

Subsistence Under Fire at Fairbanks Hearing

By Elston Lauesen
For the Tundra Times

Congressman Morris Udall and John Seiberling brought their hearings on the controversial d-2 legislation, HR-39, to Fairbanks last Saturday.

The hearings in Fairbanks, like those elsewhere in the state, centered around some basic conflicts of value. Although generally seen as a contest between those who would preserve the land and those who would exploit it, the hearings in Fairbanks witnessed a surfacing conflict between those who support the subsistence provisions of forthcoming d-2 legislation and those who oppose it. Arguing that the subsistence provisions in HR-39 are discriminatory against non-native Alaskans, the anti-d-2 forces rallied the support of sport hunting and outdoor groups who turned out to oppose the proposed legislation. Typical of the thinking along these lines was the testimony of Glenn DeSpain representing the Tanana Valley Sportsmen's Association.

DeSpain felt that the subsistence provisions in HR-39 made it a "people control" bill by keeping the majority of Alaskans from open hunting, trapping, and fishing on the withdrawn land.

"How can they set up two classes of people in Alaska," DeSpain asked Seiberling. "After we give them (Alaska Natives) a billion

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dollars and 40 million acres of land...I thought we had bought their aboriginal rights with the land and the money..."

DeSpain went on to tell about a hunting trip he took to Savoonga to bag walrus. After he got his walrus, his Eskimo companions went on to shoot "about 12 tons of walrus meat." After the party returned to the village, "...They took their food stamps and went over to the store and bought hamburger flown in from Nome. Now that's not what I call 'subsistence'."

Congressman Seiberling explained to the sports lobby that under the U.S. Constitution the "Federal Government has the power to deal with Indian tribes, including Alaska Natives, and deal with them as a separate entity. He said Congress never gave up its responsibility to protect Native subsistence when the Alaska Native Claims Settlement Act was passed.

"If we abrogated their aboriginal claims," Seiberling concluded, "We substituted a statutory right that must be respected."

In spite of the legal merits of the subsistence provision of HR-39, the bitter feelings of the outdoor lobby and its largely urban, middle-class constituency, is not likely to go away and may intensify as the d-2 debate continues.

A sample of other comments:

A representative of the Fairbanks Trappers' Association called the subsistence provisions of the legislation "discrimination against whites." Another representative of an interior sporting association spoke against the "racial" implication of the subsistence provision. Still another spokesman put it this way: "There are few, if any, subsistence hunters in the state, and any attempt to divide along ethnic lines will surely end up in court."