

EMPOWER TRIBES THE AUTHORITY TO ISSUE THEIR OWN FISH AND WILDLIFE PERMITS ON FEDERAL PUBLIC LANDS

- WHEREAS,** Tanana Chiefs Conference (TCC) is an Alaska Native tribal health and social services consortium established by the Interior Alaska tribes and tribal communities, to provide a unified voice in advancing sovereign tribal governments through the promotion of physical and mental wellness, education, socioeconomic development and culture of the Interior Alaska Native; and
- WHEREAS,** Tribal stewardship of fish and wildlife is essential to all Tribal communities in Alaska for food security, food sovereignty, community well-being, and cultural identity; and
- WHEREAS,** The majority of indigenous peoples are among the most vulnerable to hunger and malnutrition, which largely results from a long history of social, political and economic exclusion, including centuries of expropriation and despoliation of their lands; and
- WHEREAS,** Alaska National Interest Lands Conservation Act (ANILCA) Title VIII, Section 801 states, “The Congress finds and declares that— (1) the continuation of the opportunity for subsistence uses by rural residents of Alaska, including both Natives and non-Natives, on the public lands and by Alaska Natives on Native lands is essential to Native physical, economic, traditional, and cultural existence and to non-Native physical, economic, traditional, and social existence; and (2) the situation in Alaska is unique in that, in most cases, no practical alternative means are available to replace the food supplies and other items gathered from fish and wildlife which supply rural residents dependent on subsistence uses; and . . . (5) the national interest in the proper regulation, protection and conservation of fish and wildlife on the public lands in Alaska and the continuation of the opportunity for a subsistence way of life by residents of rural Alaska require that an administrative structure be established for the purpose of enabling rural residents who have personal knowledge of local conditions and requirements to have a meaningful role in the management of fish and wildlife and of subsistence uses on the public lands in Alaska”; and
- WHEREAS,** Alaska National Interest Lands Conservation Act (ANILCA) Title VIII, Section 804 states, “Except as otherwise provided in this Act and other Federal laws, the taking on public lands of fish and wildlife for nonwasteful subsistence uses shall be accorded priority over the taking on such lands of fish and wildlife for other purposes. Whenever it is necessary to restrict the taking of populations of fish and wildlife on such lands for subsistence uses in order to protect the continued

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viability of such populations, or to continue such uses, such priority shall be implemented through appropriate limitations based on the application of the following criteria:

- (1) customary and direct dependence upon the populations as the mainstay of livelihood;
- (2) local residency; and
- (3) the availability of alternative resources"; and

WHEREAS, The federal Indian trust responsibility is a legal obligation under which the United States "has charged itself with moral obligations of the highest responsibility and trust" toward Indian tribes, *Seminole Nation v. United States*, 316 U.S. 286 (1942). The federal Indian trust responsibility is also a legally enforceable fiduciary obligation on the part of the United States to protect tribal treaty rights, lands, assets, and resources, as well as a duty to carry out the mandates of federal law with respect to American Indian and Alaska Native tribes and villages; and

WHEREAS, from the 2010 Review to multiple Secretarial Orders across Departments and administrations, the necessity of Tribal stewardship of traditional territories and ways of life is well documented; and

WHEREAS, Tribes offer solutions from administration, financial management, and planning, to documented observation and data collection networks, to regulatory analysis, but existing legal opportunities (ISDEAA TITLE IV, ANILCA TITLE VIII) across DOI and related federal agencies go unfulfilled with little to no growth; and

WHEREAS, The calls for consultation, co-management, compacting, contracting, self-governance, collaborative management, coordination, and communication must be met with action.

NOW THEREFORE BE IT RESOLVED that the Tanana Chiefs Conference Full Board of Directors direct staff to advocate for fully funding Tribal Stewardship of traditional territories and ways of life through the trust responsibility of the federal government to Tribal Governments; and

BE IT FURTHER RESOLVED that the Tanana Chiefs Conference Full Board of Directors direct staff to advocate for the authority to issue their own fish and wildlife permits on federal public lands for spiritual (potlatch), educational (culture camp), and food security (hunting season), and emergency and/or survival (food supply chain collapse) purposes.

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CERTIFICATION

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference Full Board of Directors on March 16, 2022 at Fairbanks, Alaska and a quorum was duly established.



Robert Wright Sr

Charlie Wright
Secretary/Treasurer

Submitted by: Anvik Tribal Council

References:

The Right to Adequate Food, Fact Sheet No. 34, p. 12