

Confirm. '91

Rozier, ...

Dept. F & G

(...)



# Koniag, Inc.

TELECOPY COVER LETTER

KONIAG, INC.  
4300 B Street, Suite 407  
Anchorage, Alaska 99503  
Telephone: (907) 561-2668  
Telecopier (907) 562-5258

Date: 4-18-91

Deliver to: Attention Paula

Number of Pages including Cover Letter: 3

From: Frank Pagano

Regarding: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CONTACT US AT THE ABOVE TELEPHONE NUMBER AS SOON AS POSSIBLE.



## Koniag, Inc.

April 18, 1991

Senate Resource Committee  
Alaska State Legislature  
P.O. Box V  
Juneau, AK 99801

Gentlemen:

I thought I would take this opportunity to seek your support in the confirmation of Mr. Carl Rosier as the Commissioner of the Alaska Department of Fish & Game.

Mr. Rosier is eminently qualified for the position and he has the support of the fishing community in Kodiak.

It is our belief that Mr. Rosier is a "strong" manager who will clearly not allow any subordinate in the department to become involved in the making of policy.

Furthermore, we do not believe that the appointment of Ron Sommerville as one of the deputy commissioners will in any way, shape or form be harmful to the department, the State of Alaska or for that matter to the process of an ultimate resolution of the subsistence issue.

Mr. Sommerville is a highly regarded technical expert in the area of fish and game management. We believe that Mr. Rosier is the man who can funnel that expertise in a productive and positive manner.

In any case, regardless of what the various legislators feelings are toward Mr. Sommerville, the confirmation of Mr. Rosier's appointment must be based solely on his track record and abilities.

April 18, 1991  
Page 2

I would hope that we can count on your support in this matter.

Sincerely,

KONIAG, INC.

A handwritten signature in cursive script, appearing to read "Frank Pagano".

Frank Pagano  
President

FP/dl

4/9/91

Lloyd Jones, Senator  
Alaska State Senate  
P.O. Box V  
Juneau, Alaska 99811

Re: Summerville Appointment

Dear Senator Jones,

I understand that the House passed version of the state budget deleted Mr. Summerville's position from ADF&G. I've also heard it said that people all over the state oppose him. I have a couple of questions on the matter that perhaps you could help me out on. For what specific reasons does the House oppose Mr. Summerville? And which legislators voted to delete his position?

I have been in Alaska since the mid seventies and have lived in Fairbanks, Palmer area, and Juneau. I still have friends all over the state and I haven't had one of them tell me that they don't like Summerville. I'm familiar with some of Mr. Summerville's past history and he has an excellent record for the time he spent with ADF&G prior to the subsistence issue, which he did on his own time. I find it interesting that a person who fully supports our state's constitution, including equality and equal access, should be so strongly opposed. As far as I can tell, this opposition is from a small group who stands to benefit over other sectors of the state's population. Is there something else underlying this push to remove an excellent administrator, who has very good experience and qualifications and has done the best job he can for the best interests of the state at large? Please let me know.

I would like to see this issue resolved. Mr. Summerville does not need to a football. If he is the issue, then you should object to unfair treatment of an individual employee and ask that concerns over the issue of subsistence be resolved in a more appropriate manner. I would like to see Mr. Summerville continue as Deputy Commissioner as I know he will do the best job he can for all Alaskans. I would like to see your support for him. The last time I can remember that something similar happened in the legislature was when Clem Tillion was President of the Senate and he fired the Deputy Commissioner of DNR - Mr. Michael C.T. Smith - on the 6:00 O'clock news by the same method. I didn't think much of the method then and I don't now. An employee is not appropriate to use to settle disputes with the Administration.

Please let know your thoughts on the issue.

Sincerely

*Bill Fried*  
4414 Berners Ave  
Juneau, AK 99801  
784-5614 hwy



# Alaska State Legislature

## Senate

### Office of the Secretary

P.O. BOX V  
CAPITOL BUILDING  
JUNEAU, ALASKA 99811

OFFICIAL BUSINESS

Date \_\_\_\_\_

The Honorable Dick Eliason  
President of the Senate  
Alaska State Legislature  
P.O. Box V  
Juneau, AK 99811


Dear President Eliason:

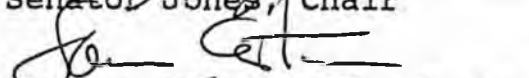
In accordance with AS 39.05.080, the Senate Resources Committee reviewed the following with regard to confirmation of the Governor's appointment:

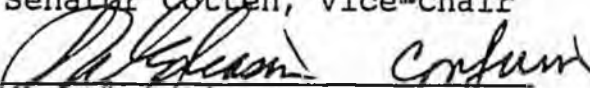
Department of Fish and Game  
Commissioner Carl Rosier

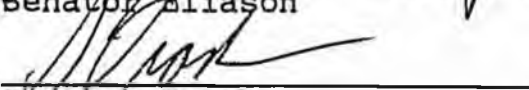
There were no stated objections to the confirmation of any of the named individual by committee members. This does not reflect an intent by any of the members to vote for or against the individual during any further sessions.

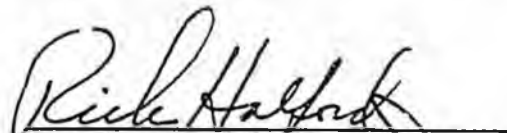
Respectfully,

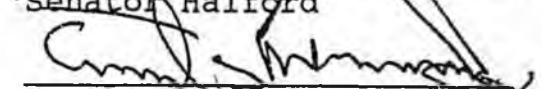
  
\_\_\_\_\_  
Senator Jones, Chair

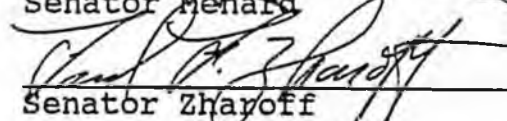
  
\_\_\_\_\_  
Senator Cotten, Vice-Chair

  
\_\_\_\_\_  
Senator Eliason

  
\_\_\_\_\_  
Senator Frank

  
\_\_\_\_\_  
Senator Halford

  
\_\_\_\_\_  
Senator Menard

  
\_\_\_\_\_  
Senator Zharoff

# MEMORANDUM

State of Alaska

DEPARTMENT OF FISH AND GAME


TO: ADF&G Staff

DATE: March 18, 1991

FILE NO.:

TELEPHONE NO.: 465-4100

FROM:

Carl L. Posler   
Commissioner  
Department of Fish and Game

SUBJECT: Organizational Structure

There have been a number of changes within the department in the last couple of months, and some obvious major and minor changes in direction and personnel. Although we can still expect some modifications, I feel it is essential to provide some organizational stability by outlining our new departmental structure.

As you can see from the enclosed chart, I have created a basic direct line chain of command between the division directors and the commissioner. The two deputy commissioners will be staff to the commissioner with specific issue and program assignments.

This particular structure elevates the role and responsibility of the directors in the establishment of department policies. It also places a increased demand on the directors to develop interdivisional solutions and policies.

At present, it is my intent that one deputy commissioner position be assigned the responsibility of coordinating the growing international fisheries efforts of the department. As a staff position, the deputy will provide technical oversight into the integration of external and international fisheries programs.

The second deputy commissioner position, occupied by Ron Somerville, has already been assigned specific responsibilities which include: (1) department budgeting; (2) internal auditing; (3) legislative affairs, state and federal; (4) Habitat Division review; (5) regulatory review; (6) ANWR; (7) internal planning; and (8) coordination with the International and Western Associations of Fish and Wildlife.

Each of the deputy commissioners will be asked to participate in or lead specific efforts in policy development, treaty negotiations, interorganizational coordination, intradepartmental coordination, and Boards of Fisheries and Game activities.

I would be less than candid if I did not point out that further organizational restructuring may be desirable or necessary as we examine future funding options, efficiency of operation, and departmental goals. However, I believe this structure provides

ADF&G Staff

- 2 -

March 18, 1991

the most efficient and effective organization under the present situation.

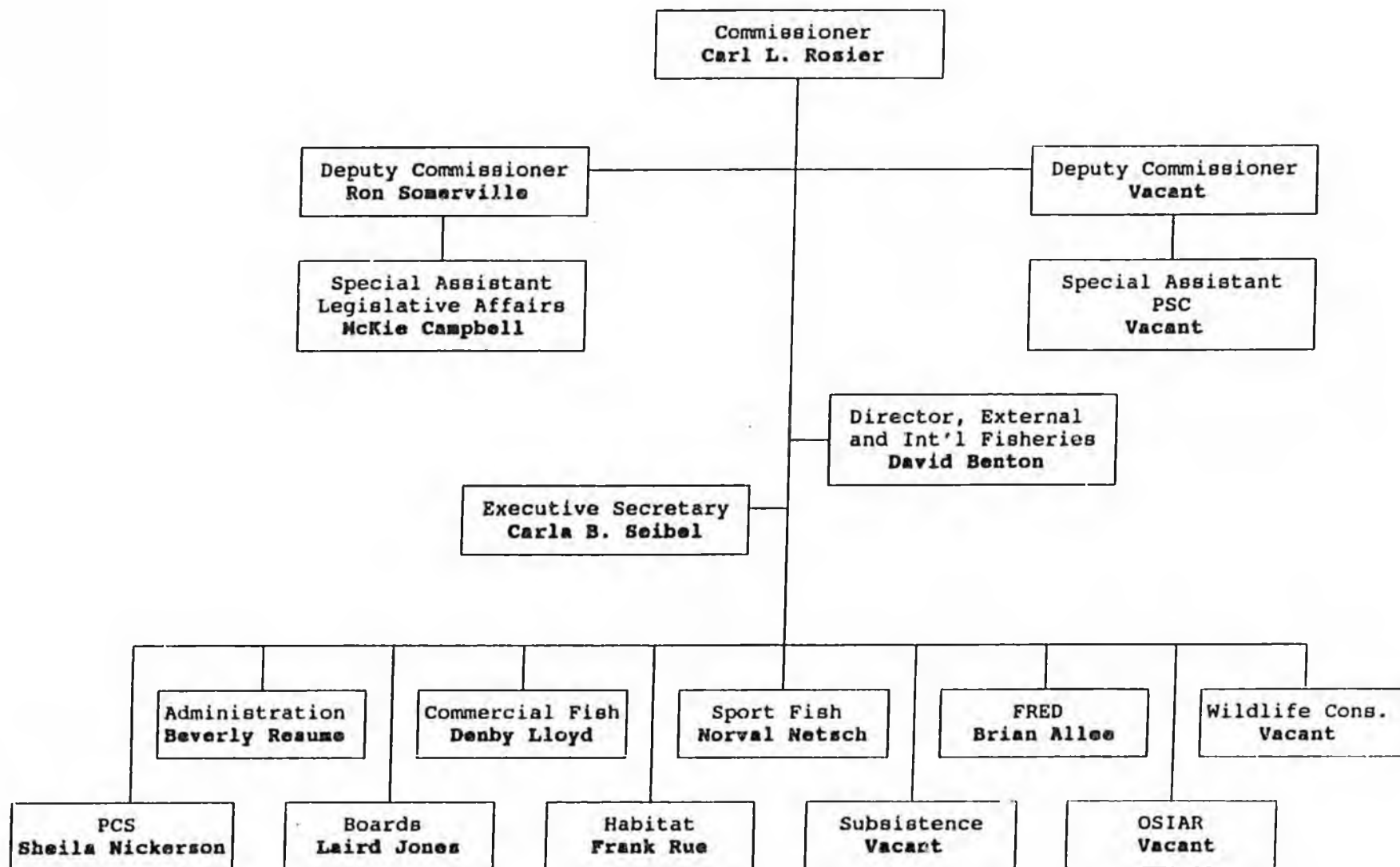
It is my desire to proceed as soon as possible with final decisions on director appointments and the filling of other critical positions.

I would like to add that the support and patience of the staff during these trying times has been greatly appreciated.

Enclosure

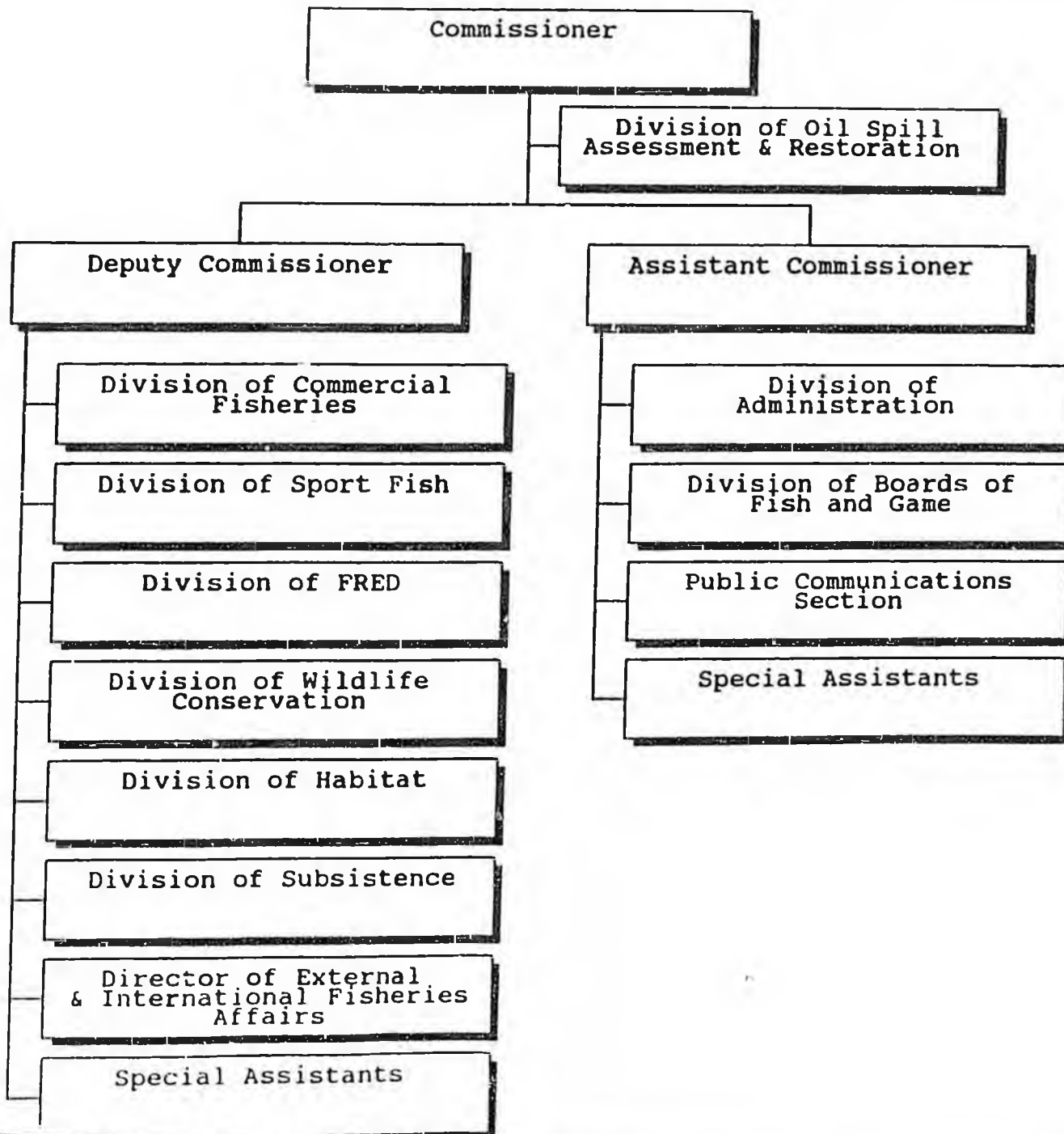
Headquarters Organizational Chart  
February 1991

DEPARTMENT OF FISH AND GAME



Alaska Department of Fish and Game  
Headquarters Organizational Chart  
Prior to February 1991

Office of the Commissioner



WALTER J. HICKEL  
GOVERNOR



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

RECEIVED  
FEB 26 1991

DEPARTMENT OF FISH AND GAME

February 21, 1991

Mr. Carl Rosier  
Commissioner  
Department of Fish and Game  
P.O. Box 3-2000  
Juneau, AK 99802-2000

Dear Carl:

Welcome aboard.

At a November 24 meeting of the Hickel/Coghill transition team, we discussed and approved the formation of department specific advisory teams for each commissioner to draw on.

Enclosed is the list of members we have assembled for your team. The group is comprised of three kinds of people: experts who were also deeply involved in the campaign, outside experts who specifically requested the opportunity to serve on your transition team, and volunteers on the campaign who have a personal interest in the success of your department and the administration in general.

We are pleased by the high quality of these Alaskans who want to help.

The team serves at your will. Please contact them so that you can benefit from their input.

Sincerely

A handwritten signature in cursive script that reads "Wally".

Walter J. Hickel  
Governor

enclosure

DEPARTMENT OF FISH AND GAME

<i>Ric Davidge</i>	<i>Anchorage</i>	<i>(h) 349-7329</i>
<i>Wayne Ross</i>	<i>Anchorage</i>	<i>(h) 346-2697</i>
<i>Sam McDowell</i>	<i>Anchorage</i>	<i>(h) 272-6605</i>
<i>Clark Potter</i>	<i>Anchorage</i>	<i>(h) 338-4868</i>
<i>Bruce Tiedman</i>	<i>Anchorage</i>	<i>(h) 243-7251</i>
<i>Tim Cook</i>	<i>Anchorage</i>	<i>(h) 345-5796</i>
<i>Russell Wright</i>	<i>Sitka</i>	<i>(h) 747-3974</i>
<i>Jack Lechner</i>	<i>Kodiak</i>	
<i>Gary Cadd</i>	<i>Kenai</i>	<i>(h) 283-7821 message</i>
<i>Glenn Rydeen</i>	<i>Kenai</i>	<i>(h) 283-2695 (w) 283-7093</i>
<i>Vern Hulbert</i>	<i>Sleetmute</i>	<i>(h) 333-7183</i>
<i>Jim Fisk</i>	<i>Kodiak</i>	<i>(h) 486-3959 (w) 486-4428</i>
<i>Bob Thacz</i>		<i>(h) 463-5455</i>
<i>Mr. McGahan</i>	<i>Kenai</i>	
<i>Dick Stoffel</i>	<i>Wasilla</i>	<i>(h) 376-1691</i>

FEB 14 '91 03:07PM N.M.F.S.-AK (907)586-7131

P.2/3

Personal ResumeCarl L. RosierPERSONAL DATAAddress:

Home: 8298 Garnet Street  
Juneau, Alaska 99801

Work: National Marine  
Fisheries Service  
P.O. Box 2-1668  
Juneau, Alaska 99802-1668

Telephone:

Home: 789-9117  
Work: 586-7224

Age: 54

Birthdate: Sept. 23, 1936

Birthplace: Corvallis, OR

Marital Status: Married

Wife's Name:

Gladys J. Rosier

Children: 4

Military:

Honorable Discharge

U. S. Army 1966

EDUCATION

Bachelor of Science - Wildlife Management.  
1959 Oregon State University.

PROFESSIONAL EMPLOYMENT

1980 - Present:

Chief of Industry Services and Trade,  
National Marine Fisheries Service, Alaska  
Region. Program provides federal support  
services in the areas of development  
grants, for Americanization of Exclusive  
Economic Zone fishery resources, Federal  
loan programs supporting the fishing and  
processing industries, and trade activities  
supporting U. S. trade agreements and  
increasing U. S. exports.

1979-1980:

Deputy commissioner for Program Management,  
Alaska Department of Fish and Game. Deputy  
position to the Commissioner of Fish and  
Game with responsibilities for agency  
budget preparation, agency legislative  
program, and operational supervision of  
Division of Administration, Information-  
Education Section, and Division of Habitat  
Protection.

-2-

- 1973-1978: Director of Commercial Fisheries, Alaska Department of Fish and Game. Under direction of the Commissioner. Statewide policy direction of all commercial fisheries research and management programs. Program budget level of 7.2 million dollars, permanent staff of 132, and approximately 250 temporary personnel.
- 1970-1972: Fish and Game Regional Supervisor, Division of Commercial Fisheries, Alaska Department of Fish and Game. Coordination, planning, administration, and supervision of all fisheries management and research programs within the Southeastern Alaska Region. Budgetary responsibilities of approximately 1.0 million dollars with supervision of permanent and 25 temporary personnel.
- 1963-1969: Area Management Biologist, Division of Commercial Fisheries, Alaska Department of Fish and Game. Design, plan, budget, and implement fisheries management program in the Ketchikan management area. Budgetary responsibilities of \$300,000. Supervision of 4 permanent and 9 temporary positions.
- 1961-1962: Assistant Area Management Biologist, Division of Commercial Fisheries, Alaska Department of Fish and Game, Petersburg-Wrangell area. Implementation of finfish and shellfish management program in Wrangell half of management area. Administrative responsibility for Wrangell field office. Assist area biologist in watershed management involving logging, highway construction. Supervision of 4-6 temporary positions.
- 1960: Assistant Area Management Biologist, Division of Commercial Fisheries, Alaska Department of Fish and Game. Implementation of the commercial fisheries management program on the west coast of Prince of Wales under direction of the Ketchikan area management biologist. Direct involvement in habitat management associated with developing logging activities throughout the Ketchikan management area. Supervision of 4 temporaries.

FEB 14 '91 03:08PM N.M.F.S.-FK (367)586-7131

P.4/3

-3-

1955-1959:

Fishery Aid, U. S. Fish and Wildlife Service. Worked on various Alaska fisheries research and management projects. Responsibilities included serving as stream guard, management assistant to agents in Ketchikan and Craig, herring population studies, juvenile salmon studies, and king crab research. Total service during this period of approximately 19 months while attending college.

#### INTERNATIONAL FISHERIES EXPERIENCE

1. United States-Canada Salmon Interception Negotiations - 1963/1960 advisor and scientific working committees.
2. International North Pacific Fisheries Commission. Scientific advisor 1973 and 1979. Alaska Department of Fish and Game staff direction - 1973/1977.
3. Foreign High Seas Observer Program. Administration of Department of Fish and Game participation.
4. Informal Chinook-Coho Committee member, United States-Canada. 1966/1972.
5. International Trawl Committee, United States-Canada advisor. 1970-1973.
6. Scientific and Statistical Committee member, North Pacific Fishery Management Council. 1976/1977.

#### INTERSTATE FISHERIES EXPERIENCE

1. Salmon-Steelhead Committee member, Pacific Marine Fisheries Commission Standing Committee. 1970/1973.
2. Groundfish Committee Member, Pacific Marine Fisheries Commission Standing Committee. 1970/1974.

#### Community Activities

1. President of Territorial Sportsmen Association, 1989 and 1990. Board of Directors, 1987-present.
2. Vice President, City and Borough of Juneau Fisheries Development Committee. 1990.
3. Board member and treasurer: Douglas Island Pink and Chum Salmon Corporation. 1990.

Board of Directors  
Sept 25, 1990

Halibut limited entry: license limitation  
Incidental halibut: should not pursue  
Salmon Overfishing definition

Board Action:

Continue mild effort to regain halibut bycatch - no real effort  
Halibut limited entry: Motion by Ingle, second by Haughton,  
to support share quota as in past (i.e. in theory, no specifics  
passed unanimously.

Science and Tech grant: Lonnie Haughton discussed the grant that he  
and Mike Round attained to investigate chinook access at Carroll  
Inlet.

Tomie 7" (new 1990) #950 brass plated plug w/#11 duranickel of #8  
clawpoint, 10 fathom leader

Spoon: #7 mother of pearl Canadian Wonder

120 test Jinkai leader worked well  
Tool recommendation for anyone using eyes: Jinkai 2 position small  
crimping tool (red handles) stock #SC-2, for use with Jinkai  
aluminum sleeve, Murray Pacific deals with Jinkai.

Increased voltage 1v may help - but all trolling wires turned brown.

Carl Rosier/John George, Territorial Sportsmen(TS)

Coho proposal: Cannot issue organization position, but thinks that  
our proposal is a step in the right direction. Sports are upset  
that Dept. is remiss in developing such a plan. Because of the lack  
of a coho plan TS came out against Turner Lk. One of the major  
concerns of sports is the major effort in coastal areas and the  
outer troll fishery; believes it impacts stock strength and the  
ability to assess actual run strength. Not trying to put trollers  
out of business but think that the increasing troll effort is  
affecting stock health. No present concerns over chinook. Worried  
that 75% of troll effort is occurring in the outer fishery. Thinks  
conservation thoughts in our proposal are good.

<sup>Petersen</sup>  
Gordy pointed out that TS does not address Taku gillnet catch.

Rosier: The gillnet catch has always been low in July - the last  
few years the July portion of the Taku run have been nearly  
nonexistent.

Gordy: Gillnetters do not access those fish until a couple of weeks  
into July - after the trollers have had access. Shouldn't you look  
to the fleet after you as well as in front?

Dave B.: Points out the problem with fishing on a few inside stock-  
versus fishing outside on many stocks.

Rosier: You are still fishing weak stocks in that mixed stock fishery. Fish are highly vulnerable in the aggressive outer fishery. You will never get enough fish to the inside to ensure escapement. Fish move faster to the spawning grounds when inside, which is an advantage to protecting the run. If trollers had reduced time/gear and effort in the outer areas, fish would be more dispersed.

Lance: 2 or 3 major corridors where fish come in, it doesn't make sense to take this massive fleet and move them into these few areas. Other sports groups will complain. There are also many coastal stocks and other nationality fish that need to be harvested. The fishery spread out creates more diversification of stock efforts.

Rosier: The troll fleet has changed dramatically - efficiency has changed, gear improvements, etc. We probably can't resolve where the trollers fish between ourselves, but it is important to us all to get these fish to the spawning grounds. Whether you get bit back or the nets get bit back the end result needs to be conservation.

Dennis: There are other items that are contributing to stock health as well.

Lance: Hatcheries have changed the fisheries a lot. ATA has tried to work with the sports to solve the problem. I don't think that the stocks are in that bad of shape overall.

Dave Mc: Troll catch in the outer area is down about 60%

Rosier: Has seen data that makes him believe there is an increase

Joe: Compared the efficiency of sport and troll - sports have all the same electronics that had only been available to commercial in the past. Trollers are mostly still 50 year old boats, travel 7 knots, and no new technology. Sports now have downriggers, fiberglass boats that run about 20 knots and bring the ability to get quickly to many different areas.

Rosier: Still lacking the "bubble" of available fish on the inside about 7/15-20.

Dave: If you look at Taku escapement data the "bump" fish are mostly taken in the sport and gillnet fishery. Trollers fish fall fish - you guys fish spring. Cutting trollers off is not the solution.

Dick: The July fish are small and immature - not spawners. Barely got to a 9 pound average on the outside by the time we came in.

Rosier: This year we noted lots of 3 - 5 pound fish. There are a lot of stock on the outside and no way to separate them. The given is that there is a large removal system on the outside that could

hurt the stocks. There is no way to gauge the effect of the outer fishery until escapement is assessed.

Mike: There is a real disadvantage in the lack of data. We need to find the common ground to work from.

Dave Mc: If we are only getting 10% of the runs you access then shutting us down won't even do anything to help escapement. Need to examine other alternatives to address escapement.

Gordy: Are the sports concerned about the charter fleet?

Rosier: It has been viewed basically as a sport activity, but I have noted the increase and am concerned about the impacts to escapement.

Dave B: Habitat loss also occurring from beavers in the Taku. Perhaps the sports could address this with Canadian interest or agency. Leon Shaul a good reference.

Rosier: Was not aware of that.

Dale: What do you anticipate the TS will do concerning the expanding charter fleet, are you concerned?

Rosier: We don't know of a forum to begin discussions; also do not know which direction the sports might come from on the issue.

Joe: Thinks it is time to plan where the charters are going and plan the future. When USCG licensing comes down many trollers may want to get a 6 pack license as well.

Mike O: How about enhancing the wild run of early coho?

Rosier: Notes DIPAC has been unable to access early stock

Dave B: Points out that there is another early run on the Taku that may be available.

Rosier: Interested in working further with ATA on these issues - TS has working committees.

5pm adjourned to committees

September 26 9:15am

Discussion on coho proposal

As long as there is a percentage in place everyone will share conservation burden since it is a proportion of the catch.

Board may modify their proposal, but we will send copies to the gear reps for their information.

## QUESTIONS - CARL ROSIER CONFIRMATION HEARING

1. What is your personal philosophy on the management of mixed stock versus terminal area fisheries?
2. Should hatchery stocks be given management consideration equal to our wild stocks?
3. Whose name do you intend to submit for Alaska's Commissioner to the US/Canada Salmon Treaty?
4. SE fishermen have expressed concerns about the Department's lack of full time treaty negotiators. Will you support the allocation of Pacific Salmon monies to fund a full time Northern Panel Chair and Northern panel Coordinator? (ATA and the SE seiners are really concerned that there has been insufficient investment by the state toward providing professional negotiating staff to assist the Northern Panel in negotiations/strategy)
5. With the budget deleting the two deputy commissioners, how will this affect your organization and its programs?
6. Where do you believe the focus should be placed within the FRED division?
7. What is happening with subsistence and will the legislature see anything before it this year?
8. From a manager's perspective, would it be advantageous to distinguish the commercial charter boat fleet as a user group separate from traditional sportsmen?(while this is "touchy", you might want to just raise the issue and place it on the record). This is an issue that the Board of Fish raised and indicated that they needed direction on.
9. How do you view the role of your advisory team (I hope to have an organizational chart, together with the members of the advisory team for the committee)

Wild stocks  
Steel fish  
New + emerging

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* DELIVER TO: LIOCBL5
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* ORIGINAL
* SENT: 04/17/91 TIME: 14:34
* FROM: LIOCKOT
* SUBJECT: 91-04-067;PL;ROZIER;4-17
* PRINT DATE: 04/17/91 TIME: 14:34
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SUBJECT LINE TO READ: TC NO., PL/FS, SHORT SUBJECT, DATE

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T/C NO: 91-04-067
DATE: 4-17-91
SPONSOR: S RESOURCES
SUBJECT: COMM. ROZIER CONFIRMATION HEARING
MODERATOR: DOUG NEAL
SITE: KOTZEBUE

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PARTICIPANT LIST

\*\*\*\*\*  
TESTIFIED

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1. WILLIE GOODWIN/MAYOR,	BOX 334, KOTZEBUE	442-3401	
2. CALEB FUNGOWIYI/KOTZ CITY MGR.,	BOX 46	442-3401	
3. LUKE SAMPSON/SELF,	BOX 1110, KOTZEBUE	442-2500	
4.			
5.			

\*\*\*\*\*  
OBSERVED

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1. SUSAN GEORGETTE/SELF,	BOX 689, KOTZEBUE	442-3120	
2.			
3.			
4.			
5.			

\*\*\*\*\*  
TESTIFIED.

UNABLE  
OBSERVED  
TOTAL

START TIME: END TIME:

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* DELIVER TO: LIOCBL5
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* ORIGINAL
* SENT:          04/17/91  TIME: 13:32
* FROM:          LIOCLAI
* SUBJECT:       91-04-067, PL; COMM ROSIER; 4-17
* PRINT DATE:   04/17/91  TIME: 13:32
*
*****

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SUBJECT LINE TO READ: TC NO., PLANFS, SHORT SUBJECT, DATE

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TC NO:          91-04-067
DATE:           04-17-91
SPONSOR:        S RESOURCES
SUBJECT:        CONF FOR COMM. ROSIER
MODERATOR:      LANI
SITE:           ANCHORAGE

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PARTICIPANT LIST

\*\*\*\*\*

TO TESTIFY

NAME\ REPRESENTING	ADDRESS	PHONE	BILL NO.
1. VALERIE BROWN	AK. WILDLIFE ALLIANCE		
2.			

*No*

- 3.
- 4.
- 5.
- 6.

TO OBSERVE:

NAME\ REPRESENTING	ADDRESS	PHONE	BILL NO.
1.			
2.			
3.			
4.			
5.			

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*****
BACK UP NUMBER: 561-1199
EMAIL ADDRESS:  LIOCLAI

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*****
*
* DELIVER TO: LILJELS
*
* ORIGINAL
* SENT:          04/17/91  TIME: 13:53
* FROM:          LTCCFBX
* SUBJECT:       91-04-067; PL#2; ROSIER; 4-17-91
* PRINT DATE:   04/17/91  TIME: 13:54
*
*****

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SUBJECT LINE TO READ: TC NO.; PL/FS; SHORT SUBJECT; DATE

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T/C NO:      91-04-067
DATE:        APRIL 17, 1991
SPONSOR:     SENATE RESOURCES
SUBJECT:     CONFIRMATION HEARING FOR COMMISSIONER ROSIER
MODERATOR:   CHRISTI
SITE:        FAIRBANKS

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PARTICIPANT LIST

\*\*\*\*\*  
TO TESTIFY

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1. OSCAR FRANK JR. - SELF			71
2.			
3.			
4.			
5.			

\*\*\*\*\*  
OBSERVED

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1.			
2.			
3.			
4.			
5.			

\*\*\*\*\*  
TESTIFIED

UNABLE  
OBSERVED  
TOTAL

START TIME

END TIME

# Alaska Federation of Natives, Inc.

## AFN POSITION STATEMENT: LEGISLATIVE CONFIRMATION OF CARL ROSIER

The Alaska Federation of Natives cannot in good conscience support the legislative confirmation of Carl Rosier to be Commissioner of the Alaska Department of Fish and Game.

The principal reason why Mr. Rosier is unacceptable and should be denied confirmation is his announced intention to retain Ron Somerville as Deputy Commissioner. Such action, at first blush, seems to reveal a lack of historical understanding and political judgment. Mr. Rosier's confidence in an individual whose public career has constituted one long economic and cultural assault on the villages is misplaced. It will do nothing to reverse the increasing polarization of Alaska, along ethnic and geographical lines, which has developed around the subsistence issue. On the contrary, the dimension of Mr. Rosier's misjudgment will divide us further.

On reflection, however, it may be that Mr. Rosier had no choice on the Somerville issue. That decision may have been made by the Governor's Office, which had originally sought board nomination and legislative confirmation of Mr. Somerville as Commissioner. It is our view that Mr. Somerville will, in fact, be the dominant personality directing day-to-day operations and policies of the Department behind the public facade of Carl Rosier. This package deal is unacceptable.

The real issue at stake in all of this is the continued survival of bush villages, the majority of which have little or no local economic base other than subsistence. Further erosion of the subsistence economy will doom many such communities and force rural and Native families into poverty, cultural dislocation and physical out-migration. The long-term social and political cost of today's politics will be high.

The people of Alaska need to rise above this and to insist that our state government conduct its policies of fish and game allocation in a humane, historically intelligent way. We could start by setting our personnel standards higher.

The AFN cannot support Mr. Rosier's legislative confirmation. AFN urges rural legislators to work to remove Mr. Somerville from any policy-making position in the Department of Fish and Game before making any decision regarding Mr. Rosier.

FEB 14 '91 03:07PM N.M.F.S.-AK (907)586-7131

P.2/3

Personal ResumeCarl L. RosierPERSONAL DATAAddress:

Home: 8298 Garnet Street  
Juneau, Alaska 99801

Work: National Marine  
Fisheries Service  
P.O. Box 2-1668  
Juneau, Alaska 99802-1668

Telephone:

Home: 789-9117  
Work: 586-7224

Age: 54

Birthdate: Sept. 23, 1936

Birthplace: Corvallis, OR

Marital Status: Married

Wife's Name:

Gladys J. Rosier

Children: 4

Military:

Honorable Discharge

U. S. Army 1966

EDUCATION

Bachelor of Science - Wildlife Management.  
1959 Oregon State University.

PROFESSIONAL EMPLOYMENT

1980 - Present:

Chief of Industry Services and Trade,  
National Marine Fisheries Service, Alaska  
Region. Program provides federal support  
services in the areas of development  
grants, for Americanization of Exclusive  
Economic Zone fishery resources, Federal  
loan programs supporting the fishing and  
processing industries, and trade activities  
supporting U. S. trade agreements and  
increasing U. S. exports.

1979-1980:

Deputy commissioner for Program Management,  
Alaska Department of Fish and Game. Deputy  
position to the Commissioner of Fish and  
Game with responsibilities for agency  
budget preparation, agency legislative  
program, and operational supervision of  
Division of Administration, Information-  
Education Section, and Division of Habitat  
Protection.

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-2-

- 1973-1978: Director of Commercial Fisheries, Alaska Department of Fish and Game. Under direction of the Commissioner. Statewide policy direction of all commercial fisheries research and management program. Program budget level of 7.2 million dollars, permanent staff of 132, and approximately 250 temporary personnel.
- 1970-1972: Fish and Game Regional Supervisor, Division of Commercial Fisheries, Alaska Department of Fish and Game. Coordination, planning, administration, and supervision of all fisheries management and research programs within the Southeastern Alaska Region. Budgetary responsibilities of approximately 1.0 million dollars with supervision of 1 permanent and 25 temporary personnel.
- 1963-1969: Area Management Biologist, Division of Commercial Fisheries, Alaska Department of Fish and Game. Design, plan, budget, and implement fisheries management program in the Ketchikan management area. Budgetary responsibilities of \$300,000. Supervision of 4 permanent and 9 temporary positions.
- 1961-1962: Assistant Area Management Biologist, Division of Commercial Fisheries, Alaska Department of Fish and Game, Petersburg-Wrangell area. Implementation of finfish and shellfish management program in Wrangell half of management area. Administrative responsibility for Wrangell field office. Assist area biologist in watershed management involving logging, highway construction. Supervision of 4-6 temporary positions.
- 1960: Assistant Area Management Biologist, Division of Commercial Fisheries, Alaska Department of Fish and Game. Implementation of the commercial fisheries management program on the west coast of Prince of Wales under direction of the Ketchikan area management biologist. Direct involvement in habitat management associated with developing logging activities throughout the Ketchikan management area. Supervision of 4 temporaries.

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P.4/3

-3-

1955-1959:

Fishery Aid, U. S. Fish and Wildlife Service. Worked on various Alaska fisheries research and management projects. Responsibilities included serving as stream guard, management assistant to agents in Ketchikan and Craig, herring population studies, juvenile salmon studies, and king crab research. Total service during this period of approximately 19 months while attending college.

INTERNATIONAL FISHERIES EXPERIENCE

1. United States-Canada Salmon Interception Negotiations - 1963/1980 advisor and scientific working committees.
2. International North Pacific Fisheries Commission. Scientific advisor 1973 and 1979. Alaska Department of Fish and Game staff direction - 1973/1977.
3. Foreign High Seas Observer Program. Administration of Department of Fish and Game participation.
4. Informal Chinook-Coho Committee member, United States-Canada. 1966/1972.
5. International Trawl Committee, United States-Canada advisor. 1970-1973.
6. Scientific and Statistical Committee member, North Pacific Fishery Management Council. 1976/1977.

INTERSTATE FISHERIES EXPERIENCE

1. Salmon-Steelhead Committee member, Pacific Marine Fisheries Commission Standing Committee. 1970/1973.
2. Groundfish Committee Member, Pacific Marine Fisheries Commission Standing Committee. 1970/1974.

Community Activities

1. President of Territorial Sportsmen Association, 1989 and 1990. Board of Directors, 1987-present.
2. Vice President, City and Borough of Juneau Fisheries Development Committee. 1990.
3. Board member and treasurer: Douglas Island Pink and Chum Salmon Corporation. 1990.

WALTER J. HICKEL  
GOVERNOR



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

RECEIVED  
FEB 26 1991

DEPARTMENT OF FISH AND GAME

February 21, 1991

Mr. Carl Rosier  
Commissioner  
Department of Fish and Game  
P.O. Box 3-2000  
Juneau, AK 99802-2000

Dear Carl:

Welcome aboard.

At a November 24 meeting of the Hickel/Coghill transition team, we discussed and approved the formation of department specific advisory teams for each commissioner to draw on.

Enclosed is the list of members we have assembled for your team. The group is comprised of three kinds of people: experts who were also deeply involved in the campaign, outside experts who specifically requested the opportunity to serve on your transition team, and volunteers on the campaign who have a personal interest in the success of your department and the administration in general.

We are pleased by the high quality of these Alaskans who want to help.

The team serves at your will. Please contact them so that you can benefit from their input.

Sincerely

A handwritten signature in cursive script that reads "Wally".

Walter J. Hickel  
Governor

enclosure

DEPARTMENT OF FISH AND GAME

<i>Ric Davidge</i>	<i>Anchorage</i>	<i>(h) 349-7329</i>
<i>Wayne Ross</i>	<i>Anchorage</i>	<i>(h) 346-2697</i>
<i>Sam McDowell</i>	<i>Anchorage</i>	<i>(h) 272-6605</i>
<i>Clark Potter</i>	<i>Anchorage</i>	<i>(h) 338-4868</i>
<i>Bruce Tiedman</i>	<i>Anchorage</i>	<i>(h) 243-7251</i>
<i>Tim Cook</i>	<i>Anchorage</i>	<i>(h) 345-5796</i>
<i>Russell Wright</i>	<i>Sitka</i>	<i>(h) 747-3974</i>
<i>Jack Lechner</i>	<i>Kodiak</i>	
<i>Gary Cadd</i>	<i>Kenai</i>	<i>(h) 283-7821 message</i>
<i>Glenn Rydeen</i>	<i>Kenai</i>	<i>(h) 283-2695 (w) 283-7093</i>
<i>Vern Hulbert</i>	<i>Sleetmute</i>	<i>(h) 333-7183</i>
<i>Jim Fisk</i>	<i>Kodiak</i>	<i>(h) 486-3959 (w) 486-4428</i>
<i>Bob Thacz</i>		<i>(h) 463-5455</i>
<i>Mr. McGahan</i>	<i>Kenai</i>	
<i>Dick Stoffel</i>	<i>Wasilla</i>	<i>(h) 376-1691</i>

ALASKA NATIVE BROTHERHOOD/  
ALASKA NATIVE SISTERHOOD  
CAMP 14  
P.O. BOX 6295  
KETCHIKAN, ALASKA 99901

March 11, 1991

Governor Walter J. Hickel  
P.O. Box A  
Juneau, Alaska 99811-0101

Dear Governor Hickel,

This letter is in OPPOSITION to your appointment of Carl Fosier for Alaska Department of Fish and Game (ADF&G) Commissioner, mainly for his insistence on appointing Ron Somerville as Deputy Commissioner of ADF&G.

I am writing this letter, by unanimous vote, on behalf of ANB and ANS Camp #14. It is our opinion that Mr. Somerville's strong opinions on the subsistence issue render the Commissioner's office incapable of approaching the issue of allocating fish and wildlife resources objectively as long as Mr. Somerville remains Deputy.

An example of Mr. Somerville's lack of objectivity as demonstrated by his working record. In the Fall of 1982, Mr. Somerville led a political rebellion of Game managers in support of the ballot proposition to eliminate the subsistence preference from State law. It got him fired. In the notice of dismissal, his Commissioner stated that Mr. Somerville could no longer "be effective as Director of the Division of Game" because he had "burned too many bridges and alienated too many people".

Mr. Somerville's appointment in any policy making position at ADF&G would serve to polarize Alaskans even further on subsistence, at a time when we should be brought together by a new Governor and ADF&G management staff on this important issue.

Therefore we submit the following qualified people for ADF&G Commissioner for consideration:

- \* Robert W. Loescher, Executive Vice President of Resource Management, Sealaska Corporation.
- \* Dr. William G. Demmert, immediate past Commissioner of Education and former Deputy Commissioner of ADF&G.

-AND-

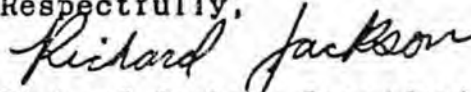
- \* Delores A. "Dolly" Garza, now completing her doctorate in fish and game management, marine biology; Assistant Professor, University of Alaska Marine Advisory Program.

It is our opinion these people would fill ADF&G's Commissioner position effectively!

If you have any questions please feel free to contact me Richard Jackson, President-ANB Camp #14, P.O. Box 6295, Ketchikan, Alaska 99901.

Thank you for your time regarding this very important issue.

Respectfully,



Richard Jackson, President  
Alaska Native Brotherhood  
Camp #14-Ketchikan

c.c. Robert Willard, President  
Southeast Native Subsistence Commission

Albert M. Kookesh, Grand Camp President  
Alaska Native Brotherhood

Selina Everson, Grand Camp President  
Alaska Native Sisterhood

Byron I. Mallot, President/CEO  
Sealaska Corporation

All Alaska State Representatives

All Alaska State Senators

Anchorage Daily News

Juneau Empire

Ketchikan Daily News

100-7

KETCHIKAN SPORTS & WILDLIFE CLUB  
P.O. Box 5122  
Ketchikan, Alaska 99901

March 8, 1991

Alaska State Legislature  
Juneau, Alaska 99811

Honorable Legislators:

The Board of Directors of the Ketchikan Sports & Wildlife Club, an organization established in 1944, with a membership of over 600, are informing you of our support for endorsing Carl Rosier as Commissioner and Ron Sommerville as Deputy Commissioner of the Department of Fish & Game.

The members of the Ketchikan Sports & Wildlife Club represent literally hundreds of combined years experience, enjoyment and use of Alaska's wild resources. These resources have wrongfully been drawn into the political arena, allowing special interest groups to speak out in an attempt to control the State's fish & game populations.

Governor Hickel has established a task force to settle the subsistence issue. Remember that this is but one serious issue in regard to Alaska's fish and game management problems. Because of this, the state's wildlife has become a pawn in the political arena. The resource should be managed by the Alaska Department of Fish & Game based solely on biological management. It is time to get this department back on track and out of the bureaucracy that entangles our system and return integrity and effectiveness to the department and we feel that Mr. Rosier and Mr. Sommerville, through personal knowledge, possess the expertise necessary to accomplish this.

The Ketchikan Sports & Wildlife Club supports the endorsement of these men to their appointed positions, thereby insuring that all user groups will benefit, including the natural resource who will benefit through biological instead of political management.

Please support and endorse Carl Rosier and Ron Sommerville to their respective positions.

Sincerely,

*Bob DeWitt*  
ama

Bob DeWitt, Vice-President  
Ketchikan Sports & Wildlife Club

cc: Honorable Walter J. Hickel  
Mr. Carl Rosier  
Mr. Ron Sommerville  
Alaska Outdoor Council  
Ketchikan Daily News

# AFN NEWSLETTER

FEBRUARY ISSUE

FEB 23 1991



Volume IX, Number 1

Alaska Federation of Natives

February 1991

## Hickel appoints Fish & Game Commissioner, Somerville remains Deputy

Despite outspoken opposition from the statewide Native community, legislators and a wide range of other interest groups, Ron Somerville will likely remain at the Alaska Department of Fish and Game as Deputy Commissioner.

In a press release issued last week, Governor Walter J. Hickel appointed Carl Rosier, a wildlife biologist and former head of the Department's Commercial Fisheries Division, as Fish and Game Commissioner. In statements made accepting the appointment, Mr. Rosier said he will retain Mr. Somerville as his Deputy.

While some of the public focus on the Commissioner's slot may have been deflected by Mr. Rosier's appointment, the controversy has not diminished for Natives and other rural subsistence users. "AFN and other Native organizations from throughout the state have made their opposition to Mr. Somerville's appointment in *any* policy-making position at Fish and Game abundantly clear," Julie Kitka, president of AFN, said.

"It is our view that Mr. Somerville's strong opinions on the subsistence issue render the Commissioner's office incapable of approaching the issue of allocating fish

and wildlife resources objectively as long as Mr. Somerville remains as Deputy. While we have no basis on which to oppose Mr. Rosier alone, his appointment as one part of a package containing Mr. Somerville is unacceptable."

Governor Hickel originally had asked the joint Boards of Fisheries and Game to recommend Mr. Somerville to head the Department. However, the Boards rejected his choice by a margin of 10 to 4, forcing the Governor to forward another name. Mr. Rosier, his second choice, had been on Governor Hickel's 'short list' of three that was forwarded to the Boards in December.

"Governor Hickel has stated repeatedly that he wishes to solve the subsistence issue without relying on the federal government to handle the problem," Ms. Kitka said. "But by installing people, particularly Mr. Somerville, so closely identified with the anti-subsistence lobby, he is pushing the State farther from a solution.

"Alaskans - both Native and non-Native alike - will likely be subjected to a politically heated, potentially harmful battle to make the Proposition 7 anti-subsistence measure of 1982 pale in comparison."

\* \* \* \*

# AFN PRESIDENT'S REPORT

## AFN sets agenda for the 1990s

by Julie Kitka

The institutions people create stay effective over time only if they are flexible enough to change along with the needs and circumstances of the community or people they are meant to serve.

Throughout its 25-year history, the Alaska Federation of Natives has evolved to meet the changing needs of Alaska's Native community. As a hurdle was cleared or an objective realized, AFN has always regrouped and collectively said, "Okay, now what?"

AFN now stands at the gate of a new era.

At our Annual Convention last October, delegates from all over the state settled on a new direction for AFN in the 1990s. During the '80s, our most important work was to correct some of the problems and flaws of the historic 1971 Alaska Native Claims Settlement Act (ANCSA).

With the so-called "1991 Amendments" now law, the Native regional and village corporations and their shareholders have the means to provide greater protection for traditional lands, maintain Native ownership and control, and address such concerns as the participation of Natives born after ANCSA.

Because it was a land settlement, ANCSA could not and did not address all of the needs and problems of Alaska Natives. In the same way, many of today's issues are not within the scope of the Native corporations created by ANCSA.

AFN's work in the 1990s focuses more specifically on institutions and issues closer to the everyday lives of people in rural Native villages. While AFN will continue to support efforts to strengthen our Native corporations across the state and create opportunities for economic development, AFN's attention is shifting away from ANCSA. We now turn our attention to issues such as self-government, subsistence, cultural identity and the very real economic, health and social problems of Alaska's Native people.

There is an urgency to this agenda that we haven't seen since the earliest land settlement days. According to A Call for Action, a 1989 report on the status of Alaska Natives, the gap is growing exponentially between non-Natives and Natives in nearly every indicator -

family violence, unemployment, rate of incarceration, academic performance, suicide, substance abuse, domestic violence, life expectancy and infant mortality.

Alaska Natives are fighting for their lives, both literally and as culturally distinct people. Because the causes are complex, the solutions must be far-reaching. Our goals are to protect and enhance the cultural and ethnic identity of the different Native groups; ensure access to and equitable participation in the programs, services and funding accorded to all Alaskans; and to improve the economic, social and physical well-being of all Alaska Natives.

The main elements of AFN's agenda for the 1990s are to:

\*\* Support the efforts of Native villages to achieve maximum self-determination;

\*\* Use all available legal and political means to protect subsistence economies and lifestyles of Alaska Natives;

\*\* Actively support federal and state policies designed to develop a sound economic base in rural villages;

\*\* Support the efforts of individuals, families and communities to reduce the incidence of social and health problems among Alaska Natives; and

\*\* See local governments - whether tribal or state-chartered - operate under the philosophy that self-government carries an obligation. People who choose to govern themselves also must take personal responsibility for their lives, their children and their communities. Political power and personal responsibility go hand-in-hand.

\* \* \* \*

This new political agenda is only the latest reflection of our belief that AFN must constantly re-examine its work and goals to ensure that the needs of Alaska's Native people are addressed. While changes in direction may appear to outsiders as abrupt, they usually begin slowly, and they come from the Native people themselves.

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## AFN seeks suggestions for 1991 Convention

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This year marks the 20th anniversary of the Alaska Native Claims Settlement Act (ANCSA). Not surprisingly, the theme of AFN's Annual Convention in October will be "*ANCSA: 20 Years Later.*"

We'll take a look back at Native efforts to achieve a just land claims settlement - how it happened and why - and celebrate the achievements of the past 20 years. It's easy sometimes to focus just on the problems of this day and age, and to lose sight of the progress that has been made. Therefore, AFN will use this anniversary Convention to recognize and honor those people, organizations and institutions that have contributed to making a better life for Alaska Natives in ways both big and small.

As we take on the challenges of the 1990s - to strengthen and improve the economic, cultural and social health of our communities - it is especially important that we highlight those successes. Our past achievements can and should be a source of strength, inspiration and confidence.

This celebration is important for our children, too. When children learn about history, successes and achievements, they develop respect for their heritage, pride in their parents and Elders, and confidence in their own ability to meet the challenges ahead.

We're asking people all over Alaska to help us celebrate by giving us suggestions for people and groups to recognize at the Convention. We want to hear about the people who worked to make ANCSA happen, and those who helped make it a success.

Although the Convention's main focus will be on ANCSA, we plan to celebrate all manner of successes over the past 20 years. Step back for a minute and consider some of the progress and achievements of the recent past:

**\*\*Joint ventures and innovative approaches to the use of Native resources have brought new jobs and generated income. Fully 1/3 of the state's 49 largest corporations are Native corporations.**

**\*\*Tribal councils are being strengthened and are taking responsibility for the well-being of their villages.**

**\*\*The grassroots village sobriety movement is getting stronger every day and an incredible amount of sharing and support is occurring throughout the state.**

**\*\*Infectious disease and other health problems that used to devastate village populations are being brought under control or stopped altogether.**

### *Who is behind these achievements?*

AFN wants to hear from you about the successes and achievements in communities all over Alaska. We have much to celebrate and many to honor. Help us make sure that no one is missed. In your letter, tell us who should be recognized and why. Write to AFN at our new address - **1577 "C" Street, Suite 100, Anchorage, AK 99501** - and be sure to include a phone number where we can reach you. We will make sure your ideas are brought to the attention of the AFN Convention Committee.

### **AFN Convention Committee Members:**

*Roy Ewan, Chairman - Ahtna*  
*Trefon Angasan - Bristol Bay Native Corp.*  
*Sherry Spray-Ruberg - Aleut Villages*  
*Ralph Eluska - AFN*  
*Morris Thompson - Doyon*  
*Al Kookesh - Sealaska*

## **native planning retreat: Native leaders meet in Juneau.**

In January, the Alaska Federation of Natives hosted a Board retreat in Juneau to discuss the key political issues in the Alaska Legislature and U.S. Congress that may impact Alaska Natives as we move into the 1990's. The retreat provided an opportunity to assemble the AFN Board, legislators and Native leadership from throughout the state. While discussion focused heavily on the subsistence issue, it also included state and federal funding for health, education and social services, pending state and national legislation of interest to Alaska Natives, and the current political environment in Alaska.

Seventy people from across the state participated in the retreat. Debate was structured through panels focusing on the political situation in Juneau and Washington, the composition of governing bodies of the Alaska Legislature and U.S. Congress, impacts of budget reductions, reapportionment, and the need for increased Native participation in the political process.

One immediate outcome of the retreat was agreement of the group to oppose the appointment of Ron Sommerville in any policy-making position in the Department of Fish

and Game, based on his long history as an anti-subsistence. (See story on page 1.)

During the meeting, it was agreed that raising the education and awareness of the public on what subsistence really means to Alaska Natives is critically important. AFN and other Native organizations need to communicate the importance of voting to urban Native residents, and remind them of how their participation can significantly change the outcome of elections.

Throughout the retreat, participants focused repeatedly on the need for increased Native involvement in the political realm in order to ensure that Alaska Natives' needs are met by our elected representatives. The recommendations of the Reapportionment Board - and its subsequent reorganization by Governor Walter Hickey - could have a very real impact on the 1992 election results and the ability of Native people to elect representatives. While mobilization of the rural vote did impact the 1990 General Election, it is critical that we continue our voter registration effort statewide.

Following the retreat, Native leaders were hosted by Governor Hickel in a reception at the Governor's Mansion.

### **HEARING NOTICE:**

The House Interior Appropriations Committee, chaired by Congressman Sidney Yates (D-Illinois), has scheduled hearings on the proposed FY1992 BIA budget (see page 5) as well as other Bush Administration proposals on March 13-14, 1991, in Washington, D.C. Testimony can be sent to:

Chairman Sidney Yates  
House Interior Appropriations Subcommittee  
House Rayburn Building, Room B-308  
Washington, D.C. 20515

# BIA budget proposals released:

## GENERAL ASSISTANCE FUNDS FACE CUT

The Bureau of Indian Affairs' proposed spending program for fiscal year 1992, which begins in October of this year, was released in Washington, D.C., on February 6th. Initial analysis of the budget reveals that, while the overall BIA budget request is higher than in past years, cuts are being proposed in key areas.

### **BIA GENERAL ASSISTANCE PROGRAM**

Of particular concern to Alaska is the General Assistance program. Efforts last year succeeded in restoring Alaska's participation in the General Assistance program. BIA officials have indicated that Alaska will continue to be eligible for the GA program in the coming fiscal year 1992, although the BIA budget request does not specifically identify funding to make up the shortfall in the GA program in Alaska which is currently estimated to exceed \$10 million.

Furthermore, the BIA has proposed that the overall level of funding for the GA program be reduced by \$11.8 million in FY 1992, from \$57.7 million to \$45.9 million. The Bureau proposes to accomplish this reduction by denying eligibility to all employable adults who do not have children. Instead of GA the Bureau says these individuals will be directed to "appropriate job training, schooling, tribal work programs and other options." However, the BIA does not provide any budget increases in these other programs.

According to Julie Kitka, president of AFN, the proposed cutback will have a devastating effect on the most vulnerable and high risk population in Alaska - childless males in their late teens and early twenties. The data show, for example, that Native males between 20 and 24 years of age are committing suicide at a rate 14 times the national average.

"One of the reasons we fought so hard to get GA reestablished," Ms. Kitka said, "was to provide some income to this population group. The BIA is now proposing

to pull the rug out from under us again." While the BIA has proposed this cutback, the final decision on whether it will be implemented is up to Congress. AFN urges Native organizations to ask Congress to reject the BIA's proposal.

### **OTHER BIA INITIATIVES**

Overall, the BIA budget request submitted to Congress is the largest in the agency's history, and represents an increase in real dollars above the level of funding provided by Congress for fiscal year 1991. The majority of the proposed funding increases would be directed to self-determination and education programs.

In the "self-determination" category, a new BIA \$10 million pilot program of community and economic development grants is proposed to be used for improving community infrastructure, assisting with business development and reducing unemployment. These funds will be made available to a select number of tribes and Native corporations, selected through a competitive process. An additional \$42.8 million has been requested by BIA for the Indian Priority System, which will be distributed to the BIA agency offices to supplement existing programs. The BIA has also requested an additional \$10.6 million for the Indian Child Welfare program.

Finally, the BIA is proposing an increase of \$24.5 million for the BIA education program. Due to the lack of BIA educational facilities in the State, Alaska's ability to take advantage of the education program increases proposed by BIA is likely to be limited.

AFN will continue to analyze the budget proposals to identify areas of concern and opportunity. Native groups in Alaska should work with the Congress to assure that Alaska gets its fair share of the federal government funding made available for Native American programs.

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## Noatak v. Hoffman:

## Sovereignty case goes before U.S. Supreme Court

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Tuesday, February 19, 1991, may well be remembered as a landmark date in the history of Alaska Native politics.

On that day, the United States Supreme Court will hear oral arguments in the case of Noatak v. Hoffman, the most important pending case which addresses the tribal status and rights of Alaska Native villages. If decided in favor of the villages, it will have a significant effect in advancing the cause of Alaska Native sovereignty.

The original suit arose in response to the State of Alaska's refusal to distribute revenue sharing funds legislatively directed to Native village governments unless such funds were shared with other unincorporated non-tribal communities in Alaska. Although this resulted in reduced funding for tribes, the State insisted that to limit funding to tribes would amount to racial discrimination. Noatak's suit claimed that the State could, indeed, fund IRA's and traditional councils without including other unincorporated communities as well because the council's are political governments, not racially-defined groups.



*Lare Ashenbrenner (middle) & Bob Anderson (right) of NARF have worked extensively on the Noatak case. They are shown here with Willie Kasayulie of AVCP.*

In separate decisions in 1989 and in 1990 the Ninth Circuit Court of Appeals ruled in favor of the village on three critical issues:

1. That a federal issue was at stake in the case (the right to be treated as a tribe instead of a racial group);
2. That all ANCSA villages and IRA villages like Noatak are recognized tribes which are therefore qualified to bring lawsuits under a special federal statute limited to tribes; and
3. That the 11th amendment to the United States Constitution (which generally bars suits in federal court which seeks money damages against states) does not apply to suits brought by Indian tribes against states.

Arguments before the U.S. Supreme Court on February 19 will be provided by Rex Lee, an attorney hired specially to represent the State, and Lare Ashenbrenner, a staff attorney with the Native American Rights Fund. The Alaska Federation of Natives, joined by the Northwest Arctic Borough, the Central Council of Tlingit and Haida Indian Tribes of Alaska, the Council of Athabascan Tribal Governments, the Association of American Indian Affairs and 94 of the tribal villages identified in the Alaska Native Claims Settlement Act have submitted an amicus curiae, or friend of the court, brief in support of Noatak and Circle.

The final decision in this case will have an enormous historical impact on the question of tribal sovereignty in our state. The U.S. Supreme Court could hand down its decision as early as May, but it must come before July 1 when the Court ends its current session.

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## SUBSISTENCE

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### John v. United States of America

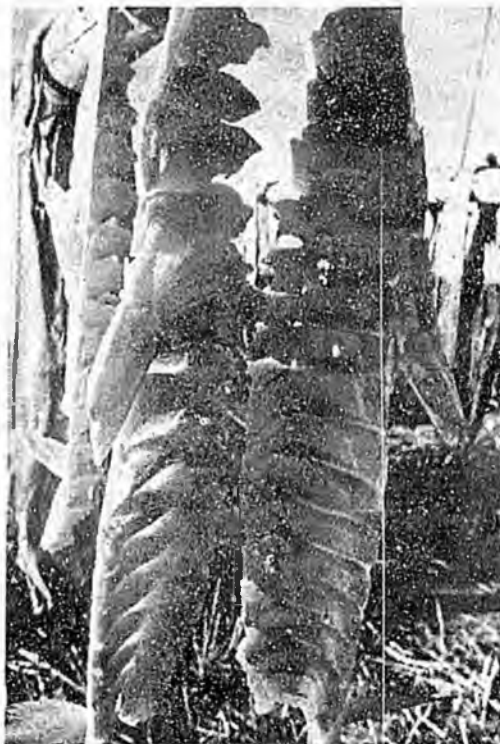
In July, 1990, following the failure of the Alaska Legislature to adopt a constitutional amendment on subsistence, the United States government took over management of fish and game on all "public lands." On these federal lands (more than 60 percent of the entire state), fish and game are now under the jurisdiction of a five-member board of representatives from the Departments of Interior and Agriculture. Fish and game on non-federal (State and private) lands remain under the jurisdiction of the Alaska Legislature and the Board of Fish and Game.

This awkward system, which requires two separate governments to manage highly mobile animal species according to static patterns of land ownership, will cause serious difficulties for the managing agencies and all user groups.

Significant problems arise for Native users in each system. On the federal side, the operational regulations published by the Department of the Interior are seriously flawed. For example, they provide inadequate geographical jurisdiction over highly mobile game populations, give the board no power to close just non-subsistence hunting and fishing on public lands, and do not provide adequate roles and powers for existing Regional councils.

But the most serious deficiency in the federal system is the question of fish, primarily salmon. Informed observers of ANILCA have always assumed that, in the event of a federal takeover, fish in navigable waters would become a federal responsibility. That would provide a rural subsistence priority in the taking of most species of salmon in most rivers of the State.

However, as the regulations came out, waters were excluded from the definition of "public lands" and so fish were left to the State, which now has no subsistence priority for rural residents. But the most important implication of leaving fish to the State is that it violates congressional intent in Title VIII of ANILCA, and that is a question which can only be settled in court.



On December 5, 1990, suit was filed in the United States District Court by the Native American Rights Fund on behalf of Katie John, Doris Charles and the Mentasta Village Council on just this issue. The plaintiffs are suing the United States and the Secretaries of the Interior and Agriculture, challenging their refusal to adopt regulations authorizing subsistence fishing on the Copper River at Batzulnetas, an ancient AHTNA village site traditionally used as a summer fish camp. The case has been assigned to Judge Russell Holland in Anchorage.

While the judgment which the plaintiffs seek addresses just this one location, the rule of law which is likely to emerge will affect virtually all Alaska Natives and other rural resident who depend on fish stocks for subsistence. If the case is decided for the plaintiffs and upheld on appeal, a significant transfer of jurisdictional authority could affect fish in Alaskan waters statewide.

The Alaska Federation of Natives' Legislative Committee recently recommended to the full Board that AFN participate in the Katie John suit in support of the plaintiffs as an amicus curiae. If this recommendation is accepted by the full Board at its February 19-20 meeting in Juneau, preparation of an amicus brief will be filed with the court.

## ANCSA Technical Amendments introduced

On January 30, 1991, Congressman Don Young introduced H.R. 757, entitled "Alaska Land Status Technical Corrections Act of 1991." The bill, introduced in House Interior and Insular Affairs, focuses on technical changes to the Alaska Native Claims Settlement Act of 1971 (ANCSA).

The bill is intended to settle certain claims under ANCSA and resolve non-controversial issues relative to Native allotments, transfer of stock, land conveyance and conservation system units.

There are 13 specific amendments in the package. They are as follows:

**Section 2. Fort Davis Native Allotments** - amends the Alaska National Interest Lands Conservation Act (ANILCA) to allow relief for named recipients of allotments to obtain approval of land parcels at Fort Davis, Alaska.

Fort Davis, south of Nome, was reserved for the use of the War Department for military purposes in 1900. In 1921, jurisdiction of the military reservation at Fort Davis was transferred to the Secretary of the Interior for disposal, but no disposal took place. After the Bureau of Land Management indicated the land was available, 18 Alaska Natives applied for allotments at the site. Since then, these allotments have been used and occupied but, unless the allotments can be approved legislatively, title cannot be granted.

This amendment constitutes legislative approval of the 18 Fort Davis allotment applications.

**Section 3. Native Allotment Relocation** - amends ANCSA to allow an allotment applicant whose application was pending before the Department of Interior before December 18, 1971, to amend the land description of the application to describe land other than that originally intended. Applications qualify only if: 1) it describes land selected by, tentatively approved to, or patented to the State of Alaska; 2) it substitutes approximate equal acreage; and, 3) the Commissioner of the Alaska Department of Natural Resources agrees to the exchange.

This amendment will allow allottees whose land was mistakenly conveyed to the State to relocate their allotments on other State land.

**Section 4. Ratification of Certain Land Transfers** - relieves the Secretary of the Interior's obligation to fulfill entitlements under ANCSA to Montana Creek Native Association and Coswell Native Association. It ratifies a 1976 Cook Inlet Region, Inc., agreement with the two Native groups in which CIRI conveyed 11,520 acres of land to each group to satisfy their entitlement. The land was conveyed by CIRI in 1982.

**Section 5. Gift of Stock to Siblings** - amends ANCSA to allow an adult shareholder to transfer settlement stock to his or her brothers and sisters. Amendments passed in 1988 allowed a holder of restricted settlement common stock to transfer the stock during his/her lifetime to his/her child, grandchild, great-grandchild, niece or nephew. This amendment adds brothers and sisters to the list.

**Section 6. Shareholder Homesite** - amends ANCSA to allow Native corporations to establish a shareholder homesite program after December 18, 1991, so long as the alienability of the corporations' settlement common stock has not been terminated. Current law requires a shareholder homesite program be completed by December 18, 1991.

### HEARING NOTICE:

As soon as a public hearing is scheduled in the U.S. House of Representatives on H.R. 757, AFN will publicize the date(s) to ensure that Native people across the state can inform the Congress of their views. To date, no hearing date has been scheduled. Copies of H.R. 757 can be obtained through Congressman Don Young's offices, or by call AFN at 274-3611.

cont. on page 9

## ANCSA Technical Amendments (cont.)

**Section 7. Beaver Airport** - clears title to airport land at Beaver in the Arctic Slope Region to allow it to be given to individuals occupying portions of the area who are in administrative trespass. The amendment would also allow the State, through the Municipal Lands Trust Program, to administer land used for municipal purposes.

**Section 8. Chugach National Forest Boundary Change** - modifies the boundary of the Chugach National Forest to include 9,300 acres of lowlands currently managed by the BLM. The amendment does not change the status of existing rights-of-way, easements, leases, licenses or permits on the lands transferred to Forest Service administration.

**Section 9. Rabbit Creek Lions Club** - provides relief for this group by authorizing and directing the Secretary of the Interior, under certain conditions, to convey .93 acres of land to the club.

**Section 10. Issuance of New Stock to After-borns** - adds language to include descendants of Natives born after December 18, 1971, in allowing ANCSA corporations to issue up to 100 shares of settlement common stock to all children of its original shareholders.

**Section 11. Klukwan Native Corporation Land Selection** - provides Klukwan, Inc., an opportunity to select public land in Haines, Alaska, which were declared surplus by the General Services Administration. Klukwan, Inc., would

have six months from the passage of this bill to select those public lands in Haines. If selected, the land would become part of the corporation's 23,040-acre entitlement under ANCSA.

**Section 12. Iliamna Native Corporation** - includes Iliamna Natives, Ltd. lands as being considered outside Lake Clark National Park and Preserve, permits the Secretary of Interior to acquire Iliamna Natives, Ltd., land for addition to the Preserve if the landowner consents, and allows certain land uses be granted to Iliamna Natives, Ltd., on the land.

**Section 18. Sitkalidak Island** - transfers Sitkalidak Island from the Alaska Maritime National Wildlife Refuge to the Kodiak National Wildlife Refuge.

**Section 14. Chugach Alaska Corporation Nellie Juan** - legislatively approves land selections by Chugach Alaska Corporation within the Nellie Juan Lake and River Power Site classificat

These proposed amendments have been agreed upon and are supported by the Alaska Federation of Natives, the U.S. Department of the Interior, Bureau of Land Management and the State of Alaska. They are technical in nature and serve to clarify existing law. Additional amendments may be proposed as H.R.757 goes through the legislative process.

Committee hearings on H.R.757 have not been scheduled as of this date. AFN will provide committee hearing information when it becomes available. Copies of H.R.757 can be obtained by contacting AFN at 274-3611.

### **AFN creates Non-profit Committee:**

As their December 12, 1990, Board meeting, AFN's Board of Directors established a committee comprised of the non-profit members of the Board. The committee will advise the full Board on issues concerning health, social services, 638 contracting and other areas to be identified at the Board's February 19-20 meeting in Juneau.

AFN uses the committee structure in providing advice and direction to the full Board on the increasing number of issues facing the Native community. Committees active between regular Board meetings are the Legislative, Planning, Budget and Audit and Education committees.

### **COMMITTEE MEMBERS ARE:**

Dimitri Philemonof, APIA  
William P. Johnson, BBNA  
Esther Combs, CITC  
George Edwardson, ICAS  
Joe Larios, KANA  
Dick Rolland, NPR  
Myron Naneng, AVCP  
Gordon L. Jackson, Tlingit-Haida  
Evelyn Beeter, CRNA  
Gary Longley, KAWERAK  
Marie Greene, MANILAQ  
Anne Walker, ANHB

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## Federal legislation impacting Native Americans

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The following is an analysis of legislation enacted by Congress in 1990 that is relevant to Alaska Native concerns. These include laws that establish a new affordable housing program, new Indian and Alaska Native child abuse protection, grave protection, and arts and crafts protection programs, an Indian Forestry bill, amendments to the Small Business Act to make it more useable by subsidiaries of Alaska Native corporations, and a new Indian mental health initiative.

Some of these laws have specific provisions adapting them to the unique needs of Alaska Natives, others do not but are applicable in Alaska. A third group consists of legislation that is relevant only to tribes on reservations.

### Housing

Congress enacted the first major housing law in over The premise of the Affordable Housing Act is that Congress and the Department of Housing and Urban Development really cannot design programs that meet local needs. Therefore, the Act gives money to states and cities to design and implement their own programs. Each state is required to develop a plan on how it will use the formula funds provided by the act. The Act encourages innovative solutions to housing problems and gives the state broad discretion in the kinds of projects it will fund. Alaska will get a formula grant under the program. Because of the severe housing problems in the villages, the State should spend a good portion of their funds in rural villages.

The Act provides two separate Indian provisions. One establishes a 1 percent Indian set-aside, where 1 percent of the funds will be made available, through a competitive grant process, for demonstration programs in Indian communities. While this is an attractive program, it will have very limited funding and will be able to serve only half a dozen tribes of Alaska Native groups in any one year. The second provision continues the HUD Indian low-income housing program and expands the number of units that will be made available to Indian and Native Housing Authorities to 3,000 a year, an increase from 1,800 in 1990. However, the availability of these two Indian/Alaska Native programs does not disqualify Alaskan villages from participation in the state formula grant

program. In addition to the fact that the two Indian programs only meet a small portion of the housing need on reservations or Native villages, the new program provides great flexibility and thus will enable the villages to begin to develop innovative approaches to their housing problems, rather than being locked into the rigid system imposed by the Indian low-income housing program.

Congress did not appropriate any fund for the new formula grant or Indian 1 percent set-aside program for FY 1991. This year will be spent by HUD in developing regulations to implement the new Act.

### Indian Forest Woodlands Enhancement Act

This Act focuses on three areas. First, it imposes specific responsibilities on the BIA to develop Indian-owned forests in a rational way and to give the tribes and Alaska Native corporations authority to set priorities. For example, the tribe or corporation can decide that it wants the forest managed for sustained yield, producing both income and maximum economic development for its members. Or, the tribe or corporation can decide that the best use of the forest land is to maintain it in its natural state so it can be used for hunting and cultural purposes.

The Act also requires the BIA to provide adequate staff to properly manage the forests. Since the BIA does not provide its own forestry staff in Alaska, there is a special provision on Alaska that instructs the BIA, in consultation with the village and regional corporations, to establish a program of technical assistance to promote local processing and other value-added activities with such forest resources. These funds are to be provided to the corporations through the Self-determination contracts and grants. (Congress did not provide fund for this program in the current fiscal year; if Congress is to provide funds for FY 1992, it will require lobbying by Native groups involved in forestry.)

A second set of provisions give tribes greater legal authority over their forests, including the power to fine trespassers and a requirement that the BIA recognize and respect tribal

## FEDERAL INDIAN LEGISLATION

laws regulating environment, historical and cultural preservation on the forest lands.

The third set of provisions establishes a set of scholarship, fellowship and cooperative education programs for Indians and Alaska Natives who are interested in careers in forestry. The recipient of these benefits must, in turn, work for a tribe, Native corporation or the BIA in the forestry area for so many years after graduating.

### Indian Mental Health Prevention & Treatment Services Act

This new law tries to improve the quality and quantity of mental health services available to Indians and Alaska Natives. One provision requires the BIA and Indian Health Service to ensure that their respective mental health programs are better coordinated. A related provision requires that Indians and Alaska Natives receive their rights to mental health programs provided by the state or local non-Indian government. If Alaska Natives have found that they are being denied state mental health services because they are eligible for IHS or BIA services, this provision imposes the necessary responsibility on IHS and BIA to correct the situation. The law also requires IHS and BIA to train their staffs in the identification, prevention and treatment of mental illness.

The law creates several new programs for tribes and tribal organizations (which includes various Native entities). It instructs IHS to set up a community-based mental health service at the local level, using mental health technicians. It requires IHS to establish a mental health demonstration program, under which tribes and tribal organizations will receive funding to operate mental health programs that address unmet needs and which will deliver services consistent with traditional health and treatment practices. It also authorizes IHS to provide funding to tribes and tribal organizations to develop and implement community mental health plans for the purpose of identifying and coordinating available mental health resources and programs. Unfortunately, because of the budget crisis, the funding authorized for these much-needed programs is very low, permitting only the funding of a few demonstration programs nationwide.

### Indian Child Protection & Family Violence Protection Act

Among other things, this law creates an Indian Child Abuse Treatment Grant Program. Funds are to be made available to tribes and tribal organizations (as defined by the Self-determination Act) to establish treatment programs for Indian and Alaska Native children who have been the subject of child abuse. Also, the BIA is required to establish - within each area office - an Indian Child Resource and Family Services Center to provide advice and assistance to tribes, tribal organizations, and inter-tribal consortiums on dealing with child abuse and family violence.

The BIA is also directed to establish an Indian Child Protection and Family Violence Prevention program to provide financial assistance to tribes, tribal organizations and inter-tribal consortiums to they can establish protection and prevention programs. The BIA is to establish, after consultation with tribes, a formula for the distribution of such funds. For all of these programs, the amount of funding authorized is limited and Congress did not provide any appropriations for this fiscal year.

### Indian Arts & Crafts Act

This law provides additional protection to genuine Indian arts and crafts to protect them from competition from fakes. Earlier legislation had prohibited anyone from labeling goods as "Indian-made" when in fact they were not Indian-made. The new law takes this further by requiring the Interior Department's Indian Arts and Crafts Board to set up a system of trademarks for Indian arts and crafts, both for individuals and tribes. Thus an Indian or tribe can register the trademark, use it to market their products and be assured that it cannot be copied or used by any other entity. The Act goes on to impose criminal penalties on anyone who mislabels goods as Indian-made or who misuses an Indian trademark. Since criminal penalties will only be brought in cases of gross abuse, the Act also provides for civil actions. It empowers any Indian or Alaska Native to bring an action in any court of competent jurisdiction against a person who mislabels goods as Indian-produced or falsely labels it as the product of a particular tribe or group. The person bringing the action, if

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## FEDERAL INDIAN LEGISLATION

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successful, may obtain injunctive relief and damages equal to \$1,000 a day for each item mislabeled for each day it is displayed for sale.

### **Amendments to the Small Business Act**

In 1990, Congress reauthorized the Small Business Act, which regulates eligibility for such Small Business Administration (SBA) programs as the 8(a) program. These programs enable Alaska Native-owned businesses (both individual and corporation-owned) to receive sole source contracts from the Federal government and preferences in subcontracts from Defense Department contractors. Several of the amendments contained in the 1990 reauthorization are designed to make these programs more accessible to subsidiaries of Alaska Native corporations. One provision permits a corporation that is a subsidiary of a Native corporation subsidiary to be eligible for these programs. In the past, the entity had to be directly owned by a Native corporation, which prevented the corporations from using holding companies to own subsidiaries.

A second provision addresses the issue of size. To be eligible for these programs, the subsidiary must be "small" under SBA guidelines, which often is defined by the maximum dollar amount of business carried out by the subsidiary. In the past, there was an effort by SBA and Department of Defense to look at the total amount of business done by the entire Native corporation, including all of its subsidiaries under the theory that the corporation and other subsidiaries are affiliated with the subsidiary seeking 8(a) or SDB status. The new legislation instructs SBA that it shall not look at the dollar volume of the parent corporation or any of its other subsidiaries when determining the dollar volume of the subsidiary seeking certification from SBA or Department of Defense. The only exception is when there is clear evidence that these other entities are assisting the applying subsidiary as a small business.

A third provision extended a special "joint venture" provision for tribal and Native corporation enterprises that had been enacted in 1988. That provision permitted a tribal- or Native corporation-owned 8(a) firm to joint venture with a large corporation on two or more 8(a) contracts, so long as most of the contract activity takes place on tribal- or corporation-owned land, and 50 percent or more of the employees are members of the tribe or corporation. The usual rule in SBA is that an 8(a) company may only joint venture with other small businesses. The special exception for tribes and corporations was made to permit them to benefit from the technical and managerial expertise of large companies. (For example, Arctic Slope Regional Corporation's Piquiq Management Corporation was established with assistance from Raytheon Corporation.) The 1990 amendments extended the number of permitted joint venture contracts from two to five and extended the life of the program until 1984.

### **Native American Grave Protection & Repatriation Act**

This Act gives families and tribes greater control over ancestral remains and sacred and cultural objects. It provides that any such objects uncovered on tribal or federal lands after the passage of the Act belong to the lineal descendant (the family) or the tribe (which includes Alaska Native villages), if either can be identified.

It prohibits new excavations without the permission of the relevant tribe and the lineal descendants. It also requires that, if a federal museum or federal agency has in its possession Indian human remains or sacred and cultural objects, it must conduct an inventory of such to identify the tribe to which each belongs (if possible) and then notify the tribe of its right to reclaim the remains or objects. The museums and agencies are given five years to complete this inventory.



*AFN at this time takes pleasure in joining the Alaska Native Blue Ribbon Commission in recognizing Major General John Schaeffer for his long years of service to the State of Alaska & the Native community. Gen. Schaeffer retired this year after four years as Adjutant General of the Department of Military & Veterans' Affairs. However, he continues to serve as Chairman of the Alaska Native Blue Ribbon Commission on Alcohol & Drug Abuse. We wish you well, John, in all your future endeavors.*

### **Blue Ribbon Commission Update:**

The Alaska Native Blue Ribbon Commission on Alcohol and Drugs Welcomes three new members to the Commission. Ms. Rinna Merculieff, Ms. Ann Walker, and Mr. Gene Peltola. The new members bring fresh new ideas and energy to the Commission.

One of the newer projects that we are excited about is a project that has probably been thought about in many different circles for years, however, we are looking forward to this being a stronger and productive new year.

The Alaska Native Blue Ribbon Commission (BRC) on Alcohol and Drugs is working in cooperation with KTUU-TV and Syntax Productions on a media project called **Alaska Native Spirit Profiles**. Its purpose is to promote positive Native role models.

The project will accomplish several goals of the BRC:

- 1) Promote positive role models
- 2) Provide a more in-depth look at people, who they are, where they live, and how they are making a difference.
- 3) Cut costs of media production and include a package of air time schedules.

One significant component, in this relationship, includes a team approach. The team will be comprised of producers, writers, Native people experienced in media, local resource people and participating Native Corporations.

It promises to be an exciting new challenge.

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# Alaska Native Peoples: Their Story

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by Michael Rowan

*AFN is please to announce our association with Rowan Group Services of New York in the planning of a major national broadcast-quality film on Alaska Natives. We are currently in the early planning stages and hope to have a segment of the series available for airing at our Convention in October. The following concept paper by Michael Rowan will give you an idea of the film's concept.*

This year is the 20th anniversary of the passage of the Alaska Native Claims Settlement Act, perhaps the most enlightened act of a dominant culture in relation to an indigenous, so-called minority group in the history of civilization. This act of Congress twenty years later prompts the idea of creating a film to celebrate the stories of the Alaska Native peoples, all the way to the present.

In 1971, the United States granted some seventy thousand Eskimos, Indians and Aleuts a total of forty million acres, fee simple, plus a damages award in the amount of one billion dollars for lands taken illegally in the sale of Alaska to the United States by Russia during the time of President Abraham Lincoln. This settlement of land claims provided to the Alaska Native peoples the two tools for self-improvement in the market-driven capitalistic American society: land and money. By providing shares to Natives on an equal basis, the most effective functional tool for generating new wealth was also put in Native hands: regional and village corporations. Of the 49 largest corporations in Alaska, measured by gross income and number of employees, 17 are now Native corporations, whereas, in 1971, no Native-owned corporation was on the list. This is a unique part of the story.

While the Native claims were based upon a subsistence relationship to the Alaska environment traced from time immemorial, the settlement itself was translated into - or perhaps reduced to - private property terms. In many ways, such a settlement is as unsatisfactory as unraveling a marriage relationship with a property division in which the children of the marriage are considered possessions, and perhaps this is the only analogy in Western terms which can express the profound deficiencies of any such settlement.

Nevertheless, it was the only settlement available and there was no turning back the clock of history. In comparison to previous American Indian claims, the Alaska settlement was generous; in fact, more land and money were provided to the Alaska Natives than had been provided in all settlements by the United States from 1776 to 1970, in toto.

The Alaska Native population of 1991 is in aggregate economic terms far better off than the Native population of 1971. This has rarely happened in American history, even to aggressive ethnic immigrants; and it has never happened before with Native Americans.

While the economic story is positive and unique, the social and psychological jolt to Native peoples has been profound. There have been both creative and disorienting responses to the challenge. There has been an increased effort to recapture ancient languages, culture and artifacts in a celebratory sense. There also has been a recognition among Native people of the need to protect the touchstone of their existence - the subsistence hunting and fishing way of life from outside threats.

Some Alaska Natives have been assimilated by American culture and, in many respects, have disappeared into it, either in Alaska's cities or in the lower 48 states. And still others,

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## ALASKA NATIVE PEOPLES, cont. from page 15

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perhaps a majority, live in a life composed of the dynamic tension between cultures. No matter how difficult such existential choices may be, they are an intense joy compared to the despair and resignation experienced by those who are overwhelmed.

This is all part of the current Alaska Native story. But what of the past? How did the Alaska Natives get to this place, and what complex of struggles and achievements have evolved to meet this last and greatest of adaptations? There is not one story here, but many. The word "Native" is used to describe peoples of very different languages, races, cultures features, lands and times. It was a convenient word to organize for the land claims, and it has stuck in Alaska parlance, but historically the word has no one meaning.

There is as much difference between an Eskimo and a Haida as between a Chinese and a German. There is as much difference between a Yupik speaking Eskimo and an Inupiat speaking Eskimo as between a Serb or Croate, a Latvian or Estonian. Not to understand these differences is to miss the entire point - because there are many stories, there are many responses to the adaptation under way.

Because the white population is of recent migration to the state, and since it is largely confined to two cities, Anchorage and Fairbanks, the white population knows little about the history, mythology, art, culture and power of the Eskimo, Indian or Aleut peoples who live hundreds - even thousands - of miles away from the white population centers.

Since the educational curriculum in Alaska has not caught up to its own roots, and while electronic media are generated from the lower 48 networks, the Natives know little about their own stories unless they are lucky enough to live in a household which harbors the stories, language and culture of their own people. Many simply don't know, or choose not to, or are for some unknown reason embarrassed.

Thus we arrive at the time to tell the story of the Alaska Native peoples. It is a story from the beginning of human history. It is about

people who walked from Mongolia to Alaska when there was a land bridge, for these are the same people who, continuing south, created the great Inca and Mayan civilizations.

The story involves many migrations to the Alaska arctic, interior mountains, southeastern rivers and islands of the Aleutian chain. The story involves warfare, slavery, trade and hunters, fishers, gatherers and followers of salmon, caribou, ptarmigan, bear, and whale. And from these people comes artwork which today commands top prices at international auction houses.

The story also includes the Hawaiians and Russians, Captain Cook, Admiral Byrd and the gold rush. It involves Abraham Lincoln and a Japanese attack on the Aleutian chain in World War II. It tells of America's "distant early warning" line drawn against the Soviet Union during the Cold War.

It is also the story of cruelty, racism, struggle for civil rights and citizenship, and success in the New World. Scarcely an American lives who cannot be drawn into the drama and struggle of this story, and it will be told through the art and artifacts of the its past, the faces and voices of Natives in their Alaska environment today, those who know of it and those who live in it and love it.

This is a wonderful, historic film of the peoples who gave Alaska its name and who, once they are understood, hold the key to its future. It is also a story which will touch the heart of all people everywhere who struggle to adapt to modern times by reaching back to the strengths which brought them to truly the last frontier of human life on this planet. This is a story of courage and, unlike so many others in American and world history, it has a very happy ending. Or new beginning.

*FOOTNOTE: Readers are invited to send their comments in regard to this film project to AFN at our new address, 1577 "C" Street, Suite 100, Anchorage, AK 99501.*

## BLM must identify contaminated lands

Public Law 101-512, Interior Appropriations Bill H.R.5769, requires that the Secretary of the Interior prepare a report to Congress by March 1, 1991. The report must focus on the identification of lands and properties that were transferred to Alaska Native corporations under the Alaska Native Claims Settlement Act (ANCSA), as amended, which at the time of transfer were represented or disclosed by the federal government as being free from contaminants, but were discovered to be contaminated after transfer.

The Report is also required by law to identify lands and properties that the federal government knowingly transferred to Alaska Native corporations with contaminants.

For purposes of the law and the Report, contaminants are defined as hazardous substances such as solvents, PCBs, mining waste chemicals, fuels, oil and gas chemicals and other materials as described in the Comprehensive Environmental Response, Compensation and Liability Act.

The Bureau of Land Management sent a letter to ANCSA corporations in late December, 1990, briefly describing the requirements of the law and requesting that ANCSA corporations assist the BLM with the inventory and identification of contaminated land at the corporations' expense.

It is AFN's position that the responsibility for identifying contaminated lands transferred to corporations lies with the BLM. At a minimum, such a requirement mandates that the BLM research their records and the records of the other appropri-

ate land-managing agencies, including the military, to identify lands that have been subject to contamination.

There is no indication that the BLM has made an effort to research federal records. Rather, the agency is attempting to place a major portion of the burden on corporations who are not in the position to research the history of land use on ANCSA lands previously managed by federal agencies. The BLM's actions appear to violate both the intent and the clear language of the legislation.

AFN urges ANCSA corporations to support its position on this matter. This is the only comprehensive manner, short of field surveys, in which both known and heretofore unknown contamination can be readily identified. While we believe that a thorough reporting - as mandated by law - could be a positive first step toward resolving this issue, we are concerned that the current direction of the study will prove to be counter-productive.

If, in fact, a report is presented and accepted that only notes a small portion of the transferred lands that are actually contaminated, does that raise potential liability problems for ANCSA corporations in the future? What are the liability issues concerning contaminated areas that are not identified by either the BLM or ANCSA landowners?

The BLM and Native interests need to begin discussions on how to best answer these questions and implement Public Law 101-512.

### AFN OFFICE HOURS:

8am-Noon, 1pm-4:30pm  
Monday-Friday

Telephone: (907) 274-3611  
Fax: (907) 276-7989

Alaska Federation of Natives  
1577 "C" Street, Suite 100  
Anchorage, AK 99501

Sen. Lloyd Jones  
ALASKA STATE LEGISLATURE  
P.O. Box 9  
Juneau, AK 99811

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*to Lloyd*

FEB 14 1991



## Southeast Native Subsistence Commission

P.O. Box 21828, Juneau, AK 99802

Telephone (907) 586-9219

FAX (907) 586-9266

February 13, 1991

The Honorable Lloyd Jones  
Alaska State Legislature  
P.O. Box V  
Juneau, AK 99811

Dear Senator Jones:

Mr. Carl L. Rosier has been appointed Commissioner of the Alaska Department of Fish and Game. Mr. Rosier has publicly indicated that Mr. Ron Somerville is to be retained as Deputy Commissioner. As long as Mr. Somerville is to be retained in that position, we will oppose confirmation of Mr. Rosier. For Mr. Rosier to retain Mr. Somerville, must mean he supports Mr. Somerville's positions on subsistence, which reflects on how management can be expected.

In the absence of Mr. Somerville, we would likely remain silent on Mr. Rosier's confirmation.

Respectfully,

SOUTHEAST NATIVE SUBSISTENCE COMMISSION

Robert Willard  
President



JAN 3 1991

JANUARY 26, 1991

SENATOR DICK ELISON  
REPRESENTATIVE BEN GRUSSENDORF  
POUCH V  
JUNEAU, ALASKA 99811

RE: APPOINTMENT OF RON SOMMERVILLE AS DEPUTY COMMISSIONER  
OF FISH & GAME

HONORABLE LEGISLATORS ELIASON AND GRUSSENDORF:

DUE TO YOUR STRONG OPPOSITION AS PUBLISHED RECENTLY IN A ARTICLE IN THE KETCHIKAN DAILY NEWS ON GOVERNOR WALTER J. HICKEL'S APPOINTMENT OF MR. RON SOMMERVILLE AS DEPUTY COMMISSIONER OF FISH & GAME, WE FEEL IT NECESSARY TO REFLECT OUR SIDE OF THIS ISSUE AND POINT OUT A FEW OVERLOOKED FACTS IN MR. SOMMERVILLE'S BEHALF.

YOUR OPPOSITION TO HIS APPOINTMENT BASED UPON THE SUBSISTENCE ISSUE ALONE IS ENTIRELY WITHOUT MERIT. EVEN OUR STATE LEGISLATURE VOTED TO TREAT ALL ALASKANS EQUALLY. SO BELIEVES MR. SOMMERVILLE. STRANGELY, THERE HAS BEEN NO MENTION OF MR. SOMMERVILLE'S EXPERIENCE AND KNOWLEDGE OF THE JOB NOR OF HIS LEADERSHIP ABILITIES. (YOU DON'T GET TO BE DIRECTOR OF GAME ON ONE ISSUE).

THE FACTS ARE: MR. SOMMERVILLE'S FIFTY YEAR RESIDENCY, EMPLOYED AND EXPERIENCED IN THE WILDLIFE FIELD SINCE 1958, HAS RECEIVED NUMEROUS HONORS AND APPOINTMENTS FROM SENATOR TED STEVENS, ALYESKA PIPELINE COMPANY, ALASKA WILDLIFE FEDERATION, SHIKAR-SAFARI CLUB, FOUNDATION FOR NORTH AMERICAN WILD SHEEP, ALASKA DEPARTMENT OF FISH & GAME, WESTERN ASSOCIATION OF FISH AND WILDLIFE AGENCIES, TO MENTION A FEW.

THE SUBSISTENCE ISSUE IS PROBABLY THE MOST IMPORTANT ISSUE FACING THE STATE TODAY. OUR LEGISLATORS LAST YEAR COULDN'T SOLVE IT IN REGULAR SESSION NOR SPECIAL SESSION. FORMER GOVERNORS SHIFFIELD AND COWPER COULDN'T SOLVE IT IN THEIR ADMINISTRATIONS. HOPEFULLY, GOVERNOR HICKEL'S APPOINTMENT OF RON SOMMERVILLE, WITH YOUR COOPERATION, CAN PUT THIS SUBSISTENCE ISSUE BEHIND US AND ALL ALASKANS WILL SHARE EQUALLY.

SINCERELY,



BOB DEWITT, VICE-PRESIDENT  
KETCHIKAN SPORTS & WILDLIFE CLUB  
P.O. BOX 5122  
KETCHIKAN, ALASKA 99901

cc: KETCHIKAN DAILY NEWS, KETCHIKAN, ALASKA  
JUNEAU EMPIRE, JUNEAU, ALASKA  
SITKA SENTINEL, SITKA ALASKA  
ALASKA STATE LEGISLATURE, JUNEAU, ALASKA

Sen Lloyd Jones

# NEWS RELEASE

STATE OF ALASKA

OFFICE OF THE GOVERNOR  
P.O. BOX A  
JUNEAU, ALASKA 99811

Walter J. Hickel  
GOVERNOR



FOR INFORMATION CONTACT:

Vivian Hamilton  
PRESS SECRETARY

Ed. Wicher  
DEPUTY PRESS SECRETARY

(907) 465-3500

FOR IMMEDIATE RELEASE

Jan. 21, 1991

91-12

## HICKEL APPOINTS SOMERVILLE DEPUTY FISH AND GAME COMMISSIONER

JUNEAU----Gov. Walter J. Hickel today announced the appointment of Ronald J. Somerville to the position of deputy commissioner of the Alaska Department of Fish and Game. As deputy commissioner, Somerville will be running the department.

Hickel said he decided to appoint a deputy commissioner because fish and game issues are of great importance to Alaska and he wants the department to have a clear direction until a commissioner is named. We need someone who will take the helm of the Fish and Game Department and provide competent, honest and professional leadership," said Hickel. "I am naming Ron Somerville as deputy commissioner to get on with my agenda."

The Governor has asked the joint boards of fish and game to convene within a week to resubmit names to the Governor for his consideration as commissioner.

Somerville's background includes more than 20 years with the department during which he served as a game biologist, regional supervisor, and game division director. He retired in 1983 to create the Alaska Outdoor Council and subsequently served as executive director until 1989. The council is a statewide federation of sportsmen and outdoor organizations.

Somerville, 53, currently is the director of national and international affairs for the Wildlife Legislative Fund of America in Washington, D.C. The WLFA is an association of organizations committed to the protection of states' rights to manage resident fish and wildlife and the traditions of hunting, fishing and trapping.

(MORE)

"I believe my Alaska upbringing and my experience on both the federal and state levels in handling issues that relate to our fish and wildlife resources have prepared me for this position," said Somerville. "I support the governor's position that the state should be the manager of our resources and not the federal government."

Somerville grew up in Craig, Alaska, where he was a commercial fisherman for 14 years and a logger. He holds both a bachelor's and a master's degree in wildlife management.

He will be based in Juneau and will earn \$79,860 annually.

###

RONALD J. SOMERVILLE

2900 Mother Well Court  
Herndon, VA 22071  
(713) 471-6801

RESUME

and

VITAL STATISTICS

November 9, 1990

Birth

8/16/37  
Sebastopol, California

Physical Characteristics

6', 170 lbs.  
No Disabilities

Marital Status

Married - Janet Somerville  
Two Children  
Tami(7/1/73)  
Sheri(10/6/69)

Resident State

Virginia  
Previously a 50 year resident of Alaska

Military Service

3/57 - 10/57 U.S. Air Force  
Honorable Discharge

Professional Experience Summary

- 6/60 - 8/60: Management Aide - Comm. Fish Division  
Alaska Dept. of Fish & Game
- 6/61 - 8/61: Game Pen Technical Assist.  
Humboldt State College, Calif.
- 3/62 - 3/63: Game Biologist I - Moose Investigations  
Alaska Dept. of Fish & Game
- 3/63 - 8/64: Game Biologist II - Bear Investigations  
Alaska Dept. of Fish & Game



- 1/66 - 7/67: Game Biologist III - Lands Program  
Alaska Dept. of Fish & Game
- 7/67 - 7/68: Game Biologist IV - Lands Program  
Alaska Dept. of Fish & Game
- 7/68 -12/78: Regional Game Supervisor  
Alaska Dept. of Fish & Game
- 12/78- 6/83: Game Division Director  
Alaska Dept. of Fish & Game
- 7/83 - 8/89: Executive Director  
Alaska Outdoor Council
- 9/89 - Present: Director National & International Affairs  
Wildlife Legislative Fund of America

### Education

- 1955 & 1958 General Education; Santa Rosa Jr. College  
Santa Rosa, Calif.
- 1958 - 1962 B.S., Wildlife Management; Humboldt St. College  
Arcata, Calif.
- 1964 - 1965 M.S., Wildlife Management; Univ. of Montana  
Missoula, Montana

### Other Work Experience

- Family Retail General Store - 8 years at Craig, Alaska  
University Research Assistant - 1 year at Humboldt State  
Commercial Fisherman - 14 years in Alaska  
U.S. Forest Service (nonprofessional) - 1 yr. in Alaska

### Other Training

- Private Pilots License - Single Engine Land & Sea  
Commercial Captains License  
Supervisory Management Course - 1970  
Labor Contract Administration - 1974

### Honors and Appointments

- Alaska Wildlife Conservationist of the Year - 1967  
National Wildlife Federation  
Certificate of Recognition - Alyeska Pipeline Co. - 1978  
Certificate of Appreciation - AK. Wildlife Fed. - 1979  
Snikar-Safari Club Award-Outstanding Wildlife Officer-1979  
Certificate of Appreciation-AK. Dept. of Fish & Game-1980  
Commendation - U.S. Senator Ted Stevens - 1981  
Outstanding Statesman Award - Found. N. Amer. Wild Sheep - 1987

Western Assoc. of Fish and Wildlife Agencies

Lands Committee Member - 1979

Ad Hoc State Rights Committee Chairman: 1979 - 1982

International Assoc. of Fish & Wildlife Agencies

Legislative Comm. Member: 1979 - 1982

Legislative Comm. Chairman: 1981

States Rights Comm. Member: 1980 - 1982

States Rights Comm. Chairman: 1982

NRA Hunting and Wildlife Conservation Committee: 1985-1989

Territorial Sportsmen - President: 1983-1989

#### Memberships

Society of Sigma Xi

National Rifle Association - Life Member

International Assoc. of Fish and Wildlife Agencies

Aircraft Owners and Pilots Assoc.

Territorial Sportsmen - Juneau, AK.

Alaska Outdoor Council

Alaska Fish and Wildlife Conservation Fund

The Wildlife Society

Foundation for North American Wild Sheep

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J  
C

*Ketchikan Indian Corporation*

*(IRA Council)*

429 DEERMOUNT AVENUE  
KETCHIKAN, ALASKA 99901  
(907) 225-5158

FEBRUARY 22, 1991

MAR 1 1991

Governor Walter Hickie  
Box A  
Juneau, AK 99811-0101

Dear Governor Hickie:

In behalf of the IRA Council of the Ketchikan Indian Corporation, we hereby express our opposition to the continued employment of Ron Sommerville as Deputy Commissioner of the Alaska Department of Fish and Game. As you are undoubtedly aware, Mr. Sommerville has historically shown himself to be in opposition to any subsistence for all rural residents, particularly Alaska Natives.

Mr. Governor, it is imperative that the person who is charged with resolving the subsistence issue in Alaska be objective and act in a professional manner toward the many groups who are presently involved in the dispute over subsistence.

Subsistence is a very complex issue and we will need someone who is trustworthy and sincere in order to satisfactorily resolve this issue. We feel very strongly that Mr. Sommerville's past behavior harbors opposition to subsistence and his contemptuous attitudes will only hinder any meaningful resolution to this difficult situation. For these reasons, we feel that Mr. Sommerville is not the best person for the position of Deputy Commissioner.

Certainly Mr. Sommerville possesses the technical qualifications for the position, but we feel that his judgment will be clouded by his biased position on subsistence as evidenced by his past employment with the state.

With the above in mind Mr. Governor, we would urge your office to reconsider Mr. Sommerville's appointment and perhaps select a person who stands for all the people of Alaska and not for a small minority.

Mr. Governor, Alaska Natives make up over 25% of Alaska's population and we would hope that our concerns will not be ignored in favor of a small interest group.

Thank you for your time in this manner.

Sincerely yours,

*Paul W. Young*  
Paul W. Young  
Executive Director

cc: FOM Legislators - *Sen Jones*  
TUNDRA TIMES  
KETCHIKAN DAILY NEWS



JAN 23 1991



## Southeast Native Subsistence Commission

P.O. Box 21828, Juneau, AK 99802

Telephone (907) 586-9219

FAX (907) 586-9266

January 22, 1991

Bud Hodson, Chairman  
Board of Fisheries  
c/o Baranof Hotel  
127 North Franklin  
Juneau, AK 99801

Dear Mr. Chairman:

The Southeast Native Subsistence Commission urges the Board of Fisheries to oppose the installation of Ron Somerville as Deputy Commissioner, or Acting Commissioner of the Alaska Department of Fish and Game.

At a time when all those concerned about Alaska resources are attempting to find common ground on issues, it is most inappropriate to have a man whose professional and personal history is anti-subsistence. Indeed, Mr. Somerville ran for Governor as an anti-subsistence candidate. As an official of the State, Mr. Somerville openly campaigned against subsistence in 1982. A vote which the electorate overwhelmingly approved.

Each of the twenty Southeast communities and our tribal members in Anchorage elect a commissioner. These commissioners, and a representative from the Tlingit and Haida Central Council; a representative from the Grand Camp of the Alaska Native Sisterhood; a representative from the Sealaska Corporation; a representative from the Grand Camp of the Alaska Native Brotherhood; and a representative from the Metlakatla Indian Community make up the Southeast Native Subsistence Commission. The commissioners are also authorized to speak for, and on behalf of their respective IRA governments in the Southeast; and their respective Alaska Native Claim Settlement Act corporation.



Mr. Bill Hodson, Chairman  
Page 2  
January 22, 1991

Continued support for State management of Alaska resources would be dependent upon the type of management we can expect from the State.

We ask the Board of Fisheries to stand fast and not recommend Mr. Somerville for appointment.

Respectfully,

SOUTHEAST NATIVE SUBSISTENCE COMMISSION



Robert Willard  
President

cc: Senator Jim Duncan  
Senator Richard I. Eliason  
Senator Lloyd Jones  
Representative Fran Ulmer  
Representative Bill Hudson  
Representative Ben Grussendorf  
Representative Robin Taylor

KETCHIKAN SPORTS and WILDLIFE CLUB

P.O. Box 5122 • Ketchikan, Alaska 99901

JAN 24 RECD

November 22, 1990

Honorable Governor: Frank Walter Hickel  
1905 Louisa Drive  
Anchorage, Alaska 99503

Honorable Sir:

The six hundred members of the Ketchikan Sports & Wildlife Club, an organization established in 1949, a group dedicated to the enhancement and protection of the wildlife resources in Southeast Alaska, would like to convey our endorsement of Mr. Ron Somerville for Commissioner of Fish & Game.

Mr. Somerville is a man of his word and will not be persuaded by outside pressures. Not only is he qualified for the position, but he is a true Alaskan and will live with what ever he creates during his appointment. He is a man of principle and he proved it when he lost his job as Director of Game when he spoke out on the subsistence issue as written in ANILCA during the Sheffield administration.

As a State employee for many years, he was dedicated and was not one to watch the clock and count the days to retirement, as are so many State employees.

We are confident that he will reshape the Department of Fish & Game for the betterment of all, enhance the wildlife resources for all Alaskans and will lead instead of hiding under his desk when an issue confronts him.

We believe that Mr. Somerville will be a valuable asset to your administration and will be a benefit to all Alaskans.

Sincerely,

*Bob DeWitt*

Bob DeWitt  
Vice-President  
Ketchikan Sports & Wildlife Club

cc: Mr. Ron Somerville