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NEWS RELEASE



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ATTORNEY GENERAL ARGUES FOR SOVEREIGN WATERS

(Juneau) - Attorney General Gregg Renkes on Monday gave the opening statement in the State of Alaska's submerged lands case before a Special Master appointed by the U.S. Supreme Court. In the court case, the state asserts that it holds title to the submerged lands surrounding the mainland and islands of the Alexander Archipelago in Southeast Alaska. Renkes estimates the state is in the third year of an approximately four to six-year-long case. Additional argument on behalf of Alaska was presented by Jonathan Franklin and Assistant Attorneys General Joanne Grace and Laura Bottger.

"The issues in this case go to the heart of Alaska's Statehood Compact," Renkes argued, "to the heart of a plan for Alaska statehood based on a grant of lands and interests in resources, and to the heart of our constitutional federal system."

Renkes said the case is a quiet title action, but not an ordinary one. It seeks to quiet title to the state's "equal footing" lands, as confirmed in the Submerged Lands Act. He said quieting title to the lands will restore Alaska's equal footing with every other state that has joined the Union, and cited four basic reasons why the issue is more important to Alaska than it might be to other states.

First, the federal government has already withdrawn a substantial amount of land in Alaska, in addition to the large amount of submerged lands it claims to have withdrawn in this case.

Second, the land area in question is huge - the Alexander Archipelago covers an area 600 miles long and up to 100 miles wide. For the federal government to retain, without any clear statement of its intent to do so, a large portion of lands intended in the statehood compact to pass to the state would upset the traditional federal-state balance of our constitutional system.

Third, the lands are significant to Alaskans for their historical and cultural values, in addition to encompassing the Capital.

Fourth, Alaska is still a young state, still attempting to establish boundaries and settling land claims. This process has been complicated by an aggressive federal bureaucracy that has fought establishment of permanent boundaries and Alaska's title to navigable

waters and historical roadways. The state has also had to contend with massive temporary and permanent land withdrawals by the federal government.

The Special Master will issue initial recommendations on the parties' motions for summary judgment. Depending on the content of those recommendations, the parties may then file exceptions with the Supreme Court or engage in further proceedings before the Special Master.

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