



ANB – ANS
JUNEAU, ALASKA – September 2015

Resolution #15-

15

Title: Requesting Prompt Federal Response to “Peratrovich v. US, No. A92-734-CV”

WHEREAS, the Tlingit and Haida people living within the Tongass Forest in Southeast Alaska are known as the "Tides People," more than half of our foods are traditionally and customarily hunted, fished and gathered from tidal lands, estuaries and marine waters within the interior boundaries of the Tongass National Forest; and

WHEREAS, The State of Alaska claims ownership and jurisdiction of those submerged lands and waters; and

WHEREAS, U.S. District Court Judge Holland ruled in the Peratrovich Herring Roe Harvest case (Peratrovich v. United States, No. A92-734-CV) as follows:

"...The court declares that the federal defendants' regulation that generally excludes from ANILCA jurisdiction marine waters within the Tongass National Forest is not in accordance with Title VIII of ANILCA.

The federal defendants are enjoined to promptly initiate regulatory proceedings for purposes of implementing Title VIII of ANILCA with respect to submerged public lands within the Tongass National Forest..."

RESOLVED, that the Alaska Native Brotherhood and the Alaska Native Sisterhood in Grand Camp assembled in October 2012, the Centennial Year of the ANB, hereby supports the following:

The Alaska Native Brotherhood Grand Camp shall call upon the Secretary of Agriculture and the Secretary of Interior for their support and assurance for the broadest interpretation and application of the ruling of Judge Holland decision in the Peratrovich Case (Peratrovich v. United States, No. A92-734-CV)

The Alaska Native Brotherhood Grand Camp urges federal agencies to expedite the courts direction to... "The federal defendants are enjoined to promptly initiate regulatory proceedings for purposes of implementing Title VIII of ANILCA with respect to submerged public lands with the Tongass National Forest..."

RESOLVED, that ANS Camp 2 and the ANB & ANS Camp 70, assembled in a joint meeting in September 2015, urge Grand Camp assembled in October 2015, the Centennial Year of the ANS to request the Secretary of Agriculture and Secretary of Interior to undertake regulations which will implement the direction of Judge Holland in the Peratrovich Case. The Alaska Native Brotherhood Grand Camp shall advocate and participate in the regulation process in a manner that results in all of the marine waters and submerged lands within the outer boundaries of the Tongass National Forest to be available in the implementation of Title VIII of ANILCA/subsistence

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