customary and traditional ways of life for centuries; and

WHEREAS, the subsistence way of life is an essential practice to this day; and

WHEREAS, the right to continue to harvest our traditional resources and live our traditional subsistence way of life was one of the commitments that Congress made to Alaska Native people when it enacted Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) in 1980; and

WHEREAS, the State of Alaska has nonetheless chosen, for decades, to attack the federal subsistence fisheries protections enshrined in Title VIII of ANILCA and now attempts to rewrite longstanding law and erase the Katie John decisions through the U.S. v. Alaska litigation; and

WHEREAS, Representative Thomas Baker of the Alaska Legislature has introduced HJR No. 22, a bill that purports to seek an amendment to the Alaska Constitution for the purpose of eliminating dual management of subsistence resources in Alaska; and

WHEREAS, Alaska has had dual management since the McDowell v. State decision held ANILCA’s rural priority inconsistent with Alaska’s constitution; and

WHEREAS, the Alaska State Legislature has for decades refused to adopt a constitutional amendment consistent with Title VIII of ANILCA; and

WHEREAS, as written, HJR No. 22 is not consistent with Title VIII of ANILCA; and

WHEREAS, HJR No. 22 would allow the State the discretion to differentiate between subsistence users for purposes of providing between users but would not mandate a priority for rural residents as required by Title VIII of ANILCA; and

WHEREAS, a hearing on HJR No. 22 was held by the House Resource Committee on March 13, 2024 and only two preselected, invited witnesses were allowed to give testimony; and

WHEREAS, the two witnesses, John Sturgeon, an affiliate of the Alaska Outdoor Council, and Alaska Fish & Game Commissioner Doug-Vincent Lang, were critical of federal subsistence management and stated that their goal was to also seek amendments to Title VIII of ANILCA that would adhere to state management of subsistence fisheries rather than current federal law; and

WHEREAS, Tlingit & Haida opposes passage of HJR No. 22 as it was developed without the input of the Alaska Native communities and fails to adhere to the language of Title VIII of ANILCA;

NOW THEREFORE BE IT RESOLVED, Tlingit & Haida will always defend the hunting and fishing rights of our people; and

BE T FURTHER RESOLVED, that Tlingit & Haida will challenge any proposal for a constitutional amendment that would undermine or weaken federal protections for a subsistence priority; and

BE IT FINALLY RESOLVED THAT, Tlingit & Haida calls upon Congress to take immediate action to revisit and strengthen Title VIII of ANILCA in order to permanently protect the right of Alaska Native people to engage in subsistence fishing in Alaska's navigable waters.

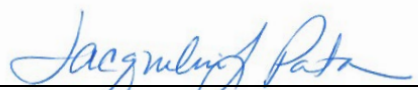
ADOPTED this 22nd day of March 2024, by the Executive Council of the Central Council of Tlingit & Haida Indian Tribes of Alaska, by a vote of 6 yeas, 0 nays, 0 abstentions and 0 absences.

CERTIFY



President Richard J. Peterson

ATTEST



Tribal Secretary Jacqueline L. Pata