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The Hon. Nick Begich
153 Cannon House Office Building
Washington, DC 20515

July 23, 2025

re: Concerns with Discussion Draft Legislation Proposing Amendments to the Marine Mammal Protection Act

Dear Representative Begich,

I write on behalf of the Alaska Nannut Co-Management Council (ANCC) to express concerns with the process implemented thus far to advance your draft legislation proposing amendments to the Marine Mammal Protection Act (MMPA), and the substance of those proposed amendments.

ANCC is the co-management partner of the U.S. Fish and Wildlife Service for polar bears. It is a tribal organization comprised of the fifteen federally recognized Tribes located in areas of Alaska that intersects with the natural range of two stocks of polar bears – the Chukchi Sea subpopulation, and the Southern Beaufort Sea subpopulation. Two discrete sections of the MMPA also recognize ANCC's existence and role in co-managing polar bears: Section 504 (under Title V), and Section 119 (under Title I).

The citizens and descendants of ANCC's member Tribes have customarily and traditionally harvested and utilized polar bears for subsistence purposes for thousands of years. Polar bears play a significant role in ANCC members' lives. They are a crucial source of nutrition and food security in the Arctic, where fresh sources of protein are scarce and come at a premium price. They are also a significant source of economic stability for our stakeholders, who incorporate polar bears into a variety of traditional handicrafts. Along with other Arctic marine mammals, like bowhead whales, beluga whales, and ice seals, the cultural significance of polar bears is woven throughout millennia of our communities' existence.

ANCC fears that your proposed amendments to the MMPA will negatively impact the sustainability of polar bear stocks and other marine mammal stocks upon which polar bears depend, compromising the ability of Alaska Natives to continue harvesting polar bears for subsistence uses. Any change to the legal landscape that could affect the sustainability of polar bear stocks and the continuity of Alaska Natives' ability to harvest those stocks must involve, not omit, ANCC and other Alaska Native marine mammal co-management organizations (ANOs) from the outset.

ANCC is aware that at least two other ANOs have expressed concerns about your proposed legislation and the process used thus far to advance that proposed legislation through Congress. ANCC shares the concerns raised by the Alaska Beluga Whale Committee (AWBC)



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and the Ice Seal Committee (ISC) in their letters dated July 21, 2025, and July 22, 2025, respectively, and incorporates those concerns into this letter.

As the ISC expressed, engagement with co-management ANOs like ANCC, ABWC, and ISC is crucial to understand how your amendments will impact their subsistence uses of marine mammals. That engagement has to happen at the outset of any legislative process. ANCC is disappointed that you did not directly share your proposed legislation prior to the House Natural Resources Committee's Subcommittee on Water, Wildlife, and Fish hearing held on July 22, 2025, or solicit testimony from any Alaska Native marine mammal subsistence user at that hearing. The MMPA is a complex statute; to effectively amend it, one must acknowledge that complexity, not deny it.

As ABWC noted, it is important that the MMPA's definitions of take and harassment be drafted and interpreted in a preventative and proactive way, not in a permissive way that advantages industry to the detriment of all other stakeholders. The impact that industrial take and harassment has upon the ongoing sustainability of all marine mammal stocks, including polar bear stocks, is inextricably connected to ANCC stakeholders' ability to continue utilizing polar bears for subsistence purposes. Changes to those definitions cannot be made in isolation without acknowledging how those changes will reverberate throughout the entire statutory scheme and undoubtedly impact subsistence.

The citizens and descendants of ANCC's member Tribes currently live and have lived in polar bear habitat for thousands of years, during which time they have continued to utilize and depend upon marine mammal resources. They are the best primary source of information about how your proposed amendments will have direct – and not necessarily positive – impacts upon their lives. As you and your congressional colleagues continue to discuss this proposed legislation, please recall that many of your constituents are ANCC stakeholders and Alaska Natives, and that decisions made about Alaska Natives without Alaska Natives are not made for the benefit of Alaska Natives. ANCC is hopeful that you will consider ANCC stakeholder interests if this proposed legislation advances out of committee, and ANCC is eager to work with your office to recommend changes that could protect subsistence while also acknowledging industry's frustrations.

Sincerely,

Whitney Kellie (Pituk)
Executive Director
Alaska Nannut Co-Management Council



ANCC
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Hon. Dan Sullivan
Indigenous People's Council on Marine Mammals
Marine Mammal Commission
Alaska Eskimo Whaling Commission
Ice Seal Committee
Eskimo Walrus Commission
Alaska Beluga Whale Committee