

Introduced: 4/12/79
Referred: Resources

1 IN THE HOUSE

BY FREEMAN AND ELIASON

2 HOUSE JOINT RESOLUTION NO. 43

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 Relating to amendments to the 1906
6 Antiquities Act and the Federal Land
7 Policy and Management Act of 1976.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 WHEREAS the vast areas of land in Alaska withdrawn under the 1906 Anti-
10 quities Act and the Federal Land Policy and Management Act of 1976 by the
11 President of the United States and the Secretary of the Interior far exceed
12 any reasonable concern for the temporary protection of the land until such
13 time as Congress can dispose of it as provided for in 17(d)(2) of the Alaska
14 Native Claims Settlement Act of 1971; and

15 WHEREAS the 1906 Antiquities Act was originally intended to protect
16 archaeological sites in the Southwest, and not to close large tracts of land
17 to exploration for and development of oil, gas, minerals, and other natural
18 resources; and

19 WHEREAS the effect of creating 17 national monuments in Alaska, covering
20 approximately 56,000,000 acres under the 1906 Antiquities Act, and with-
21 drawing approximately 40,000,000 acres under sec. 204(c) of the Federal Land
22 Policy and Management Act of 1976, not only prevents the exploration for and
23 utilization of natural resources for the benefit of the whole Nation, but
24 also blocks access to adjacent areas which have high natural resources
25 potential; and

26 WHEREAS it makes no sense that while the Nation is experiencing a
27 continuing and increasing dependency on foreign oil at great cost, and fre-
28 quently from unstable and unreliable foreign sources, the Nation should
29 foreclose opportunities for development of energy resources and non-fuel

1 minerals at home; and

2 WHEREAS a majority of the American public favors exploration for energy
3 resources within federal wilderness areas;

4 BE IT RESOLVED that the Alaska State Legislature wholeheartedly supports
5 proposed legislation presently being circulated in Congress that would curb
6 the powers of the President of the United States and of the Secretary of the
7 Interior to arbitrarily withdraw federal land under the 1906 Antiquities Act
8 and the Federal Land Policy and Management Act of 1976 without Congressional
9 approval; and be it

10 FURTHER RESOLVED that the Alaska State Legislature favors an amendment
11 to the 1906 Antiquities Act to require that the creation of any national
12 monument in excess of 5,000 acres under the Act be approved by the Congress
13 by concurrent resolution; and be it

14 FURTHER RESOLVED that existing land uses, including hunting, mining,
15 guiding, hiking, boating, and use of motorized vehicles, not impacting the
16 historic or archaeological sites or remains for which a national monument was
17 created under the 1906 Antiquities Act, be allowed to continue; and be it

18 FURTHER RESOLVED that a more precise definition of "objects of historic
19 or scientific interest" as used in the 1906 Antiquities Act be required to
20 avoid having almost any land proclaimed a national monument; and be it

21 FURTHER RESOLVED that sec. 204(c) of the Federal Land Policy and Manage-
22 ment Act of 1976 be amended to require Congressional approval for administra-
23 tive land withdrawals instead of the existing Congressional veto.

24 COPIES of this resolution shall be sent to the Honorable Jimmy Carter,
25 President of the United States; the Honorable Cecil D. Andrus, Secretary of
26 the Interior; the Honorable Henry S. Jackson, Chairman of the Senate
27 Committee on Energy and Natural Resources; the Honorable Morris K. Udall,
28 Chairman of the House Committee on Interior and Insular Affairs; the
29 Honorable John B. Breaux, Chairman of the House Subcommittee on Fisheries and

1 Wildlife Conservation and the Environment; the Honorable John M. Murphy,
2 Chairman of the House Committee on Merchant Marine and Fisheries; the members
3 of the Special Task Force on Alaska Lands; John W. Katz, Special Counsel to
4 the Governor of Alaska on (d)(2) Lands; Earl Miller, President of the
5 Citizens for the Management of Alaska Lands; and to the Honorable Ted Stevens
6 and the Honorable Mike Gravel, U. S. Senators, and the Honorable Don Young,
7 U. S. Representative, members of the Alaska delegation in Congress.

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