

Multi-Year Statehood Defense/State's Rights Funding, Prepared by Department of Law Updated: 3/21/2024

Existing Litigation Where MYA is the Primary Source of Funding - please note dollars are in whole dollars

Note: This only includes cases primarily funded with MYA. Any statehood defense cases funded with other historical funding sources will default to MYA if the historical funding source cannot cover.

Matter Name	Summary	Anticipated Duration	Anticipated Total Costs	Status
ANCSA 17(d)(1) Revocation Delays	Challenge to delays in revoking ANCSA Section 17(d)(1) withdrawals covering 28 million acres	2-4 years	\$25,000	Partial success - settlement
Fortymile Rivers Quiet Title Actions (navigability)	Assertion of State ownership to submerged lands underlying North Fork and Middle Fork, Fortymile River, AK	2-4 years	\$1,335,000	Partial success - upcoming trial
Koyukuk River Quiet Title Actions (navigability)	Assertion of State ownership to submerged lands underlying portions of the Koyukuk and the Bettles Rivers	2-4 years	\$1,335,000	Ongoing
Mulchatna family of rivers Quiet Title Actions (navigability)	Continued actions to formally recognize strategic navigability for title waters	3-5 years	\$1,335,000	Ongoing
Mendenhall Lake Quiet Title Actions (navigability)	Continued actions to formally recognize strategic navigability for title waters	3-5 years	\$1,335,000	Ongoing
Texas v. EPA	Challenge to new Clean Air Act rules regarding passenger vehicles and trucks	2-4 years	\$94,000	Ongoing ✓
Formerly Used Defense Site and other Federal Site Cleanup	Suit to compel cleanup of formerly used defense and other federally contaminated sites located on Alaska Native Claim Settlement Act lands	3-5 years	\$2,000,000	Partial success - evaluating further action
ESG investment rule	Coalition of states challenging the Department of Labor's ESG rule	2-4 years	\$94,000	Ongoing
SEC GHG Disclosure Rule	Multi-state challenge to an SEC rule requiring heightened disclosures relating to greenhouse gases.	2-4 years	\$94,000	Partial success - ongoing
Kenai Refuge Rule	Challenge to federal rules that attempt to regulate the means and methods of hunting	2-4 years	\$150,000	Loss
NPS Rule	Challenge to federal rules that attempt to regulate the means and methods of hunting	2-4 years	\$150,000	Loss
Ice Seals Critical Habitat finding	Challenge to the expansive critical habitat designation for bearded and ringed seals	3-5 years	\$400,000	Ongoing
Polar Bear Incidental Take under ESA	Defense of incidental take regulations issued by the U.S. Fish and Wildlife Service	3-5 years	\$800,000	Partial success - action remanded
Ringed Seal Delisting	Challenge to National Marine Fisheries Service 90-day finding regarding SOA's petition to delist ringed seal	3-5 years	\$400,000	Loss
Definition of Waters of the U.S.	Multi-state challenge to new rule defining what waters, wetlands and even permafrost are covered under the Clean Water Act	2-4 years	\$150,000	Partial success - ongoing
Clean Water Act 401 certification rule	Multi-state challenge to the new Clean Water Act 401 certification	2-4 years	\$94,000	Ongoing
Amicus brief in Sackett case	Urge Supreme Court to adopt Scalia's test for waters of the U.S.	under 1 year	\$50,000	Success
Biden Oil and Gas Leasing Moratorium (LA Case)	Coalition of States challenging Biden administration moratorium on oil and gas leasing activities	2-4 years	\$94,000	Success
NAAQS	Coalition of states challenging new Clean Air Act Rules that stretch far beyond the authority provided in federal law	2-4 years	\$94,000	Ongoing
EPA Methane Rule	Coalition of states challenging new rules on methane that create undue burdens and go far beyond authority provided in federal law	2-4 years	\$94,000	Ongoing
GHG Social Costs (MO Case)	Coalition of States challenging Biden administration use of social costs modelling in GHG emission costs	2-4 years	\$94,000	Loss
Tongass Roadless Rule	Challenge the reinstatement of the Roadless Rule on the Tongass	2-4 years	\$300,000	Ongoing
FHWA emissions rule	Multi-state challenge to FHWA's rule requiring states to create and monitor emission targets on the transportation system (separate and apart from Clean Air Act)	2-4 years	\$94,000	Ongoing
Clean Air Act, 111(d), State Implementation Plan Regs.	Multi-state challenge to new rules taking away discretion from states on how to comply with emissions rules and shortening the time for compliance.	2-4 years	\$94,000	Ongoing
LNG Export Ban	Multi-state challenge to recent ban on all LNG exports.	2-4 years	\$94,000	Ongoing
TOTAL			\$10,799,000	