1986 WL727424 (U.S.) (Appellate Brief) ← Citation Supreme Court of the United States.



No. 85-1239. **← Docket Number** October Term, 1986.

July 31, 1986.

On Writ of Certiorari to the United States of Appeals for the Ninth Circuit

Brief for Petitioners

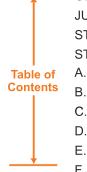


Carl J.D. Bauman, Hughes, Thorsness, Gantz, Powell & Brundin, 509 West Third Avenue, Anchorage, Alaska 99501, (907) 274-7527, Brice M. Clagett, E. Edward Bruce*, John T. Smith II, Bobby R. Burchfield, Covington & Burling, 1201 Pennsylvania Ave., N.W., P.O. Box 7566, Washington, D.C. 20044, (202) 662-6000, Attorneys for Petitioners

*i QUESTIONS PRESENTED

1. Whether the lower court erred in holding that Outer Continental Shelf (OCS) leasing is subject to the restrictions of Section 810(a) of the Alaska National Interest Lands Conservation Act (ANILCA), 16 U.S.C. § 3120(a), when that statute applies only to lands "situated in Alaska" as to which the United States asserts "title"?

*iii TABLE OF CONTENTS



OPINIONS BELOW	1
JURISDICTION	
STATUTES	
STATEMENT OF THE CASE	
A. The Origins of the Sale No. 57 Case	
B. The Ninth Circuit's Ruling in Gambell J	4
C. Proceedings on Remand in Gambell I	5
D. OCS Sale No. 83 (Navarin Basin)	6
E. Proceedings in the District Court on Plaintiffs' Preliminary Injunction Motions	s6
F. The Ninth Circuit's Ruling in Gambell II	8

