



**STATEMENT OF NICOLE BORROMEO**

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**ALASKA FEDERATION OF NATIVES**

**COMMITTEE ON INDIAN AFFAIRS  
UNITED STATES SENATE**

**FIELD HEARING IN BETHEL, ALASKA ON**

**“THE IMPACT OF THE HISTORIC SALMON DECLINES ON THE  
HEALTH AND WELL-BEING OF ALASKA NATIVE COMMUNITIES  
ALONG THE YUKON AND KUSKOKWIM RIVERS”**

**NOVEMBER 10, 2023**

## I. INTRODUCTION

Thank you, Vice-Chair Murkowski, for inviting me to testify today on “*The Impact of the Historic Salmon Declines on the Health and Well-Being of Alaska Native Communities Along the Yukon and Kuskokwim Rivers.*” My name is Nicole Borromeo, and I am the Executive Vice-President and General Counsel of the Alaska Federation of Natives (“AFN”).<sup>1</sup>

AFN is the oldest and largest statewide Native membership organization in Alaska. Our membership includes 179 Alaska Native tribes, 154 for-profit village Native corporations and 9 for-profit regional Native corporations established pursuant to the Alaska Native Claims Settlement Act (“ANCSA”), and 10 regional nonprofit tribal non-profits or consortia that contract and compact to administer federal programs under the Indian Self Determination and Education Assistance Act. The mission of AFN is to enhance and advance the cultural, economic, and political voice of the Alaska Native community on matters of mutual concern, including subsistence hunting and fishing, which is the foundation of Alaska Native ways of life.

Today, I want to provide testimony regarding a matter of utmost importance for Alaska Native people: subsistence and protecting our ways of life. The challenge of the fish crisis is a complex issue that requires a bold new consensus, with the federal and state government working closely with the Alaska Native community. Instead of working toward such a consensus, the State is currently pursuing another unnecessary round of litigation through *U.S. v Alaska*. AFN has intervened in the suit on behalf of the entire Alaska Native community. We are in a different place after surviving the pandemic and we want to spend our time and resources building a bright new future where Alaska Natives thrive and our ways of life are flourishing—not relitigating old battles that, at best, maintain the status quo or, at worst, result in a further erosion of our fishing (and hunting) rights.

AFN therefore calls for a bold new consensus that realigns federal and state laws and policies to build on the existing capabilities of the Alaska Native community and does not hold us down—or try to conquer, divide, or ignore us. The consensus must be based on trust, shared information, and an agreed upon pathway to accomplish our collective goals. Shared information and knowledge must include clear data about the warming of the waters, the movement of fish stocks, increased competition, and conflict. Changes must be made to ANCSA and Title VIII of the Alaska National Interest Lands Conservation Act (“ANILCA”) to give us the solid foundation we need to be fully contributing members of the larger society. We do not want half measures; we want full capabilities under the law to protect our ways of life.

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<sup>1</sup> Shareholder of Doyon, Limited, the ANCSA regional corporation for Interior Alaska, and the Board Chairman for MTNT, Ltd., the ANCSA village corporation representing four Interior Alaska villages. Member of the Alaska Redistricting Board; the U.S. Census Bureau’s National Advisory Committee on Race, Ethnicity, and Other Populations; and the U.S. Department of Energy’s Indian Country Energy and Infrastructure Workgroup. Founding Board Member of Justice Not Politics Alaska, a nonpartisan organization promoting the independence of Alaska’s judiciary. Mentor in the Color of Justice Program. J.D., University of Washington; B.A., the University of Alaska-Anchorage. I reside in Anchorage with my husband and our four children.

Senator Murkowski, you will be called on to lead Alaskans in achieving this bold new consensus. We will stand with you and provide whatever help is needed. We cannot be stuck in the conflicts of the past. It is a new day. Our subsistence way of life must have unconditional federal support. And the State of Alaska must show the willingness to sit down and talk and seek a different path forward.

## **II. SUMMARY: OUR PEOPLE AND FISH**

AFN was formed in 1966 to protect Alaska Native ownership and use, primarily for subsistence purposes, of our lands. For the first five years, AFN focused exclusively on obtaining a fair and just land settlement with the U.S. Congress. Alaska is the traditional homeland for Alaska Native peoples. As such, we claimed traditional use and occupancy over the majority of the entire state to, among other things, meet the subsistence needs of our people. Subsistence was, and remains, the core aspect of our cultures and people's way of life for over 12,000 years.

*U.S. v. Alaska*,<sup>2</sup> a case now in federal court that will determine the future of the *Katie John* cases and the rural subsistence priority, is just the latest iteration of the conflict between State and federal subsistence management. This threat comes at a time when the critical need for the rural subsistence priority, due to the shortage of fish, is greater than ever.

Alaska Native peoples have lived and thrived on these lands and managed subsistence resources long before the United States or the State of Alaska existed. Despite this, in recent decades the Alaska Native community has repeatedly been caught between those two entities and forced to fight to ensure the continuation of our ways of life. Those struggles highlight why self-determination matters—we want to be the drivers of our own future. And as part of those efforts, we want to strengthen federal, State, and tribal relationships. Recent Supreme Court decisions, including *Haaland v. Brackeen*, have affirmed the federal trust responsibility. Alaska Native people are not a service population, but a trusted partner and federal policies should reflect that. Funding and other resources are needed to strengthen and scale up those relationships.

AFN is proud of the hard work and resilience of our people who live off the land and waters. Continuing this way of life takes deep knowledge of the land, the animals, and the fish, which give themselves to us to nourish our families and communities. This way of living requires traditional knowledge passed on from generation to generation. It requires getting up every day and doing the hard work. This is something we have in common with Indigenous people across the Arctic, in Canada, Greenland, and Russia. For the United States to have credibility in the Arctic, the federal relationship with Alaska Natives must matter and be strong.

In our view, the preeminent challenge before us is fish—the warming of the waters, the movement of fish stocks, the increased competition, and resulting conflicts. It will define our future and that of our country. Fish is not just about food, although fish sustains our people across multiple generations, in nearly every village and community in the State. It is about sustaining our cultural practices and traditions, which includes passing those traditions on to our next generation. The fish crisis has caused unsettling change and has the potential to rip apart our

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<sup>2</sup> No. 22-cv-54 (SLG) (D. Alaska).

cultural practices and what is most important to us: our family and community relationships. The fish crisis also threatens our relationships with the federal and State governments.

Instead of focusing all efforts on devising solutions to the fish crisis, the federal and State governments are at a continued state of impasse over jurisdictional issues, threatening our inherent rights to hunt and fish and our subsistence priority in federal law, which allows Alaska Native villages to feed our families in times of shortage. AFN urges the U.S. Senate Indian Affairs Committee to do everything in their power to stop this conflict. The State of Alaska is wrong to challenge *Katie John* and the rural subsistence priority. This Committee must stand with the Alaska Native people and protect *Katie John* and Title VIII of ANILCA. The real impacts of the fish crisis require our best efforts in science-based research, domain awareness of what is happening with the warming of the waters, movement of fish stocks, increased competition including from international sources, and conflict, and proactive resourcing of efforts to mitigate and adapt to these challenges.

### **III. BACKGROUND AND BRIEFING**

#### **A. ANCSA and ANILCA**

As noted above, AFN was initially established in 1966 around the issue of Alaska Native land claims, which, for Native peoples, was of utmost importance because large amounts of land are necessary to be able to continue the traditional subsistence practices that sustain Native ways of life. A Federal Field Committee report, which became the basis for the land settlement legislation, had three important conclusions: Alaska Native peoples and our land-based cultures i) are very different from other Alaskans and Americans, ii) covered nearly 2/3 of the entire State of Alaska, and iii) subsistence activities require over 60 million acres of land.<sup>3</sup> To that end, AFN devoted significant efforts from 1966 to 1971 towards securing a fair and just land settlement; protection of traditional culture practices and the ability to continue the Alaska Native subsistence way of life was central to those negotiations. Those efforts resulted in the passage of the Alaska Native Claims Settlement Act.

In enacting ANCSA, Congress made clear that it “expected both the Secretary [of the Interior] and the State to take any action necessary to protect the subsistence needs of [Alaska] Natives.”<sup>4</sup> The Alaska Native community believed that Congress’ plain expectation that the State of Alaska and the federal government would do everything in their power to protect Alaska Natives’ ability to continue hunting, fishing, and gathering on their own land and the public domain would be fulfilled. Unfortunately, that promise was not kept, and Congress sought to remedy that issue and protect Alaska Native subsistence in 1980 when it enacted VIII of the Alaska National Interest Lands Conservation.

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<sup>3</sup> Federal Field Committee for the Development and Planning in Alaska, *Alaska Natives and the Land* (1968).

<sup>4</sup> See H. Conf. Rep. No. 92-746, at 37 (1971), as reprinted in 1971 U.S.C.C.A.N. 2247, 2250 (Conference Committee Report).

Title VIII of ANILCA gives a *user priority* to customary and traditional subsistence uses by *rural residents* on *federal* public lands (and waters) in times of *shortage*.<sup>5</sup> Notably, “[e]arly drafts of Title VIII protected only subsistence uses by [Alaska Natives]. When the State advised Congress that the Alaska Constitution might bar the enforcement of a preference extended only to Natives, Congress broadened the preference to include all ‘rural residents’” at the State’s behest.<sup>6</sup>

Although the subsistence priority was expanded to include all rural residents, the economic and cultural survival of Alaska Natives was the principal reason why Congress enacted Title VIII. Representative Morris Udall “lodged a detailed discussion of the pending [final] bill in the Congressional Record,” in which he noted Title VIII’s

[M]anagement provisions which recognize the responsibility of the Federal government to protect the opportunity from generation to generation for the continuation of subsistence uses by the Alaska Native people so that Alaska Natives now engaged in subsistence uses, their descendants, and their descendants’ descendants, will have the opportunity to determine for themselves their own cultural orientation and the rate and degree of evolution, if any, of their Alaska Native culture.<sup>[7]</sup>

Importantly, Congress also included in ANILCA’s Title VIII an offer to the State: the option of managing subsistence on federal public lands—in addition to the authority it already had over State and private (mostly ANC) lands—if the State enacted a law of general applicability containing the same rural subsistence priority.<sup>8</sup> The ability to manage a unified statewide system was, and remains, the State’s incentive to comply with Title VIII’s provisions.

## **B. The Importance of Subsistence to Alaska Native Peoples**

It is impossible to overstate the importance of fish in the context of Alaska Native subsistence. For many Alaska Native peoples living in rural villages, preserving their ways of life and ensuring their food security depends on their ability to subsistence fish. Fish is more than just a food source—its part of our culture and identity. When subsistence resources are taken away—as has happened in the past under State jurisdiction<sup>9</sup> or in man-made disasters such as the Exxon

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<sup>5</sup> 16 U.S.C. §§ 3111-3126 (Title VIII), § 3114 (rural subsistence priority).

<sup>6</sup> *Kenaitze Indian Tribe v. Alaska*, 860 F.2d 312, 313 n.1 (9th Cir. 1988).

<sup>7</sup> 126 CONG. REC. 29, 278 (Nov. 12, 1980) (extended remarks of Rep. Morris Udall).

<sup>8</sup> 16 U.S.C. § 3115(d).

<sup>9</sup> For example, after the Northwest Arctic Caribou Herd crashed in 1976, urban sport hunters sued to reverse a decision allocating the limited caribou for Native villages’ subsistence practices. This resulted in the State having to fly store-bought foods to Native villages. *Id.* In 1978, the State arrested several Alaska Native elders for operating traditional subsistence fish-wheels on the Upper Tanana River during a period the State Board of Fish reserved exclusively for sport dip-netting. *See Alaska Fed’n of Natives, THE RIGHT TO SUBSIST: FEDERAL PROTECTION OF SUBSISTENCE IN ALASKA* 6 (2010).

Valdez spill in 1989—the result is economic and cultural catastrophe for the families who rely on those resources.

Alaska Department of Fish and Game (“ADF&G”) research shows that subsistence food harvest by Alaska residents represents less than one percent of the fish harvested annually in Alaska.<sup>10</sup> Commercial fisheries account for about 98.6% of the statewide harvest.<sup>11</sup>

ADF&G research also shows that 95% of households in rural Alaska consume subsistence-caught fish.<sup>12</sup> Moreover, ADF&G’s 2020 subsistence harvest report calculated that subsistence fisheries provide 56.8% of the wild foods harvested by rural Native villages for subsistence purposes, with salmon comprising the largest portion of the total harvest at 32.3%.<sup>13</sup> Subsistence harvests provide 25% of the caloric requirements of rural populations in Alaska.<sup>14</sup> Harvests range by area, however, with people living in the most remote, roadless regions that often have no access to affordable groceries harvesting approximately 300-400 pounds per person each year and rural southcentral communities, which are generally on the road system, harvesting 145 pounds per person.<sup>15</sup> And while the Alaska Native population makes up a substantial portion, i.e., approximately 55% of the population of all rural areas in the state,<sup>16</sup> in the most remote, roadless regions, the Alaska Native population comprises a much larger majority: 82%.<sup>17</sup> Subsistence, and

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<sup>10</sup> *Subsistence in Alaska: A Year 2017 Update 2*, Division of Subsistence, ADF&G [https://www.adfg.alaska.gov/static/home/subsistence/pdfs/subsistence\\_update\\_2017.pdf](https://www.adfg.alaska.gov/static/home/subsistence/pdfs/subsistence_update_2017.pdf). Subsistence food harvest (fish and game) represent about 0.9%, personal use fishing and hunting represent about 0.2%. *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> The ADF&G Division of Subsistence, *Alaska’s Economies and Subsistence*, [https://www.adfg.alaska.gov/static/home/library/pdfs/subsistence/ak\\_economies\\_subsistence.pdf](https://www.adfg.alaska.gov/static/home/library/pdfs/subsistence/ak_economies_subsistence.pdf).

<sup>13</sup> *Food Production and Nutritional Values of Noncommercial Fish and Wildlife Harvests in Alaska*, ADF&G Division of Subsistence (2019) [https://www.adfg.alaska.gov/static/home/subsistence/pdfs/Wild\\_Harvest\\_Notebook.pdf](https://www.adfg.alaska.gov/static/home/subsistence/pdfs/Wild_Harvest_Notebook.pdf).

<sup>14</sup> *Subsistence in Alaska: A Year 2017 Update 3*, Division of Subsistence, ADF&G [https://www.adfg.alaska.gov/static/home/subsistence/pdfs/subsistence\\_update\\_2017.pdf](https://www.adfg.alaska.gov/static/home/subsistence/pdfs/subsistence_update_2017.pdf).

<sup>15</sup> *Id.* at 3.

<sup>16</sup> James A. Fall, *Alaska Population Trends and Patterns, 1960-2018* at 11, ADF&G Division of Subsistence, Alaska Department of Fish and Game (2019) [https://www.adfg.alaska.gov/static/home/library/pdfs/subsistence/Trends\\_in\\_Population\\_Summary\\_2019.pdf](https://www.adfg.alaska.gov/static/home/library/pdfs/subsistence/Trends_in_Population_Summary_2019.pdf).

<sup>17</sup> Alaska Native Population, Alaska Native Policy Center, <https://firstalaskans.org/wp-content/uploads/2014/03/ANPCa3.pdf>; see also U.S. Census Bureau, Percent American Indian and Alaska Native Alone or in Combination, Total Population by County: 2020, <https://public.tableau.com/shared/NMZXRS84J?:showVizHome=n> (showing the Alaska Native population makes up 96.9% of the Kusilvak Census Area, 88.5% of the Bethel Census Area, 88.1% of the Northwest Arctic Borough, 82.6% of the Nome Census Area, 79.9% of the Dillingham Census Area, and 77.2% of the Yukon-Koyukuk Census Area).

fish in particular, feeds many of those communities. Most rural Native village economies are made up of a combination of cash and subsistence, with extremely limited sources of cash income. Subsistence harvest and use (for personal and group consumption) is an integral part of community relationships. The cost to replace wild food harvests (both fish and game) in rural Alaska is estimated to be about \$170-\$340 million annually, or about \$97-\$193 million to just replace the 56.8% comprised of fish. When subsistence resources (or the legal right to harvest them) are taken away, they cannot be replaced by substitutes.<sup>18</sup>

### **C. AFN Resolution 23-01**

Each year at the Annual AFN Convention, delegates submit and pass resolutions to set the goals and priorities of the organization. The resolutions voted on and passed by the delegates and membership guide AFN's advocacy priorities and work on subsistence, health and wellness, public safety, education, land, and natural resources, economic development, and self-determination. AFN resolutions record the aspirations, priorities, and vision of the Alaska Native community.

Resolution 23-01 is an AFN Board-sponsored resolution adopted at the AFN Convention on October 21, 2023. Resolution 23-01 recognizes the multi-decade fight to protect Alaska Native subsistence, which our people rely on to sustain our traditional ways of life and to ensure our food security.

Resolution 23-01 calls on the federal government to do several things:

1. For the Department of Interior and DOJ to aggressively protect Alaska Native hunting and fishing rights in court
2. For the White House and Secretaries of Interior and Agriculture to use their full authority to protect Alaska Native subsistence users
3. For Congress to repeal the section of ANCSA that terminates Alaska Native aboriginal hunting and fishing rights and replace that section with an affirmation of those inherent rights; and
4. For Congress to revisit and strengthen Title VIII of ANILCA to permanently protect the right of Alaska Native people to engage in subsistence fishing and hunting in Alaska's navigable waters and to adequately fund those efforts.

AFN's members strongly supported Resolution 23-01 and it passed easily at the Convention, with a few minor amendments from delegates that strengthened the resolution's wording. The resolution reflects how important protecting the subsistence way of life is to our people. AFN is calling on the executive and legislative branches of the federal government to do everything in their power to ensure Alaska Native subsistence is protected and strengthened. A copy of Resolution 23-01 is attached to this testimony for your reference.

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<sup>18</sup> See *Food Production and Nutritional Values of Noncommercial Fish and Wildlife Harvests in Alaska* at 3-4.

## D. Threats to Subsistence

### a. *Climate change*

The Arctic Council has affirmed that the Arctic is warming three times faster than the rest of the world.<sup>19</sup> Climate change has many effects on Alaska's people, including damaging and changing ecosystems and altering the distribution of marine living resources. Climate change, including marine heatwaves, are expected to increasingly have significant impacts on the availability of fish. Those changes, in turn, threaten the traditional lifestyles of Alaska Native communities. Changing fish migration patterns, combined with the high cost of non-subsistence foods, are exacerbating food insecurity and making traditional subsistence lifestyles more difficult.

### b. *The State's efforts to undermine Alaska Native subsistence*

ANILCA's Title VIII offers the State of Alaska the option of managing subsistence on federal public lands if the State enacts a law of general applicability containing a rural subsistence priority. Unfortunately, in 1989 the Alaska Supreme Court held in *McDowell v. State of Alaska* that the Alaska State Constitution does not allow for a rural subsistence priority.<sup>20</sup> As a result of *McDowell*, the State's ability to take over subsistence management on federal lands via implementation of a rural preference pursuant to Title VIII is contingent upon amending the Alaska Constitution.

Instead of concentrating its efforts on amending the Alaska Constitution to allow a rural subsistence priority, which AFN would assist with, the State is instead doing everything in its power to undermine federal Title VIII authority and the rural subsistence priority. For example, in *U.S. v. Alaska*,<sup>21</sup> a case now proceeding before the U.S. District Court for the District of Alaska, the State of Alaska recently outright challenged the validity of the *Katie John* cases and therefore the rural subsistence fishing priority provided by Title VIII of ANILCA. If the court overturns *Katie John*, there will no longer be a rural subsistence priority and management of all subsistence fisheries will be in the hands of the State. Moreover, subsistence fishing will be open to all Alaskans even during times of shortage.

The State's forward attack on our ways of life poses a significant threat. The State's "all Alaskans" policy already threatens the food security and continued ways of life of Alaska Native people living in rural communities. If that policy was also extended to federal lands and waters within those lands, the continued existence of our people living in rural villages will be further jeopardized. State management also presents other difficulties; for example, the State has enacted laws creating non-subsistence use areas where subsistence is not allowed. Within these non-subsistence use areas are Native villages on the Kenai Borough and other areas. The State's non-

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<sup>19</sup> National Strategy for the Arctic Region 5 (2022).

<sup>20</sup> 785 P.2d 1, 9 Alaska 1989) (holding that the rural user priority for subsistence hunting and fishing was unconstitutional under sections 3, 15, and 17 of article VIII of the Alaska Constitution).

<sup>21</sup> No. 22-cv-54 (SLG) (D. Alaska).



subsistence use areas prioritize commercial fishing and make it impossible for Alaska Native people living in those areas to carry out their traditional subsistence practices.

*c. International pressures on marine fisheries*

Internal pressures on struggling Arctic fisheries also present a significant threat to subsistence. Both Russia and China increasingly seek to influence the Arctic, including fisheries. Chinese and Russian dual flagged fishing ships and China’s desire to control 90% plus of the fish protein in the world to feed its own population are both situations that we are monitoring with concern.

**E. Proposed Solutions**

*a. Legislation*

As called for in AFN Resolution 23-01, Congress should repeal 42 U.S.C. 1603(b), the section of ANCSA that terminates Alaska Native aboriginal hunting and fishing rights. Congress should replace that section with an affirmation of those inherent rights. Congress should also revisit and strengthen Title VIII of ANILCA to permanently protect the right of Alaska Native people to engage in subsistence fishing and hunting in Alaska’s navigable waters and to adequately fund those efforts.

*b. Customary Trade Agreements*

ANILCA’s definition of “subsistence uses” includes “the customary and traditional uses by rural Alaska residents of wild, renewable resources for . . . customary trade . . . .”<sup>22</sup> By federal regulation, “customary trade” is defined as “exchange for cash of fish and wildlife resources . . . not otherwise prohibited by Federal law or regulation, to support personal and family needs; and does not include trade which constitutes a significant commercial enterprise.”<sup>23</sup>

An Indigenous Free Trade Agreement for the Arctic to allow for customary trade among Native people across the Arctic and Alaska presents a unique opportunity. Such an agreement would push the customary trade provision further than ever before, allowing Alaska Native people to provide for our own food security.

*c. Increasing federal/tribal dialogue and sharing of research*

The National Oceanic and Atmospheric Administration and other federal agencies can and should do better when it comes to conducting and sharing research with Alaska Native peoples regarding warming oceans and movement of fish stocks. It is imperative to share this data with Alaska Native peoples—we must have this information to further our understanding and develop systems for adaptation. We know things will not stay the same and in order to improve resilience, we must have up-to-date data and information.

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<sup>22</sup> 16 U.S.C. § 3113.

<sup>23</sup> 50 C.F.R. §100.4.

d. *Funding*

Funding co-management and strategic tribal/federal partnerships is also of the utmost importance. Existing co-management relationships and programs, including pursuant to the Marine Mammal Protection Act are severely underfunded and understaffed. Agencies should focus on improving current co-management relationships and programs and increasing funding for them.

Alaska Natives need a seat at the table to manage fish and game resources that we depend upon for sustenance and to practice our rich and diverse cultures. Although we have traditional knowledge of resource management that goes back centuries, we need to build capacity in order to continue and grow more co-management projects. There is a crucial need for targeted funding to enhance the skills and abilities that will allow us to achieve measurable and sustainable results.

There is also a need to educate our young people on western ideas of resource management so that they can bridge the gap with traditional ways of management and use the best practices and knowledge of both styles. Funding for programs that train Alaska Natives on the job and for scholarships to study resource management at universities would be a huge boost to co-management projects statewide.

e. *Federal Subsistence Board recommendations—identified but no implemented*

Federal subsistence management also has room for improvement: we have offered many recommendations in the past to improve the Federal Subsistence Board (“FSB”). Attached by reference is a letter from AFN to U.S. Secretary of Interior Ken Salazar dated January 7, 2009 and a supplemental letter dated January 21, 2010. U.S. Secretary Ken Salazar had the Department of Interior undertake an exhausted review of the FSB. Over 200 hours of hearing and meetings were held to gather input. Unfortunately, only two improvements have been implemented so far – the addition of two new rural seats.

f. *U.S. v. Alaska*

The U.S. Senate Indian Affairs Committee should file an amicus curiae brief in *U.S. v. Alaska*, standing with Alaska Native people. The Committee should invite the Governor of Alaska to testify and outline in detail his efforts to work with Alaska Native people and engage in constructive dialogue. The Committee should encourage dialogue and respond to the urgent requests of the Alaska Native people.

g. *Compacting*

The U.S. Senate Indian Affairs Committee should use tools our government uses when they want to match up goals and accountability: compacting. The Association of Village Council Presidents (“AVCP”) in Bethel would like to be able to demonstrate the potential of a domestic version of the Millennium Challenge Compact, which the United States uses with middle- and low-income countries to accomplish goals. The five-year commitment of resources in the compact, which is

negotiated, with an option to renew for another five years, is ideal to advance as a first step. Internationally, the Millennium Challenge Corporation (“MCC”) is a resounding success and has a demonstrated history. Domestically, in the United States, we have found compacting in health care, Bureau of Indian Affairs services, and even in state programs with child welfare and the new pilots in compacting in education which is just beginning. This modern tool should take the place of year-to-year grants, or competitive grants and become a floor for the Yukon-Kuskokwim Delta region. Authorization for a pilot would greatly help match up our country’s goals in the fish crisis with the multi-faceted approaches needed to move ahead. The Committee would find the leadership of AVCP very willing to sit down and negotiate goals and assume responsibility and accountability.

#### **IV. CONCLUSION**

Thank you again for inviting AFN to testify as part of today’s hearing on “*The Impact of the Historic Salmon Declines on the Health and Well-Being of Alaska Native Communities Along the Yukon and Kuskokwim Rivers.*” We are happy to supplement our written testimony if requested.

In sum, the protection of subsistence ways of life was of top priority for Alaska Natives when both ANCSA and ANILCA were enacted. Congress recognized this too. Alaska Native peoples now look to the federal government to uphold its side of the bargain and protect Alaska Native subsistence and ways of life. The State is currently unwilling, and its “all Alaskans” approach is unworkable for the Alaska Native community. Protecting our subsistence way of life through maximum self-determination is critically important to Alaska Natives, particularly as Native peoples cope with climate change and continued marginalization by the federal and state governments. But AFN and the Alaska Native people will keep pushing and will be here if the State changes its mind and wants to work with us. We hope for a day when the fight is not one to maintain the status quo.