



1 1988, to extend the territorial sea of the United States from three nauti-  
2 cal miles to 12 nautical miles, consistent with customary international law  
3 but failed to address its effect on the territorial jurisdiction of the  
4 states; and

5 WHEREAS legal arguments and sound public policy both support the  
6 conclusion that the extension of the territorial sea to 12 nautical miles  
7 by the federal government also extends state jurisdiction to 12 nautical  
8 miles; and

9 WHEREAS the United States Congress has defined the extent of state  
10 jurisdiction by express reference to the term "territorial sea" in numerous  
11 statutes in the United States Code; and

12 WHEREAS the Alaska Statehood Act provides that the State of Alaska  
13 consists of the former Territory of Alaska, "together with the territorial  
14 waters appurtenant thereto"; and

15 WHEREAS all coastal states currently have jurisdiction over the land,  
16 air, water, and resources within their boundaries, which, at a minimum,  
17 extend out to three nautical miles; and

18 WHEREAS the Great Lakes States currently have jurisdiction over the  
19 land, air, water, and resources of their offshore areas, which range from  
20 11 to 80 nautical miles and possibly more offshore; and

21 WHEREAS some Gulf of Mexico States currently have jurisdiction over  
22 the land, air, water, and resources of offshore areas extending nine nauti-  
23 cal miles offshore; and

24 WHEREAS Alaska and the other coastal states have consistently demon-  
25 strated an ability to manage ocean resources in a manner consistent with  
26 the interests of both the nation as a whole and the several coastal states;  
27 and

28 WHEREAS Alaska and the other coastal states have demonstrated both  
29 experience and skill at balancing protection, conservation, and utilization

1 of the living and nonliving resources of the ocean out to three nautical  
2 miles and beyond; and

3 WHEREAS Alaska and the other coastal states are better equipped than  
4 the federal government, in terms of fiscal resources and administrative  
5 abilities, to manage fisheries, minerals, and oil and gas resources within  
6 12 nautical miles of the coast line; and

7 WHEREAS it is not in the interest of the nation as a whole, nor in the  
8 interest of the several coastal states, to leave for judicial resolution  
9 the myriad questions regarding the effect on state jurisdiction of the  
10 extension of the territorial sea to 12 nautical miles by the federal gov-  
11 ernment; and

12 WHEREAS the United States Congress has the authority under the Com-  
13 merce Clause (art. I, sec. 8, cl. 3), the Necessary and Proper Clause (art.  
14 I, sec. 8, cl. 18), and the Property Clause (art. IV, sec. 3, cl. 2) of the  
15 United States Constitution to resolve these myriad questions in a manner  
16 consistent with the interests of both the nation as a whole and the several  
17 coastal states;

18 BE IT RESOLVED that the Alaska State Legislature respectfully urges  
19 the United States Congress to address the myriad questions of the effect of  
20 the extension of the territorial sea to 12 nautical miles by the federal  
21 government on state jurisdiction and to resolve those questions in a manner  
22 consistent with the interests of both the nation as a whole and the several  
23 coastal states; and be it

24 FURTHER RESOLVED that the Alaska State Legislature respectfully re-  
25 quests the United States Congress to

26 (1) recognize and confirm the sovereign jurisdiction of the State  
27 of Alaska and the other coastal states over the territorial sea and air  
28 space above the territorial sea, including sovereign jurisdiction over  
29 living and nonliving resources found there, from the baseline from which

1 the territorial sea is measured out to 12 nautical miles; and

2 (2) transfer to, and confirm in, the State of Alaska and the  
3 other coastal states title to the submerged land underlying the territorial  
4 sea out to 12 nautical miles, and recognize and confirm the sovereign  
5 jurisdiction of the State of Alaska and the other coastal states over that  
6 submerged land and the living and nonliving resources on or in the seabed  
7 and subsoil there.

8 COPIES of this resolution shall be sent to the Honorable George Bush,  
9 President of the United States; the Honorable Dan Quayle, Vice-President of  
10 the United States and President of the U.S. Senate; the Honorable Thomas S.  
11 Foley, Speaker of the U.S. House of Representatives; the Honorable James A.  
12 Baker, III, U.S. Secretary of State; the Honorable Robert A. Mosbacher,  
13 Sr., U.S. Secretary of Commerce; the Honorable John Knauss, Administrator  
14 of the National Oceanic and Atmospheric Administration; the Honorable James  
15 W. Brennan, Assistant Administrator for Fisheries, National Marine Fisher-  
16 ies Service; the Honorable Ernest F. Hollings, Chairman of the U.S. Senate  
17 Committee on Commerce, Science, and Transportation; the Honorable J.  
18 Bennett Johnston, Chairman of the U.S. Senate Committee on Energy and Natu-  
19 ral Resources; the Honorable Quentin N. Burdick, Chairman of the U.S.  
20 Senate Committee on Environment and Public Works; the Honorable Claiborne  
21 Pell, Chairman of the U.S. Senate Committee on Foreign Relations; the  
22 Honorable Dante B. Fascell, Chairman of the U.S. House of Representatives  
23 Committee on Foreign Affairs; the Honorable John Conyers, Jr., Chairman of  
24 the U.S. House of Representatives Committee on Government Operations; the  
25 Honorable Morris K. Udall, Chairman of the U.S. House of Representatives  
26 Committee on Interior and Insular Affairs; the Honorable Jack Brooks,  
27 Chairman of the U.S. House of Representatives Committee on the Judiciary;  
28 the Honorable Walter B. Jones, Chairman of the U.S. House of Representa-  
29 tives Committee on Merchant Marine and Fisheries; the governor, president

1 of the senate, and speaker of the house of representatives of each of the  
2 coastal states of the United States; and to the Honorable Ted Stevens and  
3 the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young,  
4 U.S. Representative, members of the Alaska delegation in Congress.