

Testimony of Megan Onders
Chief, King Island Native Community
Before the House Committee on Natural Resources
Subcommittee on Water, Wildlife and Fisheries
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Distinguished members of the committee, thank you for the opportunity to join you today. My name is Megan Onders and I am a very newly elected Chief of the King Island Native Community. I serve as Chair of the Bering Strait Development Council, our regional economic development organization and serve as the Bering Strait region village representative of the Alaska Federation of Natives Board of Directors. I also serve on the Kawerak Board of Directors, our regional self-governance non-profit for the Bering Strait.

I would like to thank Congressman Begich for introducing H.R. 6021 and I would like to thank the Chairman for putting our Native way of life on the agenda today. I am here to ask for your support, to help us continue a way of life that our ancestors gifted to us. We certainly are very lucky in the United States – the government-to-government relationship that is enshrined in our Constitution has established a foundation for a political relationship between the United States Government and federally recognized Indian tribes. Defining this relationship rests with each generation and our future generations will continue to define it.

In learning who Archie Cavanagh was, it dawned on me, I am of the next generation to advocate for this bill to protect of our way of life and the ways in which we are in relationship with the natural environment that surrounds us. Some of you may remember Congressman Young speaking to this bill. Just as Congressman Begich is the second generation to advocate for this, so am I. In case it takes another generation, I would like to introduce my 11-year-old niece Svea Stimpfle, who came with me from Nome, Alaska, because it's time to get her ready to be a leader, to be an advocate for our Native ways of life.

The *Archie Cavanagh Migratory Bird Treaty Amendment Act* protects the ability of Alaska Natives to sell Native art that is made with non-edible bird parts. Alaska Native art is a critical sector of Alaska's economy, providing important cash income, in places where there is generally no cash employment. Art helps pay the heating bills, which are \$800-\$1000 a month during our winters. Art pays the electric bill. In places with the highest cost of living compared to anywhere in America, due transportation logistics, where every economic good, from milk to eggs, to heating fuel must be flown in or barged in during the summer months.

This bill honors the memory and sacrifice of Archie Cavanagh, who passed away in 2018 at the age of 67. Archie was a highly respected Tlingit musician and artist. In 2012, agents of the U.S. Fish and Wildlife Service told Archie he was in violation of the Migratory Bird Treaty Act of 1918 for utilizing bird feathers in a cultural mask or cultural art that was for sale. He

was fined \$2000 and was threatened with jail time. He is known for his traditional and customary art – meaning he produced art that was inspired by our ancestors and those before us. Like my own community of King Island, the use of bird feathers in our dancing reflects a cultural and spiritual relationship with migratory birds. And it's not cheap to hunt, today we must purchase fuel, guns, ammunition and aluminum boats.

This bill is not only about protecting our culture, but also about justice for Archie – as he highlighted how laws enacted without our consultation nor inclusion outlawed our Native ways of life. Federal agents not only confiscated his cultural headdress that used raven and flicker feathers, but they confiscated his gun – a rifle and family air loom used to feed his family for generations. This should enrage every protector of the 2nd Amendment. He faced jail time for living a way of life that we have inherited from our ancestors.

Alaska Natives are grateful for a 2017 regulation of the U.S. Fish and Wildlife Service that allowed Alaska Natives to sell our authentic arts or clothing that are made of inedible parts of birds that were taken for Native foods, however the regulation did not include feathers – that are used by Alaska Natives in cultural dance ceremony and art – therefore Congressman Young introduced this bill to rectify this. We need your help, your vote and your understanding to continue living, just as our ancestors have.

For your situational awareness, indigenous take of birds is regulated, and we have a seat at the table in the co-management of species through the Alaska Migratory Bird Co-management Council. The AMBCC is composed of federal, state and 12 regional Alaska Native co-management councils. My tribe has a seat on the Bering Strait Norton Sound Migratory Bird Council, along with 19 other tribes in my region. The Council monitors bird populations, reviews research and habitat protection measures, as well as establishes harvest regulations.

The AMBCC is focused on including all 92 subsistence species in the list of birds eligible for use for cultural arts and the ability to sale Native art. In the United States treaty with Japan, the use of only 29 species is permitted. This bill amends the Migratory Bird Treaty to include all 92 species and directs the Secretary of State to work with the Secretary of Interior to establish appropriate bilateral procedures to clarify the treatment of authentic Alaska Native art. The language of this bill has been vetted and is supported by the Alaska Migratory Bird Co-Management Council. I would like to make an additional request for the report language of this bill to ensure that when this bill is signed into law, as the Department of State and the Department of Interior convene meetings with Japan that representation from the Alaska Migratory Bird Co-Management Council is included to amend the treaty.

We must also remain vigilant to groups who may want to diminish our Alaska Native right to hunt and harvest migratory bird species. We have proven 10,000 years of stewardship, long before the 100-year-old history of the Migratory Bird Treaty Act. In fact, the tribes of my region recently won a victory to protect a migratory bird watershed from a reality TV mining

show, that wanted to film the disruption that mining would cause to Native people in their harvest of salmon and bird species in the Solomon watershed, just outside of Nome. It is in our interest to ensure the breeding grounds for migratory birds are protected.

I believe in the principals of economic freedom that are the foundation of this country, and this bill would give us Natives the economic freedom to live our ways of life in relationship with the renewable resources that surround us. It fascinates me the amount of regulation of our indigenous ways of life. Every detail, down to the use of bird feathers in our cultural regalia and our arts and handicrafts requires an Act of Congress.

While economic statistics may share of a picture of unemployment in rural Alaska, that is simply not the case when it comes to our cultural economy. Our bird hunters, who are also marine mammal and land mammal hunters are a labor force, and they work hard and long hours in at times a most unforgiving environment. Our hunters have a knowledge system of the environment and of the species they hunt. The food resources are shared with the communities providing the most nutrient rich – MAHA – most authentic and all natural foods on earth. We are simply blessed. The estimated value of our Alaska Native economy is estimated to be about \$340 million (2019 dollars)¹.

In closing, I thank you for the opportunity to share with you a way of life that is uniquely American – a way of life that belongs to this land. This bill is about our Native economy. Our ways of living in relationship with the land, ocean and the birds, fish, caribou, and marine mammals is a central pillar of the Alaskan economy of hunting, fishing and the selling of our cultural art. This bill preserves our unique cultural identity and expression of respect and spirituality. Another related bill, the Artist Act, authored by Senator Sullivan – protects our ability to sell authentic Native art from walrus ivory. I would like to request this Committee to hold a legislative hearing and markup of the ARTIST Act. It has already passed the Senate.

Again, I thank the members of this committee for your consideration. Thank you, Congressman Begich, for carrying the torch. Thank you for the opportunity to provide testimony.

¹ Alaska Dep't of Fish & Game, Food Production and Nutritional Values of Noncommercial Fish and Wildlife Harvests in Alaska (November 2019), https://www.adfg.alaska.gov/static/home/subsistence/pdfs/Wild_Harvest_Notebook.pdf.