

SCOMM

108:6



Official Business

MEMBER
Natural Resources
Committee

Alaska State Legislature

Chair, Legislative Council
Chair, World Trade
And
State/Federal Relations

REPRESENTATIVE
RAMONA L. BARNES
District 22

Anchorage
P.O. Box 103382
Anchorage, AK 99510
(907) 258-8163

State Capitol
Juneau, AK 99801-1182
(907) 465-3438

MEMORANDUM

TO: Members of the House Committee on World Trade &
State/Federal Relations

FROM: Representative Ramona Barnes, Chair
House Committee on World Trade & State/Federal Relations

DATE: February 21, 1997

SUBJECT: **MEETING NOTICE**

I have scheduled a meeting for 1 p.m. to 3 p.m. Wednesday, February 26th in the House Resources Committee Room (#124) to hear House Joint Resolution 22, "Relating to the maritime boundary between Alaska and the former Union of Soviet Socialist Republics."

For additional information, please call Mark #6585.

Alaska State Legislature



While in Session:
State Capitol Building
Juneau, Alaska 99801-1182
907-465-3719
Fax 907-465-3258

Interim:
119 N. Cushman, Suite 211
Fairbanks, Alaska 99701-2879
907-456-5081
Fax 907-456-8245

Representative Al Vezey

February 17, 1997

From: Representative Al Vezey ✓
State Capitol, Rm. 13
Juneau, Alaska 99801-1182
(907) 465-3179

To: Representative Ramona Barnes, Chairman
Spec. Cmte World Trade & State/Fed. Relations
State Capitol Building, Room 403
Juneau, Alaska

Re: Request for Hearing on HJR22

I respectfully request a hearing on HJR22, "*Relating to the maritime boundary between Alaska and the former Union of Soviet Socialist Republics*" in the **Special Committee on World Trade and State/Federal Relations** at your earliest opportunity and convenience.

I would appreciate your favorable consideration of this request.

Alaska State Legislature

Interim Address:
119 N. Cushman, Suite 211
Fairbanks, AK 99701
(907)-456-5081
Fax# (907)-456-8245
Official Business



Session Address:
Room 13
State Capitol
Juneau AK
99801-1182
(907)-465-3719

2/21/97

Representative Al Vezey

HJR 22 SPONSOR STATEMENT

Currently the boundary between Russia and Alaska is a matter of dispute. At issue is a vast amount of seabed equivalent to an area the size of the state of Texas. Under U.S. Constitutional law Alaska has a right to participate in any negotiations affecting its boundaries and Alaska must concur in any changes that are made.

The current boundary dispute arises from two main sources. When the United States purchased Alaska from Russia in 1867 each party received a hand drawn map showing the Territory of Alaska being sold to the United States.

Then in 1881 Wrangel Island was discovered by an exploration and rescue party lead by Lt. Berry commanding the U.S. revenue cutter Rodgers. There is a body of evidence to establish that the Treasury Department (the governing body for Alaska for much of the 19th Century) added this newly discovered territory to the Territory of Alaska.

In 1924 Soviet Forces took Wrangel Island by force and interned its American inhabitants. The United States maintained its territorial sovereignty over Wrangel Island until as recently as 1976.

In 1977 the United States established the 200 mile Exclusive Economic Zone which was soon adopted by the rest of the world. All of sudden there was renewed interest in who owned which Island. Given a 200 mile EEZ, a single rock in the ocean could qualify a country for 30,000 square miles of seabed over which it would hold the right of an Exclusive Economic Zone.

When the United States and Russia sat down to work out the details of determining and managing their EEZ's, they discovered that the

two hand drawn maps did not agree with each other. In question where several small islands in the western Aleutians, and some other rocks in the Bering Sea.

In addition the Russians and the Americans could not agree on how to interpret the line drawn on the map between Russian and Alaska. Was it an arc of a great circle as the U.S. maintained or was it a rump line (a straight line projected onto a globe)? The difference can be as much as a 50 mile east-west shift in a boundary line.

Over Alaska's and California's protest, the U.S. entered into boundary negotiations without the participation of representatives from Alaska. The U.S. Senate subsequently ratified the proposed treaty without the consent of Alaska.

At the same time the Soviet Union broke up and the successor Russian government never ratified the treaty.

The boundary between Russia and Alaska remains unresolved as does the status of the territory of Wrangel Island and other islands in the Arctic Ocean. Someday this matter will have to be resolved and Alaska has a right to a place at the bargaining table.

FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. HJR 22

Relating to the maritime boundary
Title: between Alaska and the former Union of
Soviet Socialist Republics
Sponsor: Representative Al Vezey
Requestor: H. World Trade & State/Fed. Relations Comm.

Dept. Affected _____
BRU: _____
Components: _____
Serial # _____

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants, Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
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REVENUE	0.0	0.0	0.0	0.0	0.0	0.0
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FUNDING: (THOUSANDS OF DOLLARS)

General Fund	0.0	0.0	0.0	0.0	0.0	0.0
Federal Fund	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

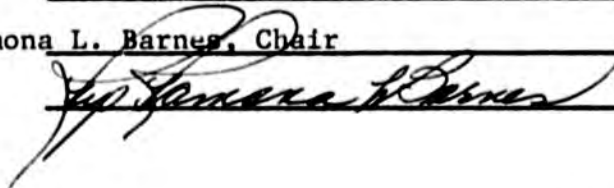
POSITIONS:

Full-Time	0	0	0	0	0	0
Part-Time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

see attached analysis This resolution has no impact on state agencies.

Prepared by: H. World Trade & State/Fed. Relations Comm by
Rep. Ramona L. Barnes, Chair



Date: February 20, 1997
Phone: 465-3438
Phone: _____

Carl Olson 812 223 8080 P. 02

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

October 13, 1987

STEVE COWPER, GOVERNOR

REPLY TO:

☐ 1031 W 4th AVENUE
SUITE 200
ANCHORAGE, ALASKA 99501-1994
PHONE. (907) 276-3550

☐ 1st NATIONAL CENTER
100 CUSHMAN ST.
SUITE 400
FAIRBANKS, ALASKA 99701-4679

☒ P.O. BOX K—STATE CAPITOL
JUNEAU, ALASKA 99811-0300
PHONE. (907) 465-3600

R. Brian Kidney
Assistant Chief Clerk
Assembly
California Legislature
State Capitol
Sacramento, California 95814

Re: Assembly Joint Resolution
No. 37, relative to the
boundaries of Alaska

Dear Mr. Kidney:

Alaska Governor Steve Cowper asked that I respond to your September 24, 1987 letter which invited our attention to Assembly Joint Resolution No. 37, relating to the boundaries of Alaska.

On behalf of Governor Cowper and all Alaskans, please communicate our thanks for this resolution of support for Alaska sovereignty. As the California Legislature correctly notes, states have "an essential and overriding interest" in the negotiation of the United States' international boundaries when the negotiation may have the effect of altering state boundaries. The United States currently has disputes with Canada over boundary delimitation in Dixon Entrance to the south of Alaska and the Beaufort Sea to the north, as well as the dispute with the Soviet Union to the west.

The United States Supreme Court has repeatedly noted that the treaty power does not authorize the federal government unilaterally to divest a state of territory without its consent. See, e.g., DeGeofroy v. Riggs, 133 U.S. 258, 33 L.Ed. 642, 645 (1890); Fort Leavenworth R.R. Co. v. Lowe, 114 U.S. 525, 541 (1885). Rest assured that Alaska will fully assert its sovereign rights in this regard.

R. Brian Kidney
Assistant Chief Clerk

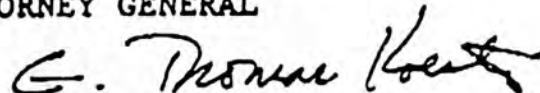
October 13, 1987
Page 2

We appreciate California's support in this effort.
Thank you for communicating our appreciation to both houses of
the California Legislature.

Sincerely,

GRACE BERG SCHAIBLE
ATTORNEY GENERAL

By:



G. Thomas Koester
Assistant Attorney General

GTK:dlm

cc: Honorable Ted Stevens
United States Senate
522 Hart Building
Washington, D.C. 20510

Honorable Frank N. Murkowski
United States Senate
709 Hart Building
Washington, D.C. 20510

Honorable Donald E. Young
House of Representatives
2331 Rayburn House Office Bldg.
Washington, D.C. 20515

Rosita Worl
Special Assistant
Office of the Governor
(CTS #87272HDC0001)

John Katz
Special Counsel, State/Federal Relations
Office of the Governor

David A. Colson
Assistant Legal Adviser
United States Department of State
Room 6420
Washington, D.C. 20520

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Assistant Legal Adviser
United States Department of State
Room 6420
Washington, D.C. 20520

John Briscoe, Esq.

Michael W. Reed, Esq.



California Republican Party

1903 West Magnolia Blvd. • Burbank, California 91506 • (818) 841-5210

Bob Naylor
Chairman

Frank Visco
State Vice Chairman

Certi B. Thomas
Regional Vice
Chairman North

Beth Ahlf
Regional Vice
Chairman Central

Mrs. Phil Moore
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Chairman South

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Secretary

Marcia Gilchrist
First Assistant Secretary

Bill Hawkins
and Assistant Secretary

Howard G. Schaefer
Treasurer

Brian O'Toole
Assistant Treasurer

Hon. Clair Burgener
National Committeeman

Esther Greene
National Committeewoman

James Dignan
President, County Chairmen's
Association

January 29, 1988

Honorable Ronald Reagan
The President of the United States
The White House
Washington, D.C. 20500

Dear Mr. President:

Enclosed is a copy of a resolution relative to the Alaska Boundary Negotiations which passed unanimously at our last California Republican Party Convention.

I ask that you consider the support by the California State Legislature with respect to Joint Resolution 37, and our membership's convictions on the matter of involving the State of Alaska in boundary negotiations with the Soviet Union.

Respectfully,

Robert Naylor
Chairman

cc: Vice President George Bush
Hon. Jim Wright,
Speaker of the House
Steve Cowpers,
Governor of Alaska
California Congressional Delegation

PASSED BY CALIFORNIA REPUBLICAN PARTY IN
CONVENTION, ANAHEIM, CALIFORNIA
SEPTEMBER 27, 1987

RESOLUTION

RELATIVE TO ALASKA BOUNDARY NEGOTIATIONS

SUBMITTED BY: CARL OLSON

WHEREAS, A resolution was passed by the California State Legislature Joint Resolution 37, authored by Marian LaFollette (38 AD) and co-authored by Assemblymen William Leonard, Gil Ferguson, Nolan Frizzelle, Eric Seastrand, John Lewis, Bill Bradley, Stan Statham, Gerald Felando, and Phil Wyman, and by Senators Don Rogers and Ed Royce supporting the State of Alaska in boundary negotiations with the Soviet Union; and

WHEREAS, The boundaries of the State of Alaska are of vital concern to the state government of Alaska; and

WHEREAS, The essence of sovereignty of a state within America's federal system requires that a state government have complete and unambiguous jurisdiction over well-defined geographical boundary lines; and

WHEREAS, Any time that boundaries of a state are to be altered in any way, that state has an essential and overriding interest in the determination of the boundary; and

WHEREAS, Alaska is unique among all American states in that it is the only state with the potential for having boundaries with more than one foreign country (Canada and the Soviet Union); and

WHEREAS, Boundaries with foreign countries and a state are, and ought to be, coterminous with America's national boundaries with those foreign countries; and

WHEREAS, Negotiations are underway between the United States Department of State and the government of the Soviet Union over setting boundaries between the United States and the Soviet Union, and there have been at least seven rounds of negotiations on this issue since 1981; and

WHEREAS, The economic issues of petroleum, fishery, and other valuable resources have great impact on Alaska's welfare and prosperity; and

WHEREAS, At no time has the United States Department of State allowed, or even offered to invite, a representative of the state government of Alaska to be on any negotiating delegation, or has it formally solicited the input or advice of the state government of Alaska over the content or form of these negotiations; and

WHEREAS, These negotiating delegations that the United States Department of State has assembled have included representatives of various other agencies of the federal government; and

WHEREAS, It is settled procedure for negotiations of boundaries that representatives of any affected state not only must be included in the negotiations, but also must consent to the proposed terms of the boundary treaty (such as was the case when Secretary of State Daniel Webster negotiated with Great Britain in 1842 over the boundary between Canada and the State of Maine); and

WHEREAS, The usurpation of one state's rights and sovereignty is an attack on the entire federal system of the United States of America; now, therefore, be it

RESOLVED, That the California Republican Party supports the State of Alaska in its rightful position of participation in any boundary negotiations involving its boundaries with the Soviet Union or Canada; and, be it further.

RESOLVED, That the California Republican Party urges the President and U.S. Congress to ensure that any terms and conditions of any boundary agreement with respect to Alaska's boundaries is consented to by the State of Alaska, and that any such boundary agreement is drafted in the form of a treaty or ratification by the United States Senate; and, be it further

RESOLVED, That the Secretary is directed to transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States, and to the Governor of Alaska.



The California Republican Assembly

RESOLUTION

SOVIET EMPIRE'S CLAIM TO 5 ALASKAN ISLANDS

WHEREAS: The following five islands located in the Arctic Circle adjoining Alaska: Henrietta, Jeanette, Bennett, Wrangell, and Herald were discovered by United States explorers, and have been claimed by the United States Government since 1881, and

WHEREAS: the Soviet Empire ^{is} negotiating with our State Department for the ^{legal} possession of these islands; therefore be it

RESOLVED: that the Board of Directors urges our members of Congress to oppose the Soviet Empire's claim to these islands which are known to be rich in oil and are strategically located; and be it further

RESOLVED: that our State Department be unyielding to the Russian demands; and be it further

RESOLVED: that this mandate of the January 18, 1987 CRA Board of Directors meeting be forward to : The President of the United States, United State Secretary of State, President Pro-tem of the United States Senate, Speaker of the House of Representatives, and Chairpersons of the Foreign Affairs Committess of both the United States Senate and the House of Representatives.

Adopted January 18, 1987
Board Meeting, Ontario, Calif.

Dr. Ralph Waugh, President
40646 16th Street West
Palmdale, Calif. 93550
805-948-5061, 273-2233



The California Republican Assembly

Bob Byerley, President
1230 Essex Drive
Fairfield, California 94533
707-422-9696

Be it resolved by the California Republican Assembly to urge each of the Republican members of the State Senate and Assembly to sponsor or co-sponsor the attached resolution in support of the State of Alaska regarding its fight to be included in the U.S. State Department's negotiations of an international boundary with the Soviet Union.

Adopted in Convention
March 29, 1987
Irvine, California

RESOLUTION OF SUPPORT FOR STATE OF ALASKA
IN BOUNDARY NEGOTIATIONS WITH SOVIET UNION AND CANADA

Whereas the boundaries of the State of Alaska are of vital concern to the State Government of Alaska, and
Whereas the essence of sovereignty of a State within America's federal system requires that a State Government have complete and unambiguous jurisdiction over well-defined geographical boundary lines, and
Whereas any time that boundaries of a State are to be altered in any way, that State has an essential and overriding interest in the determination of the boundary, and
Whereas Alaska is unique among all American States in that it is the only State with the potential for having boundaries with more than one foreign country (i.e. Canada and the Soviet Union), and
Whereas boundaries with foreign countries and a State are, and ought to be, coterminous with America's national boundaries with said foreign countries, and
Whereas negotiations are underway between the U.S. Department of State and the government of the Soviet Union over setting boundaries between the United States and the Soviet Union, and
Whereas there have been at least ~~six~~^{seven} rounds of negotiations on this issue since 1981, and
Whereas the economic issues of petroleum, fishery, and other valuable resources have great impact on Alaska's welfare and prosperity, and
Whereas at no time has the U.S. Department of State allowed, or even offered to invite, a representative of the State Government of Alaska to be on any said delegation, nor has it formally solicited the input or advice of the State Government of Alaska over the content and/or form of these negotiations, and
Whereas these negotiating delegations that the U.S. Department of State has assembled has included representatives of various other agencies of the Federal Government, and
Whereas it is settled procedure for negotiation of boundaries that representatives of any affected State not only must be included in the negotiations, but also must consent to the proposed terms of the boundary treaty (such as was the case when Secretary of State Daniel Webster negotiated with Great Britain in 1842 over the boundary between Canada and the State of Maine), and
Whereas a usurpation of one State's rights and sovereignty is an attack on the entire Federal system of the United States of America,

CALIFORNIA

Therefore be it resolved by the State of _____
to support the State of Alaska in its rightful position of participation in any boundary negotiations involving its boundaries with the Soviet Union or Canada, and
Be it further resolved that any terms and conditions of any boundary agreement with respect to Alaska's boundaries must be consented to by the State of Alaska, and that any such boundary agreement must be drafted in the form of a treaty for ratification by the U.S. Senate.

Introduced: 2/4/88
Referred: State Affairs

5-1777A

Passed State Senate on vote of
18-0 (2 absent) on Feb. 24, 1988.

1 IN THE SENATE

BY FISCHER

2

SENATE JOINT RESOLUTION NO. 61

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

Requesting the Government of the United

6

States to reassert jurisdiction over

7

Wrangel Island, Herald Island, Henrietta

8

Island, Jeannette Island, and Bennett

9

Island together with the surrounding

10

outer continental shelf within the

11

American waters of the Chukchi Sea and

12

the East Siberian Seas and to pay the

13

State of Alaska compensation for damages

14

from their loss.

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

16 WHEREAS Alaskans and other Americans remain justifiably grateful for

17 the fortitude shown by Captain Thomas Long and the crew of the whaling bark

18 "NILE" from New London, Connecticut who, on August 14, 1867, were the first

19 to confirm the existence of a 1,740 square mile island in the Chukchi Sea;

20 and

21 WHEREAS Wrangel Island, named by Captain Long after the former gover-

22 nor of Russian Alaska Baron Ferdinand Petrovich von Wrangel, is located

23 some 270 miles northwest of Cape Lisburne, Alaska and is larger than the

24 State of Rhode Island; and

25 WHEREAS Captain Long was the first to sight and to describe Wrangel

26 Island, and the first recorded landing on the island occurred August 12,

27 1881, when Captain Calvin L. Hooper, commander of the Bering Sea Patrol, a

28 division of the U.S. Treasury Department and as such, the de facto governor

29 of Alaska, landed at Clark River on the eastern coast of Wrangel Island

1 and, with his fellow officers and John Muir (who later founded the Sierra
2 Club) raised the American flag and took possession of the island in the
3 name of the United States; and

4 WHEREAS Captain Hooper was engaged in a Congressionally sponsored
5 effort to rescue the "JEANNETTE," a vessel engaged in Arctic research that
6 was locked in ice floes and subsequently lost and therefore Captain Hooper
7 had the authority to claim Wrangel Island for the United States; and

8 WHEREAS Wrangel Island became a part of the United States by right of
9 confirmed discovery and first possession and, later, a permanent settle-
10 ment; and

11 WHEREAS Wrangel Island and its nearby satellite island Herald Island
12 were placed by the United States Coast and Geodetic Service within the
13 District and later Territory and State of Alaska in publications from 1900
14 through 1977; and

15 WHEREAS the De Long Islands of Henrietta, Jeannette, and Bennett were
16 first discovered in the East Siberian Sea and were claimed and named by
17 U.S. Navy Commander George W. De Long during his 1879 - 1881 expedition
18 into the Arctic where the commander and his crew died when their ship, the
19 "JEANNETTE," was crushed and sunk by ice floes; and

20 WHEREAS the first permanent settlement on Wrangel Island occurred when
21 the American ship "SILVER WAVE" landed a party on the island on
22 September 15, 1921, and raised the American flag over the island under the
23 direction of Captain Jack Hammer; and

24 WHEREAS the party from the "SILVER WAVE" landed with provisions for
25 only six months as they stated that they planned to sustain themselves by
26 hunting; and

27 WHEREAS the relief vessel in 1922 was blocked by ice floes; and

28 WHEREAS when the relief vessel "DONALDSON" arrived on August 23, 1923,
29 the only survivor of the 1921 expedition was an Eskimo seamstress named Ada

1 "Blackjack" Johnson, who died just a few years ago in Alaska; and
2 WHEREAS a new party led by Charles Wells of Uniontown, Pennsylvania
3 continued settlement on Wrangel Island; and
4 WHEREAS on May 13, 1924, Secretary of State Charles Evans Hughes
5 stated that the American Lomen Brothers were the proprietary owners of
6 Wrangel Island; and
7 WHEREAS on August 20, 1924, an armed party from the Soviet gunboat
8 "RED OCTOBER" landed on Wrangel Island, took Wells and the other Americans
9 by force, and told them that they were being returned to Alaska; and
10 WHEREAS notwithstanding their promises, they took the Americans to
11 Vladivostok and confiscated the pelts that the American trappers had accu-
12 mulated during the 12 bitter months on the island; and
13 WHEREAS the Americans who survived their ordeal in Vladivostok were
14 released following the intervention of the American consul at Harbin,
15 Manchuria but Charles Wells and two residents of Alaska died while detained
16 by the Soviet government; and
17 WHEREAS the residents of Alaska who survived their ordeal in Soviet
18 Siberia were all from Golovin Bay, Alaska and they survived notwithstanding
19 the severe physical and emotional trauma resulting from the assault, kid-
20 napping, false imprisonment, theft of property together with other vio-
21 lations of American and Alaska law by the agents of the Soviet regime; and
22 WHEREAS after seizing Wrangel Island, the Soviet government proceeded
23 to seize more American soil by occupying the nearby and defenseless Herald
24 Island; and
25 WHEREAS the Soviet government subsequently asserted a spurious claim
26 to the American De Long Islands of Henrietta, Jeannette, and Bennett; and
27 WHEREAS these illegal acts by the Soviet government interrupted 57
28 years of peaceful use of these islands by American seamen, herders, and
29 hunters; and

1 WHEREAS the Soviet occupation of what they refer to as Ostrova De Long
2 is an affront to all Americans, is an insult to the memory of their brave
3 discoverer, and a source of embarrassment to the United States Navy, which
4 memorializes his memory at the Naval Academy in Annapolis; and

5 WHEREAS the soil of all five of these American islands and their
6 surrounding continental shelf has been held by military force in contra-
7 vention of international law and by conduct that is contrary to what is
8 recognized as proper by civilized nations; and

9 WHEREAS the Soviet government has typified its uncivilized conduct by
10 establishing forced labor camps on Wrangel Island as reported in testimony
11 before the U.S. Senate Judiciary Committee in January 1973; and

12 WHEREAS it has been reported that Wrangel Island was the last known
13 place of imprisonment of Raoul Wallenberg, the Swedish Consul in Budapest,
14 Hungary at the end of World War II who was arrested by Soviet forces and
15 who was responsible for saving the lives of thousands of European Jews from
16 the Nazi Holocaust; and

17 WHEREAS this conduct on American soil has continued in defiance of
18 American law as well as in defiance of the international rules of conduct
19 resulting from the Nuremberg war crime trials after World War II; and

20 WHEREAS the continuing trespass by the Soviet government deprives the
21 State of Alaska and its people of their fundamental right to use the is-
22 lands of Wrangel, Herald, Henrietta, Jeannette, and Bennett together with
23 the surrounding continental shelf and its valuable resources; and

24 WHEREAS unlike the governments of Canada and Great Britain, the United
25 States has never surrendered its claims of sovereignty over these islands;
26 and

27 WHEREAS the State of Alaska does not believe that agreements between
28 the United States and the Soviet Union, whether they be secret or other-
29 wise, can affect American claims to these islands until they have been

1 ratified by the United States Senate;

2 BE IT RESOLVED by the Alaska State Legislature that the Government of
3 the United States assert and reassert American sovereignty over Wrangel
4 Island, Herald Island, and the De Long Islands of Henrietta, Jeannette, and
5 Bennett, their resources, and their territorial shelf in behalf of the
6 American people; and be it

7 FURTHER RESOLVED that the Government of the United States make satis-
8 factory compensation and restitution to the State of Alaska and its people
9 for the loss of this territory resulting from the neglect of the United
10 States Government to protect American lives and property when the lands
11 were seized in 1924; and be it

12 FURTHER RESOLVED that the State of Alaska asserts and reasserts its
13 claim to Wrangel Island, Herald Island, and the De Long Islands of
14 Henrietta, Jeannette, and Bennett and their surrounding continental shelf
15 as an integral part of the State of Alaska; and be it

16 FURTHER RESOLVED the Governor of the State of Alaska is requested to
17 initiate appropriate legal claims for relief before the U.S. Foreign Claims
18 Settlement Commission, the U.S. Court of Claims or other legal forums of
19 the United States as may be appropriate.

20 COPIES of this resolution shall be sent to the Honorable Ronald
21 Reagan, President of the United States; to the Honorable George P. Shultz,
22 Secretary of State; to the Honorable George Bush, Vice-President of the
23 United States and President of the U.S. Senate; the Honorable Jim Wright,
24 Speaker of the U.S. House of Representatives; and to the Honorable Ted
25 Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable
26 Don Young, U.S. Representative, members of the Alaska delegation in Con-
27 gress.

REPORT
OF THE
CRUISE OF THE U. S. REVENUE STEAMER
THOMAS CORWIN,
IN THE
ARCTIC OCEAN,
1881.

BY
CAPTAIN C. L. HOOPER, U. S. R. M.,
COMMANDING.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1884.

of difficulty. Inside of the 10 fathom curve we found much of the ice aground, while the floating portion was drifting past and occasionally shooting up over the top of the grounded pieces. Navigation under such circumstances was anything but safe or agreeable. However, we felt that the land was certainly within our reach, and thought of nothing but pushing ahead. At 7.30 we reached the open space and dropped anchor within a cable's length of the land in 5 fathoms of water. We immediately landed and, raising the American flag, took possession in the name of the United States of America. We landed at the mouth of a river, which at this time was about 75 yards in width, although the entire distance between its banks was about 200 yards. The cliffs in the vicinity of our landing place were of a dark slate formation, and from 100 to 300 feet high. On the beach small pieces of sandstone, quartz, and mica schist were found. The surface of the land where the slate has weathered away is composed of sticky clay, and is but sparsely covered with vegetation. As observed from the ship, while cruising in the vicinity and also from the shore, it presents the general appearance of smoothly-rounded hills, which, towards the interior and near the south side, are from 1,000 to 3,000 feet in height. The upper portion of the higher hills appeared more rugged in outline, as if composed of more enduring material, probably granite. These summits resemble those seen on the Siberian coast in the vicinity of Plover Bay, being entirely destitute of vegetation, with occasional red patches probably indicating the presence of iron. Those near the coast are remarkable for the smoothness and beauty of their outlines, and present here and there patches of green or gray, according to the nature of the vegetation. On the beach near the mouth of the river we found a kayak paddle, a cask-stave, a piece of small spar, probably part of a boat's mast, and a piece of board about a foot in length bearing ax-marks. All these things were below the marks of extreme high water, and were undoubtedly brought there by the current. Although the beach showed undoubtedly signs of a rise and fall of tide, no tidal change could be detected, probably owing to the fresh southerly wind which was blowing. The presence of this drift matter on the beach would seem to indicate that the east coast of Wrangel Island was at times entirely free from ice, though it does not necessarily follow, as it could easily have been carried through the pack to the shore by the constant twisting and turning to which it is at all times subject. I believe that it is a very unusual thing for the ice to leave any portion of Wrangel Island entirely. Our stay on shore was necessarily short on account of the strong northerly current, which was sweeping the ice-pack along with irresistible force. Much of the ice inside of 10 fathoms, as stated, was aground, but not sufficiently firm to form any protection from the drifting mass, the largest pieces of which were constantly being pushed and turned in every direction when struck by the drift, and the utmost vigilance was required to avoid getting caught between the drifting and grounded masses. At 9.30 a. m., being unable to maintain our position any longer, a gun was fired to recall the parties sent out to explore the cliffs in search of cairns or other signs of human life, and we began to work out towards the lead, which we reached at 11 a. m. We left the American flag flying and also a record of our visit. We had good observations during the day, and found our landing-place to be in latitude $71^{\circ} 04'$ north and longitude $177^{\circ} 40'$ west. This is undoubtedly the part of the land seen by Captain Kellett, R. N., in 1849, when he discovered and landed on Herald Island, and which since appeared on the British Admiralty charts as Plover Island, although erroneously laid down somewhat further to the eastward. We now know that Plover Island has no separate existence, and that what Kellett saw was the main island. As there is no record of any one else having seen the land previous to that date, or in fact until several years after, when, in 1876, it was seen by nearly the entire whaling fleet, all must accord to Captain Kellett the honor of its discovery.

While steaming through the ice, in our several attempts to reach the land, a number of species of sea-fowl were seen from time to time, and carefully noted by Mr. Nelson. Among these the most numerous were the murres and guillemots (*Uria-arra* and *Uria-grylle*), with numerous kittiwake gulls (*Larus tridactylus* Kotzebue) and the common ice gull (*Larus glaucus*). More rarely single individuals of the Sabine's gull (*Xema Sabinei*) came circling about the ship. Numerous small flocks of black-headed turnstones (*Streptopelia melanoccephala*) were seen near shore, and two parties of common eider ducks (*Somateria nigra*). In both instances the latter were females with their young. The second brood of eiders was seen swimming close along the shore and away from the mouth of the river as we made our landing. On shore we found numerous snow-buntings (*Plectrophanes nivalis*) and a snowy owl (*Nyctea niscia*), which, with a shrike picked up dead on the

beach and a solitary golden plover (*Charadrius fulvus*), complete the short list of land birds seen. At a number of places on the hillsides we found the droppings of wild geese so numerous that it is evident this place must have been a common resort for flocks of these birds earlier in the season. Their absence at the time of our landing is easily accounted for by the fact this was the time when the geese shed their large wing feathers and lose the power of flight. As this season comes on they congregate in large flocks in low marshy land and remain until their new growth of feathers enables them to spread over the country again a month or six weeks later.

Saddle-backs and hair-seals were rather common among the ice, and in addition there was a small species of hair seal unknown upon the American coast and perhaps new to science. Walrus were not rare on the outer edge of the pack, and their foe, the polar bear, was seen almost every time we entered the ice; on several occasions it was seen swimming in the water several miles from the pack. Upon the hilltops on shore were found numerous burrows of some animal, probably white fox (*Canis lagopus*), as some tracks of that animal were found mingled with those of the polar bear in the mud along the banks of the river. Stranded on the sand-bar at the mouth of the river lay the skeleton of a whale (*Balaena mysticetus*), which closes the list of mammals observed.

Numerous small fish, from two to four inches long, and having large heads, were brought to the surface by rolling masses of ice as it was turned over by contact with the vessel in her passage through it. These are called by the whalers ice-fish. No specimens were obtained, unfortunately.

The following plants we collected: Grasses, three varieties; dwarf willow, phlox, saxifrage, sibbaldia, draba, potentilla, anemone, papaver, veronica, artemisia, carex, stellaria, three; mosses, three; lichens, five; and four composites. In many places where the snow remained in the ravines and in banks against the steep cliffs, it presents the peculiar reddish color caused by the presence of *Protococcus nivalis*, commonly called red snow. This is a minute plant with which the surface of the snow is often covered in high latitudes. It was seen and its appearance described by Sir John Ross in 1818, and by Sir Edward Parry in 1827, but its true character was not understood until many years later, when it became known as a vegetable growth.

Upon taking possession of this land in the name of the United States, the name New Columbia was provisionally given to it. The provision being the approval and concurrence of that portion of the Government having the authority to issue charta, &c., the decision of that body was adverse to my suggestion, and by its action I cheerfully abide not only on account of its undoubted right to decide according to its own judgment in this and all other matters over which it has jurisdiction, but because the size of the island, as now known, does not justify the bestowal of a name of this character, the name of one of the early Arctic navigators being much more appropriate. At the time I suggested the change of name I believed the land to be an island and had so reported it to the Department, but I supposed it to be considerably larger than it has proved. In the report of my first cruise in the Corwin, submitted November 1, 1881, page 50, I say, in reference to this land:

The part of Wrangel Land which we saw covered an arc of the horizon of about fifty degrees from northwest quarter north to west quarter south (true), and was distant from 25 miles on the former bearing to 35 or 40 on the latter. On the south were three mountains, probably 3,000 feet high, entirely covered with snow, the central one presenting a conical appearance and the others showing slightly rounded tops. Northward of these mountains was a chain of rounded hills, those near the sea being lower and nearly free from snow, while the back hills, which probably reach an elevation of 2,000 feet, were quite white; to the north of the northern bearing given the land ends entirely or becomes very low. The atmosphere was very clear, and we could easily have seen any land above the horizon within a distance of 60 or 70 miles, but none except that described could be seen from the mast-head.

Again, on page 52, I say:

I am of the opinion that Wrangel Land is a large island, probably one of a chain that passes entirely through the polar regions to Greenland; that there is other land to the north there can be no doubt. . . . large numbers of geese and other aquatic birds pass Point Barrow going north in the spring, and returning in August and September with their young. As it is well known that these birds breed only on land, this fact must be regarded as proof of the existence of land to the north. Another reason for supposing that there is either a continent or a chain of islands passing through the polar regions is the fact that, notwithstanding the vast amount of heat diffused by the warm current passing through Bering Straits, the icy barrier is from six to eight degrees farther south on this side than on the land side of the Arctic Ocean, where the temperature is much lower.

OCCASIONAL PAPERS
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CALIFORNIA
ACADEMY OF SCIENCES

No. XXIV

The Discovery of
Wrangel Island

By SAMUEL L. HOOPER

COMMITTEE ON PUBLICATION

DR. MURRAY H. MUELLER, Chairman
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34 CALIFORNIA ACADEMY OF SCIENCES [Oct. 1955]

the land, I felt relieved to be in clear water, and did not despair of ultimate success."

The movement of the ice due to the act of the currents made it necessary to change positions several times during the night. At 4:30 a.m. the *Corwin* again entered the ice and this time with all preparations made to reach the land by crossing the ice if necessary, using the sledges and taking along the skin boat for crossing any open leads that might be encountered. However, as they fought their way closer to the land ice conditions improved. Inside the ten-fathom curve they found much of the ice aground while the floating portion was drifting past and occasionally showing up over the top of the grounded pieces. Navigation under these conditions was neither comfortable nor safe, but they all felt that the land was now actually within reach and they pushed on. The captain's notes for that important day (see figure 3) read:

Friday, August 12, 1881. Lat. 71-04 Long. 177-06 off Wrangle (sic.) Land. Got under way at 4:00 a.m. and steamed in toward the end of the lead and into the ice at 7:00 a.m. After a good deal of bumping and squeezing we reached the land and anchored in a small clear space off the mouth of a small river. Went on shore and took possession in the name of the U.S.

This landing unquestionably established a valid claim to the area on the part of the United States. Muir in his text says, "A notable addition was made to the national domain when Captain Calvin L. Hooper landed on Wrangel Island and took formal possession in the name of the United States." Later the great Arctic explorer Vilhjalmur Stefansson in his book, *The Adventure of Wrangel Island*, describing an expedition undertaken in 1921 wrote, "... following 1881 ... the island was United States territory."

Many years later the Soviet claimed that Lieutenant Wrangel had actually discovered the island but unfortunately for their claim, Wrangel himself in his book, *The Narrative of a Voyage to the Polar Seas in the Years 1821, 1822, and 1823*, which was written long enough after his experiences so that he had plenty of time to make any changes or corrections, wrote "with a painful feeling of the impossibility of overcoming the obstacles with which nature had opposed us, our last hope vanished of discovering the land which we yet believe to exist ... we had done what duty and honor demanded, further attempts would have been absolutely hopeless and I decided to return." Wrangel located on his chart: "from native report" the land which "we believe to exist" but he placed it some distance west of where it actually turned out to be located.

No. 24] HOOPER: DISCOVERY OF WRANGEL ISLAND

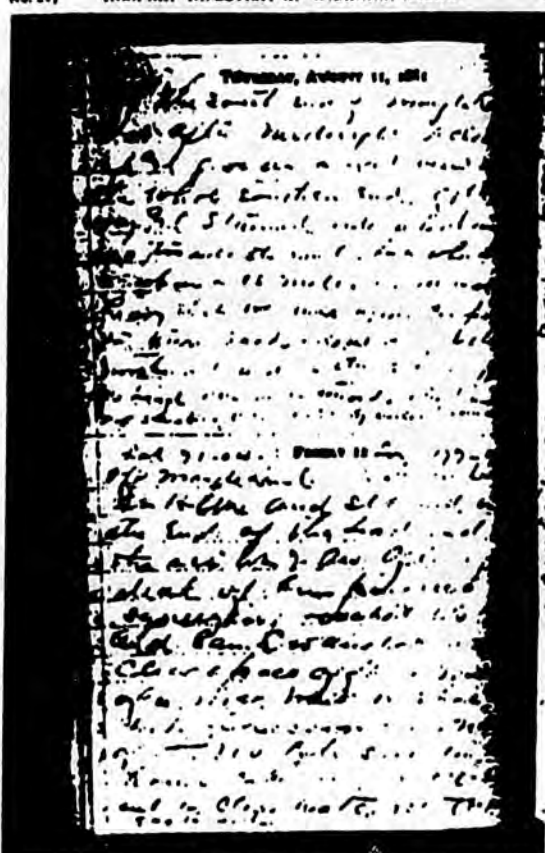


Figure 3. The original account of the discovery of Wrangel Island in the captain's own handwriting. This entry in his diary was written at the scene on the very day of the landing.

No. 24] HOOPER: DISCOVERY OF WRANGEL ISLAND

35

As soon as the official shore party had completed the formalities of discovery, a careful search was made along the shore in each direction for evidences of a landing of any kind. After several hours of searching it became impossible to remain at anchor any longer and a gun was fired to recall all shore parties. Leaving an American flag flying and a complete record of their visit the *Corwin* now worked her way out to the lead.

She was now in open water and making all speed with steam and sail across the Arctic Ocean but this time with the Polar ice on her port beam. Having found no remains of the *Jeanette* on either Herald Island or Wrangel Island, for the very good reason as we now know that the De Long party had never touched on either of them, the *Corwin* was hastening to Point Barrow in hopes of rendering assistance to the *Daniel Webster* in case she was still in the ice. On the way, however, they spoke the whalers *Howland* and *Rainbow* and learned from them that the *Daniel Webster* had been crushed in the ice and that part of her crew had reached Point Barrow. The remainder were supposed to still be on the pack. Upon learning this the *Corwin* skirted the Alaskan coast line closely and kept a careful watch for signs of any who might have reached the land before the ice went offshore. Constant contact was also made with the native villages along the way and many reports of the wreck were received, all of which were in some agreement.

Point Barrow was reached on August 16 and several whalers, which had arrived only a few hours earlier, were found at anchor there, the ice having gone offshore the previous evening. The crew of the *Daniel Webster* were all at Point Barrow and every man accounted for. They were divided up among the whalers except for nine men who had their fill of whaling and "wanted out." These were taken on board the *Corwin* to be returned to civilization and extra supplies were distributed to the other ships to allow for the extra hands taken aboard.

While the *Corwin* was at Barrow the bark *Legal Tender* arrived, bringing the first mail they had received since leaving San Francisco; the *Legal Tender* had sailed from there on June 11. Since she was leaving at once, loaded with surplus bone and oil from the whaling fleet, the crew of the *Corwin* sent mail sacks aboard for their dear ones at home.

On August 19 the *Corwin* sailed for Cape Lisburne hoping to again take coal from the mine, but a strong northeast wind had kicked up such a sea that hunting coal was out of the question. The night of the nineteenth was the first night that could be called dark; until then the nights had merely been long twilights. On August 22 they passed close to the Diomedes but never saw any part of them on account of

THE CRUISE OF THE CORWIN

Journal of the Arctic Expedition
of 1881 in search of De Long
and the Jeannette

BY
John Muir

EDITED BY
WILLIAM FREDERIC BADE



BOSTON AND NEW YORK
HOUGHTON MIFFLIN COMPANY
215 North Street, Cambridge
1917

CHAPTER XV

THE LAND OF THE WHITE BEAR

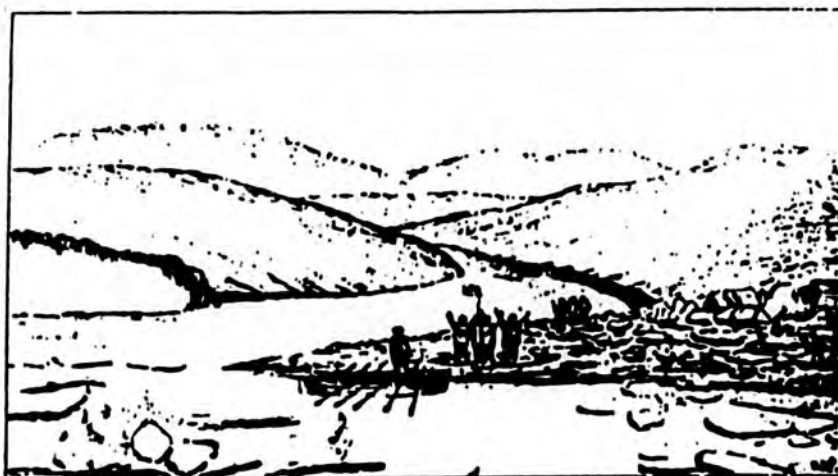
[Steamer Corwin,
Wrangell Land, August 22, 1881.]

A NOTABLE addition was made to the national domain when Captain Calvin L. Hooper landed on Wrangell Land,¹ and took formal possession of it in the name of the United States. We landed near the southeast cape, at the mouth of a river, in latitude $71^{\circ} 4'$, longitude $177^{\circ} 40' 30''$ W. The extent of the new territory thus acquired is not definitely known, nor is likely to be for many a century, or until some considerable change has taken place in the polar climate, rendering the new land more attractive and more accessible. For at present even its southmost portion is almost constantly beset with ice of a kind that renders it all but inaccessible during both the winter and summer, while to the northward it extends far into the frozen ocean.

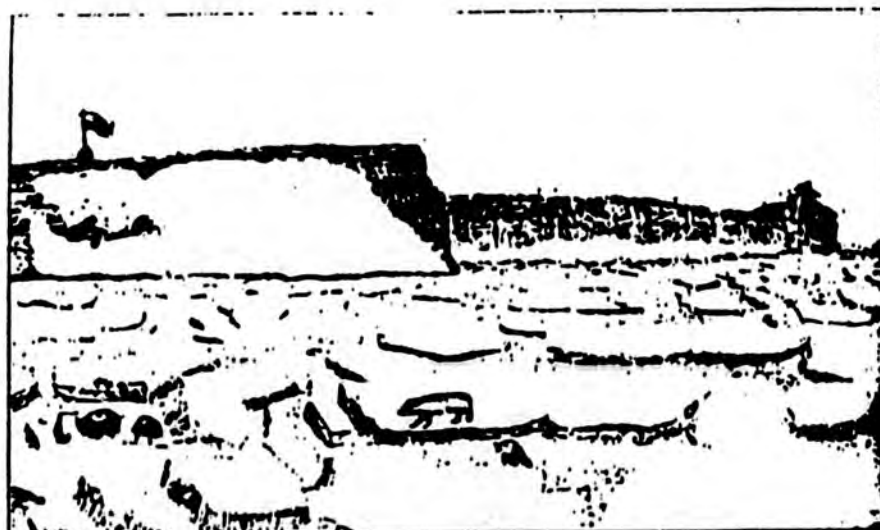
Going inland, along the left bank of the river, we found it much larger than it at first appeared to be. There was no snow left on the lowlands or any of the hills or mountains in sight, excepting the remnants of heavy drifts; nevertheless, it was still

¹ The landing was made August 22, 1881.

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FIRST LANDING ON WRANGELL LAND



THE AMERICAN FLAG ON WRANGELL LAND, NEAR EAST CAPE

AFFIDAVIT OF HILDA KOONUKNOWRUK WEBER ON WRANGELL ISLAND

1 UNITED STATES OF AMERICA)
2) ss.
3 STATE OF ALASKA)

4 HILDA KOONUKNOWRUK WEBER, being first duly sworn, deposes
5 and says:

6 1. I was born at Cape Lisburne, Alaska on August 21, 1912.
7 Peter & Kippooanne Koonuknowruk were the names of my parents. My
8 present domicile is Barrow, Alaska. I am presently sojourning at
9 Kotzebue, Alaska.

10 2. In August of 1923 I left Point Hope for Wrangell Island,
11 aboard the Ship "Donaldson" (owned by the Lomen Bros. Company of
12 Nome, Alaska), with my parents, two brothers, and sister. On arriv-
13 al at Wrangell Island we built a fine sod igloo with driftwood
14 frame. This igloo became our domicile. Our community consisted
15 at that time of Koonuknowruk family (Peter, Kippooanne, Billy,
16 Hope, Ester, and Hilda), Adams family (Mr. & Mrs. John Adams &
17 there two sons, i.e., Mark & Curtis), two bachelors (Abraham
18 Howarth & Roy), and the white man Charles Wells. About April,
19 1924 Mrs. Adams gave birth to a daughter named Tulla.

20 3. Mrs. Ada Blackjack, sole survivor of the Stefansson
21 Arctic and Exploration Company's party of 1921, returned to her
22 home at Nome aboard the Ship "Donaldson" on its return voyage.

23 4. In August of 1924 the Soviet Ice Ship "Red October"
24 armed with six pound cannon and a company of infantry landed
25 at Wrangell Island, Alaska and took all 14 inhabitants prisoner.
26 The Soviets captured our furs, ivory, stores, and personal property,
27 including a U.S. Flag from Charles Wells (manager for the Lomen
28 Bros. Company at Wrangell Island). We were all shanghaied aboard

1 the Ship "Red October" as prisoners. We were taken to Vladivostok,
2 via Uelen & Petropavlovsk, by the "Red October". By the time the
3 U.S. Consul at Harbin, Manchuria could have us freed from the
4 authorities at Vladivostok and brought to him at Harbin, my
5 two brothers (Hope & Billy) and Charles Wells (formerly of
6 Uniontown, Pennsylvania) were deceased.

7 WITNESS her hand this 22nd day of March, 1977.

8 Hilda Koonuknowruk Weber
HILDA KOONUKNOWRUK WEBER

9
10 United States of America)
11 State of Alaska) ss.

12 On March 22, 1977, before me, the undersigned, a Notary
13 Public in and for said State, personally appeared Hilda
14 Koonuknowruk Weber known to me to be the person whose name
15 subscribed to the within instrument and acknowledged that
16 She executed the same.

17 WITNESS my hand and official seal. (Seal)

18 Hilda Koonuknowruk Weber
NAME (TYPED OR PRINTED
19 Notary Public in and for
20 said State.

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AFFIDAVIT OF HILDA KOONUKNOWRUK WEBER ON WRANGELL ISLAND

1 UNITED STATES OF AMERICA)
2) ss.
3 STATE OF ALASKA)

4 HILDA KOONUKNOWRUK WEBER, being first duly sworn, deposes
5 and says:

6 1. I was born at Cape Lisburne, Alaska on August 21, 1912.
7 Peter & Kippooanne Koonuknowruk were the names of my parents. My
8 present domicile is Barrow, Alaska. I am presently sojourning at
9 Kotzebue, Alaska.

10 2. In August of 1923 I left Point Hope for Wrangell Island,
11 aboard the Ship "Donaldson" (owned by the Lomen Bros. Company of
12 Nome, Alaska), with my parents, two brothers, and sister. On arriv-
13 al at Wrangell Island we built a fine sod igloo with driftwood
14 frame. This igloo became our domicile. Our community consisted
15 at that time of Koonuknowruk family (Peter, Kippooanne, Billy,
16 Hope, Ester, and Hilda), Adams family (Mr. & Mrs. John Adams &
17 there two sons, i.e., Mark & Curtis), two bachelors (Abraham
18 Howarth & Roy), and the white man Charles Wells. About April,
19 1924 Mrs. Adams gave birth to a daughter named Tulla.

20 3. Mrs. Ada Blackjack, sole survivor of the Stefansson
21 Arctic and Exploration Company's party of 1921, returned to her
22 home at Nome aboard the Ship "Donaldson" on its return voyage.

23 4. In August of 1924 the Soviet Ice Ship "Red October"
24 armed with six pound cannon and a company of infantry landed
25 at Wrangell Island, Alaska and took all 14 inhabitants prisoner.
26 The Soviets captured our furs, ivory, stores, and personal property,
27 including a U.S. Flag from Charles Wells (manager for the Lomen
28 Bros. Company at Wrangell Island). We were all shanghaied aboard

1 the Ship "Red October" as prisoners. We were taken to Vladivostok,
2 via Uelen & Petropavlovsk, by the "Red October". By the time the
3 U.S. Consul at Harbin, Manchuria could have us freed from the
4 authorities at Vladivostok and brought to him at Harbin, my
5 two brothers (Hope & Billy) and Charles Wells (formerly of
6 Uniontown, Pennsylvania) were deceased.

7 WITNESS her hand this 22nd day of March, 1977.

8 Hilda K. Weber
9 HILDA KOONUKNOWRUK WEBER

10 United States of America)
11 State of Alaska) ss.

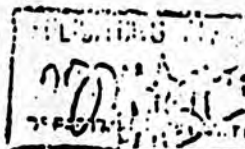
12 On March 22, 1977, before me, the undersigned, a Notary
13 Public in and for said State, personally appeared Hilda
14 Koonuknowruk Weber known to me to be the person whose name
15 subscribed to the within instrument and acknowledged that
16 She executed the same.

17 WITNESS my hand and official seal. (Seal)

18 Hilda K. Weber
19 NAME (TYPED OR PRINTED
20 Notary Public in and for
21 said State.

22 JURAT
23
24
25
26

TELEGRAM RECEIVED



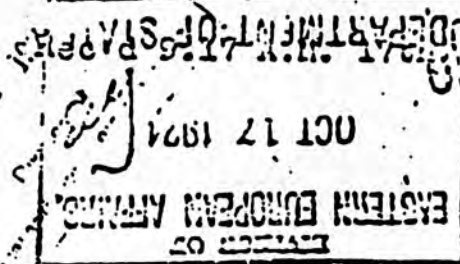
Index Bureau
RECEIVED
OCT 17 1924
Dep't. of State

FROM

Nemo, Alaska

October 16, 1924

Department of State



State Department,
Washington.

We protest removal by Soviet Government vessel from
Wrangell Island thirteen American colonists in employ
Loren Brothers Nemo. Schooner GUBA Arnout Castel master
returning today from East Cape Siberia reports local
governor there advised him colonists removed together
with furs and other property and taken to Indian Point or
Kana Harbor, Siberia. Cannot ascertain whether removal
lawful or not but we request protection American in-
terests.

Northwestern Alaska Chamber of Commerce.

861.0144/69

OCT 23 1924

DEPARTMENT OF STATE

THE SOLICITOR

INDEX BUREAU
Rec'd

DEC 3 1924

Dept. of State

November 25, 1924.

MEMORANDUM

With reference to the attached telegram, and particularly to the statement by Tchitcherine that the islands and lands which the Soviet Government claim as a part of Russia "are west of the line which under Article I of the Washington Convention between Russia and the United States, dated March 18/30, 1867, defines the boundary west of which the United States of America undertook not to prefer any claim", It may be of interest to note that the Treaty of 1867 referred to was negotiated largely orally and that only two notes(?) were passed between the two Governments prior to the signing of the treaty providing for the cession of Alaska to the United States.

In answer to a resolution of the House of Representatives on the 19th of December 1867 the Secretary of State laid before the President all the correspondence with the Russian Minister at Washington concerning the late treaty with Russia. In the note informally submitted to the Chairman of the Committee in the Senate with

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DEPARTMENT OF STATE

THE SOLICITOR

- 2 -

with the Alaska Treaty by the Secretary of State it is stated:

"The treaty for the cession of Russian America to the United States was concluded and signed on the 30th day of March last. A copy is annexed of the only two notes which passed between the negotiators before the final execution of the Treaty."

The first note is dated March 17/29, 1867, and addressed to Mr. William H. Seward, Secretary of State, by Mr. de Stoeckl, stating as follows:

"Mr. Secretary of State:

"I have the honor to inform you that by a telegram dated 16/28 of this month from St. Petersburg, Prince Gortchakoff informs me that His Majesty, the Emperor of all Russias, gives his consent to the cession of the Russian possessions on the American continent to the United States for the stipulated sum of \$7,200,000 in gold, and that His Majesty, the Emperor, invests me with full powers to negotiate and sign the treaty.

"Please accept Mr. Secretary of State the assurance of my very high consideration.

STOECKL."

The next note dated March 23, 1867, was addressed to Mr. Edward de Stoeckl by the Secretary of State

insisting

DEPARTMENT OF STATE

THE SOLICITOR

- 4 -

to the United States immediately after the exchange of ratifications all the territory, with the right of sovereignty, actually possessed by His Majesty upon the continent of America, as well as the contiguous islands, the said territory being comprised within the geographical limits hereafter indicated to wit: * * * * *

"The western limit of the ceded territories passes by a point in the Bering Strait on the parallel of the 65th degree 30' north latitude at its intersection by the meridian which separates in equal distance the islands Krusenstern or Ignalook, and the island Retmanoff or Noonarbook, and proceeds in a direct line without limitation towards the north until it loses itself in the frozen ocean."

It may be seen from the above quotation and the rest of the treaty that the Emperor of all the Russias ceded to the United States certain territories, and that the United States on its part entered into no commitment which could be interpreted as an undertaking not to press claims to any land west of the particular line above described.

Therefore, so far as the treaty is concerned, it would appear that the United States would not be prevented from preferring a claim to Wrangel Island if it so desired.

Note: The documents above referred to may be found in a volume entitled "Executive Documents, No. 157 to No. 180, Second Session, 40th Congress," under the heading of Executive Document No. 177.

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Now from the Naval Institute Press

Annapolis, Maryland

ICEBOUND

The Jeannette Expedition's Quest for the North Pole

By Leonard F. Guttridge

Often reading like a Gothic mystery but fully supported by documentary evidence, *Icebound* provides a stunning narrative of an ordeal unmatched in the annals of polar exploration. The *Jeannette* spent two winters trapped in the Arctic ice. Finally she buckled under the crushing power of the pack, forcing her crew to haul eight tons of supplies and three boats hundreds of miles to reach open water. The men from only one of these boats eventually reached safety; the others suffered horrible deaths.

Now, more than a century later, despite attempts by those involved to cover up the details, the author reveals their tragic story. The bizarre tale includes true-life characters made-to-order for good fiction: the confident commanding officer of the *Jeannette*, George Washington De Long, bent on living up to the name he had given himself; his ambitious wife; a dashing young lieutenant suffering from an unmentionable disease; an inventive but jealous engineer; his talkative wife, confined to an insane asylum during the investigations that followed the expedition's failure; a stoical and able surgeon; a flamboyant press baron who financed the venture; and a famous criminal lawyer.

In this detailed disclosure of the *Jeannette's* travails, Guttridge takes no liberties with the facts he has so carefully uncovered in revealing letters, diaries, and unedited reports. But he does use them to full advantage to present an intriguing and unforgettable story. He is especially skillful at creating dramatic scenes that bring his characters to life, and his vivid descriptions of the polar world make us appreciate both its grandeur and frightening inaccessibility.

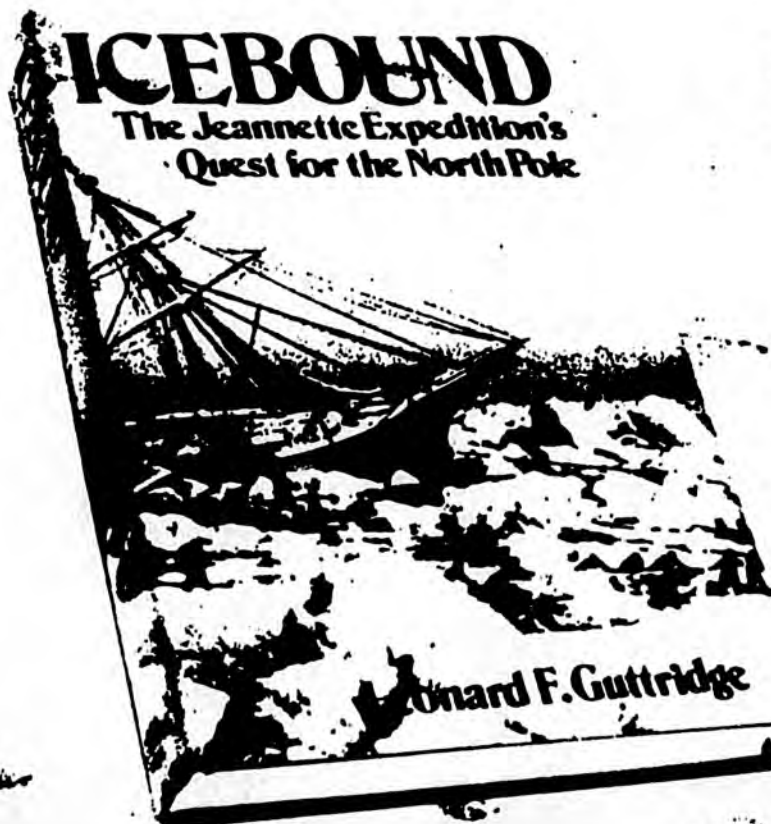
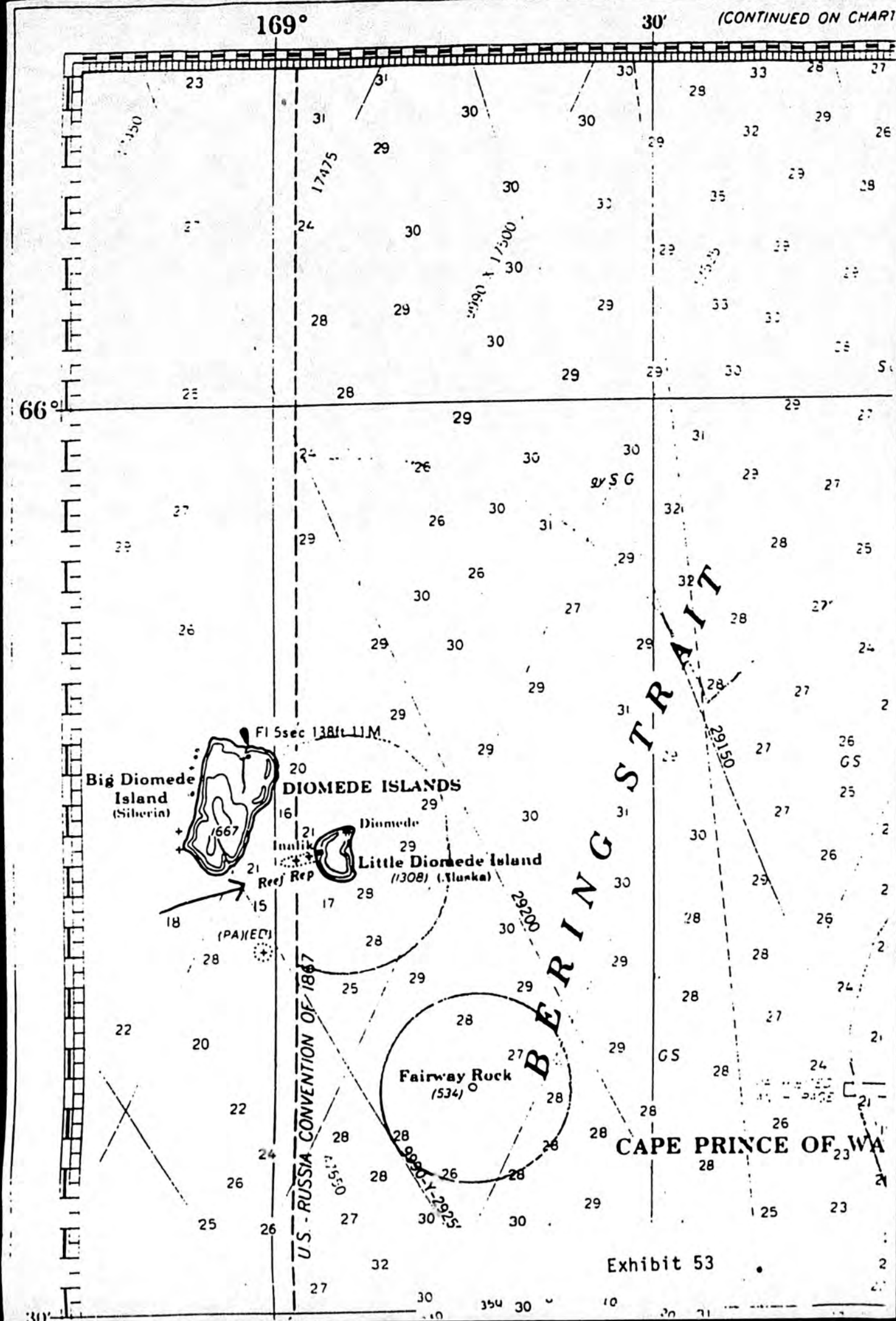


Exhibit 52

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CESSION OF ALASKA

Convention signed at Washington March 30, 1867
Senate advice and consent to ratification April 9, 1867
Ratified by Russia May 3, 1867
Ratified by the President of the United States May 28, 1867
Ratifications exchanged at Washington June 20, 1867
Entered into force June 20, 1867
Proclaimed by the President of the United States June 20, 1867

15 Stat. 539; Treaty Series 301

The United States of America and His Majesty the Emperor of all the Russias, being desirous of strengthening, if possible, the good understanding which exists between them, have, for that purpose, appointed as their Plenipotentiaries: the President of the United States, William H. Seward, Secretary of State; and His Majesty the Emperor of all the Russias, the Privy Counsellor Edward de Stoeckl, his Envoy Extraordinary and Minister Plenipotentiary to the United States.

And the said Plenipotentiaries, having exchanged their full powers, which were found to be in due form, have agreed upon and signed the following articles:

ARTICLE I

His Majesty the Emperor of all the Russias agrees to cede to the United States, by this convention, immediately upon the exchange of the ratifications thereof, all the territory and dominion now possessed by his said Majesty on the continent of America and in the adjacent islands, the same being contained within the geographical limits herein set forth, to wit: The eastern limit is the line of demarcation between the Russian and the British possessions in North America, as established by the convention between Russia and Great Britain, of February 28-16, 1825,¹ and described in Articles III and IV of said convention, in the following terms:

"Commencing from the southernmost point of the island called Prince of Wales Island, which point lies in the parallel of 54 degrees 40 minutes north latitude, and between the 131st and the 133d degree of west longitude,

¹ For text, see *British and Foreign State Papers*, vol. 12, p. 38

1216

CESSION OF ALASKA—MARCH 30, 1867

1217

(meridian of Greenwich,) the said line shall ascend to the north along the channel called Portland channel, as far as the point of the continent where it strikes the 56th degree of north latitude; from this last mentioned point, the line of demarcation shall follow the summit of the mountains situated parallel to the coast as far as the point of intersection of the 141st degree of west longitude, (of the same meridian;) and finally, from the said point of intersection, the said meridian line of the 141st degree, in its prolongation as far as the Frozen ocean.

"IV. With reference to the line of demarcation laid down in the preceding article, it is understood—

"1st. That the island called Prince of Wales Island shall belong wholly to Russia," (now, by this cession, to the United States.)

"2d. That whenever the summit of the mountains which extend in a direction parallel to the coast from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude shall prove to be at the distance of more than ten marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia as above mentioned (that is to say, the limit to the possessions ceded by this convention) shall be formed by a line parallel to the winding of the coast, and which shall never exceed the distance of ten marine leagues therefrom."

The western limit within which the territories and dominion conveyed, are contained, passes through a point in Behring's straits on the parallel of sixty-five degrees thirty minutes north latitude, at its intersection by the meridian which passes midway between the islands of Krusenstern, or Ignalook, and the island of Ratmanoff, or Noonarbook, and proceeds due north, without limitation, into the same Frozen ocean. The same western limit, beginning at the same initial point, proceeds thence in a course nearly south-west, through Behring's straits and Behring's sea, so as to pass midway between the northwest point of the island of St. Lawrence and the southeast point of Cape Choulouki, to the meridian of one hundred and seventy-two west longitude; thence, from the intersection of that meridian, in a southerly direction, so as to pass midway between the island of Attou and the island of the Kormandorski couplet or group in the North Pacific, to the meridian of one hundred and ninety-three degrees west longitude, so as to include in the territory conveyed the whole of the Aleutian islands east of that meridian.

ARTICLE II

In the cession of territory and dominion made by the preceding article, are included the right of property in all public lots and squares, vacant lands, and all public buildings, fortifications, barracks, and other edifices which are not private individual property. It is, however, understood and agreed, that the churches which have been built in the ceded territory by the Russian government, shall remain the property of such members of the Greek Oriental Church resident in the territory, as may choose to worship therein. Any government archives, papers, and documents relative to the territory and dominion aforesaid, which may be now existing there, will be left in the possession of the agent of the United States; but an authenticated copy of such of them as may be required, will be, at all times, given by the United States to the Russian government, or to such Russian officers or subjects, as they may apply for.

ARTICLE III

The inhabitants of the ceded territory, according to their choice, reserving their natural allegiance, may return to Russia within three years; but if they should prefer to remain in the ceded territory, they, with the exception of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, property and religion. The uncivilized tribes will be subject to such laws and regulations as the United States may, from time to time, adopt in regard to aboriginal tribes of that country.

ARTICLE IV

His Majesty the Emperor of all the Russias shall appoint, with convenient despatch, an agent or agents for the purpose of formally delivering to a similar agent or agents appointed on behalf of the United States, the territory, dominion, property, dependencies and appurtenances which are ceded as above, and for doing any other act which may be necessary in regard thereto. But the cession, with the right of immediate possession, is nevertheless to be deemed complete and absolute on the exchange of ratifications, without waiting for such formal delivery.

ARTICLE V

Immediately after the exchange of the ratifications of this convention, any fortifications or military posts which may be in the ceded territory, shall be delivered to the agent of the United States, and any Russian troops which may be in the territory shall be withdrawn as soon as may be reasonably and conveniently practicable.

ARTICLE VI

In consideration of the cession aforesaid, the United States agree to pay at the treasury in Washington, within ten months after the exchange of the ratifications of this convention, to the diplomatic representative or other agent of his Majesty the Emperor of all the Russias, duly authorized to receive the same, seven million two hundred thousand dollars in gold. The cession of territory and dominion herein made is hereby declared to be free and unincumbered by any reservations, privileges, franchises, grants, or possessions, by any associated companies, whether corporate or incorporate, Russian or any other, or by any parties, except merely private individual property holders; and the cession hereby made, conveys all the rights, franchises, and privileges now belonging to Russia in the said territory or dominion, and appurtenances thereto.

ARTICLE VII

When this Convention shall have been duly ratified by the President of the United States, by and with the advice and consent of the Senate, on the one part, and on the other by his Majesty the Emperor of all the Russias, the ratifications shall be exchanged at Washington within three months from the date hereof, or sooner, if possible.

In faith whereof, the respective plenipotentiaries have signed this convention, and thereto affixed the seals of their arms.

Done at Washington, the thirtieth day of March in the year of our Lord one thousand eight hundred and sixty-seven.

WILLIAM H. SEWARD (SEAL)
EDOUARD DE STOECKL (SEAL)

Exhibit 54

NOTE: Nowhere in this treaty of sale of Alaska is there any establishment of an international boundary.

FUND FOR STOCKOWNERS RIGHTS

THE STOCKOWNERS' NEWS

NATIONAL HEADQUARTERS

□ Post Office Box 46853
Washington, D.C. 20050
United States of America

Issue Number 4

December 1984

Contact: Carl Olson

Giveaway of Alaskan Islands and Oil-Rich Seabeds to the Soviet Union Imperils Investments of 500,000 Stockowners of ARCO, UNOCAL, Amoco, and Shell

Corporate managements of four major petroleum companies have exhibited extreme dereliction of duty to their stockowners by failing to fight the State Department's plan to give their multi-million dollar oil and gas leases in the Bering Sea to the Soviet Union, it was charged by Carl Olson, Chairman of Fund for Stockowners Rights, headquartered in Washington, D.C. "Over 860,000 stockowners find themselves under the gun," Olson noted.

Right now the State Department has these four oil companies' fortunes at risk due to its current negotiations with the Soviet Union over just how much of the Bering Sea outercontinental shelf is to be surrendered in the Navarin Basin. These four oil companies--ARCO, Shell, UNOCAL, and Standard Oil (Indiana)--won the competitive process for these leases at the Department of Interior auction on 24 April 1984, bidding over \$108 million on 17 blocks. All the other block winners were given their leases, but the State Department put a hold on these in the anticipation that these would be delivered over to the Soviet Union.

"To this day, none of these four oil companies has uttered so much as one public word in defense of their highly profitable oil leases that the State Department wants to hand over to the greatest enemy of the United States and the free enterprise system--the Soviet Union," Olson reported. "On numerous occasions the managements of these firms have been pressed not only for their views on this giveaway of oil-rich seabeds, but for their advocacy plans to stop the impending losses of millions of dollars for their stockowners. All four have, by their silence, become tacit supporters of this incomprehensibly unprecedented turnover of American property to foreign enemies. They have betrayed the trust of their stockowners and their larger corporate responsibility to the American public," Olson declared.

NAVARIN BASIN SUMMARY (blocks subject to State Department surrender to Soviets):

Company	No. of Blocks	Total Winning Bids	Stockowners
Shell Oil/Transport	14	\$ 50,975,667	395,000
Standard Oil (Indiana)	14	45,173,333	190,000 (Amoco)
AtlanticRichfield	2	10,138,750	198,000
UNOCAL	1	1,886,250	88,000
		<u>\$108,174,000</u>	<u>861,000</u>

These areas were the subject of a high-level delegation led by the State Department's Legal Adviser Davis Robinson which traveled to Moscow for negotiations with the Kremlin's representatives in the week of 23-27 July 1984. These meetings apparently resolved nothing

(more)

The Fund for Stockowners Rights is a nonprofit educational organization dedicated to advancing the concept of stockowners as owners of corporations and to promoting the free enterprise economic system--which makes ownership of corporations possible. Model resolutions for votes at annual meetings and instructions on submitting them will be sent at no charge. Donations to the Fund, an IRS 501(c)(3) group, are tax deductible.

Permission to reprint is granted, provided the name and address of the Fund for Stockowners Rights are included in the reprint. ISSN 0749-9779

since no word was announced one way or the other, and no further negotiation schedule was announced. Extreme secrecy has shrouded these talks, including the complete refusal of the State Department to reveal who was on the delegation. By other means it was discovered that in addition to Robinson, the delegation included two other members of the Legal Adviser's office Elizabeth Verville and Scott Hajost; Harry Marshall and Charles T. Scully of the Bureau of Oceans and International Environmental and Scientific Affairs, and Robert W. Smith of the Office of the Geographer.

While these negotiations continue without any resolution, the stakes of billions of barrels of oil, billions of dollars of revenue, thousands of American jobs, the loss of a significant part of America's strategic petroleum reserves, and the irreparable damage to American diplomatic prestige become more and more apparent and credible. The leasing of future oil basins in the Bering Sea and Arctic Ocean off Alaska are also imperilled due to the State Department's declared policy of abandoning all Alaskan territory and outercontinental shelf to the west of the 1867 U.S.-Russia Convention Line.

SECRET POLICY PARTIALLY REVEALED

Fortunately for the American public, the State Department had to reveal part of its surrender policy in public last March. When the Navarin Basin was put up for bid on its billions-of-barrel-of-oil blocks, the announcement in the Federal Register for 16 March 1984 (pages 10056 to 10068) disclosed that the State Department could not figure out where the boundary of American territory and outercontinental shelf was in relation to the Soviet Union. Even more startling was the revelation that the State Department was going on a policy that had no basis either in historical fact or international law.

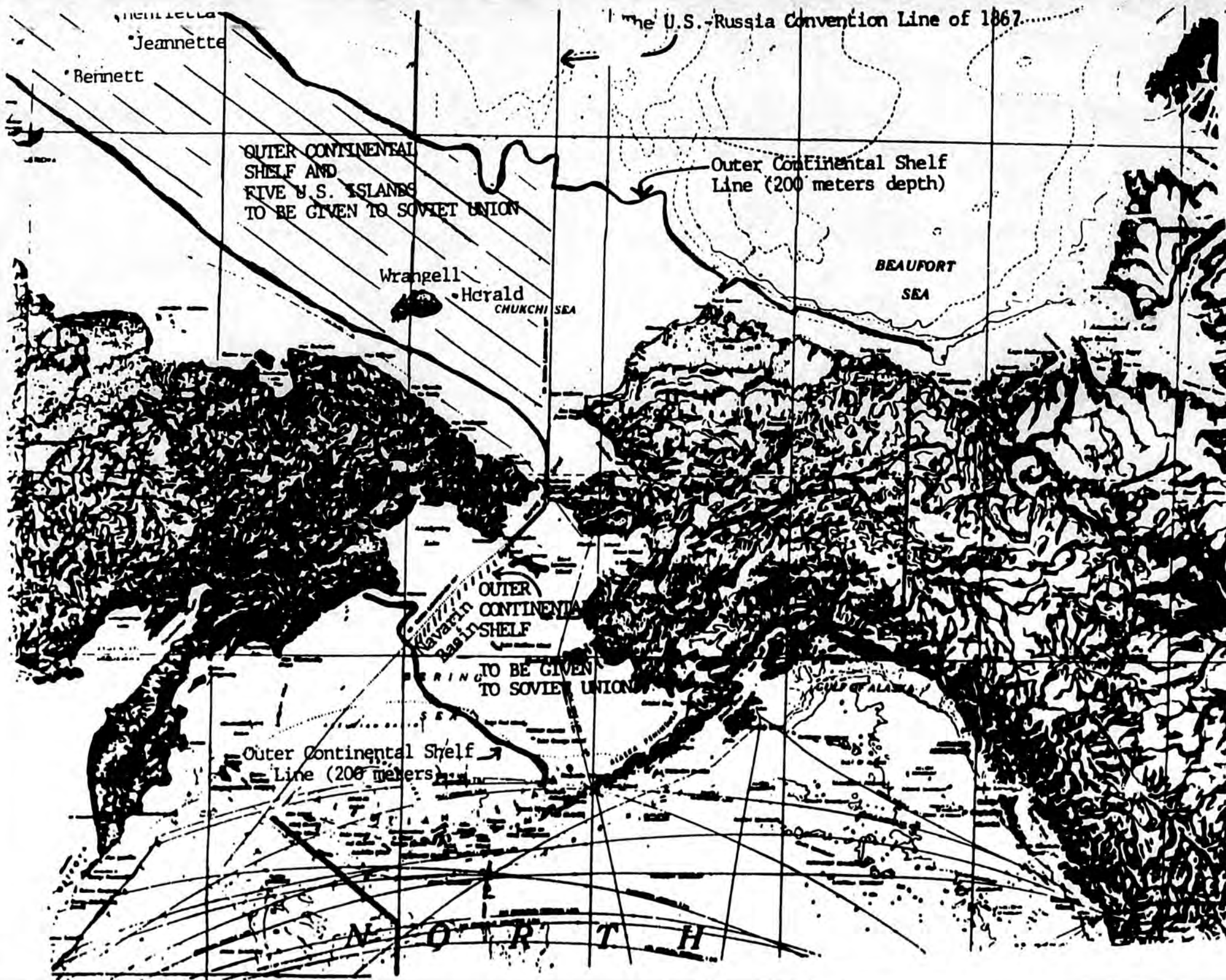
Somehow between 1965 and 1984 the State Department had elevated the old 1867 U.S.-Russia Convention Line (which was used in the purchase of Alaska from Russia for \$7.2 million) from an arbitrary map line up to the status of an international boundary. This creation of an international boundary by the State Department had been done without any treaty being enacted or ratified by the United States Senate. To this day there is no treaty establishing any boundary between the United States and the Soviet Union.

In 1965 the State Department's International Boundary Study No. 14, titled "U.S.-Russia Convention Line of 1867", flatly stated: "Rather than an ordinary boundary per se, this report concerns a convention line which ordinarily appears on official maps in the same manner as a boundary. ...in keeping with the policy that this line does not constitute a boundary, the standard symbol for the representation of an international boundary should never be used." By 1984, the status of this line has been completely reversed by the State Department, as noted in the 16 March 1984 Federal Register statement (page 10065), which declared: "The United States depicts the 1867 Convention Line as the maritime boundary...."

Even more significant than just the Navarin Basin leases, this State Department policy means that it is surrendering to the Soviet Union vast, strategic, and oil-rich Alaskan islands and outercontinental shelf. Incontrovertible historical fact shows the U.S. sovereignty over the Alaskan islands of Wrangell, Herald, Bennett, Henrietta, and Jeannette. Wrangell Island, the largest of the five with 2,800 square miles (the size of Rhode Island and Delaware combined), was found and claimed for the U.S. in 1881 by Capt. Calvin Leighton Hooper aboard the U.S. Revenue Marine (Coast Guard) ship Thomas Corwin; and included in the landing party was the famed explorer John Muir, whose book The Cruise of the Corwin gives a vivid account of the exciting addition to American territory. The three islands of Bennett, Henrietta, and Jeannette are part of the DeLong Islands, which were named after their discoverer U.S. Navy Commander George Washington DeLong, whose expedition aboard the ship Jeannette is memorialized in a statue at the U.S. Naval Academy at Annapolis, Maryland.

Along with the summary jettisoning of American territory, the State Department is in the same act renouncing all of the oil-rich outercontinental shelf--which is equivalent approximately four times the state of California. The owners of the islands are not even being compensated for this governmental condemnation of property. Many owners have been fighting this non-treaty usurpation by the State Department for years.

"It's now time for the four oil companies to fight for their 861,000 stockowners, so that they don't find themselves abandoned by the State Department to the wolves, too, or should I say, the bears?" Olson challenged.



Questions for Department of State Regarding the Proposed
U.S.-U.S.S.R. Maritime Boundary Treaty

1. What is the basis for the sovereignty over, and claims to sovereignty (formal or otherwise), of the United States to the islands of Wrangell, Herald, Bennett, Jeannette, and Henrietta? Include acts conducted by U.S. Navy expedition commanded by Lt. George Washington DeLong and U.S. Revenue Marine expedition commanded by Captain Calvin Leighton Hooper.
2. Who or what agency is the final authority for determining which territory belongs to the U.S.? Has this source of final authority changed from 1881 to the present? Under what U. S. statute and/or regulation is this process carried out?
3. If the U.S. at one time owned these islands, but now recognizes the Soviets own them, by what method was the transfer of sovereignty effectuated? Do such transfers of sovereignty require a treaty?
4. If the U. S. never owned these islands, what was the first document by which the U.S. recognized the Soviet claim to sovereignty? What other documents by U.S. government officials acted as if the Soviets had sovereignty?
5. Was the Digest of International Law published in 1983 either by the Department of State or under the sponsorship or endorsement of the Department of State?
6. Were the five islands of Wrangell, Herald, Bennett, Jeannette, and Henrietta excluded from Alaska in the Statehood Act of 1959.
7. Is the State Department's International Boundary Study #14 correct in its description of the U.S.-Russia Convention Line of 1867? If not, what is the correct description?
8. Has anything changed with respect to the U.S.-Russia Convention Line of 1867 since the publication of the International Boundary Study #14 (Revised) in 1965?
9. When the Department of State issued a passport for the survivors of the Lomen Brothers' settlement who were kidnapped by the Soviets from Wrangell Island in 1924, were all the people included in the passport American citizens?
10. For the many rounds of negotiations leading up to the maritime boundary treaty, who were the negotiators on the U.S. and Soviet sides, and what were the dates and locations of all of the negotiating sessions?
11. When negotiations reach the point at which it is determined by a competent authority that they will culminate in a treaty, the State Department is required by statute to notify Congress, especially the Senate for its advice. By what document was this notification made? Who was the "competent authority"? Please supply a copy. (Circular 175 requirement)
12. Are seabeds, marine life, and resources on or below seabeds in the Exclusive Economic Zone considered to be either territory of, or property of, the United States? What is the estimated value of the natural resources (oil, gas, minerals, sealife, etc.) on both sides of the proposed line in the Arctic and Bering Seas.

13. Has the U.S. assisted any American claimant of property or territory regarding Wrangell, Herald, Bennett, Jeannette, or Henrietta Islands? Who are these claimants?

14. Why were no representatives of the State of Alaska allowed to participate in any of the negotiating sessions, and why will the State of Alaska not have the power of consent regarding this treaty with respect to ceding territory or establishing its own boundary with the Soviet Union? A clear parallel exists with the negotiations between the U.S. and Great Britain over the boundary between Maine and Canada (Webster-Ashburton Treaty), in which representatives of both Maine and Massachusetts were required to be involved in the negotiations and the consent of these states was also required.

15. During the negotiations, Legal Adviser Abraham Sofaer recused himself, reportedly because of his financial interest in the oil industry. Please supply a copy of any recusal document for Judge Sofaer and any other State Department official for this treaty negotiations.

16. In establishing a maritime boundary line purportedly to follow generally the U.S.-Russia Convention Line of 1867 as described in the 1867 treaty, why was the crucial southern end of the line ignored, i.e., the part of the 1867 treaty which states "...so as to include in the territory conveyed the whole of the Aleutian islands east of that meridian" (193 west longitude)? Copper Island, Sea Lion Rock, and Sea Otter Rock are U.S. islands as described by the 1867 treaty, but would appear on the Soviet side of the maritime boundary treaty.

17. Why have the "eastern special areas" and "western special area" been created on each side of the maritime boundary lines, which permit the U.S. to "exercise sovereign rights and jurisdiction" in the Soviet areas and the Soviets to do the same in the U.S. areas? This is a unique concession to allow a foreign government to exercise sovereign powers inside the U.S. and will require authorizing legislation. Why was not the boundary line drawn to go around these areas and thus avoid the need to create this grave sovereignty problem?

18. Why does the maritime boundary treaty re-define the U.S.-Russia Convention Line of 1867 in terms that were never included or intended in the 1867 treaty?

A. It uses a 200-mile reference from Wrangell and Herald Islands to establish the "eastern special area" in the Arctic, as if the Soviets had sovereignty over Wrangell and Herald.

B. It diverges in all material aspects from the description of the U.S.-Russia Convention Line of 1867 in the State Department's International Boundary Study #14 (Revised).

C. It creates a major "jog" away from the straight line in the Bering Sea to give the Soviets a 200-mile concession.

D. It ignores the part of the line described in the 1867 treaty for the end of the Aleutian Islands (i.e. the line at the 193 west longitude ceding all the Aleutians to the U.S.).

E. It gives in to the Soviet demand for the line to follow a "rhumb" line depiction for the thousands of miles of its length even though such a depiction does not represent the "neutral" shortest distance between two points on the globe (as the "arc of a great circle" depiction would do). The effect of this concession is that the Soviets will get thousands more square miles of outercontinental shelf in the Bering Sea.

Summary of Environmental Impact Statement for Proposed Chukchi Sea Sale 126

This Environmental Impact Statement (EIS) examines a proposal for oil and gas leasing in the Chukchi Sea, three alternatives to the proposal, the major issues identified through the scoping process, and the potential mitigating measures associated with the proposal.

The proposal (Alternative I) consists of 4,319 blocks (approximately 9.58 million hectares) in the Chukchi Sea that are located about 3.5 to 200 miles (about 6.5 to 370 km) offshore in water depths that range from about 98 to 263 feet (about 30-80 m). Alternative II (No Lease Sale) would cancel the proposed lease sale, scheduled for late 1991. Alternative III (Delay the Sale) would delay the proposed lease sale for a period of up to 3 years. Alternative IV (Point Lay Deferral Alternative) would defer leasing on 501 blocks (about 1.15 million hectares) identified in the proposal, resulting in the deferral alternative being moved offshore from about 25 to 75 miles (40 to 120 km). The Secretary of the Interior will decide which of these options or combination of options will take place.

The potential effects of Alternative I (Proposal) are based on three separate cases that represent a range of possible oil and gas activities resulting from Sale 126. The cases are the low case, base case, and high case. It is assumed that natural gas resources would not be economic to produce and would not be developed (see Appendices A and B).

→ **Low Case:** The low case assumes that 430 million barrels (MMbbl) of oil would be discovered but that this volume is below the minimum economic resource required for development. As a result, two exploration wells would be drilled, plugged, and abandoned, with industry activity ceasing at this point. This case represents a minimum amount of petroleum industry activity that could occur in the Sale 126 area. The probability of a major oil spill occurring would be negligible. The only spills estimated to occur would be from minor operational spills. The environmental analysis focuses on the effects associated with exploration activities.

Base Case: The base case represents the most likely amount of hydrocarbon resources that could be assumed to be developed from leasing in the Sale 126 area if commercial quantities of hydrocarbons are discovered. It is assumed that 1,610 MMbbl of oil would be discovered and produced in the sale area. It is assumed that natural gas resources would not be economic and would not be developed. The MMS estimates a 0.21 marginal probability, which means that there is an approximately 21-percent chance of economically recoverable hydrocarbons being present in the unleased sale area. For the base-case-resource estimate, two spills of 1,000 barrels or greater ($\geq 1,000$ bbl) are estimated to occur over the life of the field, with an 87-percent chance of one or more spills occurring.

For the base case, assuming that commercial quantities of hydrocarbons are present in the area and developed, there is a 1-percent chance that one or more spills of $\geq 1,000$ bbl would occur and contact land during the summer within 30 days. There is a 25-percent chance that one or more spills of $\geq 1,000$ bbl would occur and contact land during the entire winter. The effects from oil spills would be mitigated by the extent to which weathering of oil occurred at sea and by the effectiveness of any oil-spill-cleanup measures.

The base-case-environmental analysis focuses on oil exploration and development and production activities. The analysis uses a hypothetical transportation scenario in which oil production from offshore-production platforms would be piped ashore near Point Belcher and transported overland by pipeline to connect with the Trans-Alaska Pipeline (TAP) near Pump Station No. 2. The oil would be transported south by TAP to Valdez and shipped to the continental U.S. by tankers.

→ **High Case:** The high case represents a maximum resource volume of hydrocarbons likely to be present in commercial quantities. It is assumed that 3,540 MMbbl of oil would be discovered and produced in the sale

area. It is also assumed that natural gas resources would not be economic and would not be developed. The marginal probability of hydrocarbons in commercial quantities being present in the sale area is the same as in the base case (0.21). For the high-case-resource estimate, four spills of $\geq 1,000$ bbl are estimated to occur over the life of the field. Assuming that commercial quantities of hydrocarbons are present in the area and developed, there is a 1-percent chance that one or more spills of $\geq 1,000$ bbl would occur and contact land during summer within 30 days. There is a 46-percent chance that one or more spills of $\geq 1,000$ bbl would occur and contact land during the entire winter. The probability of one or more spills of $\geq 1,000$ bbl occurring is 99 percent. The degree of adverse effects from oil spills would be mitigated by the extent to which weathering of oil occurred at sea and by the effectiveness of any oil-spill-cleanup measures.

The high-case environmental analysis focuses on exploration and development and production activities. The analysis uses a hypothetical transportation scenario in which oil production from offshore-production platforms would be transported to the TAP in the same manner as in the base case. The oil would be transported south by TAP to Valdez and shipped to the continental U.S. by tankers.

Alternative II (No Lease Sale) would remove the total area proposed for leasing from further consideration. Therefore, effects identified to occur as a result of the proposal would not occur. This alternative could perpetuate the need for imported oil and add to the need for developing alternative-energy resources.

Alternative III (Delay the Sale) would delay the proposed lease sale for a period of up to 3 years. Effects of this alternative would be the same as for Alternative I (the proposal), but they would be delayed up to 3 years.

Alternative IV (Point Lay Deferral Alternative) would defer leasing on 501 blocks (about 1.15 million hectares), resulting in the deferral alternative being moved from about 25 to 75 miles (40 to 120 km) offshore. The purpose of the deferral alternative is to include those marine mammal habitats not deleted from the sale area during Area Identification, provide additional protection for important coastal habitats, and furnish an additional protective buffer for offshore subsistence-harvest areas of the community of Point Lay. In this alternative, it is assumed that 1,610 MMbbl of oil would be discovered and produced in the sale area, the same as in the base case. It is also assumed that natural gas resources would not be economic to produce and would not be developed (see Appendices A and B). The marginal probability of hydrocarbons in commercial quantities being present in the sale area (0.21) is the same as in the base case. The number and probability of oil spills estimated to occur also are the same as in the base case, assuming that commercial quantities of hydrocarbons are present in the area and developed. The degree of adverse effects from oil spills would be mitigated by the extent to which weathering of oil occurred at sea and by the effectiveness of any oil-spill-cleanup measures.

The environmental analysis for the Point Lay Deferral Alternative focuses on the effects associated with exploration and development and production activities. The analysis uses a hypothetical transportation scenario in which oil production from offshore-production platforms would be transported to the TAP in the same manner as in the base case. The oil would be transported south by TAP to Valdez and shipped to the continental U.S. by tankers.

Table S-1 summarizes the possible effects that are likely to occur as a result of the leasing proposal (Alternative I) and the alternatives to the proposal on those resources identified as major concerns during the scoping process (see Table S-2 for the definitions used in assessing effects). The analyses supporting the conclusions in Table S-1 assume that all current laws and regulations are in place for the leasing proposal. If the potential mitigating measures described in Section II.F.2 of this EIS were adopted, some of the effects described in Section IV would be reduced (the effectiveness of potential mitigating measures is discussed in Sec. II.F.2).

This EIS is not intended, nor should it be used, as a local planning document by potentially affected communities. The facility locations and transportation scenario described in this EIS represent assumptions

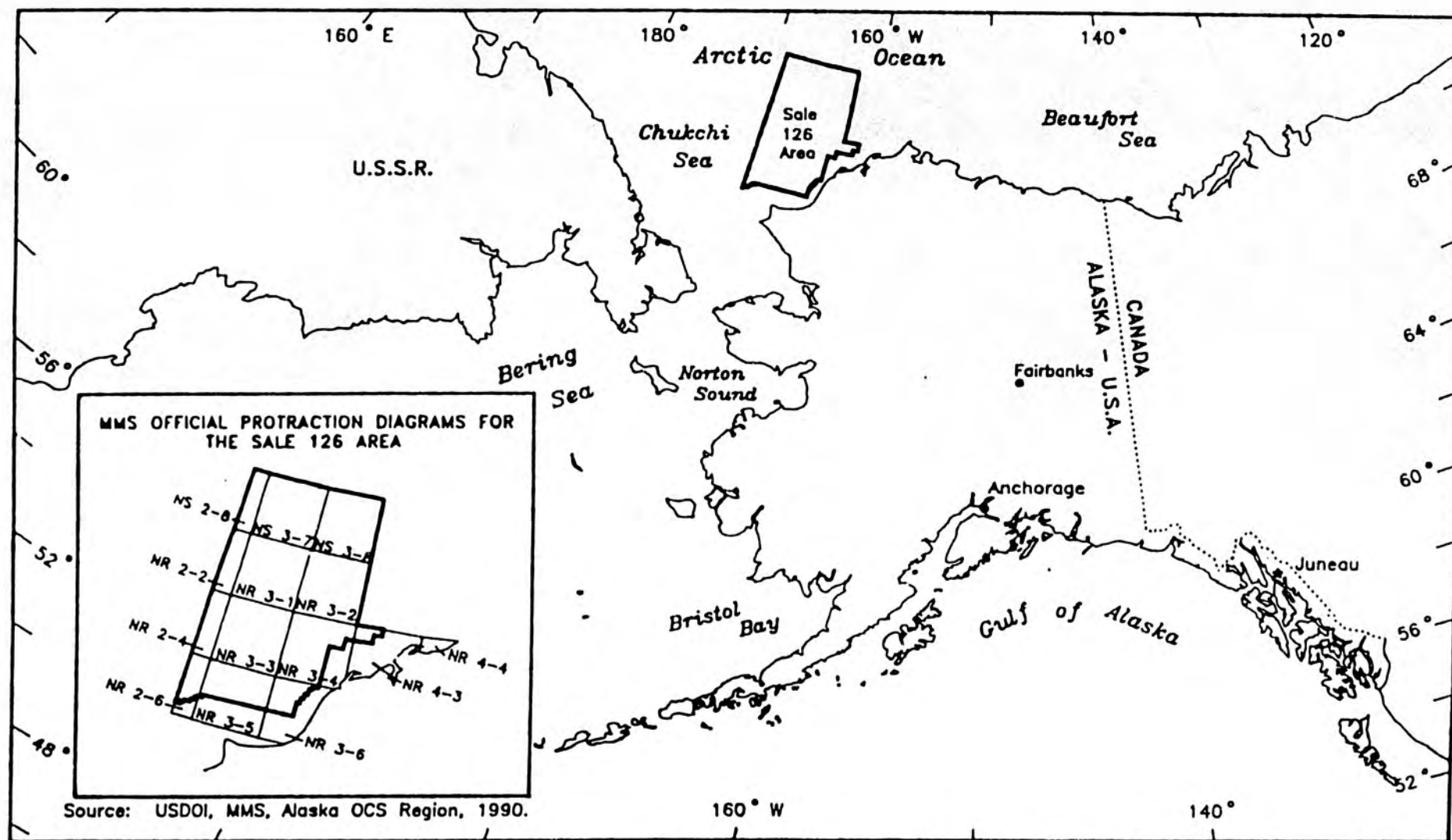
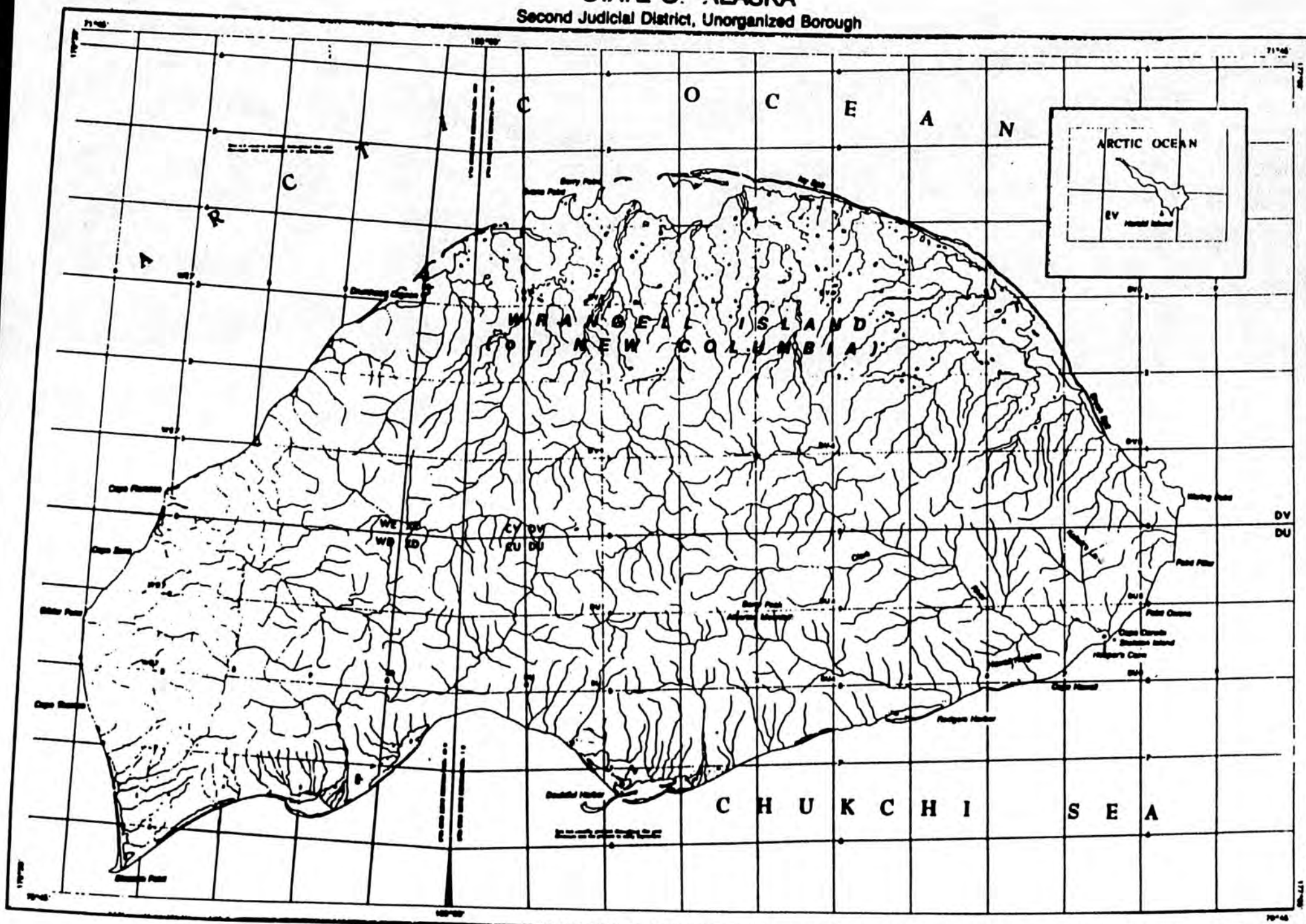


Figure I-1. Location of the Proposed Chukchi Sea Sale 126 Area

STATE OF ALASKA
Second Judicial District, Unorganized Borough

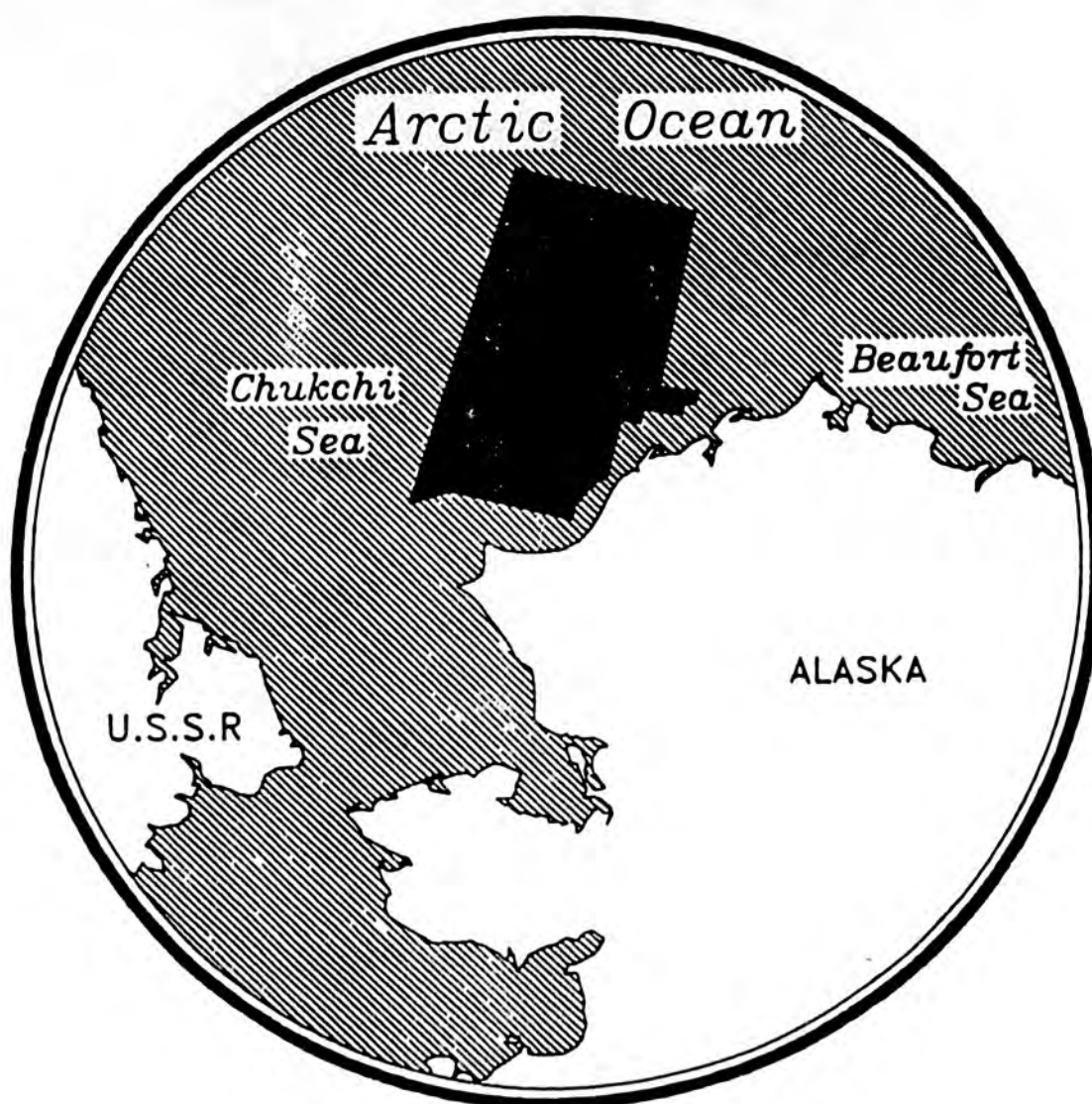


Alaska Outer Continental Shelf

Chukchi Sea Oil & Gas Lease Sale 126

Final Environmental
Impact Statement

Volume I



Assembly Joint Resolution No. 37

RESOLUTION CHAPTER 122

Assembly Joint Resolution No. 37—Relative to the boundaries of Alaska.

Adopted September 10, 1987

[Filed with Secretary of State September 17, 1987.]

LEGISLATIVE COUNSEL'S DIGEST

AJR 37, La Follette. Alaska: boundary negotiations.

This measure would state the Legislature's support for the State of Alaska in its rightful position of participation in any boundary negotiations involving its boundaries with the Soviet Union or Canada. It would memorialize the President and Congress of the United States to ensure that any terms and conditions of any boundary agreement with respect to Alaska's boundaries is consented to by the State of Alaska and that the agreement is drafted in the form of a treaty for ratification by the United States Senate.

WHEREAS, The boundaries of the State of Alaska are of vital concern to the state government of Alaska; and

WHEREAS, The essence of sovereignty of a state within America's federal system requires that a state government have complete and unambiguous jurisdiction over well-defined geographical boundary lines; and

WHEREAS, Any time that boundaries of a state are to be altered in any way, that state has an essential and overriding interest in the determination of the boundary; and

WHEREAS, Alaska is unique among all American states in that it is the only state with the potential for having boundaries with more than one foreign country (i.e. Canada and the Soviet Union); and

WHEREAS, Boundaries with foreign countries and a state are, and ought to be, coterminous with America's national boundaries with those foreign countries; and

WHEREAS, Negotiations are underway between the United States Department of State and the government of the Soviet Union over setting boundaries between the United States and the Soviet Union, and there have been at least seven rounds of negotiations on this issue since 1981; and

WHEREAS, The economic issues of petroleum, fishery, and other valuable resources have great impact on Alaska's welfare and prosperity; and

WHEREAS, At no time has the United States Department of State allowed, or even offered to invite, a representative of the state government of Alaska to be on any negotiating delegation, nor has it formally solicited the input or advice of the state government of Alaska over the content or form of these negotiations; and

WHEREAS, These negotiating delegations, which the United States Department of State has assembled, have included representatives of various other agencies of the federal government; and

WHEREAS, It is settled procedure for negotiation of boundaries that representatives of any affected state not only must be included in the negotiations, but also must consent to the proposed terms of the boundary treaty (such as was the case when Secretary of State Daniel Webster negotiated with Great Britain in 1842 over the boundary between Canada and the State of Maine); and

WHEREAS, A usurpation of one state's rights and sovereignty is an attack on the entire federal system of the United States of America; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California supports the State of Alaska in its rightful position of participation in any boundary negotiations involving its boundaries with the Soviet Union or Canada; and be it further

Resolved, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to ensure that any terms and conditions of any boundary agreement with respect to Alaska's boundaries are consented to by the State of Alaska, and that any such boundary agreement is drafted in the form of a treaty for ratification by the United States Senate; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Governor of Alaska.

Exhibit 41

Introduced by Senator Rogers

May 2, 1991

Senate Joint Resolution No. 20—Relative to the boundaries of Alaska.

LEGISLATIVE COUNSEL'S DIGEST

SJR 20, as introduced, Rogers. Alaska boundary negotiations.

This measure would state the Legislative support for the State of Alaska in its rightful position of participation in any boundary negotiations involving its boundaries with the Soviet Union. The measure would memorialize the President to withdraw from the United States Senate the proposed boundary treaty between the United States and the Soviet Union and request the California United States Senators to decline to consider the proposed treaty until the State of Alaska has been allowed to participate in the treaty negotiations and has been guaranteed that its consent will be required for the agreement.

Fiscal committee: no.

WHEREAS, Every state has a compelling constitutional interest in determining its own boundaries with other states and foreign countries; and

WHEREAS, The State of Alaska's boundary with the Soviet Union has been the subject of negotiations between the United States government and the Soviet government since 1981; and

WHEREAS, The State of Alaska has never been permitted to participate in the negotiations carried on by the Department of State; and

WHEREAS, The Alaska Legislature has vigorously protested this exclusion in the form of Senate Joint

Resolution 12, which was passed unanimously by both houses and signed by Governor Steve Cowper in May 1988; and

WHEREAS, The Department of State ignored these protests, and its negotiations have resulted in a proposed treaty titled "Agreement with the Union of Soviet Socialist Republics on the Maritime Boundary," which is now before the United States Senate for ratification; and

WHEREAS, The California Legislature previously expressed its support for the State of Alaska for its right to participate in any negotiations affecting its boundaries in the form of Resolution Chapter 122 of the Statutes of 1987; and

WHEREAS, It is settled procedure with respect to negotiations of state boundaries that representatives of any affected state not only must be included in the negotiations, but also must consent to the terms of the proposed boundary treaty (such as was the case when Secretary of State Daniel Webster negotiated with Great Britain over the boundary between Canada and the State of Maine in 1842); now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly: That the California Legislature renews its support for the State of Alaska in its rightful position of participation in any boundary negotiations involving its boundaries with the Soviet Union; and be it further

Resolved, That the California Legislature (1) respectfully memorializes the President of the United States to withdraw the proposed treaty from consideration by the United States Senate and (2) requests the California United States Senators to decline to consider the proposed treaty, until such time as the State of Alaska has been able to participate fully in negotiations and has been guaranteed that its consent will be required for any agreement affecting its boundaries; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Governor of Alaska, to the President of the Alaska Senate, and to the Speaker of the Alaska House of Representatives.

the sponsor of
this resolution:

Sen. Don Rogers
State Capitol
Sacramento, Calif.
95814
916-445-6637

HOUSE RESOLUTION

No. 88

Session of
1991

INTRODUCED BY HASAY, CAPPABIANCA AND SERAFINI, APRIL 16, 1991

REFERRED TO COMMITTEE ON RULES, APRIL 16, 1991

A RESOLUTION

Memorializing the President of the United States and the Department of State to recognize Alaska's interest in the boundary negotiations between the United States and the Soviet Union and to include Alaska in the negotiating process at the proper time, recognizing Alaska's inherent interest in these negotiations.

WHEREAS, Negotiations are underway and have continued since 1981 between the United States Department of State and the government of the Soviet Union in an effort to determine the status of five strategic Alaskan arctic islands and an immense outer continental shelf; and

WHEREAS, The economic issues of petroleum, fishery and other valuable resources will have great impact on Alaska's welfare and prosperity; and

WHEREAS, Among all American states, Alaska is unique in that it is the only state that shares its boundaries with more than one foreign country; and

WHEREAS, Its boundaries are of vital importance to Alaska's State Government and the sovereignty of the United States; and

WHEREAS, Alaska has, to date, not been included in any of the negotiations between the United States and the Soviet Union; and

WHEREAS, Article II, section 2(2) of the United States Constitution which states: "He (the President) shall have Power, by and with the Advice and Consent of the Senate to make Treaties, provided two-thirds of the Senators present concur..." makes the President the official responsible for international agreements and treaties with the Senate's consent with no implied or stated right of any state to be included in or consent to the terms of any boundary dispute; and

WHEREAS, During 1842, the United States Secretary of State Daniel Webster negotiated with Lord Ashburton, the British envoy, over a disputed boundary along the border between Canada and the states of Maine and Massachusetts; a dispute which began at the close of the American Revolution and continued for 60 years bringing the two countries to the brink of war; and

WHEREAS, Secretary of State Webster, knowing that treaties require approval by two-thirds of the Senators present and subsequent ratification by the President, did, in an attempt to gain support in the Senate for the treaty and with President Tyler's approval, propose to Lord Ashburton that commissioners from the two states be asked to participate in the negotiations. With Lord Ashburton's consent, four commissioners from Maine and three from Massachusetts were appointed to join the negotiations. Webster thereby established a precedent which would allow inclusion of states in future boundary negotiations when necessary; therefore be it

RESOLVED, That the President of the United States and the Department of State take the example set by Secretary of State Daniel Webster in negotiating the Webster-Ashburton Treaty of 1842 by including Alaska, at the earliest appropriate time in their ongoing boundary negotiation, thereby recognizing Alaska's inherent interests in the establishment of this boundary; and be it further

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the President of the United States and the Department of State to recognize Alaska's interest in the boundary negotiations between the United States and the Soviet Union and to include Alaska in the negotiating process at the proper time; and be it further

RESOLVED, That copies of this resolution be transmitted to the President of the United States, the Secretary of State, the Vice President of the United States as the presiding officer of the Senate, to each member of the Senate and to the Governor of Alaska.

the sponsor of this resolution:

Rep. George C. Hasay
State Capitol Building
Harrisburg, Penn. 17120
717-787-1117

Senator Gary Suhadolnik
State House
Columbus, Ohio 43266
614-466-8056

118TH GENERAL ASSEMBLY
Regular Session
1989 - 1990

S. J. R. No. /

MR. SUHADOLNIK

RESOLUTION

Supporting the State of Alaska in its rightful position
of participation in any negotiations involving its boundaries
with the Soviet Union or Canada.

WHEREAS, The members of the 118th General Assembly of Ohio wish to
proclaim our support of the State of Alaska in its rightful position of
participation in any boundary negotiations involving its boundaries with
the Soviet Union or Canada; and

WHEREAS, Negotiations are currently underway between the United
States State Department and the Soviet Union to determine the status of
e strategic Alaskan Arctic islands and an immense outercontinental
shelf. Although the transfer of these lands and vast, oil-rich seabeds
would have a direct impact on the economic issues of petroleum, fishery,
and other valuable resources concerning Alaska's welfare and prosperity,
Alaska has not been present or even invited to any of at least eight
rounds of negotiations between the United States and the Soviet Union
which have taken place since 1981. This systematic exclusion of Alaska
from crucial boundary negotiations is a clear violation of America's
policy of state sovereignty, in which state governments have complete
and unambiguous jurisdiction over well-defined geographical boundary
lines of that state; and

WHEREAS, Among all American states, Alaska is unique in that it is
only state that shared boundaries with more than one foreign
country. Its boundaries are of vital importance to Alaska's state

governments, and the current exclusion of Alaska from boundary negotiations with the Soviet Union is a deliberate infringement upon Alaska's sovereignty. It is settled procedure that a state government may only be involved in any negotiations that would affect its boundaries, but also give its express consent to the proposed terms of the boundary treaty, as was the case in 1842 when Secretary of State Daniel Webster negotiated with Great Britain over the boundary between Canada and the State of Maine; and

WHEREAS, The transfer of land between the United States and another country as well as the establishment of national boundaries must be provided for by a treaty signed by the President and ratified by Congress, in addition to being approved by the state or states which such negotiations would affect. Thus, the denial of Alaska's rights and sovereignty by the United States Department of State is not only an affront to the state government of Alaska, but is also an attack on the entire federal system of the United States of America; therefore be it

RESOLVED, That we, the members of the 118th General Assembly of Ohio, in adopting this Resolution, give our utmost support to the State of Alaska in its efforts to be rightfully represented at any boundary negotiations with the Soviet Union, and urge the President and Congress of the United States to ensure that the terms and conditions of any boundary agreement concerning Alaska are consented to by the State of Alaska and are drafted in the form of a treaty for ratification by the United States Senate; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this Resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Governor of Alaska, and to the news media of Ohio.

This International Boundary Study is one of a series of specific boundary papers prepared in the Office of the Geographer, Department of State, in accordance with provisions of Bureau of the Budget Circular No. A-16, Exhibit D.

Government agencies may obtain additional information and copies of the study by calling the Office of the Geographer, Room 8744, State Department Building, Department of State, Washington 25, D.C. (telephone: Code 182, Extension 4507).

INTERNATIONAL BOUNDARY STUDY

No. 14 (Revised)

Oct. 1, 1965

U.S. - RUSSIA CONVENTION LINE OF 1867

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The Geographer
Office of Research in Economics and Science
Bureau of Intelligence and Research

I. U.S. - RUSSIA CONVENTION LINE OF 1867

Rather than a boundary per se, this report concerns a convention line which ordinarily appears on official maps in the same manner as a boundary. According to Boggs^{1/} "Most lines in water areas which are defined in treaties are not boundaries between waters under the jurisdiction of the contracting parties, but a cartographic device to simplify description of the land areas involved ...". He further describes such a line being a "line of allocation" of land. For example, all land areas to the east of the Convention line in question belong to the United States; to the west to the U.S.S.R. without regard to the water areas involved.

Early in 1955, a group of U.S. cartographic experts in the ACC/MAP^{2/}, after a rather long period of consultation and deliberation, issued the "Coordinate Positions for the Plot of U.S. - Russia Convention of 1867." This document, which is reproduced in part below, has been adopted as the standard description for the cartographic representation of the Convention line. Its re-issue in this series results from the large number of questions on the line which have been raised in recent months from offices unfamiliar with the original document.

II. TREATY

The only treaty establishing a so-called "boundary" between the United States and the modern Union of Soviet Socialist Republics is the Convention Ceding Alaska concluded March 30, 1867 with ratification advised by the Senate on April 9, 1867 and proclaimed by the President on June 30, 1867. The Convention line, as given below, marks the limit, to the east of which, the Emperor of Russia ceded all territory or claims to territory in North America. The 1867 Convention's territorial article on the western limits of the Alaskan cession reads as follows:

The western limit within which the territories and dominion conveyed, are contained, passes through a point in Behring's straits on the parallel of sixty-five degrees thirty minutes north latitude, at its intersection by the meridian which passes midway between the islands of Krusenstern, or Ignalook, and the island of Ratmanoff, or Noonabook, and proceeds due north, without limitation, into the same Frozen Ocean. The same western limit, beginning at the same initial point, proceeds thence in a course nearly southwest, through Behring's straits and Behring's sea, so as to pass midway between the northwest point of the island of St. Lawrence and the southeast point of Cape Choukotski, to the meridian of one hundred and seventy-two west longitude; thence, from the intersection of that meridian, in a southwesterly

^{1/} Boggs, S.W., "Delimitation of Seaward Areas under National Jurisdiction," American Journal of International Law, Vol. 45, No. 2 April 1951, footnote 2, page 240.

^{2/} The Map Sub-Committee of the Air Coordinating Committee.

direction, so as to pass midway between the island of Attou and the Copper island of the Kormandorski couplet or group, in the North Pacific ocean, to the meridian of one hundred and ninety-three degrees west longitude, so as to include in the territory conveyed the whole of the Aleutian islands east of that meridian.

In the Convention, 193° West Longitude coincides, of course, with 167° East Longitude. The modern names for selected places mentioned in the Convention are as follows:

<u>Convention Name</u>	<u>Modern Name</u>
Krusenstern or Ignalook	Little Diomedé Island
Ratmanoff or Noonarbook	Big Diomedé Island or Ostrov Ratmanova
Frozen Ocean	Arctic Sea
Cape Choukotski	Mys Chukotskiy
Attou Island	Attu Island
Copper	Ostrov Mednyy
Kormandorski couplet	Komandorskiye Ostrova

III. SUMMARY

The wording of the Convention is rather precise. The principal question left unsolved is whether the lines between the fixed points should cartographically be expressed as "rhumb lines" or as "great circle lines". It was decided that great circle lines should be understood by the Convention wording of "straight lines" on the earth and the ACC/MAP group resolved:

"The lines between points herein described are great circles except those lines which connect adjoining points on the same parallel shall follow the parallel."^{3/}

The Coordinate Positions for the Plot were listed as follows:

Coordinate Positions for Plot of U.S.- Russia Convention Line of 1867

<u>POINT</u>	<u>POSITION</u>	
	<u>Latitude</u>	<u>Longitude</u>
Mys (Cape) Chukotski, southeast extremity	64° 14'.2 N	173° 05'.5 W
St. Lawrence Island, northwest extremity	63° 47'.3 N	171° 45'.8 W
Medny (Copper Island) eastern extremity	54° 32'.2 N	168° 00' E
Attu Island, western extremity	52° 55'.3 N	172° 26'.8 E

^{3/} The actual wording applied to ADIZ boundaries in the vicinity of the Convention line. The significant point is made first and applied to the Convention line.

<u>POINT</u>	<u>POSITION</u>	
	<u>Latitude</u>	<u>Longitude</u>
Initial Turning Point	65° 30'.0 N	168° 58' 22".587 W ^{4/}
Turning Point No. 2	64° 12'.3 N	172° 00' W
Mid Point between Medny and Attu Island	53° 45'.0 N	170° 16'.0 E
End Point, southwestern ex- tremity of Convention line	50° 36'.4 N	167° 00' E
5° increments of longitude along great circle arcs	65° 04'.2 N	170° 00' W
	62° 59'.4 N	175° 00' W
	60° 33'.5 N	180°
	57° 28'.0 N	175° 00' E
	53° 31.0 N	170° 00' E
Starting point of Convention Line	72° 00' N	168° 58' 22".587 W

It should be noted that the original Convention language stated that the line "proceeds thence due north, without limitation, into the same Frozen Ocean". Since the United States does not support so-called "sector claims" in the polar regions, the northernmost point for the representation of the Convention line was agreed to be 72° 00' N. Furthermore, in keeping with the policy that the line does not constitute a boundary, the standard symbol for the representation of an international boundary should never be used. Furthermore, labeling of the line as "U.S. - Russia Convention of 1867" is recommended.

The plotted points, it should be remembered, are subject to minor modification resulting from improved surveys, changes in datum, alteration in the spheroid, etc.

^{4/} This value was given erroneously in the distributed ACC/MAP minutes as 168° 50' 22".587 W. and copied in the original edition of this study instead of the correct value, 168° 58' 22".587 W.

This map illustrates the Bering Sea and its surrounding regions. The U.S.S.R. is shown to the north and west, while Alaska is to the east. The Aleutian Islands are located in the southern part of the map. A dashed line represents the U.S.-Russia Convention of 1867. Key locations include Wrangel Island, St. Lawrence Island, and the Aleutian Islands. The map also shows the U.S.S.R. and Alaska.