



March 27, 2024

Honorable Representative Tom McKay  
State Capitol Room 124  
Juneau, AK 99801  
Representative.Tom.McKay@akleg.gov  
House.Resources@akleg.gov  
*Delivered Via Electronic Mail*

Re: Maniilaq Association and NANA Regional Corporation Opposition to House Joint Resolution 22

Dear Chairman McKay and members of the House Resources Committee:

On behalf of Maniilaq Association (Maniilaq) and NANA Regional Corporation (NANA), we regret to be compelled to write to you in unity to oppose House Joint Resolution 22 Resident Subsistence Use of Fish and Game (HJR 22) that is before the Alaska House Resources Committee. While we agree that local control of natural resource management is crucial to meeting the subsistence needs of our region, culture, and communities, we cannot support the proposed Constitutional amendment as written.

Maniilaq is a Tribal consortium that represents and provides health, social, and Tribal government services to 12 federally recognized Tribes in Northwest Alaska. NANA is an Alaska Native Corporation organized under the Alaska Native Claims Settlement Act of 1971. NANA owns and manages 2.2 million acres within the NANA region encompassing 38,000 square miles of ancestral Iñupiat homelands on behalf of its more than 15,500 Iñupiat shareholders who live in or have roots in Northwest Alaska. NANA policy is that subsistence is the best and highest use of our lands.

Together, Maniilaq and NANA engage jointly on a variety of matters relating to our traditional ways of life, the health and wellbeing of our people, and the future of our region. Our entities actively participate in both State and Federal hunting and fishing regulatory processes and work proactively to create opportunities for robust dialogue and consensus-building especially as it relates to subsistence and the associated traditional cultural activities. NANA being a steward of Iñupiat lands and as entities responsible for the wellbeing of our people—the rural residents who will be the most impacted by an elimination of rural priority—we cannot support HJR 22.

The language used in HJR 22 does not reflect the Alaska National Interest Lands Conservation Act's (ANILCA) mandatory standards for a rural subsistence priority on federal lands, and does not include the term "rural," which is the term utilized in ANILCA. HJR 22 only provides for a residential preference.<sup>1</sup> The proposed amendment also includes a broader suite of criteria in determining the subsistence priority than ANILCA.<sup>2</sup> This broad and flexible language could allow the legislature to provide a subsistence priority as the State implements now, considering all residents as "rural" even those living in urban city centers.<sup>3</sup> Further, HJR 22 limits the application of subsistence protections to times of scarcity.<sup>4</sup> ANILCA provides a mandatory rural priority on federal lands and is not up to the discretion of the Alaska Legislature.<sup>5</sup> Representative Hoffman's House Joint Resolution 23 from 1993 (HJR23) properly *required* the state to create and implement a rural priority.<sup>6</sup> HJR22 only states that the legislature *may* provide for a rural priority.<sup>7</sup> The language of HJR 22 does not comply with ANILCA, would not provide for a rural subsistence priority, and would ultimately result in further litigation.

Further, we were made aware of HJR 22 only after it was drafted and introduced to the legislature. The lack of consultation with House District 40 constituents on a subject that is at the core of our identity as Iñupiat is extremely surprising and disappointing. The only invited testimony to date was from the Safari Club and the Alaska Department of Fish and Game – although both oppose a meaningful rural subsistence priority.<sup>8</sup> The lack of any consultation or input from the region and other rural communities prior to the drafting and introduction of HJR 22 is troubling and conflicts with our traditional Iñupiat Iḷitqusiāt values of cooperation, responsibility to Tribe, and respect for others. To address an issue of such significance within the Alaska Native community, there must be comprehensive and inclusive dialogue to inform and build consensus in rural communities throughout Alaska.

HJR 22 does not represent a solution to the dual management system, rather it jeopardizes the rights of rural residents to be able to partake in traditional and cultural subsistence activities.

Respectfully,



Charlie Nelson  
Vice President, Tribal Government Services  
Maniilaq Association



Elizabeth Cravalho  
Vice President, Lands  
NANA Regional Corporation

CC: Honorable Senator Donny Olson

<sup>1</sup> Alaska State Legislature, HJR 22 Resident Subsistence Use of Fish/Game, 2024. Line 8-9

<sup>2</sup> Id. Line 10-11. See U.S.C. §§ 3113-15

<sup>3</sup> 5 AAC 99.010

<sup>4</sup> HJR 22 line 12-14, "when the harvestable surplus of a replenishable resource is insufficient to provide for all beneficial uses"

<sup>5</sup> ANILCA Sec 802(2), "non-wasteful subsistence uses shall be accorded priority."

<sup>6</sup> Alaska State Legislature, HJR 23 Const. AMDT: Subsistence Preference, 1993. Line 8, "the legislature *shall* grant a preference..."

<sup>7</sup> HJR 22 line 8, "the legislature may provide a preference..."

<sup>8</sup> House Natural Resources Committee March 13, 2024.