

# STATE OF ALASKA

## THE LEGISLATURE

1980

Source

Legislative  
Resolve No.

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Relating to Alaska's right under the Statehood Act to land promised by the Act.

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

WHEREAS the legislature finds that

(1) the Act providing for the admission of Alaska into the Union (P.L. 85-508) constitutes a contract between the United States and the people of the State of Alaska;

(2) subject to subsequent determination of the rights of Alaska Natives claiming land on the basis of aboriginal title, the Alaska Statehood Act authorized selection by the state of 102,550,000 acres from the public land of the United States which was vacant, unappropriated and unreserved at the time of selection, together with additional acreage from national forest land;

(3) Congress has provided for settlement of the claims of Alaska Natives by enactment of the Alaska Native Claims Settlement Act (P.L. 92-203);

(4) the same legislation providing for the settlement of the claims of Alaska Natives directs the withdrawal of 80 million acres of public land for subsequent evaluation and possible inclusion in national park, forest, wildlife refuge, and wild and scenic river systems, and that legislation now under consideration by Congress would, if enacted, add extensive additional acreage to the land already closed to selection by the State of Alaska;

(5) by a series of proclamations the President of the United States has purported to establish national monuments encompassing over 55,000,000 acres of land within the State of Alaska, citing as authority for this action the Act for the

Preservation of American Antiquities adopted June 8, 1906 (16 U.S.C. 431); and

(6) the state has not completed selection of the land which it is authorized to select under the Statehood Act, and the continuing action on the part of the President and Congress in effecting or considering the withdrawal or reservation of land has very substantially impaired the state's ability to make timely selection under the Statehood Act of land having actual or potential economic value; and

WHEREAS the Statehood Act provided that substantial land could be selected by the State of Alaska and would be granted to the state upon selection, and the reasons for the selection and grants, as stated in the report of the Committee on Interior and Insular Affairs accompanying the bill, include the finding that:

"In Alaska very little land has passed out of Federal title and there seems to be little chance of any marked change in this situation under existing Federal policies"

leading to the conclusion that the land must be conveyed to the state since, as stated in the report,

"If Alaska is to become a State, it must be a full and equal State, and not a puppet of the Federal Government"; and

WHEREAS the United States has broken its compact with the State of Alaska and the people of Alaska through the actions of the President and Congress which have effectively prevented exercise of the land selection rights found necessary and promised; and

WHEREAS these violations are of such a serious nature that the valid right to full title to the land promised under the Statehood Act and the right of unilateral action by the state to enforce the rights accrued to the state through the compact have arisen;

BE IT RESOLVED that the Alaska State Legislature respectfully requests the Governor to cause immediate selection of the land to which the State of Alaska is entitled from the United States under the Statehood Act, to declare by proclamation that title to this land is vested in the State of Alaska, and to take whatever steps are necessary to defend the title of the state to this land.