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BACKGROUND OF THE KARLUK CASE

Karluk is an Aleutian coastal community on Kodiak Island, Alaska. The village, whose population is now about 200, has existed from time immemorial. It was there when the earliest explorers--Russians--first visited the region in the 18th Century, and there are records of village sales of large quantities of fish to the Russians as early as 1795.

Throughout its existence the village has depended for its livelihood on the salmon runs of the Karluk River which make the Karluk fishing grounds--the river mouth and a few miles of beach along the coast--one of the most productive red salmon areas in the world. It is shallow enough to permit native fishing from the beach with simple gear.

Commercial salmon fishing and canning companies, as they took predominant control of Alaskan salmon fishing waters, encroached more and more upon the fishing grounds of Karluk village. By 1942, their infringements upon Karluk fishing areas and operations threatened to reduce the villagers to public charges of the Federal Government. The Karluk natives were compelled to vacate their own fishing grounds, preempted by the companies, and conduct operations in a far corner of the lagoon, known as the "Rock Dump", where a few chance salmon could be secured. Meanwhile intensive exploitation by the large companies threatened extinction of the salmon supply in the Karluk region.

The United States Government has a solemn obligation toward the natives of Karluk and all other natives of Alaska undertaken in the signing of the Treaty of Cession by which Alaska was secured from Russia in 1867. Clause 3 of that Treaty pledged that the natives would "be maintained and protected in the free