

RurAL-CAP ACTION REPORTS



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State of Alaska bids to take over marine mammal management

Migratory bird treaty and its implications for subsistence

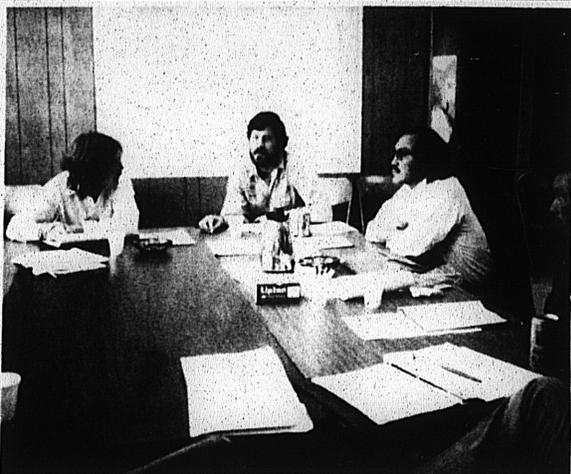
"I'm discouraged," said David Friday of Chevak, president of Nunam Kitlutsisti. "I just feel kind of numb." Friday's comments followed a meeting in Washington, D.C., last week to discuss the Migratory Bird Treaty Act and its implications for Native subsistence hunters.

At the heart of the problem is a 1916 treaty between the United States and Great Britain which prohibits the taking of migratory waterfowl, including ducks and geese, from March 10 to September 1.

Spring hunting of the birds is a major mainstay of the subsistence diet in many villages because fish and game caches are low as are the supplies of most village stores.

The meeting in U.S. Senator Ted Stevens' office was called at the request of Nunam Kitlutsisti (a Bethel-based Native non-profit corporation dedicated to preserving subsistence, which is supported in large part by RurALCAP). It included representatives from the U.S. Fish and Wildlife Service, the Department of State, Senator Gravel's staff and Senator Stevens' staff. As well, RurALCAP director, Phil Smith, and Friday were in attendance.

There was general agreement at the meeting that a problem existed; however, no one seemed to have a simple solution. U.S.F.W.S. representatives pointed out that they are under



REPRESENTATIVES DISCUSS state proposal. Jack Easterbrook, RurAL CAP; Tom McKenna, Mauneluk; Willie Goodwin, Kotzebue; Morris Kiyutelluk, Nome.

increasing pressure to enforce the provisions of the law, even though they are aware of the subsistence need. Short of revising the treaty, which they are afraid would "emasculate it," there is no foreseeable relief.

The State Department representative stated that the present treaty is not open to interpretation and any attempt to deviate from the letter of the law would actually involve a "conspiracy to obstruct justice."

After the meeting, there were long faces all around. "Unless something is done," stated Friday, "things will get worse. I wish the federal government would act now to make sure our hunting rights are not taken away."

The issue of subsistence hunting moves to the forefront again as the State of Alaska makes a bid to take over management of certain marine mammal species living along the coastal areas of the State. At this moment, the State manages only the walrus; but if the Federal Government accepts a new state proposal to manage and regulate seals, otters, polar bears, sea lions, and whales, then control of these mammals will shift to the Alaska Department of Fish and Game.

A Federal Administrative judge, Malcolm P. Littlefield, will conduct hearings in Bethel, Nome, and Anchorage during late June and July in order to obtain testimony of the feasibility of the State proposal. If the proposal, as drafted, is accepted, it could have a serious impact on subsistence hunters for it would spell an end to the Native exemption from hunting

regulations embodied in current Federal Law and place all hunters in Alaska new regulatory control.

In preparation for the hearings representatives from the Nome, Kotzebue, Dillingham, and Bethel areas of the State met in Anchorage on June 17 and 18 to familiarize themselves with the State proposal and discuss its implications. The Marine Mammal Protection Act of 1972, and end the moratorium on the hunting of marine mammals which now applies to all persons except Alaskan Natives living in coastal areas (who are specifically exempted by the Act).

The result would be State control of sea mammals, and new regulations which would open such species of mammals to hunting by sportsmen and commercial interests, and place controls on the subsistence use of the mammals.

There appear to be two issues involved according to Norman Cohen, an attorney representing Nunam Kitlutsisti, a Bethel based conservation advocacy organization. First, the state attempts to do away with the Native exemption (written into the Marine Mammal Protection Act by Congress) by way of administrative regulations; and second, to what degree the proposed regulations would open hunting of sea mammals to sportsmen and commercial interests. "Subsistence is number one," says Z. William Barr of Shismaref, which sums up the feelings of those at the meeting, who also agree that any attempt to do away with the Native exemption would hurt subsistence hunting, a result which is unacceptable to them and their people. "I don't see how they can do it," it's written right in the act," commented Morris Kiyutelluk, also from the Nome area. It seems clear, however, that the intent of the proposed regulations is to eliminate the Native exemption.

Participants at the meeting concurred that opening sea mammals to sports hunters and commercial interests, with control, is not necessarily bad; but should not be done at the expense of subsistence hunters. As Tom McKenna of Mauneluk in Kotzebue said, "If they want to expand the group of persons who can hunt the sea mammals then that is one thing, and we realize that the new regulations would permit Natives to sell skins again too. But they sure shouldn't strap regulations on subsistence hunters in return because it is not a fair trade."

Hearings on the state proposals are scheduled to be held in Anchorage on June 29, in Nome on July 6, 7, or 8, in Bethel on July 12, and again in Anchorage on July 14. Those at the meeting expressed hope that many people will attend the hearing and place in testimony of their own thoughts on the Native exemption and the proposed state regulations.



DAVID FRIDAY, Nunam Kitlutsisti, Bethel, Norman Cohen, Alaska Legal Services, Bethel; Tom Ellana, Nome also attended Pre-Marine Mammals Hearings Meeting.

RurAL CAP receives document

RurAL CAP has recently received a supply of the "Poor People's Platform—a call for Community Action in the Spirit of '76." The document, which recommends basic approaches to the problems of poverty in America, was developed by the National Community Action Agency Director's Association in conjunction with several other groups.

"We saw a real need for this project," stated RurAL CAP Director Phil Smith (who served on the drafting committee). "In this presidential election year, we realized that a number of pressures would be put on the Democrats and Republicans to adopt platform planks responsive to special interests.

In order to make sure that the critical needs of the poor were not overlooked, we undertook to write our own platform."

In its final form, the 21-page document outlines major areas of specific concern to the nation's poor. Such topics as health, manpower, energy, food and

nutrition, aging, rights of minorities, and others are outlined with specific recommendations for action by the national administration.

"I'm particularly pleased with the section on civil rights," said Smith. "For the first time, perhaps, a national effort has affirmed the basic right of Americans to be different to retain their cultural integrity, and to change their culture only when they feel it's in their own best interest.

Certainly, this is appropriate to Alaska where there are so many pressures on village people to conform to the majority culture."

An effort is currently underway in Washington to have the platform's major positions incorporated into the Democratic Platform for 1976. A similar attempt will be undertaken with the Republican Platform Committee.

Copies are limited but will be available from RurAL CAP in the near future. Anyone interested in obtaining a copy should contact RurALCAP.

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