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November 14, 2013

The Honorable Secretary Sally Jewell
United States Department of the Interior
1849 C Street N.W. – M.S. 7229
Washington, D.C. 20240

The Honorable Secretary John Kerry
United States Department of State
2201 C Street, N.W. – Room 7226
Washington, D.C. 20520

Re: Draft Beringia Memorandum of Understanding (“MOU”) between the governments of the United States and Russia

Dear Secretary Jewell and Secretary Kerry:

Alaska Senate Leadership has analyzed the October 28, 2013 Draft Beringia *Memorandum of Understanding* (“MOU”) from the United States Department of State. See attached.

The draft MOU arrives, almost concurrently, with the news that President Obama, via executive order, created a task force of officials to respond to the impacts of climate change.¹

The MOU, specifically, is concerning for a number of reasons:

1. As written, the MOU may impede future natural resource development.
 - a. In 1957, a House of Representatives Report (No. 624) accompanied H.R. 7999 (which provided for the admission of Alaska into the Union). On page 7 of the report, it stated:

As previously noted, tremendous acreages of land in Alaska have been tied upon in the status of Federal reservations and

¹ See Exec.Order No. 13653, 78 C.F.R. 66817 (2013). The task force would be largely immune from legislative oversight. Many are concerned the task force would be used to force a federal agenda on certain states, without proper input from the residents affected.

withdrawals for various purposes. The committee feels strongly that this practice has been carried to extreme lengths in Alaska, to a point which has hampered the development of such resources for the benefit of mankind. As a result, a long list of potential basic industries in [Alaska], including...oil and gas, coal, various other minerals...can exist in Alaska only as tenants of the Federal Government, and on the sufferance of the various Federal agencies. ² The committee considers that to be an unhealthy situation.

- b. The intent, when Alaska became a state, was that it was to use its natural resources to become self-sufficient and less reliant on the federal government.
 - i. Many are concerned that the Department of Interior and Department of State, have, without proper extended input (beyond the 2010, 2011 National Park Service ("NPS") solicitations) negotiated an "international park" (linking the Bering Strait Region), which may have a tremendous negative economic effect on Alaska.
 - ii. Here is one example: Red Dog mine has been operating since 1989 in Northwest Alaska near Kotzebue. It is one of the world's largest producers of zinc concentrate. The mine is operated by NANA Regional Corporation, Inc. ("NANA"), a Native corporation owned by the Inupiat people, and Teck Alaska Incorporated. The MOU references that the National Governments, through their respective Park Services will cooperate and manage the proposed "international park" with a heavy emphasis on "climate change" and "other environmental factors." Senate Leadership shares the concerns of the Parnell Administration that the proposed MOU may impede future easements for the Red Dog Mine road (which runs through Cape Krusenstern National Monument).
 - c. The MOU appears to be a troubling "step-back" in both substance and procedure from what Congress originally intended in 1957.
2. On page 3 of the MOU there appears to be a substantially increased emphasis on promoting "ecological tourism" and "recreation." While those issues are important they sustain a mere fraction of the affected economy in the region.

² See H.Rep.No.624, at 7 (1957).

- a. There is also reference to "sustainable development." However, "sustainable development" is undefined, and, according to many Alaskans, a notoriously nebulous term. "Sustainable development" should be further defined after input and analysis from the stakeholders and the State Administration.
3. Alaska is concerned that NPS authorities may seek to incorrectly stretch their influence beyond park boundaries. Particularly as it pertains to fish and wildlife management. Clear "sideboards" should be included (for the benefit of the Russian government and NPS agents) to understand the "scope of influence." Input should be sought by State agents including the Alaska Board of Game.
4. Communication regarding the MOU has not met the expectations of many of the affected residents. Before finalization, Alaskans should have another opportunity (through public hearings) to give their recommended changes and improvements. The Governor of Alaska (or his designee), along with the locally affected Russian government official, should be included in the proposed development of the joint action plan.

Sincerely,



Senator Charlie Huggins



Senator Lesil McGuire



Senator Kevin Meyer



Senator John Coghill



Senator Pete Kelly

Enclosed: Draft October 28, 2013 Memorandum of Understanding

cc: Governor Sean Parnell
Senator Lisa Murkowski
Senator Mark Begich
Congressman Don Young
Alaska Attorney General Michael Geraghty