

116TH CONGRESS  
1ST SESSION

# H. R. 1146

To amend Public Law 115–97 (commonly known as the Tax Cuts and Jobs Act) to repeal the Arctic National Wildlife Refuge oil and gas program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2019

Mr. HUFFMAN (for himself, Mr. FITZPATRICK, Mr. AGUILAR, Ms. BARRAGÁN, Ms. BASS, Mr. BEYER, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BROWN of Maryland, Ms. BROWNLEY of California, Mr. CARBAJAL, Mr. CÁRDENAS, Mr. CARTWRIGHT, Mr. CASTEN of Illinois, Ms. CASTOR of Florida, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARKE of New York, Mr. CLAY, Mr. COHEN, Mr. WELCH, Mr. CROW, Mr. DEFazio, Ms. DEGETTE, Mrs. DEMINGS, Mr. DESAULNIER, Mr. DEUTCH, Mrs. DINGELL, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. ESHOO, Mr. ESPAILLAT, Mr. GALLEGRO, Mr. GARAMENDI, Mr. GOMEZ, Ms. HAALAND, Mr. HASTINGS, Ms. HILL of California, Mr. HIGGINS of Louisiana, Mr. HIMES, Ms. JAYAPAL, Mr. KENNEDY, Mr. KILDEE, Mr. KILMER, Mr. KRISHNAMOORTHY, Mrs. LAWRENCE, Ms. LEE of California, Mr. LEVIN of California, Mr. TED LIEU of California, Mr. LIPINSKI, Ms. LOFGREN, Mr. LOWENTHAL, Mr. LUJÁN, Mr. LYNCH, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCEACHIN, Mr. MCGOVERN, Mr. MCNERNEY, Ms. MENG, Mr. MORELLE, Mr. MOULTON, Ms. MUCARSEL-POWELL, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEGUSE, Ms. NORTON, Ms. OMAR, Mr. PANETTA, Mr. PETERS, Ms. PINGREE, Mr. POCAN, Mr. QUIGLEY, Mr. RASKIN, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SERRANO, Ms. SHALALA, Mr. SIRES, Mr. SMITH of Washington, Mr. SOTO, Ms. SPEIER, Mr. SUOZZI, Mr. TONKO, Mr. VAN DREW, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Ms. WATERS, Ms. WILSON of Florida, Mr. MALINOWSKI, Mr. ROUDA, Mr. RYAN, Mr. CONNOLLY, Mrs. TRAHAN, Mrs. MURPHY, Mr. KHANNA, Mr. PERLMUTTER, Mr. TRONE, and Mr. CUNNINGHAM) introduced the following bill; which was referred to the Committee on Natural Resources

# A BILL

To amend Public Law 115–97 (commonly known as the Tax Cuts and Jobs Act) to repeal the Arctic National Wildlife Refuge oil and gas program, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Arctic Cultural and  
5 Coastal Plain Protection Act”.

6 **SEC. 2. FINDINGS.**

7       The Congress finds the following:

8           (1) Americans cherish the continued existence  
9       of expansive, unspoiled wilderness ecosystems and  
10       wildlife found on their public lands and feel a strong  
11       moral responsibility to protect this wilderness herit-  
12       age as an enduring resource to bequeath undis-  
13       turbed to future generations of Americans.

14          (2) It is widely believed by ecologists, wildlife  
15       scientists, public land specialists, and other experts  
16       that the wilderness ecosystem centered around and  
17       dependent upon the Arctic coastal plain of the Arctic  
18       National Wildlife Refuge, Alaska, represents the  
19       very epitome of a primeval wilderness ecosystem and  
20       constitutes the greatest wilderness area and diversity  
21       of wildlife habitats of its kind in the United States.

1           (3) President Dwight D. Eisenhower initiated  
2 protection of the wilderness values of the Arctic  
3 coastal plain in 1960 when he set aside 8,900,000  
4 acres establishing the Arctic National Wildlife Range  
5 expressly “for the purpose of preserving unique wild-  
6 life, wilderness and recreational values”.

7           (4) When the Arctic National Wildlife Refuge  
8 was established in 1980 by paragraph (2) of section  
9 303 of the Alaska National Interest Lands Con-  
10 servation Act (Public Law 96–487; 94 Stat. 90; 23  
11 16 U.S.C. 668dd note), subparagraph (B) recog-  
12 nized the following four additional purposes of the  
13 Arctic National Wildlife Refuge:

14           (A) “To conserve fish and wildlife popu-  
15 lations and habitats in their natural diversity  
16 including the Porcupine caribou herd”.

17           (B) “To fulfill the international treaty obli-  
18 gations for the United States with respect to  
19 fish and wildlife and their habitats”.

20           (C) “To provide . . . the opportunity for  
21 continued subsistence use by local residents”.

22           (D) “To ensure . . . water quality and  
23 quantity within the refuge”.

24           (5) A majority of Americans have supported  
25 and continue to support preserving and protecting

1 the Arctic National Wildlife Refuge, including the  
2 Arctic coastal plain, from any industrial development  
3 and consider oil and gas exploration and develop-  
4 ment in particular to be incompatible with the pur-  
5 poses for which this incomparable wilderness eco-  
6 system has been set aside.

7 (6) Canada has taken action to preserve those  
8 portions of the wilderness ecosystem of the Arctic  
9 that exist on its side of the international border and  
10 provides strong legal protection for the habitat of  
11 the Porcupine caribou herd that migrates annually  
12 through both countries to calve on the Arctic coastal  
13 plain.

14 (7) The Gwich'in people of eastern Alaska and  
15 Northwestern Canada have relied on the Porcupine  
16 caribou herd for millennia and caribou is a vital cul-  
17 tural, spiritual, and nutritional resource for the  
18 Gwich'in.

19 (8) The Arctic is being impacted by climate  
20 change at unprecedented levels. Temperatures are  
21 rising at twice the rate of the rest of the country,  
22 and wildlife and habitat that depend on the Arctic  
23 are being detrimentally impacted.

24 (9) Title II, section 20001 of Public Law 115-  
25 97 (commonly known as the Tax Cuts and Jobs Act)

1 would allow an oil and gas program on the Coastal  
2 Plain. Oil and gas activities are not compatible with  
3 the protection of this national treasure.

4 (10) Repeal of section 20001 would best protect  
5 the unspoiled ecosystem of the Coastal Plain, the  
6 human rights of the Gwich'in, and the integrity of  
7 the National Wildlife Refuge System.

8 **SEC. 3. STATEMENT OF POLICY.**

9 The Congress hereby declares that it is the policy of  
10 the United States—

11 (1) to honor the decades of bipartisan efforts  
12 that have increasingly protected the great wilderness  
13 ecosystem of the Arctic coastal plain;

14 (2) to sustain this natural treasure for the cur-  
15 rent generation of Americans;

16 (3) to honor and respect the human rights of  
17 the Gwich'in; and

18 (4) to do everything possible to protect and pre-  
19 serve this magnificent natural ecosystem so that it  
20 may be bequeathed in its unspoiled natural condition  
21 to future generations of Americans.

1 **SEC. 4. REPEAL OF ARCTIC NATIONAL WILDLIFE REFUGE**

2 **OIL AND GAS PROGRAM.**

3 Section 20001 of Public Law 115–97 is hereby re-  
4 pealed.

