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March Madness on the Hill – Senate Votes to Allow Unsportsmanlike Conduct on Alaskan National Wildlife Refuges

(Washington, D.C.) – Today, the U.S. Senate voted 52 - 47 to use the Congressional Review Act (CRA) to permanently void the Alaska National Wildlife Rule which had prohibited practices such as killing bear cubs and wolf pups along with their mothers in their dens.

“March Madness reached beyond the basketball court to the floor of the U.S. Senate today,” said Geoffrey Haskett, Acting President of the National Wildlife Refuge Association. “Senators have voted to remove a regulation that clarified and codified existing mandates and authorities that these refuges in Alaska are managed under. Those authorities and mandates remain, so this action ensures continued conflict and litigation when these disagreements over conflicting mandates continue to occur.”

Today’s Senate vote seeks to give the state of Alaska the ability to have the final say when it comes to wildlife management actions on national wildlife refuges. That would be a reinterpretation of the U.S. Constitution where in a 1976 ruling regarding a state’s ability to manage wildlife on federal lands, the U.S. Supreme Court stated unequivocally that “we have repeatedly observed that the power over public land thus entrusted to Congress is without limitations.”

“I am profoundly disappointed with today’s Senate vote to permanently repeal the Alaska National Wildlife Refuge Rule,” said Haskett. “The U.S. Fish and Wildlife Service prefers to defer to the State of Alaska on hunting regulations for national wildlife refuges, and the Alaska National Wildlife Refuge Rule was targeted only at specific management practices that conflicted with federal policies.”

Officially titled, “Non-subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska,” the Alaska National Wildlife Refuge Rule was published in August 2016, to clarify certain hunting regulations on Alaskan national wildlife refuges. Specifically, the rule prohibited aggressive predator control activities including the take of mother bears and cubs, take of wolves and pups in their dens, take of brown bears over bait, and aerial gunning.

The rule codified how national wildlife refuges had been managed in Alaska for years and did not affect subsistence hunting, and only applied to lands within the National Wildlife Refuge System. The National Park Service (NPS) has a similar rule on national parks and preservers in

Alaska, but because it was finalized before June 13, 2016, the NPS rule was not subject to the CRA.

The extreme predator control activities identified in the rule are part of the State of Alaska's strategy to artificially increase the populations of popular game species by reducing the population of predator species like wolves and bears. This type of "intensive management" embraced by the State directly conflicts with the U.S. Fish and Wildlife Service's (FWS) guiding principle to manage wildlife to maintain natural biodiversity on national wildlife refuges.

In addition to the U.S. Constitution, today's CRA vote undermines both the National Wildlife Refuge Administration Act, as amended by the National Wildlife Refuge Improvement Act, and the Alaska National Interest Conservation Lands Act which both stipulate that refuges be managed for biodiversity. While the FWS typically defers to the State of Alaska on hunting and trapping regulations on national wildlife refuges, the FWS is the ultimate authority on Alaskan refuges and has the legal right to prohibit management strategies that are inconsistent with federal laws and policy.

"This is a disheartening result for those who dedicated years of hard work to implement the Alaska National Wildlife Refuge Rule, and for all who value America's wildlife," said Haskett. "Despite this setback, today's outcome has strengthened our resolve to continue fighting for our National Wildlife Refuge System."

The National Wildlife Refuge Association will continue to work tirelessly to defend the Refuge System from future attacks and to support good conservation policy that protects our wildlife conservation heritage for all and future generations of Americans.

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The mission of the National Wildlife Refuge Association is to conserve America's wildlife heritage for future generations through strategic programs that protect and enhance the National Wildlife Refuge System and the landscapes beyond its boundaries.