

# Native American Rights Fund

## Indigenous Peoples' Rights

<https://www.narf.org/kake-subsistence-rights/>

## Campaign and Advocacy

On December 3, 2021, we received some good news from the federal court in Anchorage. Judge Gleason issued her [final judgement in \*State of Alaska v. Federal Subsistence Board\*](#) and denied the State of Alaskas motion to enjoin the Federal Subsistence Board (FSB) from authorizing the emergency special action requests for the Kake community hunt and the closure of Game Unit 13. (See below for case background information.)

For the Kake hunt, the court held that, because the hunt is over and the delegation authority to the District Manager has expired, the matter is moot and dismissed that part of the states case. On the Game Unit 13 closure, the court held the FSB acted within its authority to close the Unit to non-subsistence users for the next two years.

It is an honor working with the Organized Village of Kake to protect their subsistence hunting rights.

On August 27, 2020, the Organized Village of Kake, a federally recognized tribal government, filed to intervene in the federal court case brought by the State of Alaska challenging critical subsistence hunting rights for Alaska Natives, *State of Alaska v. Federal Subsistence Board*.

The states lawsuit seeks to strip the Federal Subsistence Board (FSB) of the ability to work with rural communities like Kake to ensure that local people have continued access to vital traditional foods. The case is especially critical as the hunt the state is challenging was one requested by the Organized Village of Kake to ensure residents of the community were able to harvest wild game during the height of the disruption caused by the global COVID-19 pandemic.

The states suit poses a grave threat to Alaskas dual system of fish and game management. The authority of the FSB to provide for the taking of subsistence fish and game outside of the states regulatory system is the cornerstone of Alaskas subsistence harvest. Hundreds of communities, who do not benefit from the states short and constrictive hunting and fishing seasons, are able to utilize FSB-authorized hunts on federal lands to provide for their citizens. If the FSB does not have the authority to authorize or expand federal hunts, as the state claims, then that system upon which so many tribal citizens depends will be upended.

Joel Jackson, President of the Organized Village of Kake Tribal Council, released the following statement:

The Organized Village of Kake, as a federally recognized Tribe, exerts its sovereignty over all aspects of our tribal territory and governance, which includes the responsibility to provide for food security and to address public health crises that threaten the community, including the COVID-19 pandemic. As Alaska Native people, we are only too familiar with the devastation that disease and epidemics can cause to our communities. The State of Alaskas lawsuit is an attack on the right of our people to continue our traditional way of life. Our Tribe is determined to join this lawsuit to defend ourselves and our subsistence way of life.

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