

SUBSISTENCE REGIONAL ADVISORY COUNCIL CORRESPONDENCE POLICY

Introduction

The Federal Subsistence Board (Board) recognizes the value of the Regional Advisory Councils' (Councils) role in the Federal Subsistence Management Program. The Board realizes that the Councils must interact with fish and wildlife resource agencies, organizations, and the public as part of their official duties and that such interactions may include written correspondence. This policy formalizes correspondence preparation guidance from the Board to the Councils with the intent of ensuring that the Councils can correspond effectively and appropriately with the Board and other entities.

The Alaska National Interest Lands Conservation Act (ANILCA), Title VIII required the creation of the Councils to serve as advisors to the Secretary of the Interior and the Secretary of Agriculture and to provide meaningful local participation in the management of fish and wildlife resources on Federal public lands. Within the framework of Title VIII and the Federal Advisory Committee Act, Congress assigned specific powers and duties to the Councils. These are also reflected in the Councils' charters. (Reference: ANILCA Title VIII §805, §808, and §810; Implementing regulations for Title VIII, 50 CFR 100 .11 and 36 CFR 242 .11; Implementing regulations for FACA, 41 CFR Part 102-3.70 and 3.75)

The Secretaries of the Interior and Agriculture created the Board and delegated to it the responsibility for managing the take of fish and wildlife resources on Federal public lands and waters. The Board was also given the duty of establishing rules and procedures for the operation of the Councils (50 CFR 100.10(d)(4)(xiv) and the 36 CFR 110.10(d)(4)(xiv)). The Secretaries created the Office of Subsistence Management (OSM) to facilitate the work of the Federal Subsistence Management Program.

Policy

1. Council correspondence shall be limited to subsistence-related matters, including the operation of the Federal Subsistence Management Program and issues relevant to the subsistence way of life. \
2. Councils are encouraged to correspond directly with the Board. The Councils are advisory bodies to the Board.
3. Councils are urged to use the annual report process to bring matters to the Board's attention.
4. Other types of communication encompassed by this policy include, but are not limited to, the following: letters of support, resolutions, letters offering comment or recommendations, ANILCA §810 comments (subsistence and land use decisions), and any other correspondence to any government agency or any tribal or private organization or individual.
5. The correspondence process is as follows:
 - a. Councils shall discuss and agree upon the contents of proposed correspondence during a public meeting.
 - b. Modifications identified as necessary by the ARD will be discussed with the Council chair. Councils will make the modifications before sending out the correspondence.

- c. Council Chair may initiate correspondence to meet public comment deadlines that fall in between Council meetings. In those cases the content of the letter shall be limited to the known majority views of the Council as discussed in previous meetings. If such views are unknown, then the Council Chair is encouraged to submit individual comments in lieu of Council comments.
 - d. Council Chair(s) will review a final copy, approve, and sign correspondence.
 - e. Council Coordinators will transmit all correspondence to the Assistant Regional Director of OSM (ARD) for review prior to mailing, except as noted in items 6, 7, and 8 of this policy.
 - f. Recognizing that such correspondence may be urgent, the ARD will respond in a timely manner.
 - g. Modifications identified as necessary by the ARD will be discussed with the Council Chair(s). Council Chair(s) have the final authority to approve letters.
6. Councils may submit notification of appointment directly to Subsistence Resource Commissions under ANILCA §808 without review by the ARD.
 7. Councils may submit comments regarding proposed regulatory changes affecting subsistence uses within their regions to the Alaska Board of Fisheries and the Alaska Board of Game without review by the ARD. The comments will be reviewed by the appropriate OSM divisions' supervisors for clarity. A copy of comments or proposals will be forwarded to the ARD when the document is submitted.
 8. Administrative correspondence such as letters of appreciation, requests for agency reports at Council meetings, and cover letters for meeting agendas will be drafted by the Council Coordinator and reviewed by the appropriate OSM division supervisor.
 9. Councils may not initiate correspondence with and write directly to elected officials and political appointees in any federal agencies, including the Secretaries of the Interior and Agriculture. Instead, the Councils must write to the Board with a request to forward their correspondence to the Secretaries of the Interior and Agriculture, who, in turn, may forward this correspondence on relevant subject matter to other federal agencies at the Secretarial level. This does not prohibit Council members from acting in their capacity as private citizens or through other organizations with which they are affiliated.
 10. Councils will submit copies of all correspondence generated and received by them to OSM to be filed in the administrative record system in accordance with the requirements of the Federal Records Act and the Federal Advisory Committee Act.

Adopted June 15, 2004.

Revised February 7, 2024