

ANWR PRESS CONFERENCE – September 19, 2000

Comments from Senator Pearce

INTRODUCTORY STATEMENT

- Thank you for attending today's press conference.
- Most of you are aware that the topic of ANWR is one of the most important matters facing the people of Alaska.
- An overwhelming majority of Alaskans, the Legislature, the Governor and our Congressional Delegation believe that any effort to declare the coastal plain of ANWR as a national monument is wrong.
- Our country is facing a dramatic rise in gas and home heating oil prices as we enter the winter months. This increases our dependency on foreign oil and subjects us to the whims of OPEC.
- It is inconceivable to me that the President would even consider restricting development from one of the most prospective sources of oil in the country.
- A recent poll shows that 72% of Alaskans support development on ANWR's coastal plain (as opposed to 20% against and 8% undecided). Poll has indicated a high percentage of support since 1986.
- The Village of Kaktovik registers 78% support.
- In past years, support for opening ANWR has appealed to an overwhelming supermajority of legislators (57-59 out of 60).
- Such a designation I and a majority of my colleagues believe is bad for the state and, more importantly, violates the spirit and the intent of the Alaska National Interest Lands Conservation Act.
- While the issue of ANWR's status has been a hot button topic every year that I have served in the Legislature, recent events have convinced me that either President Clinton, or the Vice President, if he were elected, intend to designate ANWR a national monument.
- Several individuals and organizations across the state have contacted me and other legislators voicing their concerns that some action by the Administration is imminent.
- In fact, one of the documents I have made available to you today from Arctic Power, is representative of this growing concern.

- I felt it was my obligation to my Anchorage constituents and to the state to prepare a legislative and legal response to challenge such an act by the President.
- I commissioned a well regarded law firm based in Washington D.C. with an office in Alaska to review the President’s authority to unilaterally designate land under the Antiquities Act of 1906 in light of more recent and controlling federal legislation – ANILCA.
- As this detailed legal analysis was being finalized, it became immediately apparent that the specific language in ANILCA is the controlling legal authority on any designation of ANWR.
- The legislative history and the specific language of ANILCA are clear – any unilateral effort by the President to designate the coastal plain of ANWR would be illegal.
- The specific language of ANILCA found at section 1326 of this act is called the “no more” clause. This language specifically states that there can be no further withdrawals of lands in Alaska for a duration of more than one year UNLESS approved by Congress.
- It is clear from this specific language that the President may not permanently establish the coastal plain of ANWR a monument without Congressional approval.
- The spirit and intent of this language is supported by additional provisions of ANILCA that:
 1. express Congress’ determination that no further withdrawals of land can take place;
 2. require further studies of the coastal plain for developmental and environmental purposes; and
 3. Prohibit future studies addressing land withdrawals without the consent of Congress.