AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

H.R. 1146, "ARCTIC CULTURAL AND COASTAL PLAIN PROTECTION ACT"

LEGISLATIVE HEARING

BEFORE THE

SUBCOMMITTEE ON ENERGY AND MINERAL RESOURCES

OF THE

COMMITTEE ON NATURAL RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED SIXTEENTH CONGRESS

FIRST SESSION

Tuesday, March 26, 2019

Serial No. 116–9

Printed for the use of the Committee on Natural Resources

Available via the World Wide Web: http://www.govinfo.gov
or
Committee address: http://naturalresources.house.gov

U.S. GOVERNMENT PUBLISHING OFFICE
35–816 PDF WASHINGTON : 2019

COMMITTEE ON NATURAL RESOURCES

RAÚL M. GRIJALVA, AZ, *Chair*
DEBRA A. HAALAND, NM, *Vice Chair*
GREGORIO KILILI CAMACHO SABLAN, CNMI, *Vice Chair, Insular Affairs*
ROB BISHOP, UT, *Ranking Republican Member*

Grace F. Napolitano, CA
Jim Costa, CA
Gregorio Kilili Camacho Sablan, CNMI
Jared Huffman, CA
Alan S. Lowenthal, CA
Ruben Gallego, AZ
TJ Cox, CA
Joe Neguse, CO
Mike Levin, CA
Debra A. Haaland, NM
Jefferson Van Drew, NJ
Joe Cunningham, SC
Nydia M. Velázquez, NY
Diana DeGette, CO
Wm. Lacy Clay, MO
Debbie Dingell, MI
Anthony G. Brown, MD
A. Donald McEachin, VA
Darren Soto, FL
Ed Case, HI
Steven Horsford, NV
Michael F. Q. San Nicolas, GU
Matt Cartwright, PA
Paul Tonko, NY
Vacancy

Don Young, AK
Louie Gohmert, TX
Doug Lamborn, CO
Robert J. Wittman, VA
Tom McClintock, CA
Paul A. Gosar, AZ
Paul Cook, CA
Bruce Westerman, AR
Garret Graves, LA
Jody B. Hice, GA
Aumua Amata Coleman Radewagen, AS
Daniel Webster, FL
Liz Cheney, WY
Mike Johnson, LA
Jenniffer González-Colón, PR
John R. Curtis, UT
Kevin Hern, OK
Russ Fulcher, ID

David Watkins, *Chief of Staff*
Sarah Lim, *Chief Counsel*
Parish Braden, *Republican Staff Director*
http://naturalresources.house.gov

SUBCOMMITTEE ON ENERGY AND MINERAL RESOURCES

ALAN S. LOWENTHAL, CA, *Chair*
PAUL A. GOSAR, AZ, *Ranking Republican Member*

Mike Levin, CA
Joe Cunningham, SC
A. Donald McEachin, VA
Diana DeGette, CO
Anthony G. Brown, MD
Jared Huffman, CA
Matt Cartwright, PA
Raúl M. Grijalva, AZ, *ex officio*

Doug Lamborn, CO
Bruce Westerman, AR
Garret Graves, LA
Liz Cheney, WY
Kevin Hern, OK
Rob Bishop, UT, *ex officio*

CONTENTS

	Page
Hearing held on Tuesday, March 26, 2019	1
Statement of Members:	
Gosar, Hon. Paul A., a Representative in Congress from the State of Arizona	4
Lowenthal, Hon. Alan S., a Representative in Congress from the State of California	1
Prepared statement of	3
Statement of Witnesses:	
Alexander, Sam, Gwich'in Leader, Gwich'in Steering Committee, Fairbanks, Alaska	25
Prepared statement of	27
Amstrup, Steven C., Chief Scientist, Polar Bears International, Bozeman, Montana	48
Prepared statement of	49
Brown, Chad, Founder, Soul River, Incorporated, Portland, Oregon	59
Prepared statement of	60
Demientieff, Bernadette, Executive Director, Gwich'in Steering Committee, Fairbanks, Alaska	6
Prepared statement of	7
Gilbert, Hon. Galen, Chief, Arctic Village Council, Arctic Village, Alaska	11
Prepared statement of	13
Glenn, Richard, Executive Vice President, External Affairs, Arctic Slope Regional Corporation, Barrow, Alaska	63
Prepared statement of	64
Supplemental testimony submitted for the record	67
Questions submitted for the record	71
Joseph, Hon. Victor, Chief/Chairman, Tanana Chiefs Conference, Fairbanks, Alaska	19
Prepared statement of	21
Lattime, Mark, Right Reverend, Bishop of Alaska, The Episcopal Church, Fairbanks, Alaska	43
Prepared statement of	45
Rexford, Fenton, Advisor to the Mayor of the North Slope Borough; Tribal Member, Native Village of Kaktovik, Kaktovik, Alaska	28
Prepared statement of	30
Rexford, Matthew, Tribal Administrator, Native Village of Kaktovik, Kaktovik, Alaska	72
Prepared statement of	74
Supplemental testimony submitted for the record	82
Tizya-Tramm, Hon. Dana, Chief, Vuntut Gwitchin First Nation, Fairbanks, Alaska	17
Prepared statement of	18
Additional Materials Submitted for the Record:	
Gwich'in Nation, Letter dated 4/8/19 to Chairman Lowenthal	101
List of documents submitted for the record retained in the Committee's official files	105
Smith, Allen T., Olympia, Washington, testimony submitted for the record	102
Submissions for the Record by Representative Gosar	
Slides presented during the hearing	100
Submissions for the Record by Representative Huffman	
Slide presented during the hearing	98

Page

Additional Materials Submitted for the Record—Continued
Submissions for the Record by Representative Huffman—Continued
Friends of Animals, testimony submitted for the record 99
Submissions for the Record by Representative Westerman
Slides presented during the hearing 91

LEGISLATIVE HEARING ON 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, "ARCTIC CULTURAL AND COASTAL PLAIN PROTECTION ACT"

Tuesday, March 26, 2019
U.S. House of Representatives
Subcommittee on Energy and Mineral Resources
Committee on Natural Resources
Washington, DC

The Subcommittee met, pursuant to notice, at 2:45 p.m., in room 1324, Longworth House Office Building, Hon. Alan Lowenthal [Chairman of the Subcommittee] presiding.

Present: Representatives Lowenthal, Levin, Cunningham, DeGette, Huffman; Gosar, Lamborn, Westerman, and Hern.

Also present: Representative Young.

Dr. LOWENTHAL. The Subcommittee on Energy and Mineral Resources will come to order.

First, I want to welcome all the guests and all of our panelists for coming. I appreciate that.

We are meeting today to hear the testimony on the prospect of oil and gas development in the Arctic National Wildlife Refuge, and on H.R. 1146, Mr. Huffman's Arctic Cultural and Coastal Plain Protection Act. And I am proud to be 1 of the 115 co-sponsors of that legislation.

Under Committee Rule 4(f), any oral opening statements at hearings are limited to the Chairman and the Ranking Minority Member, or their designees.

I am going to ask unanimous consent that all other Members' opening statements be made part of the hearing record, if they are submitted to the Subcommittee Clerk by 5 p.m. today.

Hearing no objection, so ordered.

STATEMENT OF HON. ALAN S. LOWENTHAL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Dr. LOWENTHAL. As I mentioned just at the beginning, I would like to welcome all of our witnesses, particularly those from Alaska and from the Yukon, who have traveled a great distance to be here so their voices could be heard at this hearing today.

The question about how to approach the Coastal Plain of the Arctic National Wildlife Refuge has been going on for decades.

For the oil and gas industry, it is a promising cash cow, with billions of dollars of oil awaiting to be sold. But for others, such as myself and the majority of Americans, it is a fragile ecosystem with

exceptional wilderness values that is considered the biological heart of the Arctic Refuge, a place that the Fish and Wildlife Service has said is, and I quote, "the most biologically productive part of the Arctic Refuge for wildlife, home to polar bears, caribou, hundreds of species of migratory birds, and countless other species."

And for the Gwich'in people, it is simply sacrosanct. They call it, "the sacred place where life begins." A number of their leaders are here today to tell us more about the importance of the Coastal Plain to their history and to their way of life.

I think we should all be able to agree that decisions about the future of the Arctic Refuge should be made thoughtfully, carefully, and with an understanding that this is a one-way street.

Oil and gas development, particularly on the tundra in the Arctic, is irreversible. We only need to look at the development to the west of the Coastal Plain to see the incredible impact—or rather, impacts, not just impact—that are caused by oil and gas development, where exploration from the 1980s left scars that can still be seen today. The impacts of any new development in the area will be there for millennia.

Because of the exceptional character of the area and its importance to Alaska Natives and Canadian First Nations, it was protected by bipartisan efforts for decades. But the way the Coastal Plain was forced open in the 2017 tax bill was not thoughtful. In fact, it was barely even thought about.

This unrelated provision stuck into a tax cut for billionaires on the questionable rationale that it would help offset the cost. But, in fact, the only way congressional Republicans have tried to pay for their tax bills at all is through this.

But destroying a wilderness to get a $1 billion offset to a $1.5 trillion tax bill is clearly not about fiscal responsibility. It was simply about getting this through the Senate with only 50 votes, with no vote on protecting the Refuge allowed on the House Floor, no debate at all, as a matter of fact.

And all this time, we have never heard the proponents of drilling on the Arctic Refuge explain why now. Even the oil and gas industry and conservatives—conservatives who are members of think tanks—did not call for opening the Refuge in their energy recommendations to the incoming Trump administration.

Let's be clear. We are producing record levels of oil in this country. The biggest problem for the oil and gas industry is not trying to find enough places to drill. It is getting enough pipelines and dock space to be able to export even more than the 3 million barrels a day that we are currently shipping overseas.

An economic analysis for the Attorneys General of 15 states and the District of Columbia found that any oil produced from the Coastal Plain would not be used in the United States. Rather, it would be sold onto international markets. So, we should destroy a great American wilderness that is sacred to indigenous peoples so that ConocoPhillips or BP or ExxonMobil can sell more oil to China, India, and Japan?

There is absolutely no need to open the Arctic Refuge to oil and gas drilling.

But it is as if the congressional Republicans were so out of new energy ideas, they had no choice but to recycle theirs from 15 years ago, whether it makes sense now or not. I will tell you that it doesn't make sense, and we should protect the Arctic Refuge Coastal Plain, and not hand it over to the highest corporate bidder.

[The prepared statement of Mr. Lowenthal follows:]

PREPARED STATEMENT OF THE HON. ALAN S. LOWENTHAL, CHAIR, SUBCOMMITTEE ON ENERGY AND MINERAL RESOURCES

The Subcommittee on Energy and Mineral Resources will come to order. The Subcommittee is meeting today to hear testimony on the prospect of oil and gas development in the Arctic National Wildlife Refuge, and on H.R. 1146, Mr. Huffman's Arctic Cultural and Coastal Plain Protection Act—and I am proud to be 1 of the 115 co-sponsors of that legislation.

I would first like to welcome all of our witnesses, particularly those from Alaska and the Yukon, who have traveled a great distance to be here so that their voices could be heard at this hearing today.

The question about how to approach the Coastal Plain of the Arctic National Wildlife Refuge has been going on for decades. For the oil and gas industry, it is a promising cash cow, with billions of dollars of oil just waiting to be sold. But for others, such as myself and the majority of Americans, it is a fragile ecosystem with exceptional wilderness values that is considered the biological heart of the Arctic Refuge—a place that the Fish and Wildlife Service has said is, "the most biologically productive part of the Arctic Refuge for wildlife, home to polar bears, caribou, hundreds of species of migratory birds, and countless other species."

And for the Gwich'in people, it is simply sacrosanct. They call it "the sacred place where life begins." A number of their leaders are here today to tell us more about the importance of the Coastal Plain to their history and their way of life.

I think we should all be able to agree that decisions about the future of the Arctic Refuge should be made thoughtfully, carefully, and with an understanding that this is a one-way street.

Oil and gas development, particularly on the tundra in the Arctic, is irreversible. We only need to look at the development to the west of the Coastal Plain to see the incredible impacts that are caused by oil and gas development, where exploration from the 1980s left scars that can still be seen today. The impacts of any new development in the area would be there for millennia.

Because of the exceptional character of the area and its importance to Alaska Natives and Canadian First Nations, it was protected by bi-partisan efforts for decades. But the way the Coastal Plain was forced open in the 2017 tax bill was not thoughtful. In fact, it was barely even thought of. This unrelated provision stuck onto a tax cut for billionaires on the questionable rationale that it would help offset the cost. In fact, it's the only way congressional Republicans tried to pay for their tax bill at all. But destroying a wilderness to get a $1 billion offset to a $1.5 trillion tax bill is clearly not about fiscal responsibility.

It was simply about getting this through the Senate with only 50 votes. With no vote on protecting the Refuge allowed on the House Floor. No debate allowed at all, as a matter of fact.

And all this time we have never heard the proponents of drilling on the Arctic Refuge explain: why now? Even the oil and gas industry and conservative think tanks didn't call for opening the Refuge in their energy recommendations to the incoming Trump administration.

We're producing record levels of oil in this country. The biggest problem for the oil and gas industry isn't trying to find enough places to drill. It's getting enough pipelines and dock space to be able to export even more than the 3 million barrels a day that we are currently shipping overseas.

An economic analysis done for the Attorneys General of 15 states and the District of Columbia found that any oil produced from the Coastal Plain would not be used in the United States. Rather, it would be sold into international markets.

So, we should destroy a great American wilderness that is sacred to indigenous peoples so that ConocoPhillips or BP or ExxonMobil can sell more oil to China, India, and Japan?

There is absolutely no need to open the Arctic Refuge to oil and gas drilling.

It's as if congressional Republicans were so out of new energy ideas, they had no choice but to recycle theirs from 15 years ago, whether it made sense now or not.

I will tell you that it doesn't make sense, and we should protect the Arctic Refuge Coastal Plain, not hand it over to the highest corporate bidder.

With that, I look forward to the testimony from our witnesses, and I now recognize Ranking Member Gosar for his opening statement.

Dr. LOWENTHAL. With that, I look forward to the testimony from our witnesses, and now I recognize Ranking Member Gosar for his opening statement.

STATEMENT OF THE HON. PAUL A. GOSAR, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARIZONA

Dr. GOSAR. I thank you for yielding, Mr. Chairman, and thank all of you that have traveled so far to be here today, especially those who have traveled all the way from the Alaskan North Slope. I, myself, have been to the North Slope, so I understand the distance, and appreciate you taking the time to share your perspective on an important topic.

Today, this Subcommittee will consider a bill sponsored by my colleague, Representative Jared Huffman, known as the Arctic Cultural and Coastal Plain Protection Act. This legislation would eliminate provisions in the Tax Cuts and Jobs Act of 2017 authorizing energy development in the 1002 Area of the Arctic National Wildlife Refuge.

Alaska's North Slope contains an abundant supply of oil and natural gas, and has long provided Alaska and the Lower 48 states with affordable, domestically sourced energy. In addition to providing billions in revenues for schools and infrastructure and other public services, the oil and gas industry in Alaska serves as a significant source of employment, supporting nearly one-third of the jobs in the state.

Nevertheless, the previous administration did everything in its power to make sure that much of the North Slope remained untapped, including the national petroleum and the energy-rich region of the Arctic National Wildlife Refuge known as the 1002 Area.

Recognizing the potential for job creation, revenue generation, and increased domestic energy production, the 115th Congress acted with support of the current administration to open this small corner of the Refuge for any energy exploration after decades of study and debate.

When Congress established the Refuge in 1980 it recognized the potential for oil and gas development in the 1002 Area, also known as the Coastal Plain. This region, which spans just 1.57 million acres of the 19 million-acre Refuge, was specifically set aside by Congress for an assessment of its recoverable resources.

The Reagan administration noted the region's capacity for robust production, and recommended full energy development of the 1002 Area, noting the need to balance this new development with access to the Refuge for subsistence and recreational purposes. Congress limited surface development impacts to 2,000 acres. That is roughly one-fifth the size of the Dulles Airport.

Once operational, energy production in ANWR is estimated to support between 55,000 and 130,000 jobs over the life of

production, and have the impact of $1.1 billion from lease sales over the next decade.

I would like to point out that not one part of the Coastal Plain region of ANWR contains wilderness. In fact, the region has been continuously occupied by the Iñupiat people for millennia. The Native Village of Kaktovik is located within the Coastal Plain, and is the closest neighboring community to any potential oil and gas development in the region.

Notably, Mr. Huffman's legislation before us today makes no mention—not one—of the Village of Kaktovik or the Iñupiat people. That is why we, Committee Republicans, have invited witnesses representing the Village of Kaktovik and the Iñupiat communities on the North Slope to testify before us today. They own the land, they live and work in the Coastal Plain, and they are directly impacted by decisions made by Congress regarding the use of their land. Their voices are crucial to this conversation, and I look forward to hearing their testimony today.

With that, I am going to yield the rest of my time to the gentleman from Alaska, Mr. Young.

Mr. YOUNG. Thank you for yielding. And Mr. Chairman, I will copy the words of Mr. Gosar, because it was not a wilderness, it has never been a wilderness, and it was set aside by a Congress led by Mo Udall and John Seiberling, the leading environmentalists for drilling, when the Congress decided to do so, and then Congress decided it. I passed it out of the House 13 times. It is the right thing to do.

And I will tell you, Mr. Chairman, I want to believe the people. Not the Gwich'in, because they are not the people. They are 400 miles away. I am talking of the Inuits that live there. That is their land, it has always been their land. And to totally ignore them in any mention of their occupancy is wrong in this report, and including in your written statement. It is wrong.

These are the Alaskan Natives directly impacted, not the Gwich'in, and that is my tribe. My wife was Gwich'in, my daughters are Gwich'in. We have a few Gwich'in that make a living out of this, by promoting something that is wrong, by saying we want to take away from their brothers. That is wrong.

You have divided two tribes, two tribes. This isn't the people that live there. If not, you are not representative of all.

That is all I ask you to do. Listen to them. Hear what they say. Not someone who is living in Fairbanks. It is not someone that has not killed a caribou in 10 years and probably doesn't have a license. That is wrong. Think about that when you say we want to save the culture. Save the culture of the people, not those that are foreigners, who are living away from the area. These are not the Natives directly affected.

With that, I yield back.

Dr. GOSAR. I thank the gentleman. And I just want to say that when you visit and see, you understand so much. And I want to thank the gentleman from Alaska for inviting us up 2 years ago. It was a fabulous trip, eye-opening.

I yield back.

Dr. LOWENTHAL. I will introduce today's witnesses.

First we have Ms. Bernadette Demientieff, Executive Director of the Gwich'in Steering Committee.

Next is Chief Galen Gilbert, from the Arctic Village Council in Arctic Village, Alaska.

Then Chief Dana Tizya-Tramm—I hope I pronounced it right—from the Vuntut Gwitchin First Nation in Old Crow from Yukon, Canada.

Next is Chief Victor Joseph, Chairman of the Tanana, and he is also the Chairman of the Tanana Chiefs Conference.

Then there is Mr. Sam Alexander, a Gwich'in leader and veteran.

And finally, Mr. Fenton Rexford, advisor to the Mayor of the North Slope Borough, and a tribal member of the Native Village of Kaktovik.

Let me remind the witnesses that they must limit their oral statements to 5 minutes, but their entire written statements will appear in the hearing record.

When you begin, the lights on the witness table will turn green. After 4 minutes, the yellow light will come on. Your time will have expired when the red light comes on, and I will ask you to please complete your statement.

I will also allow the entire panel to testify before questioning the witnesses.

The Chair now recognizes Ms. Demientieff for 5 minutes.

STATEMENT OF BERNADETTE DEMIENTIEFF, EXECUTIVE DIRECTOR, GWICH'IN STEERING COMMITTEE, FAIRBANKS, ALASKA

Ms. DEMIENTIEFF. Thank you to the members of the Committee for having me testify today. I would like to acknowledge the Piscataway Tribe, whose lands we are on.

Shrooshii Bernadette Demientieff oozhii [speaking Native language]. I am Bernadette Demientieff, the Executive Director for the Gwich'in Steering Committee. I am Gwich'yaa Gwich'in and a member of the Gwichyaa Zhee Gwich'in Tribal Government from Fort Yukon, Alaska. I am a mother of five and a grandmother of five. On behalf of the Gwich'in Nation, I am speaking today in support of H.R. 1146.

Founded in 1988, the Gwich'in Steering Committee is the unified voice of the Gwich'in speaking out to protect the calving grounds of the Porcupine caribou herd. We represent 8,000 Gwich'in in 15 communities of Alaska and Canada. The Coastal Plain of the Arctic Refuge is the calving grounds of the Porcupine caribou herd.

Protection of the calving and nursery grounds on the Coastal Plain is a human rights issue for the Gwich'in Nation. Our human rights are protected by international law, which says "by no means shall a people be deprived of their own means of subsistence."

Oil and gas activities on the Coastal Plain is a direct attack on the Gwich'in way of life, and our human rights.

We call the Coastal Plain "Iizhik Gwats'an Gwandaii Goodlit,"—the Sacred Place Where Life Begins. This name shows the great significance of this area to the Gwich'in people. We are caribou people. We carry a piece of the caribou in our heart, and the caribou carry a piece of us in their heart. And there was a time when we were able to communicate with the caribou. There was a vow that

we would take care of each other. To honor this, we have been taught that we must take care of the caribou. And in return, they will take care of us. The spiritual connection we have with the caribou is very much real. The survival of the Gwich'in depends on the survival of this herd.

The caribou are the foundation of our culture and our spirituality. They provide food, clothing, and tools. They are the basis of our songs, stories, and our dances. The ancestral homeland of the Gwich'in and the migratory route of the Porcupine caribou herd are identical. For thousands of years we migrated with the caribou. We settled along the migratory road so that we could continue to live and thrive off of them. This area is sacred to our people, so sacred that during the years of food shortage we still honored the calving grounds and never stepped foot on the Coastal Plain.

Our elders recognized that oil development in the Porcupine caribou herd's calving grounds was a threat to the Gwich'in people. In 1988, for the first time in over 100 years, our elders and chiefs gathered. They directed us to protect the calving grounds, which is known to you as the Arctic National Wildlife Refuge Coastal Plain.

Our elders directed us to do this in a good way. That means to work respectfully, but not to compromise our position. And every 2 years we come together to reaffirm our commitment to protect the calving grounds from oil and gas development. Protecting the Coastal Plain is protecting our identity and our human rights. It is our fundamental human right to continue to feed our families on our ancestral lands, and to practice our traditional way of life.

For us, this is a matter of physical, spiritual, and cultural survival. This is all interconnected. I am here today for my children, my grandchildren, and my future ancestors. It is their human right to have caribou. It is their human right to keep their identity. The Porcupine caribou herd is the heart of our people, our food security, and our way of life. We are not asking for anything but to keep our identity and practice our way of life.

Our elder, Jonathon Solomon said, "It is the belief that the future of the caribou and the future of the Gwich'in are the same. Harm to the Porcupine caribou herd is harm to the Gwich'in culture and millennia-old way of life."

I ask that you quickly pass this legislation to protect the human rights and our way of life.

On behalf of the Gwich'in Nation I say thank you very much for having us. Mahsi'choo.

[The prepared statement of Ms. Demientieff follows:]

PREPARED STATEMENT OF BERNADETTE DEMIENTIEFF, EXECUTIVE DIRECTOR, GWICH'IN STEERING COMMITTEE, FAIRBANKS, ALASKA

Chairman Lowenthal, Ranking Member Gosar, members of the Subcommittee, thank you for the opportunity to speak to you today on this very important piece of legislation, the Arctic Cultural and Coastal Plain Protection Act, H.R. 1146.

Shrooshii Bernadette Demientieff oozhii, I am the Executive Director of the Gwich'in Steering Committee. I am Gwich'yaa Gwich'in and a member of the Gwichyaa Zhee Gwich'in Tribal Government from Fort Yukon, Alaska. My mother is Betty Flitt from Fort Yukon. My great grandmother was Marcis (Horace) Moses from Old Crow, Yukon Territories, Canada, and my grandfather was Daniel Horace from Fort Yukon. I have five children and five grandchildren. I am here at the direction of my elders on behalf of the Gwich'in Nation of Alaska and Canada.

Founded in 1988, the Gwich'in Steering Committee is the unified voice of the Gwich'in Nation speaking out to protect the Coastal Plain of the Arctic National Wildlife Refuge. We represent the communities of Arctic Village, Venetie, Fort Yukon, Beaver, Chalkyitsik, Birch Creek, Stevens Village, Circle, and Eagle Village in Alaska, and Old Crow, Fort McPherson, Tsiigehtchic, Aklavik, and Inuvik in Canada. Our work is to protect the Coastal Plain from any disturbance or destruction.

Protection of the birthing and nursery grounds on the Coastal Plain is a human rights issue for the Gwich'in Nation. Our human right is upheld by the U.N. Declaration on the Rights of Indigenous Peoples and its International Covenant on Civil and Political Rights, which states, "by no means shall a people be deprived of their own means of subsistence." This principle must be respected. We rely on the Porcupine Caribou and the Porcupine Caribou rely on the Coastal Plain as their calving and nursery grounds. Oil and gas activities on the Coastal Plain is a direct attack on our ways of life and to our human rights.

We call the Coastal Plain "*Iizhik Gwats'an Gwandaii Goodlit*"—"the Sacred Place Where Life Begins." This name demonstrates the great significance of this area to the Gwich'in people. We are caribou people. We believe that we each have a piece of caribou in our heart and the caribou have a piece of us in their heart. There was a time when we were able to communicate with the caribou and there was a vow that we would take care of each other. To honor this, we have been taught that we must take care of the caribou and that, in turn, the caribou will take care of us. This spiritual connection we have with the caribou is very real. The survival of the Gwich'in depends on the survival of this herd.

The caribou are the foundation of our culture and our spirituality—they provide food, clothing, and tools, and are the basis of our songs, stories, and dances. The ancestral homeland of the Gwich'in and the migratory route of the caribou are identical (see Attachment 1). For thousands of years, we migrated with the caribou. When we were forced to settle in villages, we settled along the migratory route. If you look at the map attached to this statement, you will notice that one place that the caribou go that we do not is the Coastal Plain. This area is sacred to our people, so sacred that during the years of food shortage we still honored the calving grounds and never stepped foot on the Coastal Plain.

The Coastal Plain of the Arctic Refuge is very important to the caribou. Drilling there would cause lower birth rates and threaten migrations, risking everything we hold dear. Pregnant females come to the Coastal Plain to give birth in May and early June. They have up to 40,000 calves in a 2-week period. The food on the Coastal Plain helps the mothers recover from birth and provides rich milk and nutrition for the new calves. Mosquitos can kill a newborn calf. The breezes on the Coastal Plain protect the calves from being attacked. The Coastal Plain also has fewer predators than areas to the south. A calf that is only a few days old can run faster than a wolf, but there would be a significant risk to the caribou if they had to leave the Coastal Plain to have their calves and raise them in other areas where there are more predators.

Our elders recognized that oil development in the Porcupine Caribou Herd's calving and nursery grounds was a threat to the Gwich'in people. That is why, in 1988, our Nation came together for the first time in over a hundred years. Our elders called together the chiefs of all of the Gwich'in villages for a traditional gathering. We gathered in Vashraii K'oo and decided that we would speak with one voice to protect the Coastal Plain. That unified voice is expressed in a formal resolution, Gwich'in Niintsyaa (see Attachment 2). This resolution calls on the United States to recognize the rights of the Gwich'in to continue our way of life and permanently protect the calving grounds of the Porcupine Caribou Herd. We come together every 2 years to reaffirm our commitment to protecting the Coastal Plain. We convened last summer in Tsiigehtchic, Northwest Territories, Canada. We sang, we danced, we shared food and stories. During the Gathering, our Nation voted unanimously to reaffirm our commitment to protecting the calving grounds.

Our elders directed us to "do it in a good way." Following their guidance, the Gwich'in Steering Committee has worked for over three decades to protect this sacred place so that our people have a future in our homelands. Protecting the Coastal Plain is protecting our identity and our human rights. It is our fundamental human right to continue to feed our families on our ancestral lands and practice our traditional way of life. For us, this is a matter of physical, spiritual, and cultural survival.

For me, this issue has also brought me back to my identity and my heritage. While I am from Fort Yukon, and spent many summers in Venetie, I lost my way as a teenager and young woman. I moved spiritually and culturally away from my people and what was important. Only when I began to work at the Gwich'in

Steering Committee, did I return to my rightful place. I remember one trip to Arctic Village I went up to a mountain called Duchanlee. I felt so overwhelmed, I just started crying. I don't know why. I asked Creator for forgiveness and said that I am here now to share in my responsibility as a Gwich'in.

I don't choose to travel thousands of miles each year and spend time away from my family; I was forced into a corner. I am forced to advocate for protecting the calving grounds of the Porcupine Caribou Herd. I do this work for my children and my grandchildren; it is their birthright to have caribou. I do this work because it is my responsibility as a Gwich'in; our pact with the Porcupine Caribou requires me to take care of them as they have taken care of us.

We have occupied these areas for thousands and thousands of years, and we will be the first to be impacted if oil and gas activities occur. Our elders are our scientists. They have hunted and lived off the land far longer than any western researcher. Our science and our traditional knowledge tells us that oil and gas leasing, exploration, and development will damage the calving grounds. It will impact the quality, health, and availability of our traditional resources, like caribou and birds. We know that oil and gas activities will also impact the air, water, and lands. We have watched as other areas on the North Slope dramatically changed because of industrial development. These changes continue to become more widespread and intense with every passing year, as development expands. Places that used to support indigenous communities and ways of life no longer do. Animals are showing signs of sickness, and are not following their traditional migratory paths. We are seeing great changes in our land and animals as a result of climate change, which is impacting Alaska more intensely than the Lower-48.

We must protect the Coastal Plain to protect our food security. "Gwich'in" means "people of the land." We are real people. We have jobs, families and children. We live off the land. We eat moose, fish, birds, berries, medicines, and of course, caribou. Western food is very expensive in our villages and it is not healthy for us to eat. When we do not have our traditional foods, our people get sick. When we cannot share foods within communities and between our communities, our culture suffers. When we cannot practice our traditional ways, our youth cannot learn their heritage.

People have said that you can have development on the Coastal Plain and take care of the plants and animals. People have said that you can have development on the Coastal Plain and the caribou will not be impacted, that they will even like the pipelines and roads. People tell us that the technology is so good now that there will be no harm to land, air, and water. But as Gwich'in, we know that is not true. And it is not a risk we can afford to take. Because if you take that risk and are wrong, we are what is lost—the Gwich'in people.

I am here today because our congressional delegation has not listened to us or respected our human rights. The Coastal Plain is not just a piece of land with oil underneath. It is the heart of our people, our food, and our way of life. Our very survival depends on its protection. Our children, our future generations, deserve to see the world the way it was in the beginning, not just when we are done with it.

I am here today because the process that the Bureau of Land Management is taking to hold a lease sale this year is trampling our human rights. The agency is not respecting our knowledge, is not responding to our requests, and is not meeting its obligations under the law. Instead, the agency is rushing to lease the calving grounds without regard to the risk it poses to us and our villages.

I want to publicly state that the Native corporations do not speak for us. They are the ones who will benefit from development while the tribes live with the aftermath. Our elders taught us to respect and honor our lands. They did not encourage us to fight each other for oil and gas development; that is just self greed.

We are not asking for anything more than the ability to hold on to our identity; to be able to practice our way of life, which has sustained us since time immemorial; to be able to pass our traditions on to our children and to their children; and to continue to live and thrive in our homelands. That is what is at stake for the Gwich'in people.

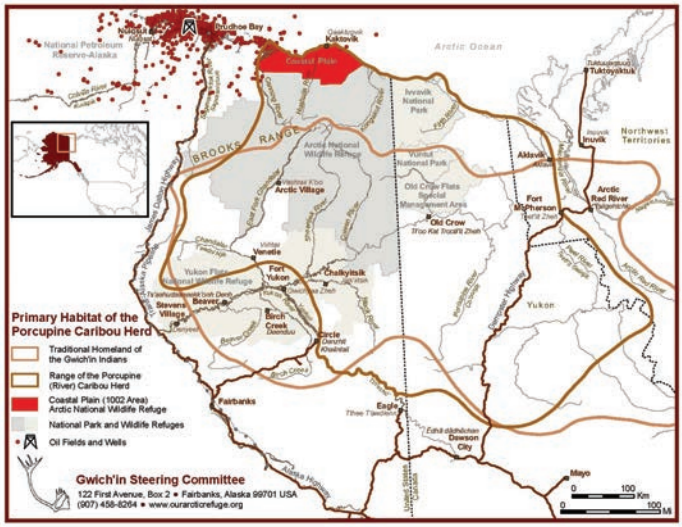
That is why the Arctic Cultural and Coastal Plain Protection Act is so important. As our elder Jonathon Solomon said "It is our belief that the future of the Gwich'in and the future of the Caribou are the same. Harm to the Porcupine Caribou Herd is harm to the Gwich'in culture and millennia-old way of life."

We thank the millions of Americans who stand with us in support of protecting the Coastal Plain. We thank the more than 200 Alaska Native and Tribal organizations and the many Native American tribes who have resolutions supporting the Gwich'in. We thank every Member of Congress who is standing in solidarity with the Gwich'in Nation by co-sponsoring the bill.

I ask that you quickly pass this legislation to protect our human rights and our way of life. Mahsi'choo for the opportunity to address you today.

*****

ATTACHMENT 1



*****

ATTACHMENT 2

Gwich'in Niintsyaa 2018

Resolution to Protect the Birthplace and Nursery Grounds of the Porcupine Caribou Herd

WHEREAS:

For thousands of years, the Gwich'in people of northeast Alaska and northwest Canada, have relied on caribou for food, clothing, shelter, tools and life itself, and today the Porcupine Caribou Herd remains essential to meet the nutritional, cultural and spiritual needs of our People; and

WHEREAS:

The Gwich'in have the inherent right to continue our own way of life; and that this right is recognized and affirmed by civilized nations in the international covenants on human rights. Article 1 of the International Covenant of Civil and Political Rights, ratified by the U.S. Senate, reads in part:

> "*. . . In no case may a people be deprived of their own means of subsistence*"; and

WHEREAS:

The health and productivity of the Porcupine Caribou Herd, and their availability to Gwich'in communities, and the very future of our People is endangered by proposed oil and gas exploration and development in the calving and post-calving grounds in the Arctic National Wildlife Refuge; and

WHEREAS:

The entire Gwich'in Nation was called together by our Chiefs in Arctic Village June 5–10, 1988 to carefully address this issue and to seek the advice of our elders; and

WHEREAS:

The Gwich'in people of every community from Arctic Village, Venetie, Fort Yukon, Beaver, Chalkyitsik, Birch Creek, Stevens Village, Circle, and Eagle Village in Alaska; from Old Crow, Fort McPherson, Tsiigehtchic, Aklavik, and Inuvik in Canada have reached consensus in their traditional way, and now speak with a single voice; and

WHEREAS:

The Gwich'in people and Chiefs of our communities have met biennially since 1988 to re-affirm this position guided by the wisdom of our elders; and met again in 2018 in Tsiigehtchic, Northwest Territories, Canada, now re-affirm our position.

NOW THEREFORE BE IT RESOLVED:

That the United States President and Congress recognize the rights of the Gwich'in people to continue to live our way of life by prohibiting exploration and development in the calving and post-calving grounds of the Porcupine Caribou Herd; and

BE IT FURTHER RESOLVED:

That the 1002 area of the Arctic National Wildlife Refuge be made Wilderness to protect the sacred birthplace of the caribou.

Passed unanimously on the 26th day of June, 2018 in Tsiigehtchic, Northwest Territories, Canada.

*****

Additional Materials: *A Moral Choice for the United States: The Human Rights Implications for the Gwich'in of Drilling in the Arctic National Wildlife Refuge* (2005), available at http://ourarcticrefuge.org/wp-content/uploads/2012/10/GSC humanrightsreport.pdf.

Dr. LOWENTHAL. Thank you very much.

The Chair now recognizes Chief Gilbert for 5 minutes.

STATEMENT OF THE HON. GALEN GILBERT, CHIEF, ARCTIC VILLAGE COUNCIL, ARCTIC VILLAGE, ALASKA

Mr. GILBERT. Good afternoon. My name is Galen Gilbert, and I am the first Chief of Arctic Village. I am the son of Brenda and Gregory, the late Gregory Gilbert, and the grandson of Reverend Trimble and Mary Gilbert. I live in Arctic Village with my fiancee, Jessica, and our three daughters.

Before I begin my full testimony, I would like to thank the Chair and the Committee for hosting us.

The Neets'ąjj Gwich'in of Arctic Village and Venetie are part of a larger Gwich'in Nation, and we stand united on this issue. The Neets'ąjj have rejected both city governments and Native corporations. We are governed by our tribal governments and live on 1.8 million acres of land that our tribe owns. We opted out of the Alaska Native Claims Settlement Act because we wanted to continue being tribal and landowners. Our way of life is based on our relationship to the land. We must care for and respect the land and animals given to us by the Creator.

Iizhik Gwats'an Gwandaii Goodlit is a sacred and important place. It has historic value as a place where Gwich'in have traveled, camped, hunted, and traded since the beginning of time.

Our cultural practices are important to maintaining our identity, and a big part of that is our connection with the caribou. Development in the Coastal Plain is a direct attack on our Gwich'in culture. Just the idea of development is causing stress and fear in my village.

The caribou that calve on the Coastal Plain are the primary source of our tribal members' subsistence. They make it possible for us to live within our traditional homelands. Caribou are the backbone of the Gwich'in life and culture. They provide for the physical, cultural, and spiritual health of my tribe. We take care of the caribou because we need them.

I live in Arctic Village and I speak on behalf of my people. Our way of life is dependent on the Porcupine caribou herd. It is more than providing food; the herd provides a basis for our identity. Our way of life provides positive, social, and emotional benefits that extend far beyond just putting food on the table.

One of the most important values we have as the Neets'ąįį is when a young hunter harvests their first caribou, they then take that meat and share it with everyone in the community. This act passes on our values, and ensures good luck in their life as providers.

Iizhik Gwats'an Gwandaii Goodlit is not only a place of birth. It is also a place of our peace. Our people have a story of my great-great-grandfather, Dajalti', who was a leader long ago. During the conflict between the Neets'ąįį and the Iñupiat, Dajalti' led the Neets'ąįį north, over the Brooks Range, into the Coastal Plain. From there, he went to the coast alone to meet with the Iñupiat. At their meeting, he met the Iñupiat leaders and they made an end to the war. Our stories tell us this is the last time there was a conflict between the Neets'ąįį and the Iñupiat.

The Coastal Plain is the most important natural, cultural, and subsistence resources to our tribe and to the Gwich'in people, as a whole. It is not just a place on the map for our people. It is the foundation of our entire life. From it we have our caribou, our stories, and our identity. For our tribes, this is not just an issue of the conservation versus development. We just don't see it in that way. This is about our conservation versus our desire as Native people to live the way of life that we choose. We choose to settle where we did because we know that is where the caribou go. We established our reservation to ensure we would keep our land and culture.

In closing, our identity, culture, and our way of life are at stake. Like our ancestors, we will never give up. We will never stop fighting to protect the Coastal Plain, the animals that depend on it, and the way of life. We speak for those that came before us and for those that will come after.

Arctic Village fully supports H.R. 1146 and I urge the Committee to move this bill forward. We only ask for the right to live the way we have always lived as the Neets'ąįį Gwich'in. Mashhi'.

[The prepared statement of Mr. Gilbert follows:]

PREPARED STATEMENT OF CHIEF GALEN GILBERT, FIRST CHIEF OF THE ARCTIC VILLAGE COUNCIL, ARCTIC VILLAGE, ALASKA

INTRODUCTION

My name is Galen Gilbert and I am the First Chief of the Arctic Village Council, a federally recognized tribe. I am the son of Brenda Gilbert and the late Gregory Gilbert and the grandson of Rev. Trimble and Mary Gilbert; Alan and the late Margaret Tritt of Arctic Village. I am 30 years old and have lived in Arctic Village all of my life. Arctic Village is one of two Neets'ąįį Gwich'in villages located on the former Venetie Indian Reserve, a 1.8 million acre land base that our Tribal Government now owns in fee simple.

Before I begin my full testimony today, I would like to thank the Chair and the Committee for hosting me today in Washington, DC. It is a long way from Arctic Village to here and I greatly appreciate the hospitality you all have shown me and my fellow panelists. I would also like to recognize the presence of my fellow Chiefs here today: Chief Dana Tizya-Tramm of the Vuntut Gwitchin First Nation and Chief/Chairman Victor Joseph of the Tanana Chiefs Conference.

At the outset, I would like to state the position of my Tribal Government on this issue: we unequivocally oppose the proposed oil and gas leasing program set out in the Tax Cuts and Jobs Act of 2017. The Coastal Plain of the Arctic National Wildlife Refuge is one of the most important natural, cultural, and subsistence resources to our Tribe and to the Gwich'in people as a whole. This is reflected in the Gwich'in name for the Coastal Plain: Iizhik Gwats'an Gwandaii Goodlit, or "the sacred place where life begins." Oil and gas development in this area is wholly incompatible with the Gwich'in worldview. The caribou that calve within the Coastal Plain are the primary source of our Tribal members' subsistence harvests—the keystone species that has made it possible for us to live within our traditional areas from time immemorial to the present. Any impacts to those animals, from changes in migration patterns, lower fertility rates, and/or loss of habitat, will be felt by the Neets'ąįį Gwich'in in Arctic Village and Venetie.

THE NEETS'ĄĮĮ GWICH'IN

The term "Neets'ąįį Gwich'in" refers to the descendants of those families who traditionally occupied the territory south of the Brooks Range between the Chandalar and Coleen Rivers. The Neets'ąįį are a subset of the larger Gwich'in Nation whose territory extends from what is now known as the northeastern Interior of Alaska to the Yukon and Northwest Territories of Canada. The term "Gwich'in" refers generally to a people; however, when coupled with place-name identifiers, it literally translates to the people of a certain location. At present, the Gwich'in occupy 12 villages located along the Yukon, Chandalar, Porcupine, Black, Arctic Red, Mackenzie, and Peel Rivers and their tributaries.

The experiences of the Neets'ąįį Gwich'in, as compared to other Alaska Native groups, are unique in some important respects. Most notably, the Neets'ąįį hold fee simple title to 1.8 million-acres and have rejected both municipal governments and Native corporation structures. Today, the communities of Arctic Village and Venetie are independently governed by their respective Tribal governments, the Arctic Village Council and the Venetie Village Council. The land base is jointly managed by a third Tribal entity, the Native Village of Venetie Tribal Government.

For most of our history, Neets'ąįį people lived in scattered camps moving in relation to seasonal resources. Traditional housing models such as *neevyaa zhee* (caribou skin tents) and, later, canvas tents were designed to be transportable enabling families to move between customary use areas. Life in those days cycled through periods of abundance and scarcity. A prominent theme of our oral history is the struggle against starvation. Each season posed unique challenges that often required Neets'ąįį families to continually evaluate and adjust their plans. Sometimes this meant camping together and other times apart. Sometimes it meant moving to areas that were known to be productive in terms of harvesting and other times it meant taking calculated risks in terms of where and when to move.

The pattern of life for Neets'ąįį people in a pre-settlement context generally followed the four seasons: *shin* (summer-time), *khaiits'à'* (fall-time), *khaii* (winter-time), and *shreenyaa* (spring-time). Not all camps followed the same patterns of movement. Different families had their own customary use areas for hunting, trapping, and fishing. While most families operated from a seasonal blueprint, plans had to be continually adjusted to account for changes in weather, resource availability and other external factors.

Around the turn of the 20th century, certain locations became more prominent in terms of supporting several Neets'ąįį families at a given time. Arctic Village (or

Vashraąiį K'oo as it is known in Gwich'in meaning "creek along a steep bank") was a traditional fishing spot which later was strategically chosen as a site for a permanent settlement due to the supply of both animals and fish. Venetie (or *Viįhtąiį*) was similarly chosen due to the regular crossing of moose, caribou, and other migrating animals. The first cabin constructed in Arctic Village occurred in 1909 however many years would pass before the community became a year-round place of residence. Most Neets'ąiį families continued to maintain seasonal camps or traplines along the Koness, Sheenjek, Wind and other rivers.

Since contact, the traditional territory of the Neets'ąiį Gwich'in has been threatened by numerous forces including encroachment, ownership transfers, and resource extraction. In a (post)colonial context, the Neets'ąiį Gwich'in have frequently found themselves to be in value-conflict with others, particularly on issues relating to the use and management of lands and resources.

OUR CONNECTION TO IZHIK GWATS'AN GWANDAII GOODLIT

The living history of the Neets'ąiį Gwich'in is embedded within *googwandak* (our stories) that have been passed down between generations for as long as anyone can remember. Gwich'in people, in general, are natural storytellers, and for many decades outside researchers have busied themselves with documenting our stories, traditions, hardships, and ways of life that seemed to them to be quickly disappearing. The existing literature on the Neets'ąiį Gwich'in has overwhelmingly been dominated by non-Gwich'in authorship, and the outcome has been mixed. Though some of the literature offers interesting insights into Neets'ąiį culture and experiences post-contact, it invariably requires critical reading and careful consideration of the author, their intended audience, and the extent to which Neets'ąiį people were involved in the co-creation of documented knowledge. It is from *googwandak* that the Neets'ąiį Gwich'in have come to know the meaning of Iizhik Gwats'an Gwandaii Goodlit, what you call the "Coastal Plain" or the "1002 area."

"We have always, for countless generations, governed our own people our own Indian way, according to Gwich'in traditional customs."[1] Our way of life is based on a unique relationship with the land. We are a people of place with extraordinarily strong ties to our traditional territory and are guided by a desire to exercise stewardship over the places our ancestors called home.[2] We must care for and respect the land and animals given to us by the Creator and left for us by our ancestors.[3] According to our elder Gideon James, "The very purpose of [the Native Village of Venetie] tribal government was for the tribe to maintain control over their land and water and to be able to continue to practice their spiritual and cultural activities."[4]

We have always regarded Iizhik Gwats'an Gwandaii Goodlit as sacred and important. It has historical significance as a place where Gwich'in have traveled, camped, hunted, and traded since time immemorial. Today, we avoid Iizhik Gwats'an Gwandaii Goodlit to reduce the chances of disrupting caribou calving and to ensure future successful harvesting. It continues to be associated with our cultural practices and belief system and is important to maintaining our cultural identity. Our cultural identity as caribou people is intertwined with the Porcupine Caribou Herd's calving areas in the Coastal Plain. Development in the Coastal Plain constitutes a direct attack on Gwich'in culture. Proposed oil and gas development in the Coastal Plain is already negatively impacting us through stress and fear for our way of life and cultural identity.

"We are the caribou people since the beginning of time."[5] The caribou that calve on the Coastal Plain are the primary source of our Tribal members' subsistence harvests—the keystone species that has made it possible for us to live within our traditional homelands for countless generations. Caribou form the backbone of Gwich'in life and culture, providing for the physical, cultural, and spiritual health and well-being of our Tribal members. We adhere to the traditional laws and practices surrounding the stewardship of resources, which emphasize respect and relational accountability for all life forms.[6] We take care of the caribou because we need them. It is our responsibility to provide for the needs of present and future

[1] Arctic Village Council, *Nakai't'in'in: "Do It Yourself!" A Plan for Preserving the Cultural Identity of the Neets'ąiį Gwich'in Indians of Arctic Village*, 36 (1991).

[2] Charlene Barbara Stern, *From Camps to Communities: Neets'ąiį Gwich'in Planning and Development in a Pre-and Post-Settlement Context* 118 (2018).

[3] Arctic Village Council, *supra*, at 33.

[4] Arctic Village Council, *supra*, at 45.

[5] BLM, Transcript, *Coastal Plain Oil and Gas Leasing Program EIS Public Scoping Meeting: Arctic Village, Alaska* 49 (May 24, 2018) (statement of Jewels Gilbert).

[6] Stern, *supra*, at 121.

generations. "[W]hat we do is not really for us but for our children's and our grandchildren's futures."[7]

Our way of life is dependent on the Porcupine Caribou Herd, including our reliance on caribou for subsistence. The act of harvesting and providing traditional subsistence resources has positive psychological health benefits both at the individual and community levels. Hunting, fishing, picking berries, and other land-based traditions hold mental, social, and emotional benefits that extend far beyond the actual harvest.[8] Our subsistence resources and practices are an essential component of our relationships with one another. Our people share among each other and help out those in need. Sharing reinforces our kinship ties with family and the community. For example, during community potlatches it is common knowledge among our people that elders are the first to be served food. Similarly, when boys harvest their first *vadzaih* (caribou) or *dinjik* (moose), families know to distribute the meat around the community. Any impacts to caribou and the other migratory animals that depend on the Coastal Plain, will have significant adverse social, cultural, spiritual, and subsistence impacts on our Tribes and Tribal members.

"We will oppose any efforts by outsiders, which we believe threatens our land, our animals, or our traditional way of life."[9] Oil and gas development in the Coastal Plain is wholly incompatible with the Gwich'in worldview. Our identity, culture, and way of life are at stake. Like our ancestors, we will never give up. We will never stop fighting to protect the Coastal Plain, the animals that depend on it, and our way of life.

Iizhik Gwats'an Gwandaii Goodlit is not only a place of birth, it is also a place of peace. My great-grandmother was Maggie Gilbert. She passed on the story to my grandfather Trimble of our ancestor Dajalti', who was a leader of our people long ago. During a conflict between the Neets'ąįį and the Iñupiat, Dajalti' led the Neets'ąįį north over the Brooks Range into what we now call Iizhik Gwats'an Gwandaii Goodlit. From there, Dajalti' and his people made camp, and he struck out to the coast alone to meet with the Iñupiat. At their meeting, Dajalti' met the Iñupiaq leaders and they made an end to the war. Our stories tell us this is the last time there was conflict between the Neets'ąįį and the Iñupiat. All of this occurred in the land you now call the Coastal Plain.

Dajalti' makes a speech to thousands of Eskimos on the Arctic Coast to end the war (Illustration by Kathy Tritt)

OUR EXPERIENCE IN THE BLM'S NEPA PROCESS

When the Bureau of Land Management (BLM) initiated its review process under the National Environmental Policy Act (NEPA) last year, our Tribes made a controversial decision: our Councils agreed we would each become "cooperating agencies" in the NEPA process. We made this choice, not to support the development of oil and gas in the Refuge; an outcome that our Tribes unequivocally oppose. Rather, we sought to sit at the table as equals with the BLM to provide a direct link between the agency and the Tribes so that the BLM's Draft Environmental

[7] Arctic Village Council, *supra*, at 38.
[8] Stern, *supra*, at 119.
[9] Arctic Village Council, *supra*, at 33.

Impact Statement (DEIS) would be the kind of comprehensive and thorough report that our people deserve. That was not, however, our experience in this process.

At the outset, the BLM's review process was destined to be inadequate. This was a self-inflicted injury by the agency itself by laying out a timeline for completion that is unparalleled in Alaska. Our Tribes continually expressed our concerns about the BLM's compressed timeline for completing this DEIS, and routinely advised the agency that the speed at which it was working was undermining the integrity of the NEPA process and creating significant barrier to our Tribes' meaningful participation. Despite our Tribes' good faith participation in this process, the BLM has consistently rebuffed the Tribes' substantive comments and concerns. The DEIS's wholly inadequate analysis of the proposed leasing program's impacts on cultural and subsistence resources reflects the BLM's continued failure to adequately consider and address our Tribes' concerns.

One potentially positive note in this process, was the BLM's willingness to fund our Tribes' effort to translate sections of the DEIS into written Gwich'in. In our villages, our Native language is still widely spoken and read, and indeed for many, English is their second language. However, the BLM's priority focus on completing this process as quickly as possible once again hindered any possibility of Tribal success. In order to fund this project, the BLM had to establish a section 638 self-governance contract with my Tribe. This contracting process takes time, especially when there is, as was the case here, no prior contracting relationship between the Federal agency and the tribal government. Between the lengthy bureaucracy and the recent government shutdown, the funding for the translation effort did not make it to the Tribes until late January 2019, well into the BLM's comment period for the DEIS. Because of the delay in funding, the Tribes were unable to translate the entire draft environmental impact statement, and the translation of selected sections of the DEIS was not available until March 10, 2018—three days before the DEIS comment deadline.

During the shutdown, the Tribes requested that the BLM extend the comment period to provide sufficient time to produce an accurate and understandable translation. The Tribes also informed the BLM that not extending the comment period to provide sufficient time for translation would severely hinder the participation of tribal members and other Gwich'in people who speak Gwich'in as their first language. The BLM ignored the Tribes' requests. The BLM's decision to continue to work on the DEIS during the government shutdown—but to not provide timely funding for translators or additional time for translation—disenfranchised tribal members and other Gwich'in people from the public comment process. Funding the translation efforts while simultaneously not providing adequate time to translate the DEIS demonstrates, in my view, how the BLM views trust responsibility to our Tribes.

Finally, while BLM officials did commit to and attend government-to-government "consultations" in Arctic Village and Venetie, I want the Committee to understand these sessions did not live up to our expectations as Tribal Nations and did not live up the Federal Government's trust responsibilities to Tribes. Rather, these sessions consisted of BLM representatives and their consultants arriving in the village and meeting with the Councils for what was essentially a "listening session." Questions asked by Council members often went unanswered, information presented by the agency was little more than information previously available to the public, and little if any of our Tribes' requests were followed up on by the agency. Our Tribes provided literature, posters, and other documents at these meetings for the BLM and their consultants to review, however they did not review them even after our elders reminded them of the importance of this information. Our Tribes' have come to view these "consultation" sessions as mere "box-checking" exercises by the agency. It seems to me that the BLM measures the effectiveness of government-to-government consultation in terms of quantity not quality. That is not, in any way shape or form, how the trust responsibility should work.

CONCLUSION

In closing, I would like to thank the Committee again for inviting me to testify today. I must share that this has not been easy for me to do. I have three small daughters back home as well as the rest of my family and my village. It is hard to come all this way and to talk about this issue. But, I am doing it for my people and that makes it all worth it. Iizhik Gwats'an Gwandaii Goodlit is not just a place on a map for our people. It is the foundation for our entire way of life back home. From it, we have our caribou, our stories, and our identity. For our Tribes, this is not just an issue of conservation versus development. We just do not see it that way. For us, this is about our desire as a tribal people to continuing living a way of life

that we chose for ourselves. We chose to settle where we did because we knew that is where the caribou go. We established our reservation to ensure we would keep that land. We did not participate in the Alaska Native Claims Settlement Act of 1971 because we wanted to continue being Tribal landowners. And today, we want to carry on that legacy by protecting the place that provided for our people throughout our history: Iizhik Gwats'an Gwandaii Goodlit. No one, from any walk of life, has the right to deny our people the right to be who we are or believe what we believe. Iizhik Gwats'an Gwandaii Goodlit is not just the sacred place where caribou life begins. It is the sacred place where all life, including the lives of the Neets'ąiį, begin. And we will never stop in our effort to protect it.

Mashhi' Cho (Thank you).

Dr. LOWENTHAL. Thank you.

The Chair now recognizes Chief Tizya-Tramm for 5 minutes.

STATEMENT OF THE HON. DANA TIZYA-TRAMM, CHIEF, VUNTUT GWITCHIN FIRST NATION, FAIRBANKS, ALASKA

Mr. TIZYA-TRAMM. Chairman Lowenthal, Ranking Member Gosar, members of the Subcommittee and of the Piscataway-Conoy people whose traditional territory we are on today. Mashhi' cho for the opportunity to speak with you in favor of this piece of legislation, which is critical to the future of my people.

I notice in the paintings on your walls you have a buffalo people. Well, I am proud to sit in front of you today as a caribou people, as Gwich'in. And nobody speaks on behalf of Gwich'in, except our Gwich'in leaders.

My name is Dana Tizya-Tramm, grandson of Clara Linklater and Old Peter Tizya. I am the Chief of the Vuntut Gwitchin First Nation of the Yukon in Canada. But no border separates the Gwich'in, and we speak in unity in protection of the Porcupine caribou herd.

Long ago, the Gwitchin followed the caribou to see where they went and to learn their ways. They led us to the Northeast Coastal Plains of what you now call Alaska. It is here we became one with the caribou. We did this by exchanging half of our heart with half of the caribou's own. And in this way we would always know where the other was. In this way, we would be connected forever.

The immense value of the birthing grounds was recognized on this day over a millennia ago, and why today the Gwitchin call it Iizhik Gwats'an Gwandaii Goodlit, the Sacred Place Where Life Begins. If you drill in this sacred place, it will destroy the caribou, and therefore, destroy the Gwich'in.

Our nation stretches from Alaska throughout Northern Yukon and into the Northwest Territories of Canada. Vahdzaii, caribou, is known as the lifeblood of our people and our connection to them. We are a people who belong to these lands and waters, and to the animals who share them with us. The Vuntut Gwitchin define themselves by the life-giving lakes in a region in the Yukon called the Crow Flats. The term Vuntut Gwitchin literally translates to "Those Who Dwell Among the Many Lakes."

The Gwitchin in Northeast Alaska call themselves the Gwichyaa Gwich'in, Those Who Dwell in the Flats, and so on. Every region, the identity of our people is reflected in our names to represent the body of our persons, and the deep understanding of our belonging to these lands. We are all Gwich'in, and we are a caribou people.

Our entire nation as a northern Arctic people, and especially our hunters, trappers, and gatherers, can tell you of the immense changes our lands are subjected to under the breaking weight of changing climate. Our lands are now slumping, entire lakes draining, and even entire rivers reversing, as the permafrost and glaciers that held our ancient lands together are now melting and eroding at accelerating rates.

Protected lands will give animals the chance to survive our changing climate on our lands. Development in the calving grounds of the Porcupine caribou will further threaten the fate of the herd and the fate of my people and our Nation.

The herd is the sustenance of our very being, mind, body, and spirit. Our people know where we come from, and we can see the exponential pace at which this new world is affecting us, a world that seeks dominion over the lands, animals, and resources that is at odds with our traditional way of life, which teaches a respectful relationship with each. The complete change of our lands and culture leaves us in possibly one of the most important junctures in our history—the question being, will the velocity of these changes and development swallow our people's future, our relationship, and our ancestors?

This bill directly addresses Gwich'in human rights. This bill will restore protection to a sacred land and life cycle that Gwich'in have always recognized since time immemorial and, if passed, will respect the caribou and the Gwich'ins' continued journey together in this world.

Since 1988, upon our elders' direction, we have tirelessly advocated and worked to protect these lands and our ancient way of life from the needless development. I am here today to testify that this development on the Coastal Plain amounts to the cultural genocide of the entire Gwich'in Nation. We have lived in balance with the Porcupine caribou herd since before any mark of modern history, and now development threatens to destabilize all of this.

At one of the most important points in our collective human history, it is now your turn to stand with the Gwich'in Nation, the Porcupine caribou herd, and these lands. We have done our work. Now it is up to you to respect, honor, and value the lives of us all by passing this bill. Mashhi'.

[The prepared statement of Mr. Tizya-Tramm follows:]

PREPARED STATEMENT OF DANA TIZYA-TRAMM, CHIEF, VUNTUT GWITCHIN, FAIRBANKS, ALASKA

Long ago the Gwitchin followed the caribou to see where they went and to learn their ways. They lead us to the Northeast Coastal Plains of what is now called "Alaska." It is here that we made treaty, it is here we became one. We did this by the exchange of half of one another's heart. In this way we would always be connected, forever. The immense value of their calving grounds was recognized on this day over a millennia ago, and why today all Gwitchin call it, "Iizhik Gwats'an Gwandaii Goodlit," "the Sacred Place Where Life Begins."

Among the Gwitchin the expanse from the Northeast of Alaska, through Northern Yukon Territory, to the mid-Western region of the Northwest Territories, vahdzaii (caribou) is known as the lifeblood of our people, as well as our connection to them. As a people who define themselves by the life giving lakes in a region called the "Crow Flats" the term "Vuntut Gwitchin" literally translates to "They Who Dwell Among the Many Lakes," and the Gwitchin in Northeastern Alaska residing in the "Yukon Flats" refer to themselves as the "They Who Dwell in the Flats" and so on, every region of our people their identity, reflected in our names that represents the

body of our persons, and the deep understanding of our person, and its connection to our lands, but we are all a caribou people.

As a young man today I can see our past traditional world as we were the last to have made contact with the "oonjit" (outsiders) or "white people" which were the colonial explorers. I can see where our people came from and the exponential pace at which this new world has affected us. A world that seeks dominion over the lands, animals, and resources opposed to our traditional one that teaches that we must have a respectful relationship with each. The respect taught to us by our ways so strict that we are never, ever to laugh, or make fun of any animal. Now we must carry our traditional values and principles taught by our traditions and elders from the past into the future in a way in which they may be realized in contemporary ways. The onslaught of technology, alcohol, drugs, and outside pressures from our new non-indigenous partners and their new world is completely changing the ancient world of our culture and lives leave us in possibly one of the most important points in our people's history. How will we continue our way with the land, waters and animals? Will we be able to balance the best of both of these worlds to gift our coming generations a totally balanced and new world in which we have woven our traditional guiding principles into new works? Or will the velocity of alcohol, drugs, and new influences swallow our people, our identities, our relationships, our connections to our ancestors and future generations?

The Vuntut Gwitchin First Nation Signed our Self-Government Agreement with the Crown of Canada in 1995 establishing our own government, the certainty of our lands, as well as the laws that govern this relationship and the frameworks that we are to build from together. This mechanism defines our peoples right to self-determination, and self-governance and from this we have thrived as a people free from the confines of the "Indian Act" under Canadian law. This however is not how our relationship began and we have a significant legacy of changes both good and bad, both chosen and forced. When it comes to our lands specifically we created "Special Management Areas" and even large swaths of lands in our traditional territories designated as Federal parks although we still retain the right to harvest within these lands. Through our agreement and partnership with the Canadian Government we have protected all of our headwaters and the most important lands that sustained flora and fauna.

As a leader of my people I must say now, to be retained by outside people, government, and systems of my people that the development of the "1002" lands as designated by ANILCA, known to my people as "Iizhik Gwats'an Gwandaii Goodlit" is certainly the highest practice of cultural genocide of the entire Gwitchin Nation as it will lead to the destabilization of the Porcupine Caribou herd which carries the spirit, intent, and founding of our nation as a people. No word on any format can replace the meaning of the last, and largest land animal migration left today that drives northern arctic ecosystems in which we belong to. No words can ever truly convey to people in which I am mandated to convince to support the protection of these lands to side with a people they know nothing about to understand that our existence is dependant on an animal as humble as the caribou. On behalf of my people I plead that we be recognized, that our internationally recognized human rights be honoured, that our international agreements between Canada and the U.S.A. are honoured, that from the misty fundamental place from whom ever reads this helps to protect the most fundamental part of who my people are because obviously this is beyond just our control, and is now in your hands. Support this legislation that will not just stop oil and gas development of the "1002" lands, but will ensure the living of an ancient ecosystem and an ancient people that depend on them.

Dr. LOWENTHAL. Thank you.

The Chair now recognizes Chief Joseph for 5 minutes.

STATEMENT OF THE HON. VICTOR JOSEPH, CHIEF/CHAIRMAN, TANANA CHIEFS CONFERENCE, FAIRBANKS, ALASKA

Mr. JOSEPH. Thank you, Chairman Lowenthal, Ranking Member Gosar, and members of the Subcommittee, I appreciate the opportunity to testify today.

My name is Victor Joseph. I serve as the Chief Chairman at Tanana Chiefs Conference (TCC). TCC is a non-profit consortium

of 42 members, of which 37 are federally recognized tribes. Our region includes the Gwich'in Nation. TCC is governed by tribal leaders who provide oversight and guidance in the management of TCC. Our tribes stand united with the Gwich'in Tribes in opposition of all oil and gas activities on the Coastal Plain of the Arctic National Wildlife Refuge.

You have heard firsthand from the Gwich'in leaders why the birthing grounds for the Porcupine caribou herd is so important to their existence as a people. TCC joins the comments provided by my fellow panelists.

The purpose of my testimony today is to provide the Subcommittee with an overview of how the complex legal history of Alaskan tribes have impacted our ability to continue our way of life. The history reinforces why protecting the Coastal Plain is so important.

Alaska is often misunderstood, even by those who live in the state. Alaska Native tribes have always existed, and continue to exist, despite our lands being stripped from tribal sovereign authority when Congress passed the Alaska Native Claims Settlement Act, ANCSA, in 1971. ANCSA created profit-making Alaska Native Corporations to receive over 45 million acres of land. Tribes were not mentioned anywhere in that Act. But there are 229 federally recognized tribes in the state of Alaska.

To be clear, the ANCSA corporations are not tribes or tribal governments. While some hail ANCSA as a success because of their financial successes of the for-profit corporations it established, it has made it extremely difficult for tribes to have a meaningful role in wildlife and resource management. The lack of co-management often creates hunting and fishing regulations that criminalize our people for doing what we have been doing since time immemorial, living off the land and practicing our religious and spiritual rights.

In Alaska, Native communities harvest approximately 22,000 tons of wild foods each year, and an average of 370 pounds per person. Our spirituality and culture is deeply rooted in harvesting of these wild foods, and sharing them within our communities.

A decade after ANCSA, Congress sought to protect Alaska Native hunting and fishing rights by enacting the Alaska National Interest Lands Conservation Act, ANILCA. To be direct, ANILCA has failed to protect the Alaska Native way of life. The complex legal landscape is the backdrop in the fight to protect the calving grounds for the Porcupine caribou herd, and the ability of the Gwich'in Nation to exist.

The TCC tribal leadership recently reaffirmed its resolution, which calls on Congress and the President to permanently protect the calving grounds of the Porcupine caribou herd. TCC urges Congress to return to the strong support of protecting the Refuge, including the sensitive Coastal Plain. This place is one of the most sacred locations to the Gwich'in people. Its protection is necessary for their continued way of life.

When TCC opposed the Tax Act, we warned that the NEPA process would be truncated, and the Native tribal voice silenced in any plan. Unfortunately, we were right. That is exactly what is happening.

The Tanana Chief Conference concludes that protecting the Coastal Plain and setting it aside as wilderness is the best and highest use of the fragile area. It preserves the intact ecosystem critical to both the caribou and the Gwich'in people. This way of life is dependent on the herd and each other.

We hope that you agree, and will advocate for the protection of the Arctic National Wildlife Refuge Coastal Plain, its wildlife, and the indigenous people who are so closely linked to it.

Thank you for this opportunity.

[Speaking Native language.]

[The prepared statement of Mr. Joseph follows:]

PREPARED STATEMENT OF VICTOR JOSEPH, CHIEF AND CHAIRMAN, TANANA CHIEFS CONFERENCE, FAIRBANKS, ALASKA

Chairman Lowenthal, Ranking Member Gosar, members of the Subcommittee, on behalf of the Tanana Chiefs Conference (TCC), I appreciate the opportunity to testify before the Subcommittee regarding "The Need to Protect the Arctic National Wildlife Refuge Coastal Plan" on H.R. 1146. TCC is a non-profit intertribal consortium of 37 federally-recognized Indian tribes and 41 communities located across Alaska's interior including the tribes of the Gwich'in Nation of Arctic Village, Venetie, Fort Yukon, Beaver, Chalkyitsik, Birch Creek, Circle and Eagle Village. TCC serves approximately 18,000 tribal members in Fairbanks where TCC headquarters is located, and in the rural villages in Alaska's vast interior, located along the 1,400 mile Yukon River and its tributaries. Over 100 years ago, TCC was formed when tribal leaders of the interior met with Federal officials and strategically created a unified tribal voice to ensure the tribes received adequate health care, employment, education, and protection of our traditional territories in order to continue hunting and fishing practices.

Today, TCC aims to meet the health and social service needs of tribes and tribal members throughout the region, which covers 235,000 square miles here in the Interior of Alaska, with our Health Services covering 185,000 square miles. Our region covers 37 percent of the state, an area that is just slightly smaller than Texas. TCC is governed by the Full Board, Executive Board, Health Board and Traditional Chiefs who provide oversight and guidance in the management of TCC. In addition, at TCC's Annual Convention, TCC member tribes deliberate and pass resolutions that guide TCC through the coming years. I serve as Chief/Chairman of TCC, elected by our tribal delegates, I am a Tanana tribal member. As the Chief/Chairman, I have the honor to serve our region, represent the tribes, and to carry out the intent and legacy of the founding TCC chiefs.

We stand united with the Gwich'in Tribes in opposition to all oil and gas activities on the Coastal Plain of the Arctic National Wildlife Refuge. Each year, the Coastal Plain acts as the birthing grounds for the Porcupine Caribou Herd. Our people live in remote villages on the migratory route of the caribou. Tribal citizens across our Region rely on these animals for their physical, cultural, and spiritual health. The proposed oil and gas leasing and subsequent exploration and development will undoubtedly directly and significantly impact the quality, health, and availability of those traditional subsistence resources, such as caribou, fish, and birds, and therefore the Gwich'in way of life.

We join the comments provided by my fellow panelists. The purpose of my testimony is to provide the Subcommittee with an overview of how the complex legal history of Alaskan tribes have impacted our ability to continue a subsistence lifestyle and reinforce why protecting the Coastal Plain is so important.

Alaska is often misunderstood even by those who live in the state. Alaska Native tribes have always existed and continue to exist despite our lands being stripped from tribal sovereign authority when Congress passed the Alaska Native Claims Settlement Act (ANCSA) in 1971. Tribes' inherent powers of self-governance over tribal citizens have long been recognized, and there is no evidence that Congress intended to extinguish Alaska Tribes' powers in enacting ANCSA.[1] Federal courts

[1] *John v. Baker*, 982 P.2d 738, 753 (Alaska 1999) ("Congress intended ANCSA to free Alaska Natives from the dictates of '"lengthy wardship or trusteeship,"' not to handicap tribes by divesting them of their sovereign powers.").

have likewise concluded that tribes in Alaska retain inherent sovereign authority.[2] There are 229 federally-recognized tribes in Alaska. As a general matter, sovereign governments have authority, or jurisdiction, over citizens, over land, and over people who enter their land. This "dual nature of Indian sovereignty" derives from two intertwined sources: tribal citizenship and tribal land. These two aspects of jurisdiction, or authority, while intertwined, have been "teased apart" in Alaska.[3]

ANCSA created 12 regional profit-making Alaska Native corporations and over 200 village, group, and urban corporations to receive what would end up being around 45.5 million acres of land along with about a billion dollars cash payment. Tribes were not mentioned in the Act. To be clear, the ANCSA corporations are not tribes or tribal governments. While some hail ANCSA as a success because of the financial success of the for-profit corporations it established, ANCSA's purported elimination of aboriginal hunting and fishing rights has had devastating effects on Alaska Native way of life, and has made it extremely difficult for tribes to have a meaningful role in resource management by virtue of our reserved tribal rights.[4] The lack of co-management often creates hunting and fishing regulations that criminalize our people for doing what we have been doing since time immemorial—subsisting off the land and practicing our religious and spiritual beliefs. In Alaska, Native communities harvest approximately 22,000 tons of wild foods each year, an average of 375 pounds per person.[5] Our spirituality and our culture is deeply rooted in harvesting these wild foods, and sharing them within our communities.

While tribes relentlessly advocate for protection of tribal hunting and fishing practices and the ceremonies that accompany those practices, achieving this without a land base is extremely challenging. Much of the land is owned by the ANCSA corporations, and while ANCSA corporations are Native owned and operated, their main mission is to make profits which is sometimes at odds with tribal cultural and spiritual pursuits.

In the drafting of ANCSA, Alaska Natives communicated that protection of our hunting and fishing rights were one of the highest priorities.[6] However, nothing was stated in the Act that clearly defined what protections the Alaska Native people would continue to have. Congress nevertheless made its promise clear in the Joint Senate and House Conference Committee Report accompanying the Act:

> The Conference committee after careful consideration believes that all Native interests in subsistence resource land can and will be protected by the Secretary through the exercise of his existing withdrawal authority . . . The Conference Committee expects both the Secretary and the State to take any action necessary to protect the subsistence needs of the Natives.[7]

After a decade of failure by the Secretary of the Interior and the State of Alaska to protect subsistence needs of Native peoples, Congress sought to protect Alaska Native hunting and fishing rights by enacting the Alaska National Interest Lands Conservation Act (ANILCA).[8] ANILCA has two purposes: first, "to set aside land in order to preserve the natural features and resources of those lands and waters for present and future generations," and second "to protect the resources related to subsistence need and provide the opportunity for rural residents engaged in a subsistence way of life to continue to do so."[9] The Act professed to protect Native lifestyles and did so under "its constitutional authority over Native affairs and its constitutional authority under the property and commerce clause."[10] Decades after ANCSA

---

[2] *Native Vill. of Venetie I.R.A. Council v. Alaska*, 944 F.2d 548, 556–59 (9th Cir. 1991); *Native Vill. of Venetie I.R.A. Council v. Alaska*, 994 WL 730893, at *12–21 (D. Alaska, Dec. 23, 1994); *Kaltag Tribal Council v. Jackson*, 344 F. App'x 324 (9th Cir. 2011).

[3] John, 982 P.2d at 754; *Kaltag Tribal Council v. Jackson*, 344 F. App'x at 325 (9th Cir. 2011) ("Reservation status is not a requirement of jurisdiction because '[a] Tribe's authority over its reservation or Indian country is incidental to its authority over its members."(quoting Venetie, 944 F.2d at 559 n.12)).

[4] Robert T. Anderson, *Sovereignty and Subsistence: Native Self-Governance and Rights to Hunt, Fish, and Gather After ANCSA*, 33 Alaska L. Rev: 187 (2016), http://digitalcommons.law.uw.edu/faculty-articles/49.

[5] *Hearing to Examine Wildlife Management Authority Within the State of Alaska Under the Alaska National Interest Lands Act and the Alaska Native Claims Settlement Act: Hearing Before the S. Comm. On Energy and Nat. Res.*, 113th Cong. 1 (2013).

[6] The first Alaska Federation of Natives draft bill emphasized subsistence protection and the final Senate version of the land claims bill included elaborate provisions protecting Native subsistence. Case, *supra*, at 284.

[7] H.R. Conf. Rep. No. 92–746, 92nd Cong.; 1st Sess., December 14, 1971, at 37 *reprinted in* 1971 U.S.C.C.A.N. 2247, 2250.

[8] Alaska National Interest Lands Conservation Act, 16 U.S.C.A. §§ 3111 *et seq*. (1980).

[9] 16 U.S.C.A. § 3101 (b), (c).

[10] 16 U.S.C.A. § 3111 (4).

and ANILCA passed, neither the Department of the Interior nor the State of Alaska have lived up to Congress' expectations to protect Alaska Native hunting and fishing practices.

This complex legal landscape is the backdrop in the fight to protect the calving grounds of the Porcupine Caribou herd and, therefore, the ability of the Gwich'in Nation to exist. In October 27, 2017, the TCC Tribal leadership reaffirmed its 2015 Board resolution (2015–71), passed by the Full Board, which called on Congress and the President to permanently protect the biologically rich calving grounds of the Porcupine (River) Caribou Herd within the "1002 Area" Coastal Plain of the Arctic National Wildlife Refuge (ANWR). We stand in unity with the Gwich'in People who rely on the Porcupine Caribou for the physical, cultural, and spiritual well-being, and who, since 1988, and every 2 years thereafter, have unanimously called on the United States to protect the 1002 Area "Coastal Plain" and respect their traditional way of life. The Porcupine Caribou represent food security and a way of life to the Gwich'in people who have hunted the caribou for thousands of years. Oil and gas development on the Coastal Plain will cause disruptions to land and subsistence activities and uses, which will have severe social, cultural, and health impacts on the Gwich'in people.

Until recently, the protection of the Arctic National Wildlife Refuge enjoyed bipartisan support, dating back to 1960 when President Dwight David Eisenhower established the area as the Arctic National Wildlife Range, which was expanded in 1980 by President Jimmy Carter and renamed a Refuge. TCC urges Congress to return to the strong support for protecting the Refuge, including the ecologically sensitive Coastal Plain, and the Gwich'in people. In 2017, when TCC opposed, the "Alaska Oil and Gas Production Act," and inclusion of Arctic Refuge drilling in the Tax Act, we warned that the National Environmental Policy Act (NEPA) process would be truncated and Native tribal voices silenced in any mitigation plan and regulations for the Coastal Plain. Unfortunately, we were right; this is exactly what is happening.

The Bureau of Land Management's (BLM) Draft Environmental Impact Statement (draft EIS) fails to acknowledge the significant impact oil and gas activities on the Coastal Plain will have on the tribal communities that rely on the Coastal Plain for subsistence. The draft EIS is wholly inadequate in researching, identifying, analyzing, and planning for mitigation of potential impacts as a result of the proposed three action alternatives for BLM's implementation of an oil and gas program in the Coastal Plain of the Refuge as mandated by the Tax Cuts and Jobs Act of 2017, Public Law 115–97. The draft EIS does not meet basic legal requirements of a sufficient EIS, and is clearly deficient in the Alaska National Interest Lands Conservation Act Section 810 preliminary analysis. Each section lacks adequate research and analysis of scientific data and traditional knowledge currently readily available. Furthermore, it lacks necessary required research and analysis to fill existing data gaps.

The draft EIS is a futile exercise, lacking integrity, and concluding potential and cumulative impacts as a result of the proposed three action alternatives for the BLM implementation of an oil and gas program in the Coastal Plain of the Refuge would be minimal or inconsequential to habitat, fish, wildlife, and indigenous people. The scoping and draft EIS process have selectively acknowledged science, data, technical reports, and public comments that support and validate the administration's position, while selectively not including years of science, data, technical reports, and indigenous knowledge that clearly demonstrate the high likelihood of severe and significant direct and cumulative impacts to habitat, fish, wildlife, indigenous peoples, and the global environment. This silences Alaska Native voices.

ANILCA Section 810, subtitled *Subsistence and Land Use Decisions*, outlines the requirements for addressing impacts to subsistence uses of resources in the Federal land use decision-making process in Alaska. The draft EIS contains an analysis under Section 810 of the ANILCA that egregiously fails to recognize the significant impacts to the Gwich'in subsistence way of life that are likely to result from oil and gas activities on the Coastal Plain. All of BLM's proposed action alternatives would result in: displacement impacts on calving and post-calving PCH caribou; increased calf mortality, and impacts to migration patterns, and therefore may substantially restrict and/or reduce the abundance and availability of PCH for subsistence uses. Oil and gas exploration and development in the heart of the calving and post-calving grounds of the Porcupine Caribou Herd is a direct threat to indigenous culture and the ability to continue the subsistence way of life—and yet BLM has wholly ignored these concerns. As a result of this finding, BLM does not intend to hold ANILCA 810 hearings in any Gwich'in communities, further inhibiting their ability to participate meaningfully in this process. This is unacceptable.

We heard promises when Congress was considering opening the Coastal Plain in the Tax Act that BLM would ensure that the Federal process meets all legal and moral obligations, allowing Tribal voices to be heard and address known impacts to our ways of life. These promises were not kept. But no process will change the fact that the proposed oil and gas leasing and subsequent exploration and development on the Coastal Plain will have significant, serious, and harmful impacts on Alaska Native ways of life. As a result, the Tanana Chiefs Conference concludes that protecting the Coastal Plain and setting it aside as Wilderness is the best and highest use of this fragile ecosystem. It preserves an intact ecosystem, critical to both the Porcupine Caribou herd and the Gwich'in people, whose way of life is dependent upon the herd. The health of the herd and the health of the Tribal communities are inextricably dependent.

H.R. 1146, which repeals the provisions of the Tax Act that opened the Coastal Plain to destructive oil and gas activities is an important step. We hope you agree and will advocate for protection of the Arctic National Wildlife Refuge's Coastal Plain—its wildlife and the indigenous people who are so closely linked to it.

Thank you for the opportunity to address the Subcommittee on this important legislation.

*****

ATTACHMENT

PROPOSED RESOLUTION 2015 – 71
Tanana Chiefs Conference Full Board of Directors

PROTECT THE PORCUPINE CARIBOU BIRTHPLACE IN THE ARCTIC NATIONAL WILDLIFE REFUGE COASTAL PLAIN

RESOLUTION NO. 2015–71

WHEREAS, the Arctic National Wildlife Refuge is the birthplace and nursery grounds of the Porcupine (River) Caribou Herd; and

WHEREAS, for countless generations the Gwich'in People relied upon the porcupine caribou to meet their cultural, spiritual and subsistence needs, and continue to rely on the caribou to meet the needs of their people; and

WHEREAS, the Gwich'in and all Native people have the right to continue to live their traditional way of life, and this right is recognized in the International Covenants on Human Rights which reads in part: "In no case may a people be deprived of their own means of subsistence . . .."; and

WHEREAS, oil development in the birthplace of the Porcupine Caribou Herd would hurt the caribou and threaten the future of the Gwich'in People.

NOW THEREFORE BE IT RESOLVED that the Tanana Chiefs Conference Full Board of Directors direct the TCC staff to call on Congress and the President to take action to permanently protect the birthplace of the Porcupine Caribou Herd in the Arctic National Wildlife Refuge, known as the 1002 lands; and

NOW THEREFORE BE IT FURTHER RESOLVED that this is the standing policy of TCC until amended or rescinded.

CERTIFICATION

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference Full Board of Directors on March 19, 2015 at Fairbanks, Alaska and a quorum was duly established.

_____
Pat McCarty
Secretary/Treasurer

Submitted by: Yukon Flats Subregion

Dr. LOWENTHAL. Thank you.

And now the Chair recognizes Mr. Alexander for 5 minutes.

STATEMENT OF SAM ALEXANDER, GWICH'IN LEADER, GWICH'IN STEERING COMMITTEE, FAIRBANKS, ALASKA

Mr. ALEXANDER. Drin gwinzii, Shoozhri' Sam Alexander oozhii, Gwichyaa Zhee gwats'an ihtįį, gaa Tanan gwihch'ii. Shiyeghan naįį Clarence ts'a' Ginny Alexander gaavoozhri', Gwichyaa Zhee gwats'an ginlįį [Speaking Native language]. Good afternoon. My name is Sam Alexander. I am from Fort Yukon, but I live in Fairbanks. My parents are Ginny and Clarence Alexander from Fort Yukon.

Chairman Lowenthal, Ranking Member Gosar, and members of the Subcommittee, Mahsi' Choo for the opportunity to speak to you in favor of H.R. 1146.

Today, I am here to talk with you about why my people, the Gwich'in Nation, continue to fight to protect the Arctic Refuge. As a prior U.S. Army Special Forces officer and graduate of Dartmouth's Tuck School of Business, my people have asked me to speak because of my experience with Western society.

Why do we fight so hard to protect this land? The word Gwich'in means "people of a place," and the Refuge is one of the places we are from, long before it was a refuge, and long before there was a United States.

The Refuge is very close to my heart, as it is the reason for my own existence. My grandmother was orphaned by diseases that wiped out her family and brought our tribe to the brink of extinction. She was able to survive because she left her home and went to live on the land that later became the Refuge. There, the land and animals provided for her.

How do we repay the land for all that it has given us? As Gwich'in, we are bound by tradition to be stewards of the land, for it has provided us with so much. Stewardship of the land is a sacred duty and, as such, one that cannot be entrusted to corporations, even if they have the words "Native" in front of them.

Beyond our duty to be stewards of this land lays another powerful motivator. We protect this land because our connection to the land is the basis for our culture. What we eat, what we wear, the words that we use, our sense of time and space all come from our connection to the land. Our connection with the caribou and all creatures of the land sustain our language. How we communicate the detailed directions needed to survive on the land go beyond general terms such as "north" and "south," but instead incorporate the features of the land, such as traveling up river, oonji', or down the river, oodi'.

Our concept of time is based on the land's natural cycles. For example, we call the month of May Gwiluu Zhrii, which means "The Month of Crusted Snow." Of course, with climate change, we have started to see the crusted snow for which May is named now in April. Our knowledge of the land is best understood in the language.

Yet, we are at an inflection point with our language. We have fewer and fewer speakers every year, and knowledge is being lost. Recognizing this loss, the United Nations has declared this the

year of indigenous languages. These languages are recognized for the value that they bring to our understanding of the world.

But beyond the accumulated knowledge and insight the Gwich'in language provides, it gives something more. Diiginjik, our language, gives the Gwich'in people a connection to each other and our ancestors. We have place names that inform us and guide us. My father is from a place called Shoo, which means happy, and you can see the light in his eyes when he speaks of this place.

I have heard it said that there can be balanced development, but I must not understand what balanced means, because so much of the North Slope is already open to development. How is opening the remainder creating balance?

The animals are already under stress, with climate change impacting their lives now. As the temperatures stay near the freeze-thaw point we are seeing more rain and wet weather. This is making one of the mainstays of the caribou diet, lichen, inaccessible, as it is buried under ice instead of snow. Environmental stresses like this make protection of the calving grounds all that much more important, as the caribou are facing the unprecedented stress of rapid climate change.

And it is not just the caribou, but the fish and other animals, as well. Drilling the refuge will exacerbate these changes.

How do we know that activity in the refuge will impact animal behavior? Our traditional knowledge informs us.

Once I was moose hunting with my father, an esteemed elder, and we were traveling along and saw a bear in the distance. He put up his rifle like he was going to shoot it, and then dropped his rifle down. I asked him why he didn't shoot the bear, and he said, "Bears are always in front of moose."

And I thought to myself, what does that mean? I thought maybe he was tired. And we went around the corner, and a bull moose is standing right there.

How could he know that? He knows that because he has spent a lot of time on the land, and he learned from his elders our traditional knowledge. This is hard-fought knowledge, and has to be very accurate in order for it to be of use. Our traditional knowledge helps us understand the behavior of animals in ways that Western science is only beginning to grasp. And this knowledge tells us that oil and gas development in birthing grounds of the Porcupine caribou herd will devastate them.

I asked my father what message he thought you needed to hear. He said without the caribou, our tribe dies. He didn't say without more oil drilling our tribe dies, and he didn't say without greater infrastructure and development of the land our tribe dies. He said without caribou.

The caribou bring life to the land. Without caribou the Refuge dies. And not just in iizhik gwats'an gwandaii goodlit, not just the Coastal Plain, we are talking about the entire Refuge. So, a choice must be made, and I hope you make the right one. Please pass this important piece of legislation.

Mahsi' choo. De Oppresso Liber.

[The prepared statement of Mr. Alexander follows:]

PREPARED STATEMENT OF SAM ALEXANDER, GWICH'IN LEADER, GWICH'IN STEERING COMMITTEE, FAIRBANKS, ALASKA

Chairman Lowenthal, Ranking Member Gosar, members of the Subcommittee, and Chief Swan of the Piscataway Conoy people, Mahsi' Choo for the opportunity to speak to you in favor of the Arctic Cultural and Coastal Plain Protection Act, H.R. 1146.

Drin gwinzii, Shoozhri' Sam Alexander oozhii, Gwichyaa Zhee gwats'an ihtiį, gaa Tanan gwihch'ii. Shiyeghan naiį Clarence ts'a' Ginny Alexander gaavoozhri', Gwichyaa Zhee gwats'an ginliį.

Good afternoon, my name is Sam Alexander, I am from Fort Yukon, Alaska, but I live in Fairbanks, Alaska. My parents are Clarence and Ginny Alexander from Fort Yukon. Today I am here to talk with you about why my people, the Gwich'in Nation continue to fight to protect the Arctic National Wildlife Refuge.

As a prior U.S. Army Special Forces Officer and graduate of Dartmouth's Tuck School of Business, my people have asked me to speak because of my familiarity with the Western society.

So why are we here? Why do we fight so hard to protect this land? The word Gwich'in means people of a place. And the refuge is one of the places we are from, long before it was a refuge, long before the United States existed. The refuge is very close to my heart, as it the reason for my own existence. My grandmother was orphaned by diseases that wiped out her family in the early 20th century, diseases that ravaged our people and brought us to the brink of extinction. She was able to survive because she left her home and went to live on the land that later became the Refuge. There, the land and animals provided for her.

How do we repay the land for all that it has given us? As Gwich'in we are bound by tradition to be stewards of the land, for it has provided us so much.

In our traditional way, animals and the land are revered and treated with the utmost respect. Our traditional protocol says that even the smallest of animals are not to be taken advantage of or disrespected. When you take a resource from the land you are supposed to leave something in return. For example, mice often store food. They hide small piles of wild Indian potato for a later date when they'll need it. Food can be scarce, at times in the Arctic. A Gwich'in person may help himself to the mice's food, but he knows, in exchange he must leave something of value for the mouse. Our values say that just because you are human that you are not above the other creations. In our way, the mice are no less worthy of respect than you or I.

Stewardship of the land is a sacred duty, and as such, one that cannot be entrusted to corporations, even if they have the words Native in front of them.

Beyond our duty to be stewards of this land lays another powerful motivator. We protect this land because our connection to the land is the basis for our culture. What we eat, what we wear, what we talk about, the words that we use, our sense of time and space all come from our connection to the land. Our connection with the caribou and all creatures of the land sustain our language. How we communicate the detailed directions needed to survive on the land go beyond general terms such as north or south, but instead incorporate the features of the land, such as traveling up river, oonji', or down the river, oodi'. Our concept of time is based on the land's natural cycles. For example, we call the month of May *Gwiluu Zhrii*, which means "The Month of Crusted Snow." Of course, with climate change, we have started to see the crusted snow for which May is named in April. Our language contains knowledge of the land from time immemorial, and that knowledge is best understood in the language.

And yet we are at an inflection point with our language. We have fewer and fewer speakers every year, and knowledge is being lost. This loss is being recognized. The United Nations has declared this the year of indigenous languages. These languages are recognized for the value that they bring to our understanding of the world. But beyond the accumulated knowledge and insight the Gwich'in language provides, it gives something more. *Diiginjik*, our language, gives the Gwich'in people a connection to each other and our ancestors. We have place names that inform us and guide us. Place names that have existed for millennia. My father is from a place called *Shoo*, which means happy, and you can see the light in his eyes when he speaks of this place. And so what do we want? We want what people have always wanted, to live in a place we love, living the way we want with the people that we love and cherish.

I've heard it said that there can be balanced development, but I think I must not understand what balanced means, because so much of the North Slope of Alaska is already open to development. How is opening the remainder creating balance? The animals are already under stress now. Climate change is impacting our lives

now. As the temperatures stay near the freeze-thaw point we are seeing more rain and wet weather. This is making one of the mainstays of the caribou diet, lichen, inaccessible as it is buried under ice instead of snow. Environmental stresses like this make protection of the calving grounds all that more important, as the caribou are facing the unprecedented stress of rapid climate change. And it is not just the caribou, but the fish and other animals as well. Drilling the refuge will exacerbate these changes.

How do we know that activity in the refuge will impact animal behavior? Our traditional knowledge informs us. Once I was moose hunting with my father, an esteemed elder. We were traveling along and saw a bear in the distance. He raised his rifle as if he was he was going to shoot it and then stopped. He put his rifle down and said we should keep going. I asked him why? And he replied, "bears are always in front of moose." And I thought, well what does that mean?! He must be tired, because he wasn't making any sense to me. Well we went around the corner and sure enough, there was a Bull Moose. How could he know this? He knows this because he has spent a lot of time on the land, and a lot of time learning from elders our traditional knowledge. That is hard fought knowledge, and has to be very accurate in order for it to be of use. Our traditional knowledge helps us understand the behavior of animals in ways that western science is only beginning to grasp. And this knowledge tells us that oil and gas development in birthing grounds of the Porcupine Caribou will devastate the herd.

I asked my father what message he thought you needed to hear. He said, without the caribou, our tribe dies. He didn't say, without more oil drilling our tribe dies. He didn't say without greater infrastructure and development of the land our tribe dies. He said without caribou. The caribou bring life to the land. Without caribou the refuge dies. And not just in *iizhik gwats'an gwandaii goodlit*, not just the calving grounds on the Coastal Plain, we are talking about the entire refuge. So a choice must be made, and I hope you make the right one. Please pass this important piece of legislation.

Mahsi' choo for your time. De Oppresso Liber.

Dr. LOWENTHAL. Thank you.

The Chair now recognizes Mr. Rexford for 5 minutes.

STATEMENT OF FENTON REXFORD, ADVISOR TO THE MAYOR OF THE NORTH SLOPE BOROUGH, TRIBAL MEMBER, NATIVE VILLAGE OF KAKTOVIK, KAKTOVIK, ALASKA

Mr. REXFORD. Chairman Lowenthal, Ranking Member Gosar, and the members of the Subcommittee, I thank you very much for the opportunity to present my comments.

My name is Fenton Rexford from Kaktovik on Barter Island, also known as Barter Island. I was born and raised there, and am here to speak to you on behalf of my people and myself.

Kaktovik is the only community, the only village within the boundaries of the Arctic National Wildlife Refuge. We are the only village and community located within the Coastal Plain of ANWR.

We agree the human rights of the Gwich'in people must be honored and respected. But there are many other tribes in Alaska with diverse interests in many resources, including caribou, birds, fish, moose, whale, seals, minerals, and even the oil and gas.

Your legislation does not mention at all the human rights of the Kaktovik people, the Kaktovikmiut. Your legislation does not mention the Kaktovikmiut at all. It doesn't mention the Iñupiat people of the country there. What about our Iñupiat human rights? We have human rights, as well as the Gwich'in. What about our land, which has been our home since immemorial, over 11,000 years? What about our resources? What about our interest in the Porcupine caribou herd that we rely on, as well as the Gwich'in? What about our voice?

Do you intend us to disappear, like you have done for the Havasupai, the Navajo in creating the Grand Canyon? You legislated them out. And with this bill, H.R. 1146, you are legislating the Kaktovik people out of this country, or even existence.

Our tribe has over 23 million of acres of homeland that we have inhabited and used for hunting, fishing, gathering, and raised our families for 11,000 years, from continental divide in the Brooks Range to the Arctic Ocean, from the Sagavanirktok on the west well into Canada into the east.

Then the Federal Government showed up in 1867. The United States purchased all of Alaska from Russia, even though Russia did not exercise dominion over our lands. The U.S. Senate ratified the purchase, and Congress funded it.

In 1947, the U.S. military, a cold war, arrived on Barter Island to build a 5,000-foot runway and hangar. We were told to move our village, our homes, our ice cellars. Graves and cemeteries were bulldozed and filled in.

In 1950, the Department of the Interior sent their game warden to Kaktovik and told my grandfather, "You are only going to be hunting one sheep and one caribou." And this was 70 years ago.

In 1951, the Village of Kaktovik and most of our island was withdrawn for a military reserve by Public Land Order 82.

In 1953, the military directed our village again to move a second time.

In 1957, an application for the withdrawal of lands to create the Arctic Wildlife Range was filed. The first group to propose the withdrawal was a sportsmen's hunting group from another region of Alaska that wanted to protect their interest in our region.

In 1958, Congress passed the Alaska Statehood Act, which did not even protect our interests.

In 1960, the Secretary of the Interior issued Public Land Order 2214, reserving the Arctic National Wildlife Range. The Range was established without Kaktovik input, without consultation. Our rights to hunt were now restricted further.

In 1964, the military directed our village again to move the third time.

In 1971, Congress passed the Alaska Native Claims Settlement Act. Kaktovik received just four townships of land within our region. Congress terminated our aboriginal rights and claims to the hunting and fishing rights, as well.

In 1980, Congress passed the Alaska National Interest Lands Conservation Act, which renamed ANWR a "Refuge," and increased the size of the refuge, and imposed new restrictions on hunting and fishing, and access to the land and gathering food for the people. Congress claimed to protect our access to the refuge, but we have struggled for 40 years to exercise our subsistence rights and our right to travel across the land managed by the U.S. Fish and Wildlife Service. Once again, the interests of the outside conservation groups have trumped the interests of our people.

We have spent over 40 years lobbying Congress to allow oil and gas leasing within the Coastal Plain. Even leasing on our own Native lands requires an Act of Congress.

Since the Federal Government showed up 152 years ago, the outside groups have used the Federal Government as a tool to assert

their own interests in our land. To protect our interest, we have formed a powerful government and a voice—the non-government organizations—the voice of the Arctic Iñupiat, to make sure that all our activities within the region return benefit to our people and our communities.

So, as Iñupiat, we maintain our traditional values. Our culture continues to evolve and adapt to the changing world around us. We are not an exhibit in a museum, nor should the lands that we have survived and thrived for centuries be locked away for the peace of mind from those from far-away places. This school of thought amounts to nothing more than green colonialism, a political occupation of our land in the name of environment, while others exploit the idea of wilderness for economic gain.

I want to end this by saying my grandfather was told in 1950, before I was born, "You are allowed only one sheep and one caribou," and he said this, he has seen a lot, he has seen much happen over his life, because they had been living there for many years. And then the evil day came, trouble was happening, bringing deep worry over the existence of our people. It was the only trouble, he said, we have ever had in our own long living at Barter Island. Strict game loss had been imposed upon him and his people. Our aboriginal rights have been taken away.

This is 50 years ago. And he thought maybe some day. And today is the day the game warden will see things our way, and protect our way of life. We have human rights, as well.

Thank you very much.

[The prepared statement of Mr. Rexford follows:]

PREPARED STATEMENT OF FENTON REXFORD, ADVISOR TO THE MAYOR, NORTH SLOPE BOROUGH, ALASKA

Chairman Lowenthal, Ranking Member Gosar, and members of the Subcommittee, thank you for the opportunity to present my comments. My name is Fenton Rexford and I come from the community of Kaktovik, where I was born and raised, to speak to you on behalf of my people and myself. Kaktovik is the only community within the boundaries of the Arctic National Wildlife Refuge. We are the only community located within the Coastal Plain of ANWR.

The legislation introduced by Congressman Huffman declares that it is the policy of the United States to "sustain" the Coastal Plain of ANWR as a "natural treasure for the current generation of Americans" and "to honor and respect the human rights of the Gwich'in."

We agree that the human rights of the Gwich'in people must be honored and respected. But there are many tribes in Alaska with diverse interests in many resources, including caribou, fish, birds, moose, whales, seals, minerals, timber, and even oil and gas. There are 32 caribou herds in Alaska, and every one of those herds deserves to be protected, and the rights of the Native people to continue hunting those animals also should be respected.

Within Alaska, we try to balance our use of these resources to benefit all communities. But within each region, we try to show respect for the people who are from that place.

Your legislation doesn't mention the human rights of the Kaktovikmiut. Your legislation doesn't mention the Kaktovikmiut at all. It doesn't mention the Iñupiat people. What about our rights? What about our land, which has been our home since time immemorial? What about our resources? What about our interest in the Porcupine caribou herd, on which we rely as well? What about our voice? Do you intend for us to disappear? We do not exist in your legislation.

I would like to give you a short history of our land and our relationships with outside groups. Growing up, we considered our homelands to extend from the continental divide in the Brooks Range to the Arctic Ocean; from the Sagavanirktok River on the west, well into Canada on the east.

Our tribe had over 23 million acres of lands that we have inhabited, used for hunting, fishing, gathering, and raised our families on for over 11,000 years. Then the Federal Government showed up.

In 1867, the United States purchased all of Alaska from Russia, even though Russia did not exercise dominion over our lands. The Senate ratified the purchase and Congress funded it.

In 1947, the military arrived on Barter Island to build a 5,000-foot runway and hangar. We were told to move our village. Our homes were bulldozed and our ice cellars were filled in.

In 1950, the U.S. Department of the Interior restricted game hunting to just one caribou and one sheep per person, restricting our ability to feed our families.

In 1951, the Village of Kaktovik and most of our island was withdrawn for a military reserve by Public Land Order 82.

In 1953, the military directed our village to move a second time.

In 1957, an application for the withdrawal of lands to create an Arctic Wildlife Range was filed. The first group to propose the withdrawal was a sportsmen's group from another region of Alaska that wanted to protect their interest in our region.

In 1958, Congress passed the Alaska Statehood Act, which did not protect our interest in the land.

In 1960, the Secretary of the Interior issued Public Land Order 2214, reserving the Arctic National Wildlife Range. The Range was established without Kaktovik's input and without consultation. Our rights to hunt were now restricted further.

In 1964, the military directed our village to move a third time.

In 1971, Congress passed the Alaska Native Claims Settlement Act. Kaktovik receive just four townships of land within our region. Congress terminated our aboriginal land claims and our hunting and fishing rights.

In 1980, Congress passed the Alaska National Interest Lands Conservation Act, which renamed ANWR a "Refuge," increased the size of the Refuge, and imposed new restrictions on hunting and fishing and access to the land. Congress claimed to protect our access to the Refuge, but we have struggled for four decades to exercise our subsistence rights and our right to travel across the land managed by the Fish and Wildlife Service. Once again, the interests of outside conservation groups have trumped the interests of our people.

We had to spend more than four decades lobbying Congress to allow oil and gas leasing within the Coastal Plain. Even leasing on Native-owned lands required an Act of Congress.

Since the Federal Government showed up 152 years ago, outside groups have used the Federal Government as a tool to assert their own interest in our land. To protect our interests, we have formed a powerful government—the North Slope Borough—to make sure that all activities in our region return benefit to our people and our communities.

As Iñupiat, we maintain our traditional values, while our culture continues to evolve and adapt to the changing world around us. We are not an exhibit in a museum. Nor should the lands that we have survived and thrived from for centuries be locked away for the peace of mind of those from faraway places. This school of thought amounts to nothing more than green colonialism—a political occupation of our lands in the name of the environment while others exploit the idea of Wilderness for economic gain.

Thank you for listening to me. Quyanaq.

Dr. LOWENTHAL. Thank you. I want to thank the panel for their testimony. I want to remind the members of the Committee that Rule 3(d) imposes a 5-minute limit on questions.

I am now going to recognize Members for any questions they may wish to ask witnesses. I am going to recognize myself for 5 minutes.

And, again, I want to thank all of you for being here, as we hear from all of you, your deeply heartfelt testimonies. Traveling from your villages to Washington, DC, is an extremely long trip. But if you listen to some of the proponents of drilling, your opposition to drilling in the Arctic Refuge—those of you that are opposed to it—

is, in large part, based on your interest in taking just these kinds of trips.

For example, one of our witnesses in the second panel, Mr. Glenn, testified in front of the Senate Energy Committee in 2017 that, and I quote, "Big and powerful environmental lobby" is effectively bribing the Gwich'in with again, I quote, "promises of trips around the world and per diem in order to oppose drilling on the Coastal Plain and generate large donations to the environmental lobby."

I have two questions about this. First, how do you respond to Mr. Glenn's characterization of how and why you became involved with this issue? And second, is there any irony in referring to this "big and powerful environmental lobby" when we are looking at how the oil and gas industry operates on the North Slope?

Mr. Alexander, I want to start with you and then I am going to ask any of the other panelists to jump in. I understand you have some thoughts about this. Would you like to respond to this?

Mr. ALEXANDER. I do, Mr. Chairman. I would like to make something very, very clear to this audience and to everybody out there that is listening, and that is Mr. Don Young does not represent the Gwich'in. He does not represent the Gwich'in and our voice.

Mr. YOUNG. I represent Alaska.

Mr. ALEXANDER. He might——

Mr. YOUNG. I don't represent you, because you don't represent——

Mr. ALEXANDER [continuing]. Have a wife who was Gwich'in, but he does not represent the Gwich'in.

I am here because the elders have sent me to be here. I want to be clear on that. The question I will answer, though.

Dr. LOWENTHAL. Don't mention the names of people, Members.

Mr. ALEXANDER. Let us be clear on that.

What I would like to say is this. I am here, and somebody tells me I get to take a trip around the world. I got that invitation years ago. It is called the U.S. Army, when I did my three tours in Iraq. So, I have seen plenty of the world, and I don't need somebody to send me out elsewhere.

So, you think about that. I have been to combat, I know what war is like. And I came home, and I see my people under attack. So, what do I do? I do what a warrior does, and I go where my people send me, and that is here. That is what I am here to do, is to represent us, as Gwich'in people, as the warriors that we are. So, let's be clear on that.

As for this—you think about the oil industry and the influence that they have. Imagine that we are here, and we are not getting paid to be here. I have a 7-month-old son. If you think I want to be here more than I want to be with my son, you are out of your mind.

We are making sacrifices. I paid for my trip getting down here with my veterans disability. I made a sacrifice. Everybody you see here made sacrifices to be here. To say that we are doing this because we are going to get some sort of trip is an insult.

Thank you.

Dr. LOWENTHAL. Anyone else wish to respond to this?

Yes, Chief?

Mr. TIZYA-TRAMM. Mashhi' Cho. These comments that you had made known are completely convenient for their own prerogative, and are wholly inaccurate. And I can tell you, as a people that come from a very accurate oral history that spans back to the time of wooly mammoths, who can actually point out to scientists where they will find these fossils and they are found, that it was not long ago where Myrajo, an elder of our people, was approached. Her and another elder were approached by hunters when planes were flying into our territory, scaring our animals, bringing our hunters back with nothing, and they came to our two elders and asked what they should do. And it was these two elders who called the first gathering of our people in 100 years. And from this born was the biannual Gwich'in gathering, which we still meet at today. This has nothing to do with environmentalists. This is spearheaded by Gwich'in for Gwich'in.

But, really, this leads to a larger point—that this is a canary in a coal mine, because what this issue really speaks to is a displacement of value. Because these caribou are in effect, and for all respectful purposes, a renewable energy source. All you have to do is leave them alone. And to go into this area, which they have used for 2.1 million years, and set up shop would be paramount to trading cold fusion for a tank of gas. And I believe that all of us together, as people, have far more ingenuity than reductionist thinking and actions such as this. Mashhi'.

Dr. LOWENTHAL. I now recognize the Ranking Member, Mr. Gosar, for 5 minutes of questions.

Dr. GOSAR. Thank you, Mr. Chairman.

The previous administration took any action they could to lock up oil and gas development on the North Slope. For residents of the region, this meant lost job opportunities and lost revenues. For the United States, this resulted in an increased reliance on foreign oil imports, often from unfriendly actors.

As a matter of fact, my colleague, Mr. Huffman's home state of California currently relies on foreign resources, mostly from Saudi Arabia, to meet over half its rising demand for oil.

[Slide.]

Dr. GOSAR. If you take a look at the chart on the screen you will see that California has been steadily importing less and less domestically produced oil from Alaska, and has instead increased their dependence on foreign oil from 5 percent to 57 percent over the last 30 years. Yet, my colleagues want to lock up energy development in the 1002 region and further our reliance on foreign oil imports.

By the way, I just want to—this chart is a product of the California Energy Commission.

I think there is a misconception about the scale of production we are talking about here, relative to the vastness of the Arctic National Wildlife Refuge.

[Slide.]

Dr. GOSAR. If you look at the second slide, you will see how ANWR and the 1002 Area compares to the continental United States. Within the orange area, way up there in the upper-right corner, you will see how ANWR and the 1002 Area compares to the continental United States. Within the orange area is where the oil

and gas development is now authorized. Surface impacts cannot exceed 2,000 acres, which is one-fifth of the size of the Dulles airport.

Mr. Rexford, we have heard testimony today about concerns surrounding the potential impact of energy development in the 1002 Area on local Native populations and subsistence. In fact, the bill mentions the Gwich'in people by name, but does not mention the Village of Kaktovik. How close is your village to the 1002 Area?

Mr. REXFORD. Thank you for the question. We are right smack dab in the middle of 1002, the only village and community located within the Arctic National Wildlife Refuge.

Dr. GOSAR. Can we have the slide put up, just so that everybody has reference?

[Slide.]

Dr. GOSAR. That is you in the upper right.

Mr. REXFORD. That is us in the upper right. We own 92,000 acres. As I mentioned earlier, it requires an Act of Congress to develop our own private lands. Who in America would have to have an Act of Congress to develop their own lands? Nowhere else in the world.

Dr. GOSAR. It is crazy. Let me ask you a question. How will energy development in the 1002 Area impact the Village of Kaktovik?

Mr. REXFORD. Can you say that again?

Dr. GOSAR. How will the development of oil resources in the 1002 Area affect your village?

Mr. REXFORD. Sir, we have had benefits—earlier, I mentioned that we created the North Slope Borough to impose income tax to the oil industry. We have created schools, we have created jobs, we have created roads. These things we didn't have 60, 70 years ago. And the benefits are very good for our health. We have education, higher education. So, the impact is for the benefit of our future generation of Kaktovikmiut.

Dr. GOSAR. I want to ask you again. Looking at this slide, that is your village in the upper right corner. Is there any other village close to that?

Mr. REXFORD. Not within 100 miles, sir. Nuiqsut is the only village within the North Slope Borough that is closest——

Dr. GOSAR. So, I find it preposterous that we would introduce a piece of legislation that you weren't even consulted?

Mr. REXFORD. We were not consulted that this bill would be introduced.

Dr. GOSAR. It is absolutely incredible. And I have been there, to the North Slope. To hear and see, functionally, what is there is astonishing. I have to commend the former Chairman for inviting us up there, because once you see, you will understand.

In another hearing we actually had on government oversight last year, we actually started looking at the Russian involvement with environmental groups. Because the Russian country is a one-trick pony, they are only about energy, and if they can stop energy production here, once again, you will see maybe California take more Russian oil or Mediterranean or Saudi Arabian oil. So, this really has a big impact.

Can you tell me quickly how you talk about the green colonialism again? I think we need to hear that again.

Mr. REXFORD. Yes. Thank you for that question. When the Grand Canyon was created, U.S. Congress legislated them out of existence. Another example, Glacier National Park. Another example, the Hoover Dam, the first dam that was created in California kicked out and killed a lot of Indians, legislatively.

So, this legislation is proposing to legislate us out, make us nonexistent in the bill. And I find that very insulting.

Dr. GOSAR. I thank the Chairman, and I yield back.

Dr. LOWENTHAL. Thank you. I want to remind Members to be respectful of each other, not to mention people's names in their presentations. Other Members try to refrain from doing that.

I now recognize Representative Huffman for 5 minutes of questioning.

Mr. HUFFMAN. I want to thank the Chairman for having this very important hearing on the bill. And I am actually pleased to hear at least an inkling of concern for consultation with indigenous people from some of my colleagues across the aisle. It is the first evidence I have heard of any interest in this notion of actually treating indigenous people with respect, and listening to them. It is too bad that it is limited to Native corporations, who sell out in multi-million-dollar ways to big oil and gas companies. But, hey, it is a start. Maybe we can build on that, and include all indigenous people.

And I want to thank our witnesses today who have traveled so far to join us and tell their story about the importance of the Coastal Plain, about this very sacred place to you, about this sacred way of life to you and your ancestors. I am sorry that you had to suffer the indignity of having your character and your motives and even your connection to this place and this sacred way of life impugned. That is very unfortunate, that you had to hear that. But I am grateful that you are here.

I think the question before us is if the Federal Government, our government, is going to protect one of the last great wild places on Earth, a place that solid majorities of the American people want us to protect, whether we are going to honor the communities that depend on this very special place, or if our government is going to be responsible for its destruction by auctioning it off to big oil. So, it is a question of whose side we are on, indigenous people or industrial profit.

And one of the talking points that we always hear for those that want to drill is about the limited footprint. You saw a very carefully constructed slide just a moment ago to try to make this point. They talk about how it is only 2,000 acres out of 1.5 million. They say it is nothing more than a postage stamp. But this talking point is incredibly misleading. It is hard to say if it is intentional, or if people just don't realize what 2,000 acres of oil and gas infrastructure actually looks like.

So, let me show you a chart that actually attempts to depict that. And I want to draw your attention to what I hope we can cause to appear on the screen here.

[Slide.]

Mr. HUFFMAN. It is behind me? Oh, OK. We are going to go old school here, we are going analog.

All right. If you can see the black lines on this map, these are roads and pipelines. There are over 200 miles of them. They stretch like a spider across the entire Coastal Plain, end to end, from the coast to the foothills. There are gray boxes on this map that depict drilling pads. There are nearly two dozen of those. They are spaced according to state-of-the-art drilling technology.

And what people don't realize when they hear "2,000 acres," is that 1 mile of road only covers roughly 7.5 acres; 100 miles of road only covers 750 acres. But it creates a 100-mile-long barrier and a 100-mile-long scar on the landscape. And I want people to take a good look at this map, and understand this is the development that we are talking about in the Coastal Plain. It is not low impact, it is not a tiny corner of the Coastal Plain. This is a 200-mile network of roads that will completely destroy its current character, the character of one of the last great wild places on Earth.

So, my question is, could any of you discuss what the impact of this oil and gas infrastructure development would be, and this road network, on the Coastal Plain? What would it mean to you?

Mr. TIZYA-TRAMM. Mashhi' for the opportunity to speak. I can tell you, unequivocally, that it will do irreparable damage which we will never recover from. And I have spoken with hydrologists, geologists, geoscientists, biologists in this work, and it is a resounding no from every one of them. I wish I had the time to stress the percentages and the birthing rates. And to destabilize that would be to put into question the fate of the last largest land animal migration and healthy caribou herd in the world.

And just for your information, the Lower 48 just lost another caribou herd, as the last female has now been taken in to biologists. So, the Lower 48 no longer has a single caribou. This is it. This is our only chance in this very, very opportune moment of history in time. Mashhi'.

Mr. HUFFMAN. Anyone want to add to that?

Ms. DEMIENTIEFF. I would like to say that it is going to destroy our identity, our way of life, and our food security. This is where they calve, this is where they give birth, and this is the most sensitive area.

Mr. HUFFMAN. All right, thank you.

Mr. Chair, I believe it is important to listen to these local voices regarding the impacts of oil and gas development, and what that will mean to the Coastal Plain and the way of life that it sustains. This is not a postage stamp, it is a bullet through the heart of America's Arctic Refuge.

With that, I yield back.

Dr. LOWENTHAL. Thank you. I now recognize Mr. Young for 5 minutes.

Mr. YOUNG. Thank you, Mr. Chairman. And I will stick by my guns. When I am in the chair, the witnesses will not mention my name, because I did not mention theirs. You can ring them out of order. I used to sit in that chair. Is that understood?

Dr. LOWENTHAL. A statement like that——

Mr. YOUNG. I just want to make it clear.

Dr. LOWENTHAL [continuing]. I have made already.

Mr. HUFFMAN. A point of—a parliamentary inquiry. Does this standard that my colleague is articulating include mentioning

where he thinks their hometown is, and disparaging them for not living close enough to the Coastal Plain? Because that got pretty personal.

Mr. YOUNG. If you want to argue, I will argue with you later, OK?

Mr. HUFFMAN. OK.

Mr. YOUNG. All right. We will take care of that little problem.

I just want to thank the panel, although some flew out of Fairbanks on a nice, clear airfield. Mr. Fenton had to take and get a charter airplane because of the weather.

And I want to ask you, Mr. Fenton. Do you live in a wilderness area?

Mr. REXFORD. No. A lot of laws have been passed, and I have heard an inkling, something about creating a wilderness. I do not live in a wilderness area, sir.

Mr. YOUNG. Well, in your testimony you mention the Air Force, Fish and Wildlife, roads, airport—that is not a wilderness. Yet, this bill would make it a wilderness because you weren't consulted. I think that is unfortunate.

I mean, how long do you think your generations have lived there?

Mr. REXFORD. We have lived there many, many thousands of years, sir. Even before Moses and Jesus were born.

Mr. YOUNG. And you took care of the area?

Mr. REXFORD. Say again.

Mr. YOUNG. You have taken care of the area?

Mr. REXFORD. Oh, yes. We were the stewards. We have been stewards of the land for many years.

Mr. YOUNG. And you have utilized the land to the benefit of your people?

Mr. REXFORD. Yes, sir.

Mr. YOUNG. That is very good, because you live there, these are the people that live there. I keep stressing that.

And I will say again, Mr. Chairman, I have been into this business—actually passed this bill 13 times. And I have an old saying. When you own a boat, Mr. Huffman, you never go to the bow and urinate. You go to the stern. You can catch what I am saying.

Dr. LOWENTHAL. The Chair now recognizes Mr. Levin for 5 minutes of questioning.

Mr. LEVIN. Thank you, Chair Lowenthal, and thank you again to our witnesses for traveling so far in order for us to hear your testimony today.

I am a proud Californian. And in regard to the claim that any measure being discussed would increase oil imports in California, I would remind my colleagues that my state has made an overarching commitment to cut all petroleum use in half by 2030. And our objective in California is to reduce oil consumption, period. Any scare tactics alleging the opposite ring hollow.

That being said, I appreciated the opportunity to hear about how drilling would affect your communities, as well as the impacts your communities are already feeling, as a result of our changing climate.

Similar to the Arctic, climate change is impacting the continental United States, including California. Climate change is driving more

intense wildfires, increased and more severe droughts, and stronger storms.

To the panel, I understand that NOAA, the National Oceanic and Atmospheric Administration, recently released a study showing that the Arctic has experienced the 5 warmest years on record, and the amount of sea ice in the region is close to its all-time lowest level.

One of my concerns about the Administration's headlong rush to start drilling in the Arctic is the climate impacts of creating an entirely new oil and gas field out of a wilderness. This is particularly concerning the Arctic, since you are seeing some of the most dramatic warming on the entire planet.

So, I will ask the panel: How are your communities dealing with the climate-driven changes you are seeing, and how will oil development impact these changes?

Ms. DEMIENTIEFF. We are experiencing something that I have never seen before: our ticks in our caribou and our moose. And we have 33 coastal communities that are falling into the ocean. Our elders are very concerned with the changes that we are experiencing, because they really have never seen it before. We are starting to gather and discuss these issues because we are living them daily. And we are not sure how to deal with it. We are thawing at twice the rate as the rest of the world.

And this will not help us, whatsoever. I think it is going to add to the negative impacts that we are already feeling.

Mr. LEVIN. Go right ahead.

Mr. TIZYA-TRAMM. If I may, as well, one of the largest ways that we can weather this is to have large swaths of lands to help our animals actually survive the changes. And I appreciate the question, because we are the experts of living in these areas for 20,000 years or more. And we are already seeing mercury seeping from the Richardson Mountains. We can find mercury in our fish, we can find the slumping of our lands, the draining of lakes. And there was a river that reversed in the Yukon, as well.

How do you prepare for something like that? It is all of us working together, and that includes the animals, because some of this, a lot of it, will be irreparable and unchangeable. The best thing that we can do to survive, as an indigenous people, is to have protected lands and to protect the animals that have nursed us through an Ice Age, who have brought us the strength that we have today. That is the way that we are going to weather this storm. It is together, and that includes the animals. Mashhi'.

Mr. LEVIN. Go right ahead, sir. Please.

Mr. JOSEPH. When we think about climate change and the impact that it can have on animals, we have to think about all of what we are experiencing in Alaska. It is just not on the Coastal Plains that we are experiencing it. We are also experiencing it in the interior.

There is a lot of bank erosion that is happening on the main river streams, and even in the creek beds, which is changing the way that we live off the land. We are seeing a lot more of our traditional hunting camps and fishing camps go away.

I was talking to our friend, Mr. Fenton, earlier, and we were speaking about the impacts of climate change upon the Coastal

area, and it is significant. It is significant everywhere. And in Alaska, we are experiencing it more than others.

Mr. LEVIN. Despite the incredible importance to the Coastal Plain, the Trump administration seems intent on making leasing there into a test run for how fast they can complete an Environmental Impact Statement. They are rushing to meet arbitrary internal deadlines and to get a lease sale done over 2 years early.

And I understand that the Administration's draft EIS says communities would not experience significant restrictions on uses of the area. Could anyone on the panel explain whether or not you think the EIS is correct in its findings?

Mr. JOSEPH. Thank you for the question. When I look at the NEPA process and the ANILCA 810 intent, that has been greatly undermined by the fast-tracking process that has been put into place. And we can count through it many times.

One of the reasons for the ANILCA 810 was to make sure that it protected Alaska Native rights, and all those people that could be impacted on any potential development. That was the key.

From that point, when we look at the NEPA process, and we look at the analysis that was done in the EIS for the ANILCA 810, or the ANILCA 810 analysis, it left out the Gwich'in. You can't just put this to a certain location that was so neatly done on a map: "It is only impacting this group of people right here, because I am closer than you." What we are talking about is the full impact and the impact on all the Native people that rely on the resources within that area.

The caribou don't know boundaries. They have a migration pattern. That migration pattern is really essential, and it goes through the lands of these people that we are talking about, about the Gwich'in, when the Gwich'in depend on the caribou.

Mr. LEVIN. We are out of time right now, but I want to thank you so much for traveling so far to be here with us today. Thank you.

Dr. LOWENTHAL. Mr. Hern, you have 5 minutes for questions.

Mr. HERN. Thank you, Mr. Chairman. Republican Leader, Mr. Gosar, thank you so much, and for our witnesses for being here today on the topic of the Arctic National Wildlife Refuge.

As we all know, this topic is of great importance, as the oil and gas sector has historically served as a significant source of employment revenue and reliable energy for the state of Alaska and the Alaska Natives.

However, here in Washington, people often talk about things they know very little about, and do not allow the true experts in the field to discuss their views on important topics. To save myself from making this same mistake, I would like to yield my time to a gentleman who has a great deal of knowledge on this topic, Congressman Gosar.

Dr. GOSAR. I want to put my second slide up there. Can we, please?

I am sorry, third slide.

[Laughter.]

Dr. GOSAR. You like that? The blue? Yes.

[Slide.]

Dr. GOSAR. Look at the size. Look at what was detailed over here on this map. And now concentrate it very smally up there, in that upper right. Now, I am going to ask a question, and I am going to ask very carefully, starting from the right, working to my left.

Is the caribou herd smaller or bigger now?

Mr. REXFORD. Thank you for that question. There are similar caribou herds in the Arctic. There is the western Arctic caribou herd, the central Arctic caribou herd, and the Porcupine caribou herd. These two central herds and the Porcupine here commingle. Central caribou herd have been collared. They go into Arctic Village. They go down south. So, why aren't they worried about the central Arctic herd, as well as the Porcupine herd? Because the Porcupine is not the only herd. They have increased. And there was a recent report that the Porcupine caribou herd increased.

I just wanted to emphasize again Porcupine is not the only herd. And then the central Arctic herd, and they commingle and mix each other up. Sometimes the Porcupine herd go to the Prudhoe Bay fields and stick around there for a while. The central Arctic herd would go back, go south, and migrate, and hang around the Arctic Village. So, there is commingling. You cannot call a herd Porcupine herd when they are commingled, and——

Dr. GOSAR. Well, what we have seen from scientific data is they have gone up. Let me ask you one more question, Mr. Rexford.

We were told when we were up there, in consultation with the tribes, that the pipeline has had no ill effect at all on the caribou herd.

Mr. REXFORD. Yes, we have had the same fear. And when the well was discovered in 1968, sir, we had the same fear. We were fearful. We were against development. We were thinking that the caribou would not be there, the waterfall would not return, we would not be able to hunt.

So, these kind of things are not there, because the caribou and the waterfall are coming back.

Dr. GOSAR. All right. Chief, I want to come to you, because you showed some interest in this. Please explain to me how a road is irreparable. And I need to understand the geological structure, how it is irreparable on a road.

Mr. TIZYA-TRAMM. Science easily shows that, just from two-dimensional exploration.

Dr. GOSAR. No, it doesn't.

Mr. TIZYA-TRAMM. In the 1980s, in Alaska, those roads—there are reports that show that the trails are still there. And as a people that live in the same area with permafrost, even driving a four-wheeler over these very sensitive areas can kill some of the flora that these caribou need to eat. It is some of the highest nutrients in the grasses in this area.

Dr. GOSAR. Once again, I will come back to you. Is the herd increasing or decreasing?

Mr. TIZYA-TRAMM. If you look at this——

Dr. GOSAR. No, it is one or the other. The science shows that it is increasing.

Go ahead.

Mr. ALEXANDER. The Porcupine caribou herd has been growing because we are picking up the remnants of the central herd,

because they are trying to leave their polluted homelands and live under the stewardship of the Gwich'in.

Dr. GOSAR. Once again, that is not scientific fact. Unfortunately, you have to give me something more on science, because what you are——

Ms. DEMIENTIEFF. It is traditional knowledge.

Dr. GOSAR. It is not showing us, because the herd is actually increasing.

I will yield back.

Dr. LOWENTHAL. Thank you. And now I offer 5 minutes to Representative DeGette.

Ms. DEGETTE. Thank you, Mr. Chairman. If you look at that exhibit that is up on the screen right now, there is no pipeline right now in Kaktovik. Is that correct, Chief?

Mr. TIZYA-TRAMM. That is correct.

Ms. DEGETTE. The pipeline is over in Prudhoe Bay, is that right?

Mr. TIZYA-TRAMM. Correct.

Ms. DEGETTE. And what you are saying is that some of the herds have commingled, and they have gone over to the Porcupine caribou area. Is that correct?

Mr. TIZYA-TRAMM. That is correct.

Ms. DEGETTE. And from 2008 until 2016 under the Obama administration that area was managed as a wilderness area. Is that correct?

Mr. TIZYA-TRAMM. Correct.

Ms. DEGETTE. So, that is the time the herds have gone up in number, right?

Mr. TIZYA-TRAMM. Yes.

Ms. DEGETTE. I also want to thank our Gwich'in friends for coming today, and everybody for coming. I actually have been to these lands some years ago, and I actually camped on these lands some years ago. I didn't just go there and stay in some hotel and fly over. I went and camped and walked your lands—thank you for letting me visit—and I saw 45,000 caribou, Porcupine caribou, on one mountainside over here, and they were migrating to the plains to engage in their calving process.

So, I agree with what you are saying, having seen it. And I do think Mr. Young and others—that is why I wanted to come today. I think it is important to see a place when you are talking about legislating about that place, or building oil and gas pipelines, and all of the other things that Congressman Huffman talked about here. And I did see it, and I know those 45,000 caribou, they don't just stay in one place, where the line is marked. They move through.

And I also met with many of the Gwich'in leaders when I was there, and I learned how integrated you and the Porcupine caribou are. You are part of the same. And I understand that, and many of us understand it.

So, I really want to thank you for coming to talk to us about this today. And I also just want to stress what Congressman Huffman said, which is these lands have been managed as wilderness because of these concerns. It is not like suddenly we are removing development that has been there today.

Ms. Demientieff, I want to particularly thank you for coming to my congressional district, Denver, Colorado, to testify at a hearing. The Gwich'in Steering Committee, Defenders of Wildlife, Alaska Wilderness League, and the Wilderness Society hosted these hearings across the country, because the BLM wouldn't. And you were there. I want to thank you for coming there, too.

And Mr. Chairman, I would like to ask unanimous consent to enter for the record the community hearing that was held on March 7 for the ANWR in my district.

Dr. LOWENTHAL. Without objection.

Ms. DEGETTE. And I want to apologize for not being there. I was here voting. And I always tell my constituents you really want me in Washington, voting, when we have the votes.

Thank you for coming. I wonder if you could tell us, Ms. Demientieff, about what happened at that hearing, and the testimony that we heard in Denver on that day.

Ms. DEMIENTIEFF. Sorry, thank you. And it was really nice visiting your state.

There was not one person who testified that wanted to open such a special place. I was really, really welcome. Everybody was very kind. And I think we understand the importance of these places, because once they are ruined, they are ruined. You can never go back, and you can never take back.

But the damage that you cause there with oil and gas development, we already see that in Alaska. We already see the damages all across. And that is why we are fighting so hard for the Porcupine caribou herd. We are not asking for anything. We are asking to keep our identity as Gwich'in.

But your state was very kind, all of them, and not one person testified to open this area.

Ms. DEGETTE. Mr. Alexander, can you just explain for the record why the roads—I think it was you, or maybe, Chief, it was you—if you can, just explain why these roads are not easily reversed. Someone said it very briefly, because of the permafrost.

Mr. ALEXANDER. The tundra is a very sensitive place. And I don't know if it is understood well, but the changes and the impacts of something on the tundra, they last for decades and decades.

When I served in the military, we understood the impact in the areas we operated in. And Alaska has had a large—there has been a large footprint of military involvement in the state because, as you know, it was invaded in the 1940s. So, there are a lot of remnants of that material. And it still exists, because the decay time is so slow. That impact prevents, those roads, they don't just go away.

Ms. DEGETTE. It is because of the tundra and the permafrost, is that right?

Mr. ALEXANDER. Absolutely.

Ms. DEGETTE. Thank you very much.

Mr. ALEXANDER. And as it is melting, it becomes even more vulnerable.

Ms. DEGETTE. Right. Thank you very much.

Thank you, Mr. Chairman, for your commenting.

Dr. LOWENTHAL. Thank you. That is going to bring us to a conclusion of this panel. I want to thank the panelists. But before you

get up, I want to tell you this has been a very, very, very important panel. You have provided us with a great deal of information. And it has been very meaningful.

I also want to encourage my colleague, Mr. Huffman, and offer my support for trying to create a CODEL to this area. I think this would be amazingly important, that we come and visit ourselves. I mean this is such a critically important topic. I thank Mr. Huffman, I thank the panelists, and now I thank the Members, too. It got a little testy, but that is because of the passion and the importance of this issue.

I want to thank you for coming, and I want to have a second panel come up to the table.

[Pause.]

Dr. LOWENTHAL. First, I would like to introduce the panel.

We have Bishop Mark Lattime. Bishop Lattime is the Bishop of Alaska for the Episcopal Church.

Next we have Dr. Steven Amstrup, Chief Scientist at Polar Bears International.

Then we have Mr. Chad Brown, Founder and President of Soul River, Incorporated.

Then Mr. Richard Glenn, Executive Vice President for External Affairs at the Arctic Slope Regional Corporation.

And Mr. Matthew Rexford—name sounds familiar from the last, I believe you are the nephew—and you are the Tribal Administrator for the Native Village of Kaktovik.

Let me remind the witnesses that they must limit their oral statements to 5 minutes, but that their entire statements will appear in the hearing record.

When you begin, the lights on your witness table will turn green. After 4 minutes, the yellow light will come on. Your time will have expired when the red light comes on, and I will ask you to please complete your statements. I will try to let you complete them first before I do that. I was, I thought, very generous with the last panel.

I will also allow the entire panel to testify before we do any questioning.

The Chair now recognizes Bishop Lattime for 5 minutes.

STATEMENT OF RIGHT REVEREND MARK LATTIME, BISHOP OF ALASKA, THE EPISCOPAL CHURCH, FAIRBANKS, ALASKA

Rev. LATTIME. Thank you, Chairman Lowenthal, Ranking Member Gosar, members of the Subcommittee. I do thank you for this opportunity to speak to you about H.R. 1146, the Protection of the Coastal Plain of the Arctic National Wildlife Refuge, Arctic culture, and the Gwich'in way of life.

I am Mark Lattime. To the Gwich'in, I am Ginghe Cho, the Bishop of the Episcopal Diocese of Alaska. My diocese covers the entire state of Alaska, with parishes from as far southeast as Ketchikan to as far northwest as Point Lay on the Arctic coast. It is a diverse diocese, with large, urban parishes in cities like Anchorage, Fairbanks, and Juneau, to rural communities accessible only by air or boat. Most of my Episcopal communities, however, are found in villages throughout the interior, many of which are Gwich'in.

A significant part of a bishop's ministry is to visit communities within the diocese, to be present with the people there in prayer and worship, and to walk with them in their faith journey. In my travels around the diocese, I have observed, even in my short 9 years, the accelerating effects of climate change. While the physical effects of climate change are easy to measure, I have seen loss of sea ice, coastal erosion, shifts in animal migrations, receding glaciers, and melting permafrost.

The human effects are too often left under-reported, or all together ignored. From my pastoral ministry to the people of Alaska, I can sadly report that climate change has profound consequences on human spirituality and identity. This is especially true for those who live closest to the land: Alaska's indigenous people.

Communities that have thrived for tens of thousands of years in sustainable relationship with the land and animals are now being forced to evacuate their traditional homes. Indigenous social values of sharing and mutual care of one's community and elders, and even care of one's self are breaking down, as individuals are forced to abandon their traditions and the land of their ancestors to find work in the very industries that are hastening their own cultural demise.

There is an insidious cultural genocide to the march of climate change. And our economic interests—yours and mine—are complicit in this march. This reality troubles my soul and haunts my prayers. The challenges of the human contribution to climate change are, therefore, deeply personal and spiritual to me, especially as I am convicted by my faith to seek justice and peace among all people, and to respect the dignity of every human being. Or, as Jesus said, to love my neighbor as I love myself.

The Episcopal Church recognizes climate change as a justice issue. This Lent our presiding bishop, Michael Curry, called upon the church to make climate justice a matter of prayerful action, and invited all Episcopalians to renew our commitment to loving, life-giving stewardship of the land.

As we have heard this afternoon, the Gwich'in call the Coastal Plain the Sacred Place Where Life Begins. This is not a casual, self-interested statement. It is, in fact, a profound understanding of the immutable relationship between God and creation, and it is consistent with biblical faith.

Sacred space is not exclusively determined by the church, or by bishops, for that matter, nor is it defined by the walls of any house of worship. Sacred space is God's space, where the one who is present in all creation is recognized, if only dimly, by eyes open to seeing what is beyond human understanding.

As Wendell Berry has said, "Sacred space is where we stop and turn to realize the worth of things is not ours to assign. God assigns worth and value." Discerning the value and worth God gives to the land, the creatures, and the people of this world is the foundation of faithful stewardship, and it is my faith that it is the very God who loves the world so much that he sent his only son, Jesus, to save it that shows us also how to value it.

Long before the first missionaries arrived in Alaska, the Gwich'in were exercising faithful stewardship of the Porcupine caribou in the land we now call the Alaska National Wildlife Refuge. As a

Christian and a bishop, I would rejoice if more people were to follow the example of the Gwich'in and recognize the importance of honoring the holiness of this good earth, our island home, and the importance of setting apart portions of it as sacred.

Therefore, I beseech you. I beseech you on behalf of a loving and life-giving God who fills all things because He created all things, to give prayerful consideration to H.R. 1146, upholding the faithful stewardship of the Gwich'in culture, and protecting the Sacred Place Where Life Begins.

Thank you very much.

[The prepared statement of Rev. Lattime follows:]

PREPARED STATEMENT OF THE RIGHT REVEREND MARK LATTIME, BISHOP OF THE EPISCOPAL DIOCESE OF ALASKA, FAIRBANKS, ALASKA

At issue are two different and fundamentally opposed views with respect to the land. Drilling in the Coastal Plain must be seen in light of the legacy of colonialism, racism, and the Doctrine of Discovery, and the opposition of these to Indigenous peoples' relationship to the land. It is from this foundation that The Episcopal Church's views on environmental justice, economics and climate issues lead us to oppose the industrial exploitation of the Sacred Place Where Life Begins. In order to fully understand this context, it is necessary to establish a foundational understanding of the Doctrine of Discovery and how in the past, and today, it attempts to justify exploitation.

The Doctrine of Discovery is the cumulative policy established through a series of policies and statements issued by the Bishops of Rome during the 15th century. The Episcopal Church's Missioner for Indigenous Ministries, the Reverend Dr. Bradley Hauff (Lakota Sioux), summarizes the outcome of these policies "as a blessing on the dispossession of land, wanton theft, slavery, and enforce indoctrination, all in the name of God, and for the perceived good of the world."[1] These teachings were not exclusive to the Roman Catholic Church, Queen Elizabeth I and other Protestants gladly adopted similar views to justify their actions in Africa and the Americas for hundreds of years to come.

Sadly, this concept and the sins it gave rise to are not a vestige of the past. The Doctrine of Discovery has been ingrained into our American identity and economic system. As former Presiding Bishop of the Episcopal Church, The Most Reverend Katharine Jefferts Schori, stated in a Pastoral Letter to the Church:

> The ongoing dispossession of Indigenous peoples is the result of legal systems throughout the "developed" world that continue to base land ownership on these religious warrants for colonial occupation from half a millennium ago. These legal bases collectively known as the Doctrine of Discovery underlie U.S. decisions about who owns these lands. The dispossession of First Peoples continues to wreak havoc on basic human dignity.[2]

The Doctrine of Discovery is the underlying legal theory that has led to the current system of reservations, restricted sovereignty, and today potential violation of the Gwich'in peoples' human rights. While our legal system is still weighed down by the Doctrine of Discovery, The Episcopal Church has worked to change and come into a more Christian relationship with Indigenous people and the God we all seek to know and serve. The Gwich'in people's encounter with early Anglican and Episcopal missionaries was not unlike that of other Indigenous peoples in North America. Some of the missionaries came with an agenda of social and cultural assimilation, which included the establishment of church-run residential schools. Others came with a more theological motivation—to introduce Jesus Christ to the people without an assimilation agenda.

Learning the Indigenous languages and living among the people within their cultural context was essential to achieving this, and some were committed to it, not merely as an evangelistic approach, but as a culturally integrated and theologically integrated manner of life.

---

[1] https://cqrcengage.com/episcopal/file/R4Uf9M88Bag/Brad%20Hauff%20EAM%20Paper%202018.pdf.

[2] https://www.episcopalchurch.org/posts/publicaffairs/episcopal-presiding-bishop-katharine-jefferts-schori-issues-pastoral-letter.

One very influential missionary to the Gwich'in was the Reverend Robert McDonald (1829–1913). McDonald married Julia Kutuq, a Gwich'in woman, with whom he had nine children. He achieved lasting recognition for his translations, having established an alphabet for the previously oral Gwich'in. With the help of various Native speakers of the language, he translated the Bible, Book of Common Prayer and many hymns into Gwich'in (which he called Takudh and, later, Tukudh). His translation work helped unify the various tribes speaking similar Athabascan languages. In 1911, he published a dictionary and grammar for the language under the title of "A Grammar of the Tukudh Language." With these accomplishments, McDonald is in the same category of missionaries as the Reverend Samuel Hinman, who lived among the Lakota/Dakota, married a Native woman, became fluent in the language, and translated portions of the Bible and the Book of Common Prayer into Dakota, as well as developing the Dakota Hymnal, which is still in use within Episcopal Dakota/Lakota communities to this day.

Unlike missionaries inspired by the Doctrine of Discovery, these two (McDonald and Hinman) did not see a need to force Indigenous people to learn English; rather, they learned the Indigenous languages. By doing so, they served as custodians and purveyors of Indigenous languages, contributing to their preservation within an environment where the Federal Government was trying to have them discontinued in favor of English through assimilation processes.

To the present day, Indigenous language preservation has been one of the roles of the church within Indigenous communities. Language is important, because without it one cannot truly know and experience the depth of Indigenous culture and spirituality. So, language preservation is one way in which Gwich'in traditions are preserved by and within the church.

Another way is by recognizing and acknowledging the pre-colonial presence of Christ as found within Gwich'in traditions and spiritual expressions. Inherent in this is the conviction that, when the early missionaries brought Christianity to the Gwich'in (and all other Indigenous tribes for that matter) they really weren't bringing anything to the people that they didn't already know and have. The Indigenous peoples didn't know about the first century Jesus of Nazareth, but they did know Christ within their own teachings, especially with regard to compassion, generosity, and living in right relationship with all of creation, values that are found within Gwich'in traditional life and that of Indigenous tribes universally.

It is difficult to overstate the theological and moral importance of this point. The places and traditions, such as the Gwich'in Sacred Place Where Life Begins, that are sacred to Indigenous people today and before the introduction of formal European Christianity are still sacred under Christian teachings. Christians believe that Christ became human and engaged with us directly, as told in the Gospels. Additionally, the Holy Spirit has and does work among and through us in ways that are often hidden and indirect. Locations and traditions of Indigenous people are sacred because they are how the Holy Spirit engaged and taught them for thousands of years.

The Doctrine of Discovery was a sin against our neighbors because it dehumanized them, it violated their rights, it tried to justify slaughter, and it was founded in hate, greed, and vanity. The Doctrine of Discovery was also a sin against God, because it was and still is used to justify the desecration of places and traditions made sacred by the Holy Spirit prior to the introduction of the Gospels and Jesus.

The sins of previous generations have also warped and harmed the way we view and interact with God's Creation. The Doctrine of Discovery, and the legal and economic theories it has evolved into today, argued that God's Creation was a commodity for people to exploit. It transformed the traditional relationship between God's human and non-human creations from a respectful co-existence to a transactional exploitation. Just as the Doctrine of Discovery justified the enslavement of people it taught us that the earth was also our slave to be hedonistically used and exploited. Today, we see the impact of this heresy through climate change, pollution, toxic waste sites, Super Fund sites, and communities made sick as a result of our irresponsible use of God's Creation.

In my travels around the Diocese, I have observed, even in my short 9 years, the accelerating effects of climate change. While the physical effects of climate change are easy to measure: loss of sea ice, coastal erosion, shifts in animal migrations, receding glaciers, and melting permafrost; the human effects are too often left under-reported or all together ignored. In my pastoral ministry to the people of Alaska, I can sadly report that climate change has profound consequences on human spirituality and identity.

This is especially true for those who live closest to the land: Alaska's indigenous people. As someone who is invited to pray and participate in the lives of the people of Alaska, to walk with them, through the struggles of life in a changing and

uncertain world, I have firsthand experience how climate change has affected their lives and spirit. Communities that have thrived for tens of thousands of years in sustainable relationship with the land and animals are now being forced to evacuate their traditional homes. Indigenous social values of sharing and mutual care for one's community are breaking down as individuals are forced to abandon their traditions and the land of their ancestors to find work in the very industries that are hastening their own cultural demise.

There is an insidious cultural genocide to the march of climate change, and our economic interests are complicit in this march. This reality floods my prayers and troubles my soul. The challenges of climate change are, therefore, deeply personal and spiritual to me, especially as I am convicted by my faith to seek justice and peace among all people and to respect the dignity of every human being.

The Episcopal Church recognizes climate change as a justice issue. This Lent, our Presiding Bishop called upon the Church to make climate justice a matter of prayerful action and invited all Episcopalians to renew our commitment to loving, life-giving stewardship.

It is time for our Nation and world to undo the social and environmental impacts of previous centuries. We must shift from a transactional relationship to a cooperative and equal balance. This is not done through actions alone but must include shifts in our philosophy and societal behaviors. We must work to live in a state of balance and harmony with God's Creation—human and non-human—for we are all equally entitled to prosper. Our Church has begun this work, however humbly, through a number of changes enacted by our General Convention—a legislative body elected by our members that serves as our official decision-making body.

Since the early 1990s the Church has officially opposed drilling within the Arctic National Wildlife Refuge (1991–D125). This has been renewed many times, including last summer as we considered this most recent assault on the Gwich'in people, their way of life, and their faith. In pursuit of eco-justice, the Church has articulated it support for the self-determination of Indigenous tribes (2012–B023) and renounced the Doctrine of Discovery (2009–D035) in both its political and theological applications.

As part of the Church's work to ensure the responsible and sustainable use of God's creation, the Church has called for significant efforts to transition the world, our Nation, and the economy away from fossil fuels. Recognizing that such changes will have adverse side effects for those currently employed in these legacy industries, the Church must work to support their transition. No commitment to environmental justice can be complete without advocating for those, who, through no fault of their own, will be harmed by the transition to renewable and clean energy.

In my Diocese, Alaska, this transition will be incredibly difficult, but we must stop making the problem worse before we can seriously address the future. The Arctic National Wildlife Refuge is more than a wilderness preserve established to protect delicate arctic ecosystems, it is also a sacred place: the spiritual and cultural home of the Gwich'in people. Gwich'in identity—what it means to be a people—cannot be separated from the land and the caribou who thrive there; and long before the Church arrived, the Gwich'in recognized the sanctity of this place where life begins.

Therefore, protecting the Arctic National Wildlife Refuge and especially the Coastal Plain, is more than an effort to preserve the tundra, the caribou, or the caribou calving grounds. Protecting the Arctic National Wildlife Refuge is a matter of justice, a sacred trust that honors and preserves the life, culture, and spiritual integrity of a people.

As a Christian and a Bishop, I frame my support for policy like H.R. 1146 in the context of Biblical and theological understandings. The Gwich'in recognize the Coastal Plain as "The Sacred Place Where Life Begins." This is not a casual self-interested statement. It is, in fact, a profound understanding of the immutable relationship between God and creation, and it is consistent with Biblical faith. Sacred space is not exclusively determined by bishops or the Church, nor is it defined by the walls of any house of worship. Sacred space is God's space, where the One who is present in all Creation is recognized, if only dimly, by eyes open to seeing what is beyond human understanding. As Wendell Berry has said, "sacred space is where we stop and turn to realize the "worth" of things is not ours to assign, God gives worth, value."

As a Christian and a bishop, I would rejoice if more people were to follow the example we have from the Gwich'in and recognize the critical importance of honoring the sacred nature of this good earth—our island home, and to set apart portions as sacred.

If Congress will not respect the Gwich'in peoples' Constitutional right to the free exercise of their religion—which designates this space as sacred and is a view

upheld and supported by our Church—then I hope you will consider history. History does not look favorably on those leaders who utilized the Doctrine of Discovery and its later embodiments to justify the physical and cultural slaughter of Indigenous people. Today, this generation, this Congress has the choice to perpetrate the same sins of our forefathers or to learn, grow, and work for a better world than they did.

I beseech you on behalf of a loving, liberating, and life-giving God who fills all things because He created all things, to pass H.R. 1146 and protect the Holy and Sacred Place Where Life Begins.

Dr. LOWENTHAL. Thank you, Bishop.

Next we have Dr. Amstrup.

STATEMENT OF STEVEN C. AMSTRUP, CHIEF SCIENTIST, POLAR BEARS INTERNATIONAL, BOZEMAN, MONTANA

Dr. AMSTRUP. Thank you. Chairman Lowenthal, Ranking Member Gosar, members of the Subcommittee, I thank you for the opportunity to speak today. I am Steven C. Amstrup, Chief Scientist for Polar Bears International.

At Polar Bears International we work to assure survival of polar bears and the Arctic sea ice on which they depend through research, outreach, and education.

Prior to joining Polar Bears International, I served five administrations, from Ronald Reagan to Barack Obama, as polar bear project leader for the U.S. Geological Survey between 1980 and 2010. During those 30 years in Alaska, I authored and co-authored over 150 scientific papers documenting ecology, movements, and population status, and that the Arctic Refuge Coastal Plain is the most important place in Northern Alaska where mother bears give birth to their cubs.

In 1980, when I first took over polar bear studies, I could stand on the northern shore of Alaska in the summer time and see the sea ice. It was right there. If I was lucky, I might even see a polar bear out there. By the latter years of my studies, the summer ice had retreated hundreds of miles offshore, was beyond the curvature of the earth, and it was increasingly clear that this retreat was a problem for polar bear welfare.

In 2007, I spearheaded USGS research efforts that convinced Secretary of the Interior Dirk Kempthorne to list the polar bear under the U.S. Endangered Species Act. In a conference call with my entire research team, Secretary Kempthorne candidly admitted the Bush administration did not want to list polar bears, but our evidence regarding the threats of anthropogenic global warming had convinced him that listing was his only choice, and that it was the right thing to do.

Polar bears everywhere face dire threats, but the polar bears of the southern Beaufort Sea in Alaska are the most threatened of all. Unless climate change is addressed quickly, this Alaskan population may be the first to disappear. Sea ice extent has retreated faster there than anywhere else. We recently documented a 40 percent population decline, and the government is now proposing oil development on vital maternal denning habitat.

Until society takes the necessary actions to halt greenhouse gas rise, which is the only way to stabilize the climate and stabilize the

sea ice, conserving onshore habitats in the Arctic refuge plain will be critical to assuring that polar bears persist. Each winter more pregnant female bears give birth to their cubs on the Arctic Refuge than any other area in Alaska. Seismic testing, road building, and drilling pose significant on-the-ground threats to denning mother bears and their cubs, and the record shows that existing detection and avoidance measures do not adequately protect denning bears from these disturbances.

Let me be perfectly clear: Every maternal den matters. Of 80 cubs that we tagged during our research between 2003 and 2007 in the southern Beaufort Sea, only 2 were known to survive. Additional disruptions of denning cannot be allowed if we really care about the future of this population.

Oil development on the Arctic Refuge will add to ongoing global warming. Seismic testing, road building, and drilling pose significant on-the-ground threats to denning mother bears and their cubs. And given that the reproductive success in the southern Beaufort Sea polar bear population is already severely compromised, additional impairment of denning success from oil and gas exploration and development is sure to exacerbate the ongoing decline of this imperiled population.

Just as Secretary Kempthorne did in 2008, this Subcommittee and Congress need to take bold steps to protect polar bears and their Coastal Plain habitats on the Arctic Refuge. For this reason, I support passage of the Arctic Cultural and Coastal Plain Protection Act.

Thank you.

[The prepared statement of Dr. Amstrup follows:]

PREPARED STATEMENT OF DR. STEVEN C. AMSTRUP, CHIEF SCIENTIST, POLAR BEARS INTERNATIONAL, BOZEMAN, MONTANA

Introduction

Chairman Lowenthal, Ranking Member Gosar, members of the Subcommittee, thank you for the opportunity to speak to you today on this very important piece of legislation, the Arctic Cultural and Coastal Plain Protection Act.

My name is Steven C. Amstrup, and I am the Chief Scientist for Polar Bears International (PBI), a global resource collecting and dispersing information on how to preserve polar bears and their habitat. At PBI, I advise and conduct research, publish in scientific outlets, and make sure PBI's education and outreach efforts are based on the best available science. I put the latest scientific information about threats to polar bears from global warming and threats from on the ground threat multipliers, into language and context understandable by the general public. I also communicate that information to media, and in a variety of speaking and writing formats.

Prior to joining PBI, I was Polar Bear Project Leader for the U.S. Geological Survey (USGS) between 1980 and 2010. I am a past chairman of the International Union for the Conservation of Nature (IUCN) Polar Bear Specialist Group and have been an active member of this international group of polar bear experts since 1980. During my 30 years directing and conducting polar research in Alaska I authored or co-authored over 150 scientific papers many of which addressed basic questions about movements, distribution, and population dynamics of Alaskan polar bears. I observed that they only reliably catch their prey (principally two species of seals) from the surface of the sea ice, I documented seasonal movements including where polar bears go to give birth to their cubs, and I discovered that retreating sea ice was impacting their welfare. In 2007, I spearheaded the USGS research effort informing Secretary of the Interior Dirk Kempthorne whether to list the polar bear under the U.S. Endangered Species Act (ESA). In response to the research I led, Secretary Kempthorne decided to list polar bears as a Threatened Species in spring of 2008. With his action, Secretary Kempthorne made polar bears the first species

ever listed under protections of the ESA because of threats to their future existence from anthropogenic global warming. In a conference call with my entire research team, Secretary Kempthorne candidly admitted that the Bush administration did not want to list polar bears, but that our evidence had convinced him that it was his only choice, and that it was the right thing to do.

As I explain in this testimony, it is vital to protect the Coastal Plain from oil and gas development. Oil and gas development on the Arctic National Wildlife Refuge Coastal Plain will accelerate the decline of the region's already imperiled polar bear population. This development will exacerbate the current trends in our climate and further sea ice loss. Sea ice is where polar bears catch their food and is the crux of their livelihood. On the ground impacts of oil and gas development will multiply threats from habitat losses caused by a warming climate and will make it more difficult to stop the extirpation of threatened polar bears from the United States. Until society takes the necessary actions to halt the rise of atmospheric greenhouse gas concentrations, which is the only way to stop warming and stabilize sea ice, conserving onshore habitat for polar bears will be of utmost importance to preserving this species.

The Arctic Refuge Coastal Plain provides critical onshore habitat where threatened polar bears establish maternal dens in the winter. With recent warming, traditional summer foraging on the sea ice is no longer possible and an increasing number of bears also use the Coastal Plain as resting habitat during the ever longer ice-free season. As the world continues to warm and sea ice continues to decline, this area will only become more important to polar bears and their cubs during both the summer and winter months. Oil and gas activities such as seismic exploration, and subsequent leasing and development, will cause disturbance and potential direct lethal impacts to polar bears on the Coastal Plain. Past experiences confirm we do not have methods or technology to avoid these impacts. Much like the original listing of polar bears by Secretary Kempthorne, protecting the Arctic Refuge Coastal Plain is a politically charged issue, but it is the right thing to do in light of the evidence and importance of conserving polar bears.

WHY IS THIS LEGISLATION IMPORTANT?

Background

Polar Bears Depend on Sea Ice for Catching Their Prey

Polar bears inhabit most ice-covered seas of the Northern Hemisphere. They are circumpolar in distribution but limited to areas covered by sea ice for most of the year. They occur in 19 identified populations (http://pbsg.npolar.no/en/status/status-table.html) all of which feed principally on ringed (*Pusa hispida*) and bearded seals (*Erignathus barbatus*) (Amstrup 2003). Polar bears can predictably catch seals only from the surface of the sea ice, establishing a fundamental link between sea ice availability and polar bear welfare (Amstrup 2003, Rode et al. 2015). The fossil record verifies the polar bear's reliance on adequate sea ice cover. During Pleistocene glacial periods, sea ice extended farther south than it has in recent history. At the end of the last continental glaciation (approximately 10,000 years ago) polar bears occurred as far south as the Baltic Sea (Íngólfsson and Wiig 2008). As the world warmed and ice cover in the Baltic became less reliable, polar bears did not adopt another way of making a living, they simply disappeared from the region.

Sea Ice Extent is Directly Related to Global Mean Temperature

There is a linear but inverse relationship between sea ice extent and global mean temperature (Amstrup et al. 2010). This relationship means, as anthropogenic global warming continues, sea ice extent can only be further reduced and polar bear distribution and abundance can only continue to decline. On the other hand, the linear relationship means there is not a tipping point or threshold temperature beyond which loss of sea ice becomes irreversible and unstoppable. It also means that more sea-ice habitat could be retained if the increase in greenhouse gases is mitigated, and that the extent to which sea ice is preserved depends on how quickly we address global warming. Therefore, continuing declines in polar bear distribution and numbers are not unavoidable, and polar bears can still be preserved across much of their current range with prompt societal action stabilizing atmospheric greenhouse gas concentrations.

Climate Models Accurately Predict Global Mean Temperatures

Over the period during which we have observational data, climate models have been extremely accurate in projecting global mean temperature. The mean or average of estimates from 40 accepted models closely overlaps the global mean

temperature observed between ~1880 and the present (Figure 1). Therefore, it is reasonable to assume that the mean of future global temperature projections accurately represents what the earth will experience. The mean of the projected future temperatures, like all averages, is composed of a number (40 in Figure 1) of individual projections. Each of these 40 climate model outcomes, represent different possible realizations of the future global temperature. We of course will only get to experience one realization of the future. When looking over multiple decades, the greatest likelihood is that earth's future temperatures will approximate the mean of these projected realizations. On shorter time scales (years to perhaps two decades), some of these modeled futures are likely to be closer to what we experience than others, and the realized temperatures in a particular time frame could be near the extremes of the range of predictions.

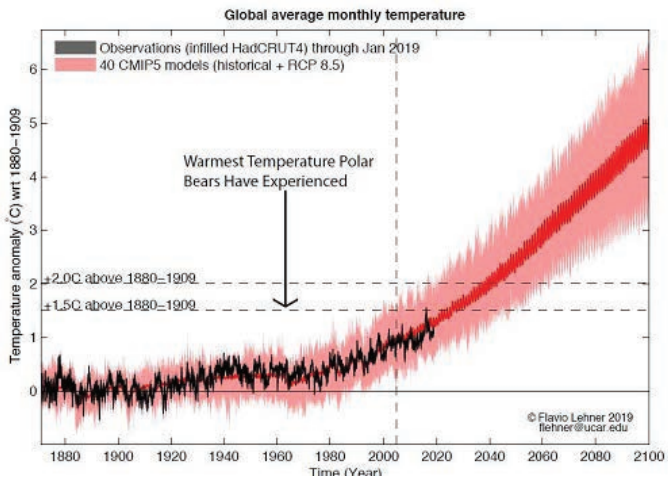


Figure 1. Observed and projected change in mean monthly global temperatures. Vertical axis illustrates the difference between the mean annual temperature for the preindustrial period of 1880–1909) and monthly average temperatures from the late 19th century through January 2019, Note that the warmest periods polar bears may have experienced during their evolutionary history may have been only about 1.5° C than the preindustrial mean.

Deviations from the mean trend line, caused by the natural chaotic fluctuation in the climate system, are the "uncertainties" in climate predictions people often speak about. Earth has always experienced these short-term variations in the climate. Climate fluctuations caused by El Ninõ, the Pacific Decadal Oscillation, or the Arctic Oscillation can impact temperatures for up to many years, while shifts in the Polar Jet Stream or the Trade Winds often cause more localized and shorter-term shifts. During the last several thousand years, when atmospheric greenhouse gas concentrations were relatively stable, the mean of these fluctuations was a flat or horizontal baseline—with no increasing or decreasing trend on a multi-centennial scale.[1] With greenhouse gas concentrations constantly increasing these fluctuations continue to occur, but the average of all of the fluctuations now compose a steadily climbing trendline. Whereas the extremes (severe cold or hot spells) in the natural fluctuations often get our attention, it is that rising trend line, or average of the fluctuations, that is important. Note that Figure 1 does not include any model outcomes suggesting temperature stabilization or decreases in the future. This is because climate physics require that the earth's average temperature can only increase as long as atmospheric greenhouse gas concentrations rise (Schneider 1989). At this point in our warming of the world, we are still low enough on that rising trend line that some extreme cold events still overlap with our historic flat baseline. When this happens, it provides momentary doubt about the rising average temperature. But whereas we used to experience the same number of record hot and record cold spells; record hot spells are now twice as frequent as record cold spells.

[1] The baseline or average of temperatures over the past several thousand years was actually declining as earth has gradually received less energy from the sun (Marcott et al. 2013). When viewed over time scales of 1,000 years or less however, the trend appears essentially flat.

And by the latter part of this century, on our current path, we'll see 50 record hot periods for every record cold (Meehl et al. 2009), And, summer temperatures over most of the world will be higher than anything we've ever experienced (Lehner et al. 2016).

Earth's future temperature is most likely to be near the mean or average of predictions in Figure 1, but because all predictions are for a much warmer earth, whether or not our true realization is near mean or the extremes, continuing on our current course will lead to a very different world than that in which polar bears (and humans) have thrived.

The inverse relationship between global mean temperature and sea ice extent means that the polar bear's sea ice habitat can only continue to decline as temperatures continue to increase. The warmest global mean temperature polar bears have experienced since they separated from a common ancestor with the current brown bear was probably only 1°–1.5° C higher than preindustrial average. Earth's temperature could exceed that as early as next year, or as late as 2050 depending on which realization of the future we actually experience. The greatest likelihood, however, is that global mean temperature will be higher than anything in the polar bear's evolutionary history by approximately 2030 (Figure 1). Crossing that evolutionary threshold is unlikely to spell the immediate demise of polar bears. But, because of the linear relationship between global mean temperature and sea ice extent, we can be assured that average annual sea ice extent will be lower at that time than it is now. We can also be assured that polar bears will experience a greater frequency of "bad" ice years during that decade than they do now, emphasizing the importance of maximizing protections from on the ground disruptions.

Polar Bears of the Southern Beaufort Sea are the Most Urgently Threatened

Anthropogenic global warming has caused an average decline in summer sea ice extent of 20.5 percent per decade in the Southern Beaufort Sea—the greatest ice retreat experienced by any of the 19 polar bear populations (http://pbsg.npolar.no/en/status/status-table.html). In the Southern Beaufort Sea, the productive continental shelf, on which polar bears historically foraged through summer is very narrow and most polar bears historically spent summer on sea ice relatively near shore (Amstrup et al. 2004, Atwood et al. 2016). Because of retreating summer sea ice, this former summer hunting habitat is now unavailable. In response, polar bears are either forced onto land or onto remaining sea ice over the deep and unproductive waters of the polar basin. Whether on land or over the deep water of the polar basin, food is relatively unavailable (Atwood et al. 2016, Whiteman et al. 2018). In response to this decline in available habitat, the Southern Beaufort Sea population has declined ~40 percent in recent years, making it the world's most rapidly declining population yet documented.[2] A major contributor to the observed decline is poor cub survival (Bromaghin et al. 2015).

If Temperatures are Allowed to Continue to Rise, Polar Bears Ultimately Will Disappear

The rapid sea ice decline, and the limited area of productive habitat means polar bears in the Southern Beaufort Sea are among the most vulnerable to continued rising temperatures. Unless the rise in atmospheric greenhouse gas concentrations is quickly abated, Southern Beaufort Sea polar bears are likely to be the first polar bear population to disappear. If temperature rise and sea ice loss continue, polar bears throughout their range also will be gone.

Current evidence suggests polar bears broke away from a common ancestor with the brown bear around a million years ago. The warmest periods experienced during their evolutionary history were less than a degree warmer than current temperatures (Hanson et al. 2013, Marcott et al. 2013). We know from the fossil record that polar bears disappear from areas without sufficient sea ice cover (Ingólfsson and Wiig 2009). Without significant mitigation (see Figure 1) the world will be warmer within the next two or three decades than at any time during the polar bear's evolutionary history, and sea ice extent will be lower than anything polar bears ever have experienced. Therefore, we need to move swiftly toward sustainable energy sources if we are serious about preserving polar bears. Failure to act virtually assures polar bears in Alaska, and ultimately across their range, will follow the path of polar bears in the Baltic region and simply disappear.

[2] The Western Hudson Bay population has declined approximately 30 percent (Lunn et al. 2016) and the Southern Hudson Bay population has declined by about 17 percent (Obbard et al. 2018).

WHY IS THIS LEGISLATION IMPORTANT?

Specific Reasons Oil and Gas Development of the Arctic Refuge Must Not Proceed

Oil and Gas Extraction on the Coastal Plain Will Perpetuate Unsustainable Dependence on Fossil Fuels

Weaning society from fossil fuel dependence is critical to future polar bear persistence in the United States and throughout their current range in the circumpolar Arctic. Greenhouse gas emissions from extraction and combustion of the oil and gas that may lie under the Coastal Plain can only contribute to additional sea ice loss, compounding risks to Southern Beaufort Sea polar bears and accelerating polar bear declines worldwide. Recognizing that polar bears cannot survive unless global temperature is stabilized, the U.S. Fish and Wildlife Service Polar Bear Conservation Management Plan (U.S. Fish and Wildlife 2016) recommends swift action to mitigate rising concentrations of greenhouse gases in the atmosphere. The Conservation Management Plan is intended to delineate reasonable actions that U.S. Fish and Wildlife Service believes will contribute to the conservation of polar bears and was developed in response to the polar bear's listing as a threatened species under provisions of the ESA. Development of the hydrocarbon reserves that may lie under the Arctic National Wildlife Refuge would contribute additional greenhouse gas emissions that are contrary to goals of maintaining a climate on earth that will allow polar bears to survive. Avoiding fossil fuel extraction, on the other hand helps mitigate greenhouse gas rise, and will benefit polar bears and their sea ice habitat. Because polar bears are sentinels of the Arctic marine ecosystem, trends in their sea-ice habitats foreshadow global changes. Therefore, we cannot overlook the fact that mitigating greenhouse gas emissions to improve polar bear status will have conservation benefits throughout and beyond the Arctic.

Developing oil and gas reserves that may lie under the Coastal Plain of the Arctic National Wildlife Refuge is inconsistent with the need to halt greenhouse gas rise and move society to sustainable energy sources. The Arctic Cultural and Coastal Plain Protection Act (H.R. 1146) will assure the oil and gas under the environmentally sensitive Arctic Refuge Coastal Plain does not contribute to ongoing sea ice loss.

Development Would Remove Protections of Critically Important Onshore Polar Bear Habitat

The U.S. Fish and Wildlife Service Conservation Management Plan (U.S. Fish and Wildlife 2016) recognizes the need for "on the ground" protections to assure as many polar bears as possible persist until sea ice is stabilized. The catastrophic rate of decline in the Southern Beaufort Sea polar bear population is driven by reduced survival, particularly of cubs. In fact, only 2 of 80 cubs captured between 2003 and 2007 are known to have survived to enter older age classes (Bromaghin et al. 2015). This makes it clear that maximizing survival potential for every single cub is essential in maximizing opportunity for polar bears in this region to persist. Because the frequency of bad ice years can only increase as temperatures continue to warm, more such years of poor cub survival are assured. It is critical, therefore, that polar bear onshore habitat is protected from activities that will further compromise cub survival, and that direct human-caused mortalities, from polar bear/human conflict and industrial activities, be eliminated where-ever possible. The most important actions that will aid polar bear population persistence are: (a) affording protection to maternal denning areas where polar bears go to give birth to their cubs; and (b) minimizing human/polar bear conflict situations that often result in polar bears being shot. Exploration and development of the Arctic Refuge Coastal Plain is inconsistent with both imperatives.

Risks to Maternal Denning Bears

Preventing disturbance of habitats on the Arctic Refuge Coastal Plain where pregnant female polar bears give birth to their cubs is vital to the future welfare of the Southern Beaufort Sea polar bear population. Polar bear cubs are born very undeveloped (altricial) and unable to survive the rigors of the Arctic winter outside the shelter of the den. Amstrup and Gardner (1994) reported mortalities of cubs born to radio-collared polar bears that were forced from their dens prematurely, and we know mother bears that are able to stay in dens for longer periods have greater early cub survival (Amstrup and Gardner 1994, Rode et al. 2018). Therefore, disruption of maternal denning must be avoided wherever possible.

Pregnant female polar bears excavate snow dens in early winter. They give birth in mid-winter and emerge in spring when cubs are approximately 3 months old.

(Amstrup and Gardner 1994, Amstrup 2003). In Northern Alaska, snow accumulation sufficient for denning is confined to narrow linear segments of coastal and stream bank habitats (Amstrup and Gardner 1994, Durner et al. 2001, 2003), and there is more of these suitable denning habitats on the Arctic Refuge Coastal Plain than other parts of Northern Alaska. Although it composes only about 10 percent of the coastal area of Northern and Northwestern Alaska,[3] 22 percent of pregnant female polar bears in the Southern Beaufort Sea den there each winter according to the *Coastal Plain Oil and Gas Leasing Program Draft Environmental Impact Statement* (DEIS, see Vol. 1, 3–128). The distribution of suitable maternal denning habitats is essentially uniform across the Coastal Plain (Durner et al. 2006), but the more variable orientation of bank and drainage habitats also makes their distribution more complex. With more abundant and more complex denning habitat, identifying den locations on the Arctic Refuge Coastal Plain when they are totally covered by winter snow, presents an especially difficult challenge.

Polar bears in Northern Alaska may enter dens as late as mid-December and can remain in dens until mid-April (Amstrup and Gardner 1994). Throughout most of this time they are invisible under the snow. Industry practice purports to avoid denning polar bears by aerial survey implementing Forward Looking Infrared ("FLIR") technology to detect dens in advance of on-the-ground activities. Once dens are identified, oil and gas activities will generally observe established "buffer zones" around dens to avoid disturbance or chorusing of the den. I conducted the original testing of whether FLIR imaging could detect otherwise invisible dens in mid-winter and meet the challenge of locating dens so that they can be protected from possible industrial disturbances (Amstrup et al. 2004b). Whereas FLIR imagery can detect many dens under the snow, I emphasized that it cannot detect all dens and that it has many shortcomings, and subsequent research emphasized those shortcomings (Robinson et al. 2014). The track record of FLIR use in active oil field areas west of the Arctic Refuge verifies significant limitations. Between 2004 and 2016, FLIR surveys conducted in advance of various oil field operations along Alaska's North Slope correctly identified 12 maternal dens but missed 11 dens (essentially a 50 percent detection rate) that were within the survey areas (Smith et al. *In Prep*). The denning habitat on the Arctic Refuge Coastal Plain is more expansive and far more complex than other areas of Alaska's North Slope where oil and gas development has occurred—and where FLIR has been used to find dens. Therefore, it is unlikely detection rates on the Arctic Refuge Coastal Plain will be any higher than the ~50 percent historic record.

With a population of ~236 females (Bromaghin et al. 2015), and an estimated breeding rate or probability of ~0.55[4] we could expect ~131 bears to be denning each winter. If the statistics in the DEIS are correct and 22 percent of pregnant bears choose to den on the Arctic Refuge Coastal Plain, 29 (22 percent of 131) pregnant females could be expected to den there each winter. With a ~50 percent detection rate for FLIR, half or approximately 15 of the dens annually expected to occur on the Coastal Plain are likely to be undetected before any oil and gas activities take place.

Considering varying assumptions and current and future conditions, future annual denning on the Arctic Refuge is likely to exceed the 22 percent or 29 dens that DOI estimates currently occur each year on the Arctic Refuge Coastal Plain. The proportion of female polar bears choosing to den on land as opposed to sea ice has continued to increase, from 46 percent in the 1980s to 77 percent between 2000 and 2010 (Durner et al. 2010). The breeding probability is likely to increase in the near future as nutritional stress results in more females becoming pregnant but fewer being able to keep their cubs. Finally, summer-time land use has increased threefold (Atwood et al. 2016) in recent years, and the number of bears on land in summer is expected to continue to increase. Because there are few nutritious foods available on land, a majority of the Southern Beaufort Sea polar bears that spend all or part of summer on land take advantage of supplemental food in the form of whale remains at the "bone pile" near the village of Kaktovik (Atwood et al. 2016).[5] Higher numbers of bears supplementing their pre-denning foraging near Kaktovik is likely

[3] Estimated by measuring approximate coastal extent, where polar bear dens have been observed, from the Canadian border to the north edge of Kotzebue Sound with Google Earth ruler tool.

[4] See my March 8, 2019 analysis of the DEIS. Because the breeding interval does not account for litter size, and because proportions of cubs in the population represent some litters of multiple (usually 2) cubs. The actual breeding probability is most probably higher than 0.55. So this estimate must be considered conservative.

[5] The "bone pile" is where remains (not consumed by people) of bowhead whales (*Balaena mysticetus*) harvested by residents of the Kaktovik community are deposited.

to translate into higher numbers of bears denning on the adjacent Arctic Refuge Coastal Plain close to this food source. Therefore, it is most reasonable to assume 29 or more pregnant mother polar bears will den on the Coastal Plain each year as we go into the future.

I understand that the Tax Cuts and Jobs Act of 2017 authorized an oil and gas leasing program for the Coastal Plain, and that separately the Bureau of Land Management is considering a seismic survey application from SAExploration. Given the high density and largely uniform distribution of maternal denning habitat on the Arctic Refuge Coastal Plain, industrial operations like seismic testing, road and pad building, exploration and production drilling, and maintenance pose significant threats to denning polar bears (Amstrup 1993, Amstrup and Gardner 1994). Seismic exploration is an especially significant threat to denning success. Seismic work must be done in winter, when the ground is frozen enough and the snow is deep enough to protect the tundra from the 45-ton trucks that vibrate the ground to create sonic images that may detect subsurface fossil fuel sources.

SAExploration's proposed 200-meter by 200-meter grid of 3D seismic testing[6] on the Coastal Plain exemplifies the risks from oil and gas activities to denning mother bears (Figure 2). Tracks remaining on the tundra, after recent seismic surveys, reveal that seismic testing vehicles actually make two or more passes along grid lines leaving an approximately 15-meter vehicle footprint (Walker et al. 2019).[7] With a 15-meter wide footprint, over 14 percent of the Arctic Refuge Coastal Plain denning habitat within the bounds of a seismic survey would be "run over" by seismic vehicles, essentially crushing any dens in these pathways, and 92 percent of the denning habitat would be within 65 meters of vehicle paths, a proximity that can cause a mother polar bear to open her den prematurely, with potential negative consequences for cub survival.[8] If as estimated, there are 15 undetected maternal dens on the Arctic Refuge Coastal Plain each year, such surveys would have a 90 percent probability of running over one or more occupied maternal dens with probable fatal consequences.[9] And on average (if such a survey were repeated multiple times) each survey would result in vehicles running over two maternal dens. These outcomes do not include the additional (and *a priori* inestimable) risk from numerous cross-grid tracks that characterize recent seismic surveys. The above analysis makes it clear that exploration of the Arctic Refuge Coastal Plain is virtually assured to negatively impact reproductive success of polar bears in the Southern Beaufort Sea population, and additional negative impacts would be sure to follow if development were approved. Current mitigation measures and den detection techniques are not sufficient to identify polar bear dens in advance of industrial activity. Because industry activities cannot avoid dens which they cannot locate in advance, reliance on these avoidance measures does not protect bears. Given that reproductive success in the Southern Beaufort Sea polar bear population is already severely compromised, added impacts on reproductive success of denning females, such as seismic exploration and oil and gas development, would surely exacerbate the ongoing decline of this imperiled population. The Arctic Cultural and Coastal Plain Protection Act (H.R. 1146) would prevent disruptions of polar bear maternal denning.

---

[6] Because BLM has failed to provide the public with further information about pending Coastal Plain seismic survey proposals, this analysis considers the most recent proposal from SAExploration that BLM did make public.

[7] http://fairbanksfodar.com/science-in-the-1002-area.

[8] Based on prior information suggesting many denning females will emerge from dens if seismic vehicles approach to within 65 meters of the den site (Amstrup 1993).

[9] See my March 8, 2019 analysis of the DEIS (Pages 13–21) for computations.

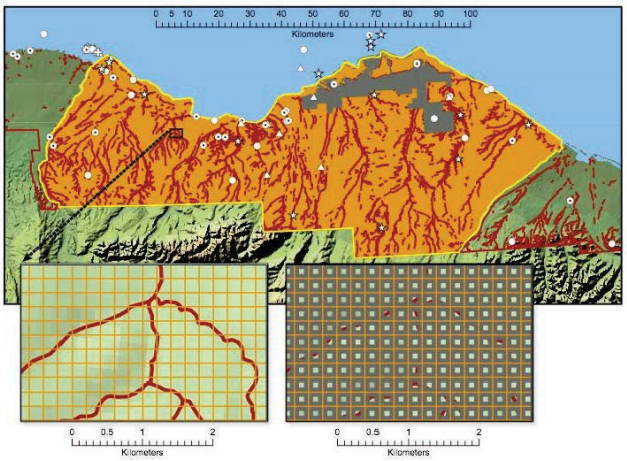


Figure 2. Map of the Arctic Refuge Coastal Plain (1002 area) showing denning habitat (narrow red polygons, Durner et al. 2006), and proposed 200 x 200-meter seismic survey grid (pale orange lines). The grid is so closely spaced it appears merely as shading at the scale of the entire Coastal Plain. The left inset illustrates the seismic grid spacing (orange lines) and a small area of denning habitat (red polygons) at much larger scale. The right inset shows the same larger scale view of the seismic grid plus a 65-meter zone of disturbance (grey-green shading) either side of the survey line. Blue-green squares in the right-hand inset are "doughnut holes" not within the 65-meter zone of influence. Red bands in these doughnut holes reveal how little denning habitat could escape potential disturbance.[10] The dark grey polygon illustrates the Kaktovik Inupiat Corporation lands, which are not included in this analysis because they were not part of the seismic survey application proposed to BLM.

Other Negative Impacts

Direct Polar Bear/Human Conflicts—Polar bear/human conflicts often result in direct mortalities of polar bears, and they always result in disruptions of normal bear activities. Any exertion bears make that would not normally be required means bears will incur additional energy costs. Arctic wide, polar bear/human conflicts have increased as sea ice has declined (Towns et al. 2009, Atwood et al. 2017), and further increases are virtually assured as temperatures continue to warm and sea ice extent declines even farther. During the past 15 years, the numbers of bears spending summer on land in Alaska has tripled (Atwood et al. 2016). A majority of bears stuck on land during summer in Alaska spend much of their time on and adjacent to the Arctic Refuge Coastal Plain. There always have been higher numbers of mother bears seeking to den on the Refuge Coastal Plain than in other parts of Alaska's Arctic, and we expect that number to grow, increasing potential conflict between humans and pregnant bears seeking den sites. Climate change is bringing more bears to shore for longer periods (hence reducing food available to those bears). If development proceeds, interactions between polar bears and oil-field workers will be more frequent, and more severe. Greater numbers of emaciated bears are likely to threaten workers, and such interactions are more likely to lead to the killing of bears in defense of life and property. These higher numbers of polar bears combined with intensive human activities related to hydrocarbon development could only increase the number of bear/human conflicts. With this population already in severe decline, additional mortalities, and additional stressors experienced by bears, can only add to declining numbers.

Habitat fragmentation and cumulative effects—Currently oil and gas developments extend across approximately 185 kilometers of Alaska's North Slope—from the Colville Delta to Pt. Thompson. Development of the Arctic Refuge Coastal Plain would extend that development corridor another approximately 90 kilometers to the vicinity of Barter Island. This expansion would mean that essentially half of the northern coast of Alaska has some form of industrial development. Assessing cumulative impacts is difficult and studies have not been done to estimate whether the

[10] Denning females >65 meters from transect also may be disturbed. Dens within the doughnut holes, therefore, are not protected from disturbance, but may experience a reduced likelihood of disturbance.

expansion of oil-field activity in Alaska may have contributed to declining trends in polar bear welfare. We do know, however, that polar bears and all animals operate on an energy budget. We also know that unnatural and hence unnecessary movements and activities add to the energy costs that animals normally face. The greater the number of novel and unnecessary energy expenditures a polar bear needs to make, the greater the likelihood of going into a negative energy balance. Polar bears in the Southern Beaufort Sea are increasingly in negative energy balance, as reflected by declining survival rate of cubs and reduced population size. Although these negative trends can largely be attributed to warming temperatures and declining sea ice availability, they also have coincided with major expansion of the oil and gas development footprint along the coast of Northern Alaska. Currently, the Arctic National Wildlife Refuge is truly a refuge from the structures and disruptions present in coastal areas to the west. Preventing the fragmentation that has occurred along much of the Northern Alaska coast from reaching this refuge is critical to supporting persistence of Southern Beaufort Sea polar bears. This legislation will prevent further fragmentation of vital Arctic Refuge polar bear habitats.

Conclusions

Evidence suggests activities and structures related to exploration and development of oil and gas reserves on the Arctic Refuge Coastal Plain will negatively affect the polar bear's use of their designated critical denning habitat and are virtually assured of impacting denning females with likely fatal consequences (see my March 8, 2019 analysis of the DEIS: http://polarbearsinternational.org//media/3383/amstrup-comments-on-the-anwr-deis.pdf). Polar bear/human conflict situations are only likely to increase in frequency and severity as intensive human activities overlap with an increasing number of bears spending summer and autumn on and adjacent to the Arctic Refuge Coastal Plain. These conflict situations will exacerbate the ongoing decline in the Southern Beaufort Sea population. Simultaneously, greenhouse gas emissions from extraction and combustion of the oil and gas that may lie under the Coastal Plain will contribute to additional sea ice loss compounding risks to Alaska's polar bears and accelerating polar bear declines worldwide. An oil and gas program on the Arctic Refuge Coastal Plain is in direct conflict and incompatible with current scientific understandings of actions needed to assure a future for polar bears in Alaska and elsewhere. In the current administrative planning process for potential oil development in the Arctic Refuge, the Bureau of Land Management (BLM) should strive to eliminate all possible negative impacts on polar bears and meet the objectives of the Conservation Management Plan for polar bears (U.S. Fish and Wildlife 2016). Congress should not allow BLM to implement an oil and gas leasing program that its own DEIS admits will compromise those protections.

Action by Congress and this Subcommittee is essential to protecting the polar bears on the Coastal Plain. As my testimony makes clear, protecting the Coastal Plain of the Arctic Refuge from oil and gas development is vital to the conservation of the imperiled polar bear. For this reason, I support passage of the Arctic Cultural and Coastal Plain Protection Act (H.R. 1146).

Literature Cited

Amstrup, S.C. 1993. Human disturbances of denning polar bears in Alaska. Arctic 46:246–50.

Amstrup, S.C. 1995. Movements, Distribution, and Population Dynamics of Polar Bears in the Beaufort Sea. Ph.D. Dissertation, University of Alaska, Fairbanks. 299 pp.

Amstrup, S.C. 2003. Polar bear, Ursus maritimus. Chapter 27 In Wild mammals of North America: biology, management, and conservation. Edited by G.A. Feldhamer, B.C. Thompson, and J.A. Chapman. John Hopkins University Press, Baltimore. pp. 587–610.

Amstrup, S.C., et al. 2010. Greenhouse gas mitigation can reduce sea-ice loss and increase polar bear persistence. Nature. 468: 955–958.

Amstrup, S.C., McDonald, T.L., and Durner, G.M. 2004. Using satellite radiotelemetry data to delineate and manage wildlife populations. Wildlife Society Bulletin. 32(3):661–679.

Amstrup, S.C., and C. Gardner. 1994. Polar bear maternity denning in the Beaufort Sea. Journal of Wildlife Management 58:1–10.

Amstrup, S.C., I. Stirling, and J.W. Lentfer. 1986. Past and present status of polar bears in Alaska. Wildlife Society Bulletin 14:241–54.

Amstrup, S.C., et al. 2006. Recent observations of intraspecific predation and cannibalism among polar bears in the Southern Beaufort Sea. Polar Biology 29(11):997–1002.

Amstrup, S.C., et al. 2004b. Detecting denning polar bears with forward looking infra-red (FLIR) imagery. BioScience 54(4):337–344.

Atwood, T.C., et al. (2016) Rapid Environmental Change Drives Increased Land Use by an Arctic Marine Predator. PLoS ONE 11(6):e0155932. doi:10.1371/journal.pone.0155932.

Atwood, T.C., et al. 2017. Human-polar bear interactions in a changing Arctic: existing and emerging concerns. Pages 397–418 in A. Butterworth, editor. Marine mammal welfare: Human induced change in the marine environment and its impacts on marine mammal welfare. Springer International Publishing.

Bromaghin, J.F., S.C. Amstrup, et al. 2015. Polar bear population dynamics in the Southern Beaufort Sea during a period of sea ice decline. Ecological Applications, 25(3), 2015, pp. 634–651.

Durner, G.M., S.C. Amstrup, and K.J. Ambrosius. 2001. Remote identification of polar bear maternal den habitat in northern Alaska. Arctic 54:115–21.

Durner, G.M., S.C. Amstrup, and A.S. Fischbach. 2003. Habitat characteristics of polar bear terrestrial maternal den sites in northern Alaska. Arctic 56(1):55–62.

Durner, G.M., S.C. Amstrup, and K. Ambrosius. 2006. Polar bear maternal den habitat on the Arctic National Wildlife Refuge, Alaska. Arctic Vol. 59, No. 1. P. 31–36.

Durner, G.M., Fischbach, A.S., Amstrup, S.C., and Douglas, D.C. 2010, Catalogue of polar bear (*Ursus maritimus*) maternal den locations in the Beaufort Sea and neighboring regions, Alaska, 1910–2010: U.S. Geological Survey Data Series 568, 14 p.

Hansen, J., M. Sato, G. Russell, and P. Kharecha. 2013. Climate sensitivity, sea level and atmospheric carbon dioxide. Phil. Trans. R. Soc. A 2013 371, 20120294, published 16 September 2013.

Ingólfsson, Ó., and O. Wiig 2008. Late Pleistocene fossil find in Svalbard: the oldest remains of a polar bear (*Ursus maritimus* Phipps, 1744) ever discovered. Polar Research 28:455–462. doi:10.1111/j.1751-8369.2008.00087.x.

Lehner, F., C. Deser, and B.M. Sanderson. 2016. Future risk of record-breaking summer temperatures and its mitigation. Climate Change DOI 10.1007/s10584-016-1616-2.

Lunn, N.J., et al. 2016. Demography of an apex predator at the edge of its range: impacts of changing sea ice on polar bears in Hudson Bay. Ecological Applications 26(5): 1302–1320.

Marcott, S.A., J.D. Shakun, P.U. Clark, and A.C. Mix. 2013. A Reconstruction of Regional and Global Temperature for the Past 11,300 Years. Science 339 1198 (2013); DOI: 10.1126/science.1228026.

Meehl, G.A., et al. (2009), Relative increase of record high maximum temperatures compared to record low minimum temperatures in the U.S. Geophys. Res. Lett., 36, L23701, doi:10.1029/2009GL040736.

Obbard, M.E., S. Stapleton, G. Szor, K.R. Middel, C. Jutras, and M. Dyck. 2018. Reassessing abundance of Southern Hudson Bay polar bears by aerial survey: effects of climate change at the southern edge of the range. Arctic Science 4: 634–655 (2018) dx.doi.org/10.1139/as-2018-0004.

Robinson, R., T.S. Smith, R.T. Larsen, and B.J. Kirschhoffer. 2014. Factors influencing the efficacy of forward-looking infrared in polar bear den detection. BioScience 64(8):735–742.

Rode, K. D., et al. 2018. Den phenology and reproductive success of polar bears in a changing climate. J. Mammal. 99(1):16–26.

Rode, K.D., C.T. Robbins, L. Nelson, and S.C. Amstrup. 2015. Can polar bears use terrestrial foods to offset lost ice-based hunting opportunities? Front. Ecol. Environ. 2015: 13(3): 138–145.

Schneider, S.H. 1989. The greenhouse effect: Science and Policy. Science 243: 771–781.

Smith, T.S., G. York, and S.C. Amstrup. In preparation. How effective is forward-looking infrared for polar bear detection in northern Alaska? A critical review and synthesis of research findings.

Towns, L., et al. 2009. Spatial and Temporal Patterns of Problem Polar Bears in Churchill, Manitoba. Polar Biology 32:1529–1537.

U.S. Fish and Wildlife. 2016. Polar Bear (*Ursus maritimus*) Conservation Management Plan, Final. U.S. Fish and Wildlife, Region 7, Anchorage, Alaska. 104 pp.

Walker, D.A., et al. 2019. Likely impacts of proposed 3D-seismic surveys to the terrain, permafrost, hydrology, and vegetation in the 1002 Area, Arctic National Wildlife Refuge, Alaska. Alaska Geobotany Center Publication AGC 19–01. University of Alaska Fairbanks, Fairbanks, Alaska, USA.

Whiteman, J.P., S.C. Amstrup, et al. 2018. Phenotypic plasticity and climate change: can polar bears respond to longer Arctic summers with an adaptive fast? Oecologia 186:369–381. https://doi.org/10.1007/s00442-017-4023-0.

Dr. LOWENTHAL. Thank you, Dr. Amstrup.

The Chair now recognizes Mr. Brown for 5 minutes of testimony.

STATEMENT OF CHAD BROWN, FOUNDER, SOUL RIVER, INCORPORATED, PORTLAND, OREGON

Mr. BROWN. Chairman Lowenthal, Ranking Member Gosar, thank you for the opportunity to serve my country in a new way, as I testify before you in support of protecting the Arctic National Wildlife Refuge from the destruction of oil and gas and drilling.

My name is Chad Brown. I urge Congress to pass H.R. 1146, the Arctic Cultural and Coastal Plain Protection Act, recently introduced by Chairman Jared Huffman.

Thank you, sir.

I appear before you today as the Founder and President of Soul River Inc., a non-profit organization that aims to share the healing power of rivers with veterans and inner-city youth. Wild areas, literally, have saved my life. And now my life mission is to share the love and passion of the outdoor world, specifically for untouched pristine places like the Arctic National Wildlife Refuge, with other veterans and under-served youth.

But to truly understand why the Arctic National Wildlife Refuge means so much to me, I have to share my story. I am a U.S. Navy veteran, served in Desert Storm and Desert Shield, served at Guantanamo Bay, and I saw daily combat in Operation Restore Hope in Somalia. To say I have seen a thing or two is an understatement. I believe in the strength, power, and goodness of the United States with every breath of my being. But after serving in traumatic situations, I, like so many fellow veterans, found myself battling demons long after my tours were complete. I suffer from post-traumatic stress syndrome, or PTSD. And nature has been my lifeline.

For a while, after I finished my service, my life was good, but PTSD affects different people in different ways and at different times. Beneath my feet sits my battle buddy, Axe, who helps me every day, my service dog.

Over a span of several months, I hit rock bottom. I lost my job, became homeless, and I was selling my blood in order to survive for $20 a pint. I contemplated suicide, and I spent time at a Veterans Affairs psychiatric ward, where I received help, but

mainly in the form of drugs. I learned I had PTSD and I tried to cope, and it wasn't working.

Finally, one day a friend took me fishing. I hooked a fish, lost it, but then I was hooked. I had smiled for the first time in what seemed like a lifetime, and I knew that fishing could help other veterans fight PTSD, and it could also help you conquer your own challenges and issues. This was the birth of Soul River, Inc.

At Soul River we do deployments. We deploy into areas that are under threat, places like the Arctic Refuge, as an education leadership experience where a veteran steps up to teach youth how to protect the environment and become leaders of tomorrow, while youth gives us a simple purpose, to push forward.

These deployments are challenging and require everyone to work together and rely on one another. Everyone involved knows what it means to be under threat.

Soul River began doing deployments to the Arctic Refuge in 2016. We have deployed to the Arctic Refuge four times and are going back this summer. Veterans and under-served youth find meaning, purpose, life, and, most importantly, healing. These qualities make up the soul of the Arctic Refuge.

When you arrive in the Arctic Refuge, your senses are heightened: sight, smell, hearing. You are aware of the surroundings in ways you never knew were possible. Someone recently asked me what I felt when my feet hit the ground in the Arctic National Wildlife Refuge. All I can say is "home." It is more than I feel at home; it is simply home.

A few weeks after the 2018 Arctic deployment, I was speaking to one of my friends, a veteran from several of the Arctic deployments named Matthew. He said, "Chad, you know where I am at? I am sitting on the floor in my bedroom with my camp stove, making myself a cup of coffee. I need to go back home. When are we going back?"

I fought for my country so that places like this would exist, and I am here today as a way to continue to serve my country.

In closing, I urge Congress to pass H.R. 1146, and protect the Arctic National Wildlife Refuge forever for present and future generations of the Gwich'in and all Americans. Don't reduce our opportunities of healing for veterans, and particularly for youth. They are the leaders for tomorrow. Mashhi' cho. Thank you.

[The prepared statement of Mr. Brown follows:]

PREPARED STATEMENT OF CHAD BROWN, FOUNDER AND PRESIDENT OF SOUL RIVER INC., PORTLAND, OREGON

Dear Chairman Lowenthal, Ranking Member Gosar, and members of the Subcommittee, my name is Chad Brown and I thank you for the opportunity to testify in support of protecting the Arctic National Wildlife Refuge from destruction through oil and gas extraction. Specifically, I wish to support H.R. 1146, the Arctic Cultural and Coastal Plain Protection Act, recently introduced by your colleague, Congressman Jared Huffman of California, along with over 115 Members of Congress. I appear before you today as the founder and president of Soul River Inc, a non-profit organization that aims to share the healing power of rivers with veterans and inner-city youth. I am also a board member of the National Wildlife Refuge Association and they endorse this testimony.

Natural and wild areas literally saved my life, and now my life's mission is to share this love and passion of the outdoor world—specifically for untouched pristine places like the Arctic National Wildlife Refuge—with other veterans and

underserved youth. But to truly understand why the Arctic National Wildlife Refuge means so much to me, I have to share my story.

MILITARY SERVICE

I am a U.S. Navy veteran who served in Desert Storm and Desert Shield, served at Guantanamo Bay, and saw daily combat during Operation Restore Hope in Somalia. I even served at a NASA research station in Antarctica. To say I've seen a thing or two is an understatement.

The military wasn't always my path, but after 2 years of art school in Dallas, financial times forced me to look at the military—as it does for so many of America's youth. I joined the Navy because my father was a Navy man and it was really the only branch I knew. I loved serving my country. I believe in the strength, power, and goodness of the United States with every breadth of my being. But after serving in traumatic situations, I, like so many of my fellow veterans, found myself battling demons long after my tours were complete. But more on that in a bit.

Military service taught me that life is fragile and can be taken from you in a heartbeat. It made me value friendship and human interaction. It made me hunger for a world where life is simple and untouched—places like wilderness where man and nature are one.

LIFE AND NEAR DEATH AFTER MY SERVICE

For a time after I left the Service, things were good. I finished my undergraduate work and got my Masters degree in photography, communications, and design. I worked in New York City's fast-paced advertising and design world. I found myself pitching ideas to people like hip-hop mogul Russell Simmons, and doing work for Phat Farm, Simmons' fashion line. I was so busy that I didn't notice the chinks that were developing in my proverbial armor. Meaning, I didn't notice the clear and unmistakable signs of Post-Traumatic Stress Disorder (PTSD).

I carried these signs with me from New York to Portland, where the world moves at a slower pace than the craziness of the city that never sleeps. Fortunately, this pace allowed me to breathe. Unfortunately, it also allowed my mind the time to reflect upon what it had experienced years before and for the PTSD to take hold. Over a span of several months, I lost everything.

I lost my job, became homeless, and hit rock bottom. I was selling my blood in order to survive. Do you know how much you get selling your blood? $20. Twenty dollars doesn't go far—and I was one of many veterans in that line every week. One day as I contemplated suicide, I called my mother, knowing I needed help. I was checked into a Veterans Affairs psychiatric ward where I received help—but mainly in the form of drugs. I learned I had PTSD and I tried to cope. It wasn't working.

Finally, one day a friend took me fishing. I hooked a fish—lost it—but then I was hooked. I had smiled for the first time in what seemed like a lifetime.

EUREKA

Growing up, the men in my family had been hunters and farmers and my father was an avid camper. My father also spoke extensively about Matthew Henson, one of the first African-American explorers who may have been the first person, black or white, to reach the North Pole. All these men had an influence on my life, which began to be apparent as I became more engrossed in fly fishing.

One day in 2011, as I stood in the middle of a river fishing, it hit me—I needed to share this "medication" with other veterans and with underserved youth. I KNEW that fishing could help other veterans experiencing PTSD and it could also help youth conquer their own challenging issues.

I created a non-profit, Soul River Inc. We connect inner city youth and U.S. military veterans to the outdoors through incredible outdoor educational transformation experiences. By engaging veterans as mentors for inner city youth, we believe that rich, powerful opportunities of healing authentically happen in the midst of Mother Nature. We believe that by connecting youth and veterans to our public lands, wild rivers, fresh waters, and beyond through genuine community, we will ultimately establish and inspire a new generation of outdoor leader Ambassadors that will advocate for Mother Nature and conservation.

We conduct "deployments" every year where youth are partnered with veterans. These deployments are challenging and require everyone to work together and rely on one another. Everyone involved knows what it means to be "under threat"—which is one of the reasons we also deploy to places under threat—like the Arctic National Wildlife Refuge.

THE SOUL OF THE ARCTIC NATIONAL WILDLIFE REFUGE

Soul River began doing deployments to the Arctic National Wildlife Refuge in 2016. We have deployed to the Arctic Refuge five times and are going back this summer. Veterans and underserved youth find meaning, purpose, life, and, most importantly, healing. These qualities make up the soul of the Arctic National Wildlife Refuge.

When you arrive in the Arctic Refuge, your senses are heightened—sight, smell, hearing. You are aware of your surroundings in ways you never knew were possible.

Someone recently asked me what I felt when my feet touch down on the earth of the Arctic National Wildlife Refuge. All I can say is "home." It's more than I feel at home, it simply is home. It is a place where I am me. I am not a soldier, yet I am. I am not an artist, yet I am. I am all, but I am not. I exist. I am nature and nature is me.

The Arctic National Wildlife Refuge must be protected for current and future generations of Americans. I fought for my country so that places like this would exist. So that there would be places where I and my fellow veterans and challenged youth can find solace, peace, and healing. A place where man is just a visitor and where natural processes reign. A place where one can find oneself and find the nurturing healing of being in nature and with friends.

The value of nature is far more valuable than any dollars our country may receive from drilling in the Arctic National Wildlife Refuge. In fact, there is no comparison. Our nation is the wealthiest nation our world has ever known—yet we could be so poor that we might despoil this sacred place forever? Wealth is not always money and I hope that Congress will try to understand that. You must repeal the portion of the 2017 Tax Law that allowed for drilling in America's truly Last Frontier. You must do absolutely everything in your power to stop this travesty. I beg you—as an American who fought for the freedom of our country—protect our natural resources as you would protect the life of your child. For it is one and the same.

"MEDICATION" STORIES FROM THE "HEALED"

A few weeks after our 2018 Arctic deployment, I was speaking to one of my friends, a veteran from several of our Arctic deployments named Matthew. He said, "Chad, you know where I am? I'm sitting on the floor of my bedroom with my camp stove making myself a cup of coffee. I need to go back. When are we going back?"

"Soon," I said, "Very soon." And we will.

Upon returning from a deployment to the Arctic Refuge, I received phone calls from a few parents. Their kids were not sleeping in their beds—and this was several weeks after returning. They didn't know how to address what was going on. Even though I knew the parents couldn't completely understand what their children were going through without having been to the Arctic Refuge themselves, I tried to explain. I explained that what their children had experienced in the Arctic was extreme—a deep, soul-catching environmental engulfment. Where nature revealed her beauty in the rawest form to their children, and in so doing, opened their minds and souls to what nature is all about. I told the parents to not worry. Eventually they will likely sleep in their beds again but each child is different and each will see the world through a different lens after their experience. What they saw and experienced was special and sleeping on the floor in their bedroom was a way of keeping the Arctic alive in their souls.

I also want to share with you the story of Kolby, a young lady who was one of Soul River's Senior Leaders. She's been to the Arctic Refuge twice and those trips literally changed her life—and that of her family. She got her African American mother, who is in her mid-50s and never thought about conservation, to care about what Kolby cares about—to recycle and be a good steward of the Earth. Kolby is teaching her elders, but she doesn't stop there, she is passionate about teaching new generations as well.

Kolby speaks to classes about her experiences at the Arctic Refuge and invited me to attend one of her talks. I was blown away! She spoke about how important the Arctic Refuge is—for wildlife and for the Gwich'in people. She talked about the wildlife she saw and the fish she caught, but what stayed with Kolby was the Gwich'in. How they depend upon the caribou for survival and how rich and vibrant their culture is. Today, Kolby has joined the U.S. Army and is in the officer program studying to become a surgeon. Kolby wants to find a way in her career path to bring medicine and health to the tribes in the Arctic National Wildlife Refuge.

In closing, I urge Congress to pass H.R. 1146, the Arctic Cultural and Coastal Plain Protection Act and protect the Arctic National Wildlife Refuge forever for present and future generations of the Gwich'in and all Americans.

Thank you.

Dr. LOWENTHAL. Thank you, Mr. Brown.

And now the Chair recognizes Mr. Glenn for 5 minutes.

STATEMENT OF RICHARD GLENN, EXECUTIVE VICE PRESIDENT, EXTERNAL AFFAIRS, ARCTIC SLOPE REGIONAL CORPORATION, BARROW, ALASKA

Mr. GLENN. Thank you, Mr. Chairman. My name is Richard Glenn and I am an Iñupiat tribal member. I currently serve as Vice President for Arctic Slope Regional Corporation (ASRC). ASRC and 12 other regional corporations like it in Alaska were created by Congress in 1971. ASRC owns the subsurface rights to 92,000 acres on the Coastal Plain of ANWR, along with the Native Village Corporation for the people of Kaktovik.

We are here today to provide an insight into Arctic culture this resolution claims to protect. It is our region. Our region includes the eight Iñupiat villages scattered across the Arctic Slope, roughly the size of Montana. We are not here to debate the sacredness of land. What we contest is that the people nearest to this issue, the people who live within ANWR, are not being given proportionate consideration—in fact, any consideration—in this bill.

When you occupy someone's house, do you give more attention to the neighbors down the street than you do to the residents themselves? As Congress Members, do you give more attention to the voters who live 150 miles south of your own district than you do to your own constituents?

Running water, reliable power, local education, improved health care, they can and have been provided in our region, but only if there is a tax base in our region for our local government. Today's Arctic oil and gas exploration and development is that tax base. We hunt and we have a warm home to go home to. The quality of life in our villages has improved dramatically due, in large part, to resource development.

In the Journal of the American Medical Association, Internal Medicine, there is an article entitled, "Inequalities in Life Expectancy Among U.S. Counties, 1980 to 2014." The study examined the changes in life expectancy in all U.S. counties. The average life expectancy of people living in my region, the Arctic Slope, increased by 8 to 13 years over this 34-year interval. No other area in the United States experienced a higher increase in life expectancy.

The factors explaining this? Declining poverty, increasing high school education and graduation, increasing employment, improved access to health care, the very things that have been fostered in our region due to resource development. This resource development, initially centered around Prudhoe Bay and in progress for more than 50 years, is a part of our region. But it is the nature of oil fields that production declines. And with time, new fields are developed.

The 1002 Area of ANWR, which includes our land, land that people have lived on for thousands of years, is now the focus of exploration to offset decades of decline. It is not a pristine area. In addition to thousands of years of land use, the 1002 Area has hosted military and radar communications since 1947. There is a ring of these facilities all around the Arctic. I brought a map that

shows their distribution, and I ask that it be accepted into the record.

At its peak, there was a station every 50 miles consisting of aircraft runways, tank farms, camp facilities, radar and communication towers. They would close over time, many of them, because of the advent of satellite communications. Even that was an effort, putting workers and equipment into our area. And during all those many years, people continued to hunt caribou.

To this very day there is a long-range radar station operating in the Village of Kaktovik. With all that infrastructure, it makes the point: caribou are largely indifferent to infrastructure. I myself have successfully hunted caribou in summer and winter months in and around producing fields, as well as near radar facilities and on the open tundra. The health and abundance of caribou herd is most affected by its naturally occurring cyclical population swings, a process that is well documented.

We respect the rights of the Gwich'in. I believe we have more in common than most people understand. Our people have been indigenous neighbors since before recorded history. I am asking that this Committee respect the indigenous landowners within the Coastal Plain, and their rights to improve the quality of their lives.

Closing Arctic development will damage the viability of Arctic communities without altering the global climate at all. Our Arctic culture needs no additional protection.

I find it disturbing that the sponsors of this legislation and the leadership of this Committee conveniently neglected that there are tribal members here that disagree with their position. They look right through them, as if the tribes—they were not tribal members. Where is their recognition? Why do you not recognize the tribe that is in front of you now?

For these reasons, Mr. Chairman and Committee members, I strongly urge action against this resolution.

[The prepared statement of Mr. Glenn follows:]

PREPARED STATEMENT OF RICHARD GLENN, EXECUTIVE VICE-PRESIDENT, ARCTIC SLOPE REGIONAL CORPORATION, BARROW, ALASKA

My name is Richard Glenn and I am a resident of Alaska. I am a tribal member of the Native Village of Barrow and the like Matthew and Fenton, a tribal member of the Iñupiat Community of the Arctic Slope. I've lived, hunted and explored across our entire North Slope. I am a geologist by training and currently serve as a Vice President for Arctic Slope Regional Corporation (ASRC), which is headquartered on Alaska's Arctic Slope.

ASRC is 1 of 12 land-owning Alaska Native regional corporations created by Congress in 1971. The three of us Iñupiat people presenting to you today are all shareholders of ASRC. ASRC owns approximately 5 million acres of land on the Arctic Slope, including the subsurface rights to 92,000 acres on the Coastal Plain of ANWR. ASRC and the Kaktovik Iñupiat Corporation, the Alaska Native village corporation for the people of Kaktovik, own the 92,000 acres.

This hearing is being held to review a piece of legislation that deems to protect the "Arctic Culture" of the Coastal Plain. While we, the people of the Arctic Slope, and the only residents that reside in the 1002 of ANWR and the entire Coastal Plain of the U.S. Arctic, were not consulted on this legislation. We are here today to provide an insight to the "Arctic Culture" this resolution claims to protect.

Our region includes the villages of Point Hope, Point Lay, Wainwright, Atqasuk, Utqiagvik, Nuiqsut, Kaktovik, and Anaktuvuk Pass. Arctic Slope village residents have always depended on subsistence resources from the land, rivers and ocean.

Running water, reliable power, local education, improved health care—things that most people take for granted, can be furnished in our region, but only if there is a tax base for our local government, the North Slope Borough.

Resource development, initially centered around Prudhoe Bay and now in progress for more than 50 years, is that tax base. It is the nature of oil fields that production declines with time and new fields are developed. The 1002 Area of ANWR, which includes our land—land that our people have lived on for thousands of years—is now the focus of exploration to offset decades of decline.

Wildlife surveys show that the Central Arctic Caribou herd, which calves in the vicinity of Prudhoe Bay and ongoing development today, migrates southward over the Brooks Range and into the Arctic Village area, where the Gwich'in people live. The caribou are hunted there by the Gwich'in people, and that is OK.

Caribou are in general indifferent to oil and gas infrastructure. I myself have successfully hunted caribou, in summer and winter months, in and around producing fields as well as in the open tundra. Canadian Gwich'in people hunt the Porcupine Caribou herd with the assistance of a gravel highway which goes through the migration route. The health of a caribou herd is most affected by its own naturally occurring swings in population, a process that is well documented.

While on the subject of wildlife, there is some discussion of risk to polar bears due to seismic exploration on Coastal Plain of the 1002 Area. The topography of the 1002 Area is kind of like that of the Great Plains—with flat lands, undulating slopes, and gentle foothills. Pregnant female polar bears den in snowdrifts that are adjacent to steep coastal bluffs or large pressure ridges on the sea ice. I have seen polar bear dens on coastal bluffs when traveling by snow machine. And I have crossed many seismic line trails by snow machine as well. There is zero chance that a surveyed seismic line will be located on top of denning polar bears. The seismic line will conform to the gentle rolling topography and only cross features like bluffs and rivers only where the topography allows. Much of the Coastal Plain is windswept so that you can see the tops of grasses, willows and other plants where there are no snowdrifts. If there is no snow, there is no seismic line, and if there is snow, the seismic line will be located on gentle topography where denning would be impossible.

The 1002 Area itself is no stranger to infrastructure. Beginning in 1947 and continuing to this very day, the U.S. and Canadian military set up defense stations all across the Arctic. I have brought a figure with me that shows the distribution of these facilities and ask that it be accepted into the record (see Attachment). At its peak, there was a station every 50 miles or so that consisted of aircraft runways, tank farms, camp facilities, and radar and communications towers—covering thousands of acres. In these facilities were dozens to hundreds of men at a time.

These radar and communications facilities crossed the 1002 Area of ANWR. Over the years with the advent of satellite communications many intermediate communication stations were abandoned and de-mobilized. This itself was an intensive effort putting workers and equipment once again into the area that some deem as pristine. To this very day there is an operating Long Range Radar station located right in the village of Kaktovik. And you can see the footprints of the other stations in the 1002 Area in satellite imagery. With all those runways, radars, and towers, and people in transit, from the 1940s through today, the Gwich'in people and our people continued to hunt caribou.

Frequently, in the national discourse, our region is pitted against some of the Gwich'in people who live south of ANWR because we advocate for the development of our own lands. Congressman Huffman, you have introduced legislation that speaks about the human rights of the Gwich'in. What about the human rights of the Iñupiat? We, too, respect the rights of the Gwich'in. I believe we have more in common than most people understand. Our people behaved as indigenous neighbors throughout mankind. We traded, traveled and even made wars at one time or another where our boundaries met.

We have this in common as well, we fought side by side with the Gwich'in for the claims of aboriginal title to lands. Like the Gwich'in, we found some fault with the Alaska Native Claims Settlement Act. Our region—the Arctic Slope region—was the only region to vote against it. Yet it passed Congress and we have since abided by its terms. Congress created these Alaska Native corporations, and conveyed to them the last vestige of lands that once covered almost all of Alaska-lands claimed by aboriginal title. In the Arctic Slope we received legal title to less than 10 percent of that which we claimed by aboriginal title. With lands ceded to them by Congress, the Gwich'in leased their lands for oil and gas exploration in the 1980s, seeking no input from us to the north. That's OK; they exercised their rights, and today we seek to exercise ours.

Your legislation fails even to recognize the existence of Kaktovikmiut—the only people who live within ANWR, never mind their rights as Americans. Your bill fails to recognize our region, our people, and to recognize the 1002 Area as our homeland.

We are not here to debate sacredness of land. All land is sacred. What we contest is that the people nearest to this issue, the people who live within ANWR, are not being given proportionate consideration, in fact any consideration, in this bill. When you occupy someone's house, you do not give more attention to the neighbors down the street than you do to the residents themselves. As Members, do you give more attention to the voters who live 150 miles south of your district than you do to your own constituents?

We have been yelled at in hearings, and belittled by Members of Congress for operating the Alaska Native corporations which you, the U.S. Congress, created. We are shamed for exploring, developing and producing resources in our own region. The same resources which allowed all of us to fly by jet and attend today's hearing. The same resources that jet you to and from your districts.

You have the heard voices of the Kaktovikmiut in front of you. Their voices are full of wisdom, sincerity and self-determination. I hope they aren't overlooked. We stand with them.

The fact is that quality of life has improved dramatically in our region, thanks in large part to resource development. A study published in the Journal of the American Medical Association Internal Medicine titled, "Inequalities in Life Expectancy Among U.S. Counties 1980–2014 Temporal Trends and Key Drivers" examined the life expectancy in all U.S. counties. The average life expectancy of people living in the North Slope Borough over this 34-year interval increased by 8–13 years. No other area in the United States experienced a higher increase in life expectancy. The factors explaining this increase: declining poverty, increasing high school graduation, and increasing employment opportunities, and improved access to health care. The very things that have been fostered in our region due to oil and gas development.

On the Arctic Slope, the facts of our life are that development and wildlife populations co-exist; and development and our people also co-exist. The survival of our region and the development of our communities today depend on continued development. Industry has explored in our region and we have been there at their side every step of the way. This our freedom. This is what allows us to hunt and then have a warm house to come home to.

I encourage you to work with and listen to the village of Kaktovik and the North Slope Borough. ANWR, especially the 1002 Area, is the ancestral and continuing homeland of the Iñupiat people. In trying to listen to the will of the American people regarding ANWR, extra attention should be given to Alaskans, especially those in Kaktovik and the North Slope Borough.

ASRC understands that there is a public lands/public comment aspect to all of the ANWR, and that the American people have a role to play in its management. We understand it is easy to be angry about the impacts of climate change. We are on the front lines and live it every day. But it's harder to reconcile the fact that you are still consuming oil, and we are your fellow Americans who can provide that oil and a responsible way that benefits our people until you stop consuming. When the day comes and we have to change our economies, we will hold hands with the rest of the world and do so.

Until then, closing Arctic development will damage the viability of Arctic communities without altering the global climate at all. Our "Arctic Culture" needs no protection, rather the continued freedom of economic self determination to provide for our people—is what needs protection.

*****

ATTACHMENT

SUPPLEMENTAL TESTIMONY FROM RICHARD GLENN, EXECUTIVE VICE-PRESIDENT, ARCTIC SLOPE REGIONAL CORPORATION

In the Subcommittee hearing on March 26, my position with Arctic Slope Regional Corporation, or "ASRC," seemed to be a point of confusion with some members of the Subcommittee which I wish to clarify.

ASRC is not an oil lobbyist. It is the Regional Alaska Native Corporation established by Congress through the Alaska Native Claims Settlement Act (ANCSA) in 1971. Alaska Native Corporations were designed by Congress as a way of settling aboriginal land title after oil was discovered on the North Slope—at the time, unresolved aboriginal land rights were an obstacle to development. As a solution, Congress decided to establish Alaska Native Corporations to empower Alaska Natives self-determination and ability to use their lands and natural resources to provide for their shareholders, the Alaska Native tribal members in their respective regions. I believe the intent of Congress was to avoid the same fate of Indian Reservations in the Lower 48.

Prior to the establishment of ASRC, Arctic Slope Native Association, as it was called, rejected the proposal by Congress and was the only regional association in Alaska to do so. Our elders voted against ANCSA because we felt it was an unfair compromise by Congress. Congress proposed allotting Native Corporations with a fraction of our traditional use areas, based only on population at the time of ANCSA, that would be conveyed after the Federal Government and State selected their lands—essentially, we would be entitled to the areas left over and only a shameful portion at that. Today what this looks like is sprinklings of Native-owned land across the entire region I call home.

ASNA was outnumbered, ANCSA passed, and ASRC was created, as was the North Slope Borough as the home rule municipality. The North Slope Borough region encompasses approximately 60 million acres—an area larger than 39 states; the Federal Government owns a collective 41 million acres, the state of Alaska owns 11 million acres, and ASRC owns 5 million acres. The remaining lands are owned by the North Slope Borough, the U.S. Military, Native Allotment holders, and Native village corporations. The Federal Government owns the majority of land in my region, not the Iñupiat whom have lived here since time immemorial.

The Federal Government laid claim to the highly prospective NPRA and to the 1002 Area, and put Gates of the Arctic and the rest of Alaska National Wildlife Refuge off-limits—even to Alaska Natives whom have lived here for many generations trying to access their ancestral lands. The state of Alaska swooped up Prudhoe

Bay, and we were left with a fractured selection of the remnants and attempted to knit our communities back together.

Despite this taking of aboriginal land, ASRC has become a thriving company and the most successful company in Alaska. In fact, ASRC is the largest indigenous owned company in the world. We are not ashamed of this, but proud. The very design of our corporation is to use our resources—including oil—to provide for our shareholders. Because of the resources in our region and the foresight of our elders, our corporation, communities, shareholders, and culture are thriving. We have more opportunities than ever before: our communities have the benefit of first world amenities the rest of America enjoys—luxuries like running water, sanitary waste disposal, search and rescue, and emergency services; our children get to attend schools in their home communities and are not shipped off to boarding schools to be gentrified; and our corporation is blessed with financial success that we can then invest back into our shareholders and our communities.

Arctic Slope Regional Corporation distributes quarterly dividends to our shareholders whom are Alaska Native tribal members, including the residents of Kaktovik living in the heart of the Coastal Plain. For some of our shareholders, these dividends can be a significant portion of their annual income, and can be a saving grace in the long winters if you were not able to fill your ice cellar. ASRC also distributes 70 percent of its revenue from development of our lands to the 12 other regional corporations—Since ANCSA, ASRC has distributed over $1 billion dollars to the other region corporations, buoying indigenous peoples across Alaska. Our shareholder dividends and distributions to other Native Corporations are generated almost entirely from oil and gas development on our lands. And yet, we are vilified for our success and prosecuted for our efforts to provide a better life for future generations of Alaska Natives.

I mention this complex history of indigenous land claims in Alaska because I feel the integrity of ASRC was called into question during the Subcommittee hearing on March 26. We are not motivated by greed, we are motivated by elevating the lives of our shareholders and our communities. We are not a tribe, but made up of tribal members. We are not a shill, but simply a business operating in the best interest of our shareholders, the Iñupiat people of the North Slope.

The birthplace of our business is our lands and their natural resources. Congress instructed us to use our lands and natural resources to provide for our shareholders—we have done this, yet are browbeaten by the same body for developing our natural resources. We are shamed for being successful in this congressional experiment. Beyond being a landowner, as a corporation, we can operate anywhere, and we do. We have diversified our business interest and own a multitude of companies across the United States—we've grown so far today that we even do work for NASA. However, our shareholders and region is still the North Slope. We care what happens in our region and deeply support the longevity of our communities; without continued North Slope development our communities will not succeed.

With respect to the Coastal Plain of the Arctic National Wildlife Refuge, ASRC has advocated for the opening of the 1002 Area and owns 92,000 acres of subsurface rights within the Coastal Plain. We have consulted with Kaktovik—something the authors of this legislation did not do—and support the self-determination of the Indian Tribe, the Native Village of Kaktovik, and the Native landowner, Kaktovik Iñupiat Corporation in their requests to open ANWR. In our consultations with the Native Village of Kaktovik and our shareholders in Kaktovik, they overwhelmingly told ASRC that they did not want to be "Wilderness Refugees"—so we listened. This legislation proposes exactly that without even of a mention of the people who live there. The authors and sponsors of this bill have put more stock in people who live hundreds of miles away and the specter of a threat to 1 of Alaska's 32 herds of migrating caribou which sometimes calve in the 1002 Area than the people who actually live there. This Committee should be doing everything in its power to consult with the federally recognized tribe that represents the people who live, hunt, raise their children, and die here—not the people who visit once or twice in their life to check their bucket list.

It is shameful to see Members of Congress pick and choose whether or not they acknowledge the human rights or even existence of indigenous peoples depending on their own political agenda. But, it is not unheard of. The Kaktovikmiut have been at the whims of the Federal Government for far too long. Yes, ASRC has lobbied for the opening of the Coastal Plain. We respect the autonomy of the Kaktovikmiut and we joined them, Voice of the Arctic Iñupiat, and the majority of tribes across the North Slope (where the 1002 Area is located) in taking this message to Congress. We have the resources to support our shareholders and local tribe, and we will do so.

I do not expect that all Members of Congress will understand why I, ASRC, or the people of Kaktovik support the opening of the Coastal Plain for oil and gas development. Just as I may not be familiar with the on-the-ground efforts of Californians to reduce their dependence on fossil fuels, members of this body must also accept that you may not understand how ASRC and the North Slope Borough have worked to create balanced and environmentally responsible resource development in our region for the sole purpose of elevating the lives of the people who live there—as is our right. When I was invited to testify to the Subcommittee, I assumed there was a lack of knowledge or understanding by the authors and supporters of the legislation, but I did not expect we would be side-stepped completely in the debate, omitted entirely in the proposed legislation, or chastised for utilizing our lands and resources to empower our own lives.

ASRC does own 92,000 acres of subsurface in the Coastal Plain. However, we have been unable to develop our land since the Alaska National Interest Lands Conservation Act—which also expanded Federal lands in my region to be the behemoth it is today. For emphasis, ASRC—a private, indigenous landowner—cannot develop our own private land within the 1002 Area without express consent from the Federal Government. This is another blot in the history of the Federal Government's obliteration of indigenous rights and sovereignty, and the authors and sponsors of this legislation are on the wrong side of history. To add insult to injury, the surface owner, Kaktovik Iñupiat Corporation, suffers 10-fold. ASRC has other opportunities across the North Slope and Nation, KIC only owns land in Kaktovik. Yet, they are ignored. It saddens me that this taking of indigenous land or disparaging of our self-determination does not seem to meet the threshold of a human rights issue to the authors of this legislation.

Representative Huffman asked if we are going to honor the indigenous people who rely on this land. I encourage you to do just that by listening to the actual indigenous landowners, the tribe within the Coastal Plain—the Native Village of Kaktovik, or the Iñupiat who actually live here and rely on this land. Representative Huffman said this was a choice between big oil or indigenous peoples. It is not, and you are wrong. It may be inconvenient for supporters of this legislation to acknowledge that indigenous people do not fit neatly in a box, but here we are.

In closing, I would like to address a few of the other inconsistencies raised during the hearing.

- My testimony in a Senate hearing on the opening of ANWR was represented incorrectly in order to drive further wedges between the Iñupiat and Gwich'in people. Environmental groups have long frequented our communities promising Alaska Natives trips and money to advocate their agendas. The Arctic has become a posterchild of fundraising campaigns regardless of the people who live here or the economy needed to survive here. This does indeed happen. I think Congresswoman Degette clarified this best with the evidence she submitted to the hearing record of Nation-wide meetings hosted by Defenders of Wildlife and The Wilderness Society that my fellow panelist attended, spoke, and toured the Nation hosting these meetings to advocate against the opening of ANWR.
- The 2,000-acre limit on surface disruption of the Coastal Plain is a thoughtful way Congress provided for balanced development of the Coastal Plain. It is also a testament to the advancements in modern technology which make that limit even possible. To put this in perspective, the city of Kaktovik itself is approximately 640 square acres, or 1 square mile, of roads, homes, a school, and an airport in the Coastal Plain. The maximum footprint of resource development in the program area will be about three times the city of Kaktovik—or about 3 square miles in a 2,344 million square mile area.
- The Coastal Plain of ANWR is not a wilderness area. While the U.S. Fish and Wildlife Service previously managed this area as wilderness, the reality is that their management in this manner did nothing to encourage the Porcupine Caribou Herd to calve here and in fact prohibited Alaska Natives from accessing their own ancestral lands. There is evidence of human presence and infrastructure across the Coastal Plain that negates this area being classified as wilderness.
- The Environmental Impact Statement prepared by the Bureau of Land Management is a robust document, and the BLM has taken seriously their obligation to consult with indigenous peoples inside the Program Area and even indigenous peoples hundreds of miles away.

- The Porcupine Caribou Herd are not naïve to development. In fact, within their migratory range is the Dempster Highway, the Dalton Highway, several towns and villages, and the oil rich Mackenzie River Basin and Eagle Plains in Canada. The Dempster Highway provides an important subsistence thoroughfare for indigenous people in Canada to hunt the Porcupine Caribou herd as they cross this road on their way to calve. The Porcupine Caribou Herd already encounter infrastructure with no negative impact to their migration.
- The Coastal Plain of the Arctic National Wildlife Refuge represents a small portion, approximately 17 percent, of the Porcupine Caribou Herds massive 8.9 million acre calving habitat. Traditional Knowledge and western science both tell us that the herd does not calve exclusively in the Coastal Plain, and in recent years the herd has calved outside of the Coastal Plain to the east in Canada. Still, BLM has taken the calving habitat into account by putting layers of protection in their Leasing Program for calving caribou.
- The State of Alaska Department of Fish & Game actively monitors all 32 caribou herds in Alaska, including the Porcupine Caribou Herd. The herds have demonstrated to be resilient and somewhat indifferent to infrastructure—Traditional Knowledge also supports this. The Iñupiat are experienced in managing this resource as demonstrated by the condition of herds which frequent more developed areas of the region.
- Infrastructure can impact wildlife if designed improperly or mitigation measures are neglected; however, the Iñupiat people have learned a lot from overseeing resource development across the North Slope and have tools in place to guard against impacts. We understand these impacts and how to minimize them. Design features like slopes of roads, height of roads, separation between pipelines and roads, and a winter construction season are examples of requirements we have worked hard to imbed in resource development activities in our region—and they are successful in preserving balance between resource development and the environment and our culture.
- There has never been a reported fatality or injury from seismic exploration on polar bears ever on the North Slope. The U.S. Fish & Wildlife Service issues permits for oil and gas activity, including seismic, which require robust mitigation measures designed to protect even behavioral disruptions to polar bears, like the turning of their head. This process works. As Dr. Amstrup stated: "we already know what needs to be done to protect polar bears." Yes, we do.
- The polar bears which use the Coastal Plain are the same bears that roam throughout Prudhoe Bay, are hunted commercially in Canada, and which are known to den near industrial areas.
- ASRC has lobbied for the opening of the Coastal Plain for oil and gas development, but Congressman Huffman is incorrect in his prosecution of ASRC's advocacy efforts. The $500,000 spent in lobbying which Congressman Huffman berated me on is over a 5-year period and covers a multitude of issues. In contrast, NRDC, Congressman Huffman's former employer, spent close to $1 million just in 2018 alone lobbying against leasing in the 1002 Area. We do not enjoy these long trips to DC or spending money to use protecting our own land rights, but this is the system Congress has designed. It seems hypocritical that the author of this bill can work for an environmental lobbying firm, use a misleading map created by an environmental lobbying firm during this hearing, and collaborate with environmental lobbyist on this legislation without pause, yet ASRC's advocacy to access and use our lands and support our companies is somehow unacceptable.
- It is not hyperbole that H.R. 1146 would reverse quality of life gains. These may not be undone tomorrow, but if passed it will absolutely take future opportunities off the table that will sustain our communities and undermine the means to provide the same (or better) quality of life to future generations. At the very least it would be demoralizing to the Kaktovikmiut and to our Alaska Native self-determination. We do not wish to go back to the times of using seal oil for heat and light, we want progress and a better life for our children too. Why would you deny us the same privileges you enjoy in San Rafael?

QUESTIONS SUBMITTED FOR THE RECORD BY REP. LOWENTHAL TO RICHARD GLENN, EXECUTIVE VICE PRESIDENT, ARCTIC SLOPE REGIONAL CORPORATION

Question 1. Mr. Glenn, if Alaska Governor Dunleavy is able to pass legislation that removes the authority of the North Slope Borough to collect property taxes on oil and gas infrastructure, most of the financial benefits of oil development in the Arctic National Wildlife Refuge to the North Slope Borough would go away. Since only 0.5 percent of North Slope workers live in the Borough, would the Borough's lack of tax revenues alter your view on oil development in the 1002 area in any way?

Answer. Congressman Lowenthal, thank you for your question. ASRC does not support Governor Dunleavy's proposed legislation or H.R. 1146 proposed by Congressman Huffman and sponsored by you for the exact same reason: We do not find it fair or just for rural residents like our shareholders, the Iñupiat people, to bear the burden of political agendas.

I support oil and gas leasing in the Coastal Plain because I have listened to the residents of Kaktovik and respect what they have told me are their needs and concerns. While the benefits of resource development to the North Slope Borough are well documented and significant, my support for oil and gas leasing in the Coastal Plain has always been founded on empowering the self-determination of the Kaktovikmiut. So, no, if Governor Dunleavy's legislation is enacted, it does not change my mind on what the Kaktovikmiut have communicated are their concerns, needs, and dreams for their community.

Since 2016, the state of Alaska has struggled to address a budget deficit caused by the rapid decline in the price of oil over that same time. It is very obvious to anyone who lives in Alaska or who is familiar with Alaskan affairs that oil literally powers our state—it is one of our most fundamental resources to the North Slope region and the state, and has sustained our economy since Prudhoe Bay was discovered. Less oil, by taking the 1002 Area off the table as the legislation you support proposes, does nothing to help my state or region.

You stated that only 0.5 percent of industry workers are North Slope residents. I am not sure the origin of this figure, but nonetheless it does not adequately portray the widespread economic impacts the presence of industry has on the North Slope region. Industry is quite literally the basis of our economy on the North Slope, even if the residents of the North Slope do not represent a significant portion of the direct work force, there are many indirect impacts, including employment opportunities spurred by industry's presence here. As you imply in your question, the North Slope Borough receives virtually all of its income from taxes levied on industry; the NSB is the Number 1 employer in the region, employing nearly 63 percent of the work force. Many of the NSB's employees are closely involved in the regulation of oil and gas resources on the North Slope, including through the execution of a permitting regime that ensures responsible development, the development and management of utilities and other infrastructure utilized by industry, and the management of fish and wildlife populations to ensure industry activities are fully compatible with the protection and preservation of those natural resources and the subsistence needs of North Slope residents. Between the North Slope Borough and Alaska Native Corporations, resource development across the North Slope provides for the majority of job opportunities here.

Hypothetically, if the financial benefits to the North Slope Borough were taken off the table, there would still be many indirect benefits from resource development in the Coastal Plain which would continue to ripple across the region, but more directly benefit Kaktovik. The benefits are undeniable; jobs, contracting opportunities for Alaska Native owned businesses, new and improved infrastructure, funding for STEM programs for North Slope children—just to name a few. The presence of industry in our region has created much growth. I will leave you with two examples to consider. Utqiagvik and Nuiqsut are powered by local natural gas made possible by industry. If leasing proceeds in the Coastal Plain, natural gas could be discovered near Kaktovik which could power the community for generations and reduce emissions by replacing the existing diesel-fired plant. Natural gas is a cleaner source of energy and, if discovered, would have enormous economic benefit in reducing local families' cost of energy and relieving the cost to subsistence users fueling their boats and snowmachines. Second, the Kaktovikmiut have been essentially walled in by the U.S. Fish & Wildlife's management of the Coastal Plain and even prohibited from accessing their Native Allotments and ancestral traditional use areas in the summer months. Industry access and new infrastructure may inadvertently address this taking of indigenous land use and alleviate decades of entrapment from the USFWS inappropriate management of the non-wilderness, Coastal Plain as a wilderness.

Question 2. Mr. Glenn, you mentioned that the ASRC subsurface rights in the 1002 Area had been leased in the past. Are the subsurface rights to any of those acres still under lease? If so, who is leasing them?

Answer. Thank you for your question. Arctic Slope Regional Corporation was tasked by Congress to use our natural resources to provide for our Alaska Native shareholders, the Iñupiat people of the North Slope. Since the establishment of ASRC by Congress, we have taken this mantle and attempt to better the lives of our shareholders in a variety of ways, one of which is leasing our subsurface minerals. ASRC issued leases to subsurface acreage in the 1980s during a time the Coastal Plain was being considered for oil and gas development and its potential being explored; these leases are still held by Chevron and BP.

Question 3. Mr. Glenn, the opportunity to conduct seismic testing this season in order to establish the probable value of oil and gas reserves in the Section 1002 of the Arctic Refuge has now passed. Do you think it makes sense for the Department of the Interior to move forward with a lease sale—from a revenue standpoint—before there is any seismic done? Are you concerned that leases won't be offered at their Fair Market Value as a result?

Answer. Thank you for your question. Seismic testing is an important element of oil and gas exploration and must be permitted by the Department of the Interior. Seismic undeniably provides valuable information, but it is not essential before a lease sale. Seismic was collected across the Coastal Plain in the 1980s that can provide valuable information to interested parties. It is my understanding that the U.S. Geological Service is currently re-evaluating the existing seismic. From exploration previously conducted in the Coastal Plain, the USGS concluded that the Coastal Plain is "the most promising onshore oil and gas exploration area in the United States."[1] I feel it is the duty of the Department of the Interior to uphold the law and manage a leasing program for the 1002 Area of ANWR.

Dr. LOWENTHAL. Thank you, Mr. Glenn.

The Chair now recognizes Mr. Rexford for 5 minutes.

STATEMENT OF MATTHEW REXFORD, TRIBAL ADMINISTRATOR, NATIVE VILLAGE OF KAKTOVIK, KAKTOVIK, ALASKA

Mr. REXFORD. My name is Matthew Rexford. Thank you, Chairman Lowenthal, Ranking Member Gosar, and members of the Subcommittee for the opportunity to speak to you about H.R. 1146.

I am Tribal Administrator of the Native Village of Kaktovik, a federally recognized tribe. I am here to tell you that I exist. We exist. The 200-plus residents of Kaktovik, my Uncle Fenton, who was on the previous panel, we all exist.

Collectively, we are the Kaktovikmiut, residents of the only village within the so-called 1002 Area, and the only community within the Arctic National Wildlife Refuge. H.R. 1146 is a continuation of the pattern of injustice we have experienced since the formation of ANWR under ANILCA, in that it erases our 11,000 years of existence on our land.

You speak about human rights. Certainly, our human rights need to be acknowledged in any legislation that would undo the self-determination and opportunities my uncle and current and past leaders in Kaktovik have worked to secure.

You say you are concerned about Arctic culture. You have ignored our culture. You completely disregarded us.

The North Slope has the highest per-capita harvest of subsistence food in Alaska. These resources are ours, and we will protect

[1] Arctic National Wildlife Refuge, Alaska, Coastal Plain Resource Assessment. April 1987.

them. Our local and state government already protects our cultural sites and keeps a robust inventory of traditional land use sites, cultural sites, and burial grounds that have been, and continue to be protected from any development.

This bill gives the false perception these lands are wilderness, when they are not and never have been. We follow in the footsteps of our ancestors who have traversed these lands for thousands of years. The entire Coastal Plain of this Refuge has been continuously inhabited and used by the Inupiaq. The Western definition of wilderness, to us, implies desolation, a land without people.

You are concerned about the caribou. Here is what the Kaktovikmiut know to be true: the Porcupine caribou herd's migration changes every year. In the last 10 to 15 years, we have seen their migration change to the far southeastern portion of the Coastal Plain and into Canada. Scientific data collected by Federal and state scientists support our traditional knowledge. According to data presented in the Arctic Refuge CCP, the entire Coastal Plain makes up a mere 17 percent of the entire Porcupine calving area.

You are concerned about polar bear; so are we. When polar bear were listed as threatened, the United States was mandated to study the health of the bear population. The Service conducted an unprecedented and highly invasive study. Their study took place at sensitive times of the year, when bears were emerging from their dens and when they were looking to make dens. We observed bears with collars so tight their fur had rubbed off and their necks gangrened. I believe the continued invasive studies of the Service, through their contractors, the authorized bear harassers, caused more harm to the polar bear than anything else they face.

You seem to be concerned about climate change. We are on the front lines of it. We experience longer ice-free seasons, melting permafrost, and more coastal erosion, among other things. We bear this burden, though we contribute minimally to climate change. This 9,000-mile round trip will be my largest contribution to carbon emissions this year. Potential development could increase emissions by an average of 44,000 metric tons per year. For perspective, the 53 Representatives from California produce over 200,000 metric tons of CO_2 traveling between DC and California every year.

Kaktovik is asking for a chance to see what gifts God has bestowed upon our land, the same chance that the Gwich'in people asked for two decades ago. It is easy for you to take ANWR off the table, but remember it is our table.

In the Arctic, science is political. We know these lands and wildlife better than any scientist, agency, guide, ecotourist, or lawmaker. If you have concerns, ask the experts, us.

We already had this conversation 50 years ago when discoveries were made in Prudhoe. We were told the caribou would be decimated, our lands ruined, our subsistence and culture wiped out. None of that happened. The central Arctic herd, which calves near Prudhoe, had a 14-fold increase from when development began to their peak in 2008.

We Iñupiat have a dual economic system, a cash economy and a robust subsistence economy, which are interwoven and interdependent, through which our culture adapts and perpetuates itself.

We will not become conservation refugees, and we do not approve of your efforts to turn our homeland into one giant national park to the benefit of the environmental corporations at our expense. This literally guarantees us a fate of no economy, no jobs, reduced subsistence, and no hope for the future of our people.

We, as Iñupiat people, have every right to pursue economic, social, and cultural self-determination. The laws of the United States should support indigenous populations, not interfere with these basic human rights.

I submit this testimony for the record, along with a letter from the Voice of the Arctic Iñupiat. Thank you.

[The prepared statement of Mr. Rexford follows:]

PREPARED STATEMENT OF MATTHEW REXFORD, TRIBAL ADMINISTRATOR, NATIVE VILLAGE OF KAKTOVIK, KAKTOVIK, ALASKA

My name is Matthew Rexford. I am here today as Tribal Administrator of the Native Village of Kaktovik, a federally recognized tribe. I am here to tell you that I exist! We exist! The 200-plus residents of Kaktovik, my uncle Fenton sitting next to me, we all exist! Collectively, we are the Kaktovikmiut, residents of the only village within the so-called 1002 Area, and the only community within the Arctic National Wildlife Refuge. Your legislation erases our 11,000 years of existence on our land and follows a predictable pattern for the Federal Government. We thought you had learned from past mistakes. We thought we were fortunate in Alaska to hold on to our lands because we hadn't ceded them through treaty or hostile occupation, but here we are. It is 2019 and you have eliminated us.

You speak about human rights. Certainly, it is our human right to at least be acknowledged in any legislation that with the sweep of a pen would undo the self-determination and opportunity that my uncle and other leaders in Kaktovik, people who are now elders, have worked tirelessly to secure.

My community does exist, on the northeastern coast of Alaska along the shores of the Beaufort Sea. In the past, our tribe traveled freely over 23 million acres of land. Now, we are severely restricted in our travel into what you call ANWR. In the summer months, we are only permitted to travel up river corridors and drainages, forbidden to use modern modes of transportation like all-terrain vehicles that indigenous peoples across North America have adopted to facilitate travel across vast swaths of lands that are their homelands and birthright. I myself have traveled to almost every part of our traditional lands, visiting relatives in Canada by boat, snow machining to important hunting and campsites throughout the Coastal Plain and even beyond the foothills of the Brooks Range into the greater Refuge. Your bill gives the false perception that these lands are a "wilderness," when they are not and never have been. I follow in the footsteps of my ancestors who have traversed these lands for thousands of years. The entire Coastal Plain of this Refuge has been continuously inhabited and used by the Iñupiaq. It was never "wild" until we became a part of America. Tribal members from the Native Village of Kaktovik have proven our existence in many historical documents should you care to do more research.

You are concerned about the caribou. Here is what the Kaktovikmiut know to be true. The Porcupine Caribou Herd's migration changes every year. In the last 10–15 years, we have seen their migration change to be in the far southeastern portion of the Coastal Plain and more into Canada. The scientific data collected by both Federal and state scientists supports our Traditional Knowledge in this. According to the data presented in the Fish and Wildlife Service's Arctic Refuge CCP released in 2015, the entire Coastal Plain makes up a mere 17 percent of the entire Porcupine calving area.

You are concerned about the polar bears. So are we. When Polar Bears were listed as a threatened species, the USA was mandated to gather scientific data on the bears to study the health of the population in Alaska. The Fish and Wildlife Service conducted an unprecedented and highly invasive study of the entire polar bear population in Alaska.

The study took place at sensitive times of the year for polar bear, as they were first emerging from their dens and then again, when they were looking for their dens. In Kaktovik, we saw bears with collars so tight their fur had rubbed off and their necks gangrened. I believe that the continued invasive scientific studies of the Fish and Wildlife Service, through their contractors, their authorized bear

harassers, are causing more harm to the polar bear than almost anything else they face.

You are concerned about the Arctic culture. Studies show that the North Slope region has the highest per capita harvest of subsistence food in Alaska. We have the greatest stake in protecting our traditional ways of life. We have been working diligently with the BLM, through their NEPA analysis and our role as a Cooperating Agency, to identify those places. Our local government keeps a robust inventory of traditional land use sites, cultural sites, campsites, and burial grounds. North Slope standards The North Slope Borough Iñupiat Heritage, Language, and Culture Department has continuously updated their robust inventory of traditional land use sites, cultural sites, campsites, and burial grounds; those places have been and will continue to be protected. These are standards on the North Slope.

You are concerned about climate change; so are we. We are on the front lines of climate change. We are experiencing longer ice-free seasons, melting permafrost, and more coastal erosion, among other things. We bear this burden though we, as indigenous people with a heavy reliance on subsistence, contribute minimally to emissions. Traveling 4,500 miles from Kaktovik to Washington to prove our existence and advocate for my people is certainly one of the larger emissions that I produce all year. The draft EIS for leasing in the Coastal Plain concludes that ANWR development would increase global emissions by an average of 44 thousand metric tons per year. To put this into perspective, the 53 Representatives from California, in total, produce over 200,000 metric tons of CO2 in travel between Washington, DC and the state of California every year, orders of magnitude greater than the total emissions from developing ANWR. And that's assuming that we ever even get to the development stage, which is years in the future! We are only asking for a chance to see what gifts God has bestowed upon our land. The same chance that the Gwich'in people asked for two decades ago. I can't help but think that if they had found oil in their lands, we would not be having this conversation today.

Perhaps the Representatives from California would prefer to travel on oil imported from foreign countries with less strict environmental standards, but we would like a piece of the pie. You consume. The average American consumes. And yet you ask us to bear the burden of mitigation so that you don't have to. It's easy for you to take ANWR off the table. It checks a lot of boxes for your constituents, to be sure: it checks the environmental box, it gives the illusion of supporting Indigenous peoples, cherished wilderness—check. It certainly checks the public perception box that environmental corporations and the outdoor industry have spent so much money to create.

If you are concerned about the balance we have been working to cultivate on the North Slope between protecting our environment, wildlife, and subsistence while our economy relies heavily on responsible resource development; you should ask the experts—us. The Kaktovikmiut know these lands and the wildlife that rely on them better than any scientist, agency, hunting guide, eco-tourist, or lawmaker ever can. We heard the same concerns 50 years ago when oil discoveries were made in Prudhoe. We were told the caribou would be decimated, our lands ruined, our subsistence and culture wiped out. As it happens, none of this came to fruition. In fact, the population of the Central Arctic Herd, which calves near Prudhoe Bay, marked a 14-fold increase from when development began in Prudhoe to their peak population in 2008. Our communities on the North Slope have developed a dual economic system in which a modern cash economy and traditional subsistence are interwoven and interdependent, and through which our culture adapts and perpetuates itself. In the Arctic, even science is political.

We will NOT become conservation refugees. We do NOT approve of your efforts to turn our homeland into one giant national park, which would literally guarantee us a fate with no economy, no jobs, reduced subsistence, and no hope for the future of our people. We, as Iñupiat people, have every right to pursue economic, social, and cultural self-determination. The laws of the United States should support Indigenous populations, not interfere with these basic rights. Quyanaq for this opportunity to testify.

NOTES

Rationale for 200,000 metric tons

It is 2,442 miles as the crow flies from Washington, DC to San Francisco. According to the Emission Inventory Guidebook, a Boeing 737 aircraft produces 11 metric tons of CO2 for a 575 mile flight; about a quarter of the total distance to California. One Representative from California traveling one way produces almost 50 tons of CO2. The congressional Management Foundation states that the typical House Member returns to their district 40 or more times a year. 100 tons of CO2

round trip x 40 trips per year x 53 California Representatives = about 212,000 metric tons of CO2 per year.

Caribou

Caribou inhabit the 1002 Area and are an important subsistence resource for the Iñupiat people and our Gwich'in neighbors in both Canada and Alaska. Potential impacts of leasing on caribou are well analyzed. While the Coastal Plain is an important area for the Porcupine Caribou Herd (PCH), it is important to consider the following:

(1) the Gwich'in and Kaktovikmiut harvest both the Central Arctic Herd (CAH) and PCH;

(2) the Coastal Plain is a small portion of the PCH total calving area;

(3) the PCH interacts with development in their migratory range outside of the Coastal Plain; and

(4) Caribou are resilient to industry areas.

First, the PCH is an important resource to both Iñupiat and Gwich'in, however according to the 2010 Harvest Management Plan for the Porcupine Caribou Herd in Canada, "Alaska makes up about 15 percent of the total reported harvest of the Porcupine Caribou herd . . ."[1] It should be noted that the PCH are primarily harvested by indigenous and non-indigenous peoples of Canada. Instead, in addition to the PCH, both people of Kaktovik[2] and the Gwich'in of Arctic Village and Venetie[3] harvest from the Central Arctic Herd (CAH) which calve in Prudhoe Bay area and the PCH. This is in part due to the fact that "[T]here is a lot of mixing between the Teshekpuk, Central Arctic, and Porcupine herds."[4] The mixing of the herds is an important detail that showcases the intersectionality of the herds that may lead to members of the PCH calving in industrialized areas and members of other herds being harvested by both the Iñupiat and Gwich'in. It should be noted that although the PCH is an important resource for both the Gwich'in and Iñupiat people, it is not the only herd that is harvested by Alaska Natives in and around ANWR.

Second, the PCH are versatile in their calving and migration patterns across Northern Alaska and Northwest Canada. Within the past 20 years there was a decade when the PCH did not even calve in the Coastal Plain, and in recent years when the PCH did use the Coastal Plain for calving, it did not use the Coastal Plain exclusively. From the 2015 Arctic National Wildlife Refuge Comprehensive Conservation Plan (CCP), "Between 2002 and 2009, no estimates of abundance were available. During this period, caribou left the coastal plain and the northern foothills of the Arctic Refuge earlier and did not form large post-calving aggregation . . ."[5] And again, "In 7 of 11 years during 2004–2014, calving occurred on the coastal plain, primarily in the Yukon between the Alaska-Canada border and the Babbage River. In the other 4 years, calving occurred both in Alaska and Canada, and **some** calving occurred in the 1002 area during 3 of those years"[6] [Emphasis added]. The PCH do not reliably calve in the coastal plain each year and that the entire coastal plain is a very small portion of their entire calving region. For perspective, data in the Fish and Wildlife CCP shows that the entire coastal plain makes up a mere 16.8 percent of the entire PCH calving area. In other words, roughly 83 percent of the PCH calving habitat is entirely outside of the coastal plain.

Third, it is important to consider that the PCH has been exposed to development and infrastructure during their migration. In the course of their migration, the PCH travel through Canada's oil rich Mackenzie River Basin and Eagle Plain Basin and cross the Dempster Highway.[7] In fact, as the Harvest Management Plan for the Porcupine Caribou Herd in Canada details, the Dempster Highway is an important

---

[1] Harvest Management Plan for the Porcupine Caribou Herd in Canada March 2010 Page 33.

[2] ADF&G Porcupine Caribou Bulletin Summer 2017, ". . . because the Porcupine caribou herd does not have a set migratory route they follow every year, the community cannot always rely on them for food. Although community members harvest Porcupine caribou when they are available, they relied much more heavily on the Central Arctic herd in recent years."

[3] Arctic National Wildlife Refuge Revised Comprehensive Conservation Plan. USFWS. January 2015. Page 4–105.

[4] ADF&G Porcupine Caribou Bulletin Summer 2017.

[5] Arctic National Wildlife Refuge Revised Comprehensive Conservation Plan. USFWS. January 2015. Page 4–99.

[6] Species Management Report: Caribou Management Report. ADF&G, Division of Wildlife Conservation. June 2014. Page 15–8.

[7] Species Management Report: Caribou Management Report. ADF&G, Division of Wildlife Conservation. June 2014.

area for hunters and subsistence users to harvest from the PCH.[8] The Dalton Highway is also within the range of the PCH. It should be noted that while development in the Coastal Plain would be new, because of the exposure to development throughout its migration, the PCH may be more habituated to infrastructure and development which could lessen the degree at which caribou are impacted from the oil and gas leasing program. As the EIS for the nearby Point Thomson development reported:

> "Studies of interactions between caribou and traffic within the North Slope oil fields have occurred in oil field areas that are closed to hunting and show that caribou, including cows with calves, become tolerant of traffic disturbances during the course of each summer season (Haskell et al. 2006, Haskell and Ballard 2008)" (Page 5–286).

Fourth, It is important to highlight that despite concerns over the decimation of the caribou population, caribou do continue to inhabit areas where industry is present. From the ANWR Leasing Program DEIS ANILCA 810 Analysis: "Caribou could still forage within the total footprint of a Central Processing Facility and its associated satellite well pads, for example."[9] The Central Arctic Herd (CAH) which frequent the Coastal Plain and ANWR calve in Prudhoe Bay area, one of the most prolific onshore oil and gas developments in the United States. Both the PCH and CAH also experience a degree of "mixing,"[10] in other words, it is likely that members of the PCH may calve and migrate through Prudhoe Bay with the CAH and vice versa. Despite the presence of oil and gas infrastructure and development, the populations of all three herds are at higher levels than when development first began.

Public Health

The Journal of the American Medical Association published a study in 2017 comparing life longevity in United States counties from 1980 to 2014 titled "Inequalities in Life Expectancy among U.S. Counties 1980–2014: Temporal Trends and Key Drivers."[11] The study concludes that life expectancy on the North Slope has increased by 13 years over the 34 years analyzed. The factors identified as having the most impact on the variation in life expectancy between geographic regions were poverty rate, high school graduation, unemployment, and access to health care. Production began in Prudhoe Bay in 1977 and provided the North Slope Borough with the economic base to provide jobs, education, and health care to our region, which has drastically increased our life expectancy over a relatively short amount of time.

The Alaska Department of Health and Social Services has identified poverty as a critical health concern, as it is associated with: food insecurity, inadequate and unhealthy housing, low levels of educational attainment, unemployment, poor access to health care, reduced life span, and increased mortality. Health conditions and risk factors associated with poverty include disability status, poor general health, poor mental health, cardiovascular disease, diabetes, chronic lung disease, asthma, obesity, binge drinking, and cigarette smoking.[12]

Arctic Culture

We have the greatest stake in protecting our resources. According to the Baseline Community Health Analysis Report, the North Slope Borough has among the highest per capita harvests of subsistence food in Alaska.[13] Data from the 2003 census shows that virtually all Iñupiat households reported relying on subsistence resources to some extent. Further, studies show income opportunities in Northern Alaska do not appear to substantially affect participation in subsistence activities, and residents state that they would prefer to participate in a combination of wage-

---

[8] Harvest Management Plan for the Porcupine Caribou Herd in Canada March 2010 Page 28.

[9] ANWR EIS, Appendix E: ANILCA 810 Analysis. Page E–6.

[10] Porcupine Caribou Summer News. Available at: http://www.adfg.alaska.gov/static/home/library/pdfs/wildlife/porcupine_caribou_news/porcupine_caribou_news_summer_2017.pdf.

[11] Dwyer-Lindgren L, Bertozzi-Villa A, Stubbs RW, et al. Inequalities in life expectancy among U.S. counties 1980 to 2014. JAMA Intern Med. Doi: 10.1001/jamainternmed.2017.0918. Published online May 8, 2017.

[12] Alaska Department of Health and Social Services: Income and Poverty.

[13] Wolfe, R.J.: "Subsistence Food Harvests in Rural Alaska, and Food Safety Issues," Paper presented to the Institute of Medicine, National Academies of Sciences Committee on Environmental Justice, Spokane, Washington, August 13, 1996. Accessed online at http://www.subsistence.adfg.state.ak.us/download/food962.pdf.

based and traditional subsistence activities.[14] Even household heads with full-time employment relied heavily on traditional food sources.[15] What exists in the communities on the North Slope is a dual economic system in which a modern cash economy and traditional subsistence are interwoven and interdependent, and through which our culture adapts and perpetuates itself.

In fact, in many cases, income and employment levels *support* subsistence activities in our communities. People continue to hunt and fish, but aluminum boats, outboards, all-terrain vehicles now help blend these pursuits with wage work. These things cost money and require income and employment to support them.

Oil & Gas in Gwich'in Lands

It is important not to mistakenly view the Gwich'in culture as "anti-development," when in fact Gwich'in communities have also pursued resource development interests in their own lands. In the 1980s the village of Venetie sought to lease all of their lands to oil and gas companies to spur economic development and jobs for their people. In the Senate Congressional Record for March 8, 2000, a letter from the Native Village of Venetie "giving formal notice of intention to offer lands for competitive oil and gas lease. This request for proposals involves any or all of the lands and waters of the Venetie Indian Reservation . . . which aggregates 1.8 million acres . . ."[16] Exxon completed seismic in the 1980s and drilled core samples in the Yukon Flats Basin.[17] More recently, Doyon Limited, according to their oil and gas "Acquisition Opportunity" flyer,[18] completed 52 square miles of 3D seismic in the Stevens Village sub-basin of the Yukon Flats in 2013 and is actively seeking lessee's to explore "prospectivity" of its entire 1.48 million acres of "underexplored but highly prospective oil/gas bearing sub-basins" surrounding the Gwich'in villages of Fort Yukon, Stevens Village, Beaver, Birch Creek, and Chalkyitsik.

In Canada, development has occurred in the Eagle Plains and current projects for the Peel Plateau watershed are in the planning process. Both areas lie within the Porcupine Caribou herd's winter range. In May 2018, the Vuntut Gwitchin Government published their Oil and Gas Engagement Policy outlining a policy to "establish a respectful, transparent, and meaningful framework to guide the engagements of the Vuntut Gwitchin Government in relation to Oil and Gas Activities and Oil and Gas Dispositions in a manner that supports and upholds the objective of Sustainable Development." The document further defines Sustainable Development as "beneficial socio-economic change that does not undermine the ecological and social systems upon which communities and societies are dependent." We agree with their policies and would like the opportunity to explore the same opportunities on our own lands.

Polar Bears

While the Southern Beaufort Stock (SBS) of polar bears do utilize the 1002 Area, their habitat expands beyond the coastal plain and the "species is widely distributed at low densities . . ."[19] The SBS stock of polar bears have a large range from Point Hope to south of Banks Island and east of the Ballie Islands, Canada.[20] The same stock of polar bears utilizing the coastal plain also move through the areas of industry activity seasonally, this suggests that industry activities in the geographical area will have relatively few interactions with polar bears.[21] Further, SBS polar bears do not use the coastal plain exclusively as the SBS spends the majority of the year near the coast, moving further offshore in the summer to the pack ice[22] and also frequent industrial areas like Pt Thomson, Badami, Prudhoe Bay, Kuparuk, Alpine, and developed areas east in Canada.

As distinguished in the NPRA IAP EIS, polar bears do have a certain degree of fidelity to their denning areas but there is a significant alteration in specific

---

[14] Poppel, B., J. Kruse, G. Duhaime, and L. Abryutina. 2007. Survey of Living Conditions in the Arctic (SLiCA) www.arcticlivingconditions.org.

[15] Baseline Community Health Analysis Report. North Slope Borough Department of Health and Social Services, July 2012.

[16] Congressional Record—Senate, March 8, 2000 pg. 2242.

[17] Yukon Flats Basin, Alaska: Reservoir Characterization Study. State of Alaska Department of Natural Resources, Division of Geological & Geophysical Surveys 2006. Accessed online: http://dggs.alaska.gov/webpubs/dggs/ri/text/ri2006_001.pdf.

[18] Acquisition Opportunity—Yukon Flats Basin Central Alaska. http://doyonoil.com/Content/pdfs/YukonFlats.pdf.

[19] NPRA IAP EIS pg 346.

[20] Alaska Marine Mammal Stock Assessments. National Oceanic and Atmospheric Administration, National Marine Fisheries Service. 2017.

[21] FWS ITR FR 52304.

[22] The Use of Sea Ice Habitat by Female Polar Bears in the Beaufort Sea. OCS Study, U.S. Geological Survey, Alaska Science Center, Anchorage, AK. 2004.

denning sites. Studies show that 46 dens have been documented in the Coastal Plain over a 40-year period. Fish and Wildlife Service (FWS) conducted a Forward Looking Infrared Radar (FLIR) survey in the Coastal Plain in the winter of 2018. The preliminary results, according to FWS, were that FWS detected five dens. Of that total, one had been abandoned prior to use, two were confirmed polar bears dens, and two were fox dens. These results provide clear insight into how polar bears are using the Coastal Plain for denning, and gives a degree of confidence on the efficacy of FLIR Surveys as they were successful in identifying even fox dens.

Through Traditional Knowledge, we understand that polar bears and terrestrial mammals like caribou are inherently mobile and their use of their habitat can vary widely. Through the robust mitigation measures established by the North Slope Borough, Fish and Wildlife Service, and the Bureau of Land Management, impacts to polar bears have been negligible from resource development activities for decades. The FWS Incidental Take Regulation have successfully minimized impacts to polar bears from oil and gas activities on and offshore:

> "Since 1993, the documented impacts of incidental take by Industry activity in the Beaufort Sea ITR region affected only small numbers of bears, were primarily short-term changes to behavior, and had no long-term impacts on individuals and no impacts on the SBS polar bear population, or the global population."

While the FWS Beaufort Sea ITR do not include the 1002 Area, the monitoring and permitting encompasses a much larger geographic area, manages the same stock of polar bears, and oversees a larger industry footprint than what is allowed under the 2,000 acre limit set by Congress.

Potential for Local Energy

Future leasing and subsequent activities could benefit the local community of Kaktovik directly. Specifically, local energy development is a potential outcome of prospective leasing and development. In Utqiagvik, the discovery of natural gas resource near the community led to natural gas being available and affordable to its residents, despite being uneconomical for industry to pursue. The community of Nuiqsut also benefits from natural gas as an outcome of development at Alpine. As seen with Nuiqsut and Utqiagvik, local natural gas can significantly offset high fuel costs and is a meaningful, long term benefit to the local people and environment.

Land Issues

Since ANILCA, the Kaktovikmiut have been limited in their access to their Native allotments, traditional subsistence areas, campsites, and generally throughout the Coastal Plain and greater ANWR. Residents of Kaktovik are restricted to traverse the 1002 Area only in the winter time and cannot utilize All-Terrain Vehicles (ATVs) to access their allotments within or outside of the 1002 Area. These limitations are culturally insensitive and go against the nomadic lifestyle of the Kaktovikmiut. Ironically, potential roads to facilitate development may dramatically increase the local people's access to the Coastal Plain and help create throughways subsistence users can use year-round.

The prolific resource discovered in the 1002 Area is in a region that has demonstrated environmental stewardship, cultural preservation and growth, and a vibrant oil and gas industry can and do co-exist. The precedent setting efforts by Alaska Natives, industry, and agencies to reduce the environmental footprint of development, promote technical advancements, and install mitigation measures to protect wildlife, subsistence, and the environmental have changed the nature and scope of resource development on the North Slope and the world. Although the 1002 Area has been off limits to resource development activities since the 1980s, development occurs adjacent to the Coastal Plain in both Alaska and in nearby Canada. The Point Thomson facility is mere miles away from the 1002 Area.

History of Development

Alaska Natives have worked tirelessly to shape development in our region and the same tools we have put in place in Prudhoe Bay, Alpine, Kuparuk, Point Thomson, and offshore will be incorporated into any future activity in the 1002 Area. We emphasize this long history to showcase not only the pivotal role Alaska Natives have played in setting the standards for responsible development in our region, but to stress that resource development activities in the 1002 Area will not occur haphazardly, but will be the outcome of decades of diligence to reduce the environmental footprint, preserve our Iñupiat culture, and to secure a benefit in local development for the local people. While to some, development in the Arctic may be a novel concept, it is not to the people who live here.

Carefully designed mitigation measures by Alaska Natives, industry, and the NSB, which are incorporated into resource development in our region can be credited for the negligible impact that development has had on our environment and traditional ways of life. Through the use of science and Traditional Knowledge, best practices have been implemented to reduce or avoid impacts such as: adequate pipeline height to not impede migrating caribou; sufficient distance between pipeline and road to avoid deterring crossing caribou; specifications on road height and slope; thoughtful design on road placement to avoid funneling migrating caribou; aircraft altitude guidelines; time-are closures; and other restrictions on operations. These safeguards have worked to protect caribou across the North Slope and we are confident that through coordination with the people of Kaktovik, these mechanisms can be successfully applied to oil and gas programs the Coastal Plain.

*****

ATTACHMENT

VOICE OF THE ARCTIC IÑUPIAT
POINT HOPE, ALASKA

March 20, 2019

Hon. JARED HUFFMAN,
1527 Longworth House Office Building,
Washington, DC 20515.

Re: H.R. 1146—Arctic Cultural and Coastal Plain Protection Act

Dear Representative Huffman:

Voice of the Arctic Iñupiat (VOICE) strongly opposes H.R. 1146 amending Public Law 115–97 to repeal the Arctic National Wildlife Refuge (ANWR) oil and gas leasing program. Beyond the fact that your bill would repeal an opportunity that the Iñupiat people have fought for decades to achieve, we are struck by the lack of knowledge displayed in this legislation, which completely ignores the existence of the Iñupiat people, and especially the people of Kaktovik. The Native Village of Kaktovik is a federally recognized tribe and the Kaktovikmiut have occupied the Coastal Plain for at least 11,000 years.

The Coastal Plain is home to more than just caribou and none of the Coastal Plain is wilderness. It is not a place without people; it never has been—it has been continuously occupied by the Iñupiat people and our ancestors for millennia, and we find it insulting that you fail to acknowledge this history. Currently, the Coastal Plain is the home of a community of over 200 people. People who live, hunt, fish, raise their families, and hope for a secure economic future for their children. People who walk in the footsteps of their ancestors all over the land that Congress, without our permission, designated as the 1002 Area of the Arctic National Wildlife Refuge. People that you have completely disregarded because they generally do not agree with you. In light of this, Congressman, your concern about human rights seems a bit pale.

When we, Indigenous peoples, use terms like self-determination, sovereignty, economic equality, cultural survival, and traditional lands, they are more than just buzzwords. These are objectives that have long been denied us and for which we have had to fight for generations. It is not for you to ignore those ideas, nor the people fighting for them, in favor of those who are more aligned with your political agenda. To us, this issue goes beyond politics to the very sustainability of our communities, culture, and economy.

The Arctic Cultural and Coastal Plain Protection Act undermines the wishes of those of us living closest to ANWR and negates years of work by local stakeholders toward ensuring a sustainable economy for the people and communities of our region. We hope this letter might help you better understand the realities of life in the Arctic. H.R. 1146 preaches a "moral responsibility to protect this wilderness heritage as an enduring resource to bequeath undisturbed to future generations of Americans," but fails to acknowledge the basic needs of future generations of Arctic Iñupiat. Our regional government, the North Slope Borough (NSB), is responsible for more territory than any other local government in the nation. The NSB receives over 96% of its revenue from property taxes levied on industry infrastructure on the North Slope, which enables them to provide services that were never accessible before in the Arctic. The Borough School District provides vocational and academic

education for people of all ages; NSB health clinics provide modern medical services to residents in even the smallest and most remote of villages. The Municipal Services Department operates water, sewage, and electric utilities, plows roads and runways, and maintains landfills. Other NSB departments provide housing, police and fire protection, search and rescue, and other critical services to our communities. Altogether, the NSB is the single largest local employer on the North Slope, employing over 63% of the work force. These benefits of modern American civilization, common in the rest of the nation, have been built on the foundation of the North Slope oil industry.

It is hypocritical of you, Congressman, to stifle the efforts of Kaktovik to secure jobs, a local economy, and income for their community while your state makes billions of dollars off the development of its own oil and gas resources. If you are concerned about the impacts of resource development, we suggest that you focus on your own state of California, which despite its green image, produces the dirtiest crude in America and has some of the largest refineries on the West Coast, which in addition to refining much cleaner Alaska North Slope Crude, also imports and refines oil from foreign countries like Saudi Arabia and Angola. The message this bill sends is that you prioritize the leisure whims of your California constituents above the needs of the Native people of Kaktovik.

H.R. 1146 cites climate change as one of the main drivers of the bill. In reality, climate change—and the world's response to it—add additional layers to existing burdens that we, the Arctic's Indigenous people, are facing. We agree that climate change has deeply affected our traditional Iñupiat ways of life. We do not agree that the solution to that problem is to create more wilderness that hinders our ability to provide for our people and respond to the impacts that we are facing. It is unfair for you to ask that we, as Indigenous peoples, carry the burden of climate change *and* the burden of mitigation so that you can fly back and forth to your home district with an easy conscience.

Even with the services our local government provides, many of the people in the Arctic live in conditions that fall below acceptable standards of living, despite being citizens of one of the richest countries in the world. We are concerned and puzzled, then, by your focus on protecting eco-tourism and this idea of pristine, unspoiled wilderness—at the expense of an economy to sustain our children—that rich elites across America "cherish." While we are certainly used to this harmful narrative by now, it does not seem in line with your democratic values. For our part, we do not see any contradiction between developing our resources and *at the same time* protecting our environment and wildlife. These are not diverging priorities but an integral piece to balance in the Arctic.

The bill as introduced further ignores the historical and cultural trauma that is a part of this land and the Kaktovikmiut who inhabit it. The people of Kaktovik, in recent memory, have suffered through three forced relocations at the hands of the American military. Then, in 1980, the federal government took 23 million acres of land—without consent, consultation, nor a treaty between parties—and gave the people of Kaktovik back 92,000 acres of land immediately surrounding their village. A mere fraction of their traditional and ancestral lands. The "deal" was that this land was locked up, the Kaktovikmiut were unable to access Native allotments, cultural sites, and subsistence areas in the newly expanded Refuge in the summer months. No, they now live with extreme restrictions on how they can use their own lands as a result of the changes made by the federal government in how the land is designated, lands that the Iñupiat people have been stewards over for thousands of years. Do you consider these human rights violations, Representative Huffman? We hope, at the very least, that this does not diminish "the integrity of the National Wildlife Refuge System," which in itself operates on the mistaken Western idea that Indigenous peoples are incompetent at managing their own lands.

The views of the Iñupiat who call ANWR home are frequently ignored, and your bill reinforces the perception that the wishes of people who live in and around the Coastal Plain are less important than those who live hundreds and thousands of miles away. Mr. Huffman, you do not have to tell the Iñupiat people, who have lived on this land for generations, the importance of our homelands—we see it, we know it, we depend on it, we are a part of it. We have something very important in common, that often gets lost in this debate—this false dichotomy of "for" vs. "against," republican vs. democrat, economy vs. environment—we all share a commitment to protecting this land and we would welcome the opportunity to work collaboratively with you and the Gwich'in people, to whom we have extended many invitations for discussion, to protect this balance between responsible development and environmental protections that is integral to our way of life and the long-term sustainability of our culture.

The Iñupiat people have existed, and even flourished, in one of the most severe climates in the world for generations. We understand the balance needed to sustain our way of life and our communities; this priority is currently dependent on successful and safe oil and gas developments. We are confident that the health of the Porcupine Caribou Herd can be maintained given our success in maintaining the health of three other caribou herds that migrate within our region. We respectfully request that you remove your bill from consideration and come visit our communities to better understand the needs of our people and our communities. We would welcome the opportunity.

Taikuu,

SAYERS TUZROYLUK,
President.

REX A. ROCK SR.,
Chairman

JOHN HOPSON JR.,
Vice Chairman

SUPPLEMENTAL TESTIMONY FROM MATTHEW REXFORD, TRIBAL ADMINISTRATOR, NATIVE VILLAGE OF KAKTOVIK

Chairman Lowenthal and Ranking Member Gosar, Quyanaq (thank you) for the opportunity to represent my community and the Native Village of Kaktovik at the recent hearing "The Need to Protect the Arctic National Wildlife Refuge Coastal Plain" on House Bill 1146, "The Arctic Cultural and Coastal Plain Protection Act" introduced by Representative Huffman. I realize that it is difficult to cover this complicated issue in a 3-hour hearing and I am grateful for this opportunity to provide some additional insight.

The Native Village of Kaktovik is the only federally recognized tribe in the Arctic National Wildlife Refuge and the only federally recognized tribe in the 1002 Area of the Coastal Plain; as such, it is strange that Members of Congress did not seem interested in hearing our input and avoided asking us questions in the hearing. In this supplemental testimony, I hope to answer some of the questions that were presented to the Majority witnesses from Kaktovik's point of view so that you have an equitable and fair understanding of these issues before you make your final decision on this bill. I will also expand on some of the answers that were asked of myself and my fellow Iñupiaq witnesses. I hope that you will honestly consider the views of the local tribal government on this issue.

This hearing was mainly about caribou: their importance to the Gwich'in people and their reliance on the Coastal Plain for calving and insect relief. I hope it will come as a relief to you, as it did to the Native Village of Kaktovik, the federally recognized tribe for our village, that the recently released Draft Environmental Impact Statement has extensive protections for the critical calving area of the Porcupine caribou herd, and I hope you will have a chance to review that document, which clearly takes into account the concerns of Gwich'in communities south of the Refuge and in Canada.

The Bureau of Land Management (BLM) has been diligent in their consultation requirements and the Native Village of Kaktovik and the North Slope Borough were both included as Cooperating Agencies along with the Native Village of Venetie Tribal Government, Venetie Village Council, and Arctic Village Council. These conversations between the BLM and the Gwich'in Tribal Governments have led to draft Alternatives that are very thorough in their protections of the Porcupine caribou herd. Even the most aggressive draft Alternative for leasing would impose Timing Limitations prohibiting activity in the area identified as primary calving habitat between May 20 and June 20 each year on *721,200 acres*—or almost half the entire Program Area. The goal of the Timing Limitation is to "minimize disturbance and hindrance of caribou or alteration of their movement in the south-southeast portion of the Coastal Plain, which has been identified as important caribou habitat during calving." A further 359,400 acres of the Coastal Plain, this again in the most aggressive leasing alternative, are subject to No Surface Occupancy limitations.

The NEPA process is working. We hope that you will applaud the success of these efforts rather than undermine the hard work of the BLM and the Cooperating Agencies (including the Gwich'in and Iñupiaq Tribes) who have taken time, effort,

and expense to work with them. H.R. 1146, which clearly lacks perspective and nuance, flies in the face of the critical principles of understanding and compromise, which are so desperately needed in this country—now more than ever.

QUESTIONS:

Ranking Member Gosar: How will the development of oil resources impact your village?

Oil and Gas has the opportunity to bring great benefits to the community through advancements that the North Slope Borough provides, as Fenton Rexford mentioned in the hearing, but also through the opportunities that it could provide to our village Alaska Native Corporation (ANC) set up through the Alaska Native Claims Settlement Act—Kaktovik Iñupiat Corporation (KIC)—as well as local jobs to community members. Our village corporation is the only ANC in Alaska that has been prevented from developing their own lands and is, therefore, unable to provide jobs for local community members. The role of ANCs, as set forth through Congress, is to provide an economic base to their community—how can they feasibly do this when they are not able to develop on their lands? Residents of all other communities on the North Slope are shareholders of their respective ANCs and are able to get a dividend to help them fuel their All-Terrain Vehicles and snow machines to participate in subsistence, supplement their Native foods with milk and vegetables from the local store, and buy clothes and other necessities for their families. They serve an important role in our communities and KIC should have those same rights.

Further, I believe strongly that development near Kaktovik would provide stable, long-term jobs for community members. It is true that traditionally, local people are not employed in industry at the same rate that people from outside the region are. This is not due to a lack of willingness of industry to employ local people, rather the fact that it is difficult and expensive to get the training, skills, and experience necessary to work those jobs. Our tribal college in Utqiagvik, Ilisagvik College, which is also funded through the North Slope Borough and their tax base of industry infrastructure, has increased the breadth and availability of technical training courses specific to employment in the oil and gas industry. Tuition costs for students wishing to study for a degree or technical training at the college are highly subsidized by the North Slope Borough, and our regional corporation and local village corporations all provide continuing education funding for North Slope students.

Wages that members of my community earn and bring back to Kaktovik only serve to strengthen our local economy. So far, there has been no other viable option for a stable industry in our region that would provide long-term employment. Every Arctic nation on Earth relies on the development of their natural resources as a central part of its economy. Norway, a country whose Number 1 industry is oil and gas, is one of the happiest, healthiest countries in the world. A thriving oil and gas industry allows their government to provide health care, elder care, higher education, advanced technology, and affordable housing specific to Arctic environments, among many other benefits. For many in Congress, Norway provides a shining example in terms of standard of living and model of government, but these things are not without cost; Norway has built this because of the responsible development of their natural resources. Until an alternative is put forth, we support responsible resource development.

Ranking Member Gosar: Were you consulted during the creation of H.R. 1146?

No, we were not. We have not been consulted by the Federal Government in any of the harmful decisions that have been made that have negatively affected us. As a young man, I have lived my entire life under the stifling restrictions placed on our lands due to their status as a Refuge. There are cultural sites, burial grounds, and traditional subsistence areas that we cannot access in the summer months. These are our homelands and birthright. Indigenous peoples are a part of their land and ecosystem in a way that it is difficult for western civilization to understand, but I can tell you that this loss of access to our lands is like a hole in the heart of our people. Before you take anything further from our people, you should focus on correcting the wrongs that Congress has already committed.

Representative Huffman: It's nice to see the Minority care about indigenous peoples. However, it seems they only care about Native peoples when the issue involves Native corporations. Consider the impact of 2,000 acres of oil and gas infrastructure, 100 miles of road only covers 750 acres; 2,000 acres of pipelines, drilling pads, and roads would greatly harm the environment. How would oil and gas impact your communities?

First of all, as we have stated ad nauseam, Kaktovik is the *only community within the bounds of the Arctic National Wildlife Refuge and the only community in the 1002 Area*. The idea that oil and gas development would directly affect communities a mountain range, and 382 and 201 miles away, respectively, for Ms. Demientieff and Mr. Tizya-Tramm to whom this question was asked, is far-fetched at best.

Second, Mr. Huffman, does it make you any better than the Minority that you only seem to care about Native peoples when the issue involves the environment? You completely ignored us in the creation of this bill, attacked the representative of our *congressionally created* regional Native Corporation, and generally spoke down to us the entire hearing—do you feel that you have the moral high ground that allows you to speak to indigenous peoples about how they live in and manage their *own homelands* in this manner? Would you encourage your children to speak to those who disagree with them in such a disrespectful and dehumanizing manner that bars any opportunity for constructive dialogue? Or, perhaps you are uncomfortable with the Iñupiat people because we have been successful against all odds; that we have broken out of the confining box that western society has placed us in to create a place for ourselves outside the system of complete reliance on the Federal Government. It seems you and members of your Subcommittee would prefer we do nothing but live in the image you've romanticized of how Native people in the Arctic *should* live.

We reject the false dichotomy implied here of Democrat vs. Republican and ask for respect from all parties. The two party system is an American creation in which the Iñupiat people do not wish to participate. Candidates for the highest elected position in our region, the Mayor of the North Slope Borough, do not run as members of any party; candidates representing our district in the Alaska Senate and House of Representatives rarely declare as Republican or Democrat, and if anything, generally represent the Democratic Party. We ask that you leave politics out of this and not work to exacerbate this manufactured division on this issue, which to us is about the cultural and economic sustainability of our community. We believe that there is a clear path toward compromise on this issue and we welcome the opportunity to work with any and all parties that would endeavor to help us reach this goal.

I would like to clarify here that all pre-development activities such as seismic, exploration, and construction occur in the winter months when the ground is frozen and no caribou occupy the Coastal Plain. The Draft Environmental Impact Statement doubles down on mitigation measures through extensive, detailed, and comprehensive protections for caribou and all wildlife on the Coastal Plain. In the most aggressive draft alternative for leasing, operations of heavy machinery are forbidden in the area used as calving grounds for caribou during the summer months, even though there would never be any machinery operated in the summer months during exploration, as companies are required to be off the tundra by mid-April. Further, when the caribou do use the Coastal Plain, they generally only remain for a week or two, and the lease stipulations have outlined an entire month of no activity in order to protect the caribou. Additionally, the caribou generally use the southeasterly portion of the Coastal Plain for calving and the United States Geological Survey has outlined the northwesterly portion to have the highest hydrocarbon potential. Based on this, there is a low probability of overlap between caribou and infrastructure. Timing Limitations, No Surface Occupancies, and lease stipulations to protect caribou are designed to be a failsafe and provide redundant protections; they are a testament to the work that the BLM is putting in to protect this resource.

Both Ms. Demientieff, who lives in the urban community of Fairbanks but has roots in Fort Yukon, and Mr. Tizya-Tramm, from the Old Crow area of the Yukon, Canada—to whom this question was asked, have reaped the benefits of oil and gas development in their respective homelands.

Doyon Ltd., the regional corporation representing interior villages, from which Ms. Demientieff receives a dividend, is actively pursuing lessees for the Yukon Flats Basin—which, it is important to note, is adjacent to the Yukon Flats National Wildlife Refuge.

On the Vuntut Gwitchin Government website, of which Mr. Tizya-Tramm is Chief, there is a document called the "Oil and Gas Engagement Policy," published in May 2018.

Thirty-four wells have been drilled in the Eagle Plain Basin in the Yukon, the most recent in 2005. Leases were issued to Chance Oil and Gas Ltd. in the Eagle Plain Basin in 2007. In 2012, the Yukon Geological Survey awarded a contract to Petrel-Robertson Consulting Ltd., to initiate a conventional reservoir petrophysical property assessment for a further 31 oil and gas exploration wells in the Eagle Plain exploration region in the northern Yukon Territory, well within the bounds of the Porcupine Caribou Herd migration. All of this information is available online is

obviously relevant to the stated interests of H.R. 1146's co-sponsors. I question the truth of the statements provided by the Majority witnesses, who answered that irreparable damage would be done to their communities and that they would not survive when they have been active in pursuing the same opportunities within their own communities.

Representative Don Young: We should consider the people directly affected by the legislation, not people who live hundreds of miles away. Mr. Rexford, do you live in a wilderness area?

These lands are not, and never have been wilderness; to us, wilderness implies desolation, a place without people. The entire Coastal Plain of the Refuge has been continuously inhabited and used by the Iñupiaq for thousands of years. In fact, the Alaska National Interest Land Claims Act (ANILCA) specifically did not make the "1002 Area" wilderness, and this bill is selective in its quotation of that Act. While the bill correctly references the purposes of the greater Arctic National Wildlife Refuge, it ignores the specific purposes of the Coastal Plain as set forth in Section 1002 of ANILCA. Section 1002 states the purpose is "to provide for a comprehensive and continuing inventory and assessment of the fish and wildlife resources of the Coastal Plain of the Arctic National Wildlife Refuge; an analysis of the impacts of oil and gas exploration, development, and production, and to authorize exploratory activity within the Coastal Plain in a manner that avoids significant adverse effects on the fish and wildlife and other resources."

While there are a few people in my community who have a steady income and are hesitant about leasing in the Coastal Plain, there is not a single person in my community who would like to see the 1002 Area—the Coastal Plain—become a designated wilderness.

Representative Don Young: H.R. 1146 makes a wilderness out of an area that is not a wilderness. How long have you lived in the area, and have you taken care of it?

Archaeological records show our ancestral occupation of the Coastal Plain dates back 14,000 years. We have been incredible stewards of our lands and we challenge anyone who would suggest otherwise. I do take offense to the notion that this is a wilderness ecosystem. H.R. 1146 speaks more to the interests of animals who use the land seasonally while failing to so much as mention the people who live here and have lived here continuously for generation upon generation. As Fenton Rexford mentioned in his testimony, this bill—ironically—whitewashes the decades of harm that the U.S. Congress and other arms of the Federal Government have inflicted on our people. My uncle, a highly respected Elder in my community, and I are from two different generations of Kaktovikmiut. He witnessed the indifference of the military in the 1940s and 1950s as they bulldozed our homes and ice cellars, and watched as the Federal Government slowly but surely took our subsistence and cultural areas, and boxed in our community—took our lands and resources for their own benefit—however they might characterize their intentions. We are still fighting to this day for the military to clean up the messes that they left in our homelands. The Fish and Wildlife Service's regulations move only in one direction, a ratchet that advances slowly but surely in the name of public interest, one rule at a time, slowly strangling our community. Put yourself in our position: what would you call this if not colonialism? What about H.R. 1146, which writes our people out of the congressional "findings;" was the Congressman who wrote these findings unable to find us? Was our status as a federally recognized tribal government not enough? In Fenton Rexford's words, "these actions amount to nothing more than green colonialism. A political occupation of our lands in the name of the environment. Exploitation of the idea of Wilderness for economic gain."

Mr. Huffman would know better than anybody, as a former attorney of the Natural Resources Defense Council, the scale of the Green economy at work here. The literal Goliath that we find ourselves fighting. I find it ironic that the multi-billion dollar outdoor clothing industry, that underwrites multi-million dollar anti-ANWR campaigns, can make products out of carbon, manufactured in China—the largest emitter of greenhouse gases in the world and are applauded by Members of Congress, but the Iñupiat people—the first peoples—dare not contemplate development in their own homelands.

For my part, as a young man, there are places that my ancestors stood on the tundra that I cannot follow. Places they tracked and harvested caribou that I cannot go. This is wrong and rather than make reparations for past wrongs, this bill doubles down on them.

Representative Mike Levin: Climate change is affecting the Arctic greatly. Please consider the climate impacts of oil and gas exploration in a wilderness. How is climate change impacting you?

Again, the Coastal Plain is not a wilderness. In her response, Ms. Demientieff stated that Arctic villages are falling into the sea. Ms. Demientieff does not live in the Arctic, nor do any of Alaska's Gwich'in communities live next to the sea, but she is correct that we are facing increased erosion from longer ice-free seasons. Newtok, a village of 400 people in Western Alaska, is facing imminent relocation due to the combination of erosion and permafrost thaw. It has taken them over two decades to secure enough funds to begin the relocation process; the total project is estimated to cost well over $100 million. The Federal Government has provided $15 million of that. On the North Slope, we have five coastal communities, one of which has almost 5,000 people. Two more communities lie on the banks of large rivers. Is the Federal Government going to provide the well over $500 million dollars to relocate our villages when there are numerous other communities facing the same threats, not just in Alaska but also across America? No, the burden almost inevitably will be on our local government. How do you expect us to bear these burdens of adaptation—because in the Arctic we are well beyond the point of mitigation—if you erode our ability to fund these projects ourselves? Even assuming the Federal Government was willing to provide meaningful aid in our struggle with climate change, it is absolutely ludicrous that Members of Congress would use that aid or interest in aid as an excuse to railroad our efforts to pursue economic self-determination.

Representative Mike Levin: The Administration is rushing an environmental impact statement on an oil and gas leasing program: is the impact statement correct in its findings?

Chief Joseph of Arctic Village states that the Gwich'in people were not consulted in the preparation of an EIS. This is blatantly false. The Arctic Village Council is a Cooperating Agency on the project and is also afforded government-to-government consultation as an Indian Tribe. The Gwich'in communities of Arctic Village, Venetie, and Fort Yukon are further represented through the Native American Rights Fund (NARF), which increases their capacity to effectively engage in the process and advocates to the BLM on their behalf. As a fellow Cooperating Agency, we have witnessed the participation of the Gwich'in people firsthand. The BLM has also held two public meetings over the past year in each of the communities of Fort Yukon, Arctic Village, and Venetie. The Department of the Interior has worked to include the International Porcupine Caribou Board (IPCB) in consultation and has held one formal meeting with the IPCB on a leasing program in the Coastal Plain, the first meeting of the group since December 2016. The Native Village of Kaktovik and the Gwich'in from both the United States and Canada all participate in that group.

The Native Village of Kaktovik has a staff of three people: Tribal Administrator, Accountant, and a Homemaker for Elders Services. We have less capacity to participate in this process, which is extremely rigorous and demands a lot from Tribal Governments, than the Gwich'in communities of Arctic Village, Venetie, and Fort Yukon, due to their representation through NARF lawyers. Contrary to popular belief, we do not receive support from any oil and gas company, trade association, or lobbyist to participate and advocate for ourselves in this process. And yet, we have been extremely pleased with the BLM, and especially the Project Manager on this project, in how they have made themselves available for meetings and to answer our questions, comments, and concerns on this process, just as they have done for the Gwich'in communities participating in this process. As an agency of the Federal Government, you should be proud of their work on this EIS. If you read the document, I think that you will find that it is robust in its analysis and answers all of the questions put forth in this hearing.

Ranking Member Gosar: Have pipelines affected herds?

I would like to address Mr. Alexander's response to this statement that "the size of the Porcupine Herd is increasing because it is commingling with the Central Herd which is leaving its polluted homeland." While it is true there is crossover between herds, the idea that this intermixing is the sole reason for the population increase of the Porcupine Caribou Herd is ridiculous. Science shows that the herd is healthy. Further, extensive studies have been conducted on the Central Arctic Herd by both Federal and state agencies as well as private studies by those working within the region and there is no evidence of any sort of pollution of the caribou. The Alaska Department of Fish and Games states that oil infrastructure largely has no

effect on caribou populations as the Central Arctic herd grew substantially—a 14-fold increase—during peak oil development. Our homelands are not polluted. Our people are not polluted. Our animals are not polluted.

Representative Diana Degette: The size of the caribou herds has increased under Obama administration protections, the lands have been managed as wilderness because of concerns over caribou herds. What would be the impact of infrastructure on the tundra?

First, caribou are unaware of the political administration in office and politics really has little impact on herd size and health. While it is true the Porcupine Caribou Herd grew while Mr. Obama was in office, it also grew in the Bush administration and continues to grow in the Trump administration. The Central Arctic Herd declined under the Obama administration, which the Alaska Department of Fish and Game has stated is a natural part of their population fluctuation. In other areas of the North Slope, the Western Arctic herd grew under President Bush, then experienced a decline beginning in 2005, stabilized in 2015 under Obama, and has recently started an upward trend in the Trump administration. Herd size is not dependent on politics, but rather where they are at in their natural cycle.

These lands have arbitrarily been managed as wilderness, despite having no wilderness designation, for decades. This was not an Obama administration policy and we saw little change in the Trump administration management of our homelands from the Obama administration, just as we saw no change between the Obama and Bush administrations. Again, this issue is not political. There are very real impacts to indigenous peoples due to the management of the Coastal Plain as wilderness. It is unjust and unfair that we constantly have to advocate for our worth in relation to a caribou herd. I am beginning to suspect that some Members of Congress think that we are less important than caribou. The Coastal Plain is *not* just the birthing grounds of caribou; it is the birthplace of people. As for our own interest in the caribou, we subsist on these caribou just as the Gwich'in people do. We have and will always protect the Porcupine Caribou Herd, and our advocacy will be grounded in truth, Traditional Knowledge, and science.

Second, Ms. Degette asked this question of Mr. Alexander, who lives in Fairbanks and is not even from a community that has tundra. Tundra is a very specific biome native above specific latitudes of the Northern Hemisphere. Most post-lease activities occur in the winter months on ice roads and pads, which have a minimal, if any, impact on the tundra. Modern day technologies and stipulations require very strict remediation; gravel pads and roads can barely be seen in the tundra following development activities. Even wells drilled from decades ago with outdated machinery and technology can barely be seen in the tundra.

Chairman Lowenthal asked a series of questions about polar bears.

The Iñupiat witnesses were not asked about polar bears, but as we cohabitate these lands with the bears, the Iñupiat have extensive knowledge on the behavior of polar bears. Polar bears, though the term "stock" is thrown around a lot in scientific communities and implies different sub-species, are all part of one population and are very mobile, capable of walking and swimming incredibly long distances. Polar bears in Alaska are the same as polar bears in Russia, are the same as polar bears in Greenland, etc. We do not believe there is an accurate method for counting and monitoring polar bears due to their extensive ranges and the extreme distances that they are able to travel. It also seems strange that Alaska populations of polar bears are so at risk when in Canada; just over the border from Alaska, they are commercially hunted.

In the Coastal Plain, the Fish and Wildlife Service permits commercial polar bear viewing for people to see bears in Kaktovik using motorboats and vehicles. Industry is held to much higher standards and makes every effort possible to avoid interaction with bears. If bears were so concerned with industrialization, these tours would not be possible, as the polar bears would stay far away from our village. There are plenty of other places for them to be since the rest of the Coastal Plain is, according to the bill, wilderness. I would also recommend that the Subcommittee refer back to the Draft Environmental Impact Statement, which makes all coastal areas and lagoons—critical polar bear habitat—subject to No Surface Occupancy stipulations.

Representative Jared Huffman: I believe it is hyperbole to say that H.R. 1146 would reverse quality of life gains. It would not undo progress that has already been made. Mr. Glenn described his position as respecting human rights, but I believe it mostly respects ASRC's interests.

It is absolutely *not* hyperbole to say that H.R. 1146 would reverse quality of life gains. H.R. 1146 would take away our self-determination and remove all hope that we will regain access to our ancestral lands. We have been working for 40 years toward this goal; it is the single most important issue to the people of Kaktovik. Folks from the community of Arctic Village on the southern bounds of the Refuge have access into the Refuge on motorized vehicles in the summer months, but the people of Kaktovik do not; it is an injustice. If human rights were as important to the sponsor as this bill implies, you would ensure that rights were equal across the board.

Our local village corporation, Kaktovik Iñupiat Corporation, owns the surface of 92,000 acres of the Coastal Plain and has been hamstrung in their efforts to create a for-profit business in our community, as they have been unable to do anything with their own land since the expansion of the Refuge. Congress created Alaska Native Corporations in order to create an economic base in even the smallest and most remote of communities. Kaktovik never had the chance to create that base. If you think that making the whole area a wilderness would not affect Kaktovik, you are sadly mistaken or worse, not listening.

Our region is unique in that our local government, the North Slope Borough (NSB), carries out public services that are normally a function of the state or Federal Government. The NSB exceeds every other local government in the scale and scope of these services, even bearing in mind the smaller population of our region. We are talking about the largest borough in the Nation, more than half the size of California. The NSB has more search-and-rescue assets in our region than the entire Federal Government—will the Federal Government pick these up if the NSB can no longer afford to operate them? The borough services its own police and fire departments, without them the state of Alaska, which is experiencing a budget deficit, would have to fund them. The NSB invests twice as much as the state does into our regional school district—who will pick up these costs if you eliminate their tax base? Will our children once again be shipped off to boarding schools? Our Borough is the only local government in the Nation with its own Wildlife Department that is actively researching and protecting subsistence resources. These things can only be sustained through a long-term tax base for the North Slope Borough. Without them, our lives and culture would surely suffer.

Given that neither Fenton Rexford nor myself—the only two people who testified from the community of Kaktovik—received any additional questions from the Subcommittee, it does not seem that this group of Representatives is interested in hearing and considering equally the views of both indigenous groups with a stake in this issue. Members made only a cursory effort to interact with us, the federally recognized tribe most impacted, to understand more clearly our point of view. In the hearing, you heard from three tribal members and dismissed all of them. All of this aside, I hope that you will reach out to the Native Village of Kaktovik should members of the Subcommittee need further conversations with the people within the proposed wilderness area to understand how this bill would affect us, our subsistence values, our relationship with our lands and wildlife, or our spiritual connection to the Coastal Plain. Again, thank you for your consideration.

Dr. LOWENTHAL. That concludes the testimony. Now we are going to turn to the panel, for Members to begin their questioning.

I remind each Member that you have 5 minutes of time. I will start, recognize myself first. I am going to start with Dr. Amstrup.

Dr. Amstrup, in Richard Glenn's written testimony he writes, "There is zero chance that a surveyed seismic line will be located on top of denning polar bears."

First, do you agree with that? And do you believe there is no risk to polar bears if a seismic line doesn't run right over the top of a den?

Dr. AMSTRUP. My studies have shown that female polar bears in dens react in two basic ways. There are some females that will respond and move away from their den, come out of their den when disturbances are at some distance. In my written comments, I use 65 meters as kind of what the data available suggest. Other

females are much more inclined to just stay in the den until the last minute. So, we have a combination of both.

When we see a female emerge from her den early, we don't know what the impact of that is. But what we do know is that, on average, females that stay in their dens longer, their cubs have a higher success rate of surviving. So, to the extent that we can minimize the early disruption of denning, it is a good thing.

Dr. LOWENTHAL. Thank you. I want to follow up, Dr. Amstrup, if you are familiar with the 19 Fish and Wildlife Service memos that Public Employees for Environmental Responsibility released a couple of weeks ago.

Dr. AMSTRUP. Yes.

Dr. LOWENTHAL. You are. The cover memo includes discussion of polar bears' information needs in the 1002 Area. It says there are lots of data gaps, and lists about 24 steps that need to be taken, including hiring new biologists, developing better den detection tools, studying the response of polar bears to infrastructure, and so on, and so on.

The memo estimates that it would cost approximately $2.7 million the first year, and about $5 million in future years to take these steps. Does this sound reasonable, based on what we know and don't know about polar bears?

Dr. AMSTRUP. First I would say that, for the kinds of studies that were being proposed by the USGS and Fish and Wildlife Service personnel that were interviewed for that, I think the cost is probably accurate. It is very expensive to work up there. A lot of things still need to be tested, so I think that that is reasonable.

But I would also add that we already know what we need to know to save polar bears from extinction. We need to stop climate change, and we need to protect them on the ground, wherever possible, so as many as possible survive until we stabilize the climate.

Dr. LOWENTHAL. Let's talk about those two things.

It is our responsibility to deal with climate change, and I think that, in part, your testimony has indicated that one of the things we need to deal with in all this is the impact of climate change.

But the other point that you have raised is what the impacts of development and industrialization of the North Slope—how that actual industrialization impacts polar bears.

We are talking about industrialization of the Arctic Refuge Coastal Plain, hundreds of miles of roads, dozens of drill pads. Do you believe that this, once this is fully developed, is going to impact the polar bear?

Dr. AMSTRUP. Yes, I do. The decline that we started to see in the late 1990s in the polar bear population in the southern Beaufort Sea corresponded with the dramatic expansion of oil and gas activity across the North Slope.

The major driver of that, we are pretty convinced, is the loss of the sea ice. But we can't overlook the possibility of cumulative effects.

Right now, 185 kilometers of the coast, if you are a pregnant female polar bear coming in to look for a place to den, you have 185 kilometers of Northern Alaska that are already fragmented by roads, pipeline corridors, et cetera. Developing the Arctic National Wildlife Refuge would add another 90-plus kilometers of that. That

is one more obstacle, a very long obstacle, for polar bears to encounter when they are coming in to find a secure place to den.

Dr. LOWENTHAL. Thank you, and I recognize Representative Westerman for 5 minutes of questions.

Mr. WESTERMAN. Thank you, Chairman, and thank you to the witnesses for your testimony today.

Reverend Lattime, your testimony implied to me that your position is that oil and gas production and a personal relationship with God are incompatible. You even referenced perpetuating the sins of our forefathers.

My question to you is, is that your position?

Rev. LATTIME. No, I am not here to vilify the oil and gas industry. I am a consumer, as all of us are, a consumer. I believe, however, that because of climate change, that the injury that is happening to our world because of the use of petroleum products, we need to now begin to transition to a more sustainable way. And that is going to be hard work, it is going to take cooperation.

But, yes, I think it is important that we do that. And, in fact, it would probably be a sin for us not to begin using our American ingenuity to develop new ways of producing energy than sticking to old ways that we now know are clearly, clearly destroying our climate.

Mr. WESTERMAN. And I think our American ingenuity is coming up with new energy sources and new ways to use and be stewards of what we have.

Mr. Rexford, in 2018, California imported nearly 400 million barrels of crude oil from foreign countries, including Saudi Arabia, Colombia, and Venezuela. Would the reversal that would happen with this bill increase our dependence on foreign oil?

Mr. REXFORD. I believe so.

Mr. WESTERMAN. So, I think the question we should be asking is, given that Californians are consuming nearly 700 million barrels of crude oil a year, why are we so keen on ensuring that it comes from foreign countries with worse environmental standards?

And I have some charts up here that I would like to submit for the record.

[Slide.]

Mr. WESTERMAN. This first chart shows the crude oil supply to California refineries. The blue is the supply from Alaska. The yellow is the supply from foreign countries. And you can see, as the supply from Alaska went down, the supply from foreign countries went up.

[Slide.]

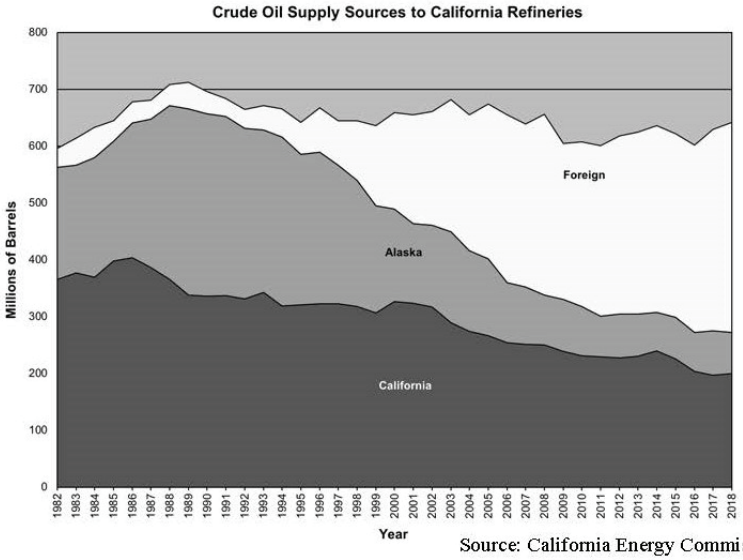
Mr. WESTERMAN. The second slide just shows the breakdown with 37 percent of those supplies coming from Saudi Arabia.

Mr. Chairman, I would like to submit this to the record.

Dr. LOWENTHAL. Without objection, they will be submitted into the record.

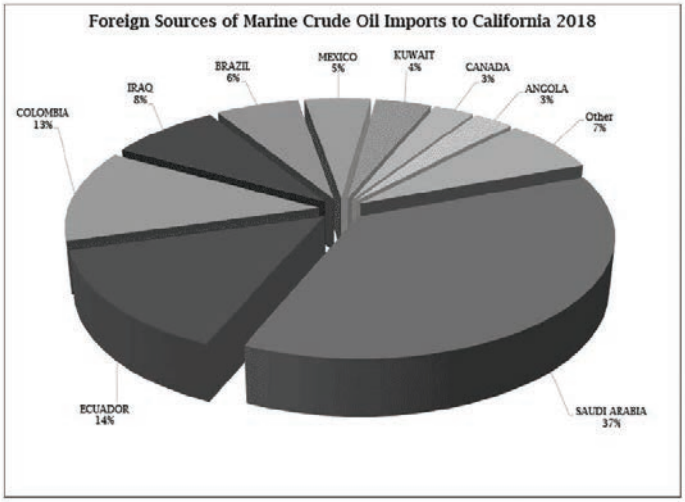
[The information follows:]

Submission for the Record by Rep. Westerman



Source: California Energy Commission

*****



Source: California Energy Commission

Mr. WESTERMAN. Mr. Glenn, in your written testimony you mention that over the past few decades, life expectancy, high school graduate rates, and overall economic prosperity have all increased along the Arctic Slope. Would H.R. 1146 reverse this trend?

Mr. GLENN. Definitely. We come from a real rapid change in quality of life over the last few decades. In my mother's young years growing up on the Arctic Coastal Plain, house fires were common that killed whole families because fire engines couldn't get to the homes because the snow drifts blocked the roads in the winter months. Just clearing snow is a life-saving effort, as anyone knows who lives in a cold place.

Disease is rampant, people using what would be considered third-world conditions for treating their human waste. And that has all changed. It has only changed because of one thing, because of the presence of an industry in our region that enabled us to improve our own quality of life.

Mr. WESTERMAN. And this bill claims to be about protecting human rights. But, Mr. Glenn and Mr. Rexford, what about your rights, the rights of the people who live in ANWR?

Mr. GLENN. In an almost jaw-dropping way, the Iñupiat people have been left out of this bill. The Iñupiat Tribes have been left out of this bill. The Iñupiat residents have been left out of this bill. And I can't, in clear conscience, let that go by without recognition. I don't understand it.

So, yes, I think that this bill is not recognizing—if it is about human rights, let's be fair, open it up to everybody.

Mr. REXFORD. I would have to reiterate, or reaffirm, what Mr. Glenn was saying. Even our basic rights are being impeded upon by the restrictions of the U.S. Fish and Wildlife Service, and their wilderness managed lands, or the Coastal Plain, they are managing it as if it is designated as wilderness.

Those restrictions, I believe, since the creation of the Arctic National Wildlife Refuge, created the avenue to create more designated wilderness areas in the Arctic National Wildlife Refuge, because they were stopping our people from getting to their private Native allotments.

Mr. WESTERMAN. My time, Mr. Chairman.

Dr. LOWENTHAL. Thank you. I now recognize Mr. Huffman for 5 minutes of questions.

Mr. HUFFMAN. Thank you, Mr. Chairman. I am sure you and I would love to spend an entire hearing educating some of our colleagues about what California is doing to actually accelerate the transition away from fossil fuel, although you would never know it, from the selective narrative that we have heard a little bit about today.

And Mr. Glenn, I just want to urge you to be careful when we talk about these subjects. You were just invited to engage in some hyperbole, I believe, by my colleague from Arkansas. We are glad that the quality of life has improved in the communities that you are from, and that there has been an improvement in life expectancy and other health metrics.

But you just said that this bill would reverse that. I think that is a dangerous exaggeration. There is nothing in this bill that would undo any of the progress that you have made. It would keep

you from doing more drilling in the Arctic Refuge, but there is certainly nothing that would undo the very laudable progress that you have made. So, I want to urge that we be careful to stick to the actual truth and the facts.

Now, sir, you have described your position on this issue, in part, as one for respecting human rights. The Iñupiat, some of them want to see this land developed. So, I want to ask you a little bit about ASRC and its interest in this issue, because I think it is important that we understand that, as we consider your testimony.

First, is ASRC a tribe? Yes or no.

Mr. GLENN. No.

Mr. HUFFMAN. It is a corporation, correct?

Mr. GLENN. Correct, created by Congress.

Mr. HUFFMAN. ASRC is, in fact, a multi-billion-dollar oil and gas corporation. The last time I checked—although a narrow majority of the Supreme Court would disagree with me, and a lot of my colleagues on the other side of the aisle would disagree with me—but the last time I checked I don't think corporations had human rights.

How much money did ASRC spend lobbying in 2017 to open the Coastal Plain of the Arctic Refuge?

Mr. GLENN. I don't have that information at hand.

Mr. HUFFMAN. Let me help you out. According to public records, ASRC spent $590,000 lobbying on oil and gas issues in 2017. In fact, you have been described by the Center for American Progress as the most powerful Arctic oil lobby group. So, I think it is important that we not couch your interests here and your testimony in terms of human rights. This is about perhaps an age-old human quality: greed. But it is not about human rights.

And I want to congratulate you, sir, because it looks like you are in a great position to make a lot more money. You have already made a lot. My understanding is that your corporation owns 92,000 acres of subsurface area in the Coastal Plain through a land exchange in 1983, correct?

Mr. GLENN. Correct.

Mr. HUFFMAN. And you have been leasing that out to Chevron, Texaco, and BP, correct?

Mr. GLENN. It was leased, yes.

Mr. HUFFMAN. Right. About how much money have you gotten from those big oil companies?

Mr. GLENN. Transactions of leasing are private. The corporation keeps those records private.

Mr. HUFFMAN. Yes, but the GAO has helped us understand that a little bit, at least as of 1989, when they looked at this. They said you had received, in 1989, over $30 million from those big oil companies for leasing those subsurface rights. I would love to know what you have made since 1989, but I think we can all stipulate that it is probably a lot more.

By the way, that same GAO report found that your original land exchange that gave you those subsurface rights was in violation of the public interest.

But at any rate, during this time you have had, as a result of those rights, the only exploratory test well in the Coastal Plain, correct?

Mr. GLENN. Correct.

Mr. HUFFMAN. And you have maintained the data from that exploration as strictly private, proprietary information. You are not sharing it with anyone, right?

Mr. GLENN. That is——

Mr. HUFFMAN. The government doesn't know it.

Mr. GLENN. The government knows it. All exploration is proprietary.

Mr. HUFFMAN. The Department of the Interior does not have your exploration——

Mr. GLENN. I am not talking about the state government——

Mr. HUFFMAN. Right. And as we go forward—and we know that the Trump administration is in a red hot hurry to do a lease sale at the end of this year—they are completely blind on where the oil actually is. But you know where it is, because you have those exclusive rights and that exclusive data that you are not sharing with anyone. Correct?

Mr. GLENN. You are talking about one well drilled in over a million acres?

Mr. HUFFMAN. Yes.

Mr. GLENN. No, you can't determine the quality of any single basin by one well in over a million acres.

Mr. HUFFMAN. Well, you are the only one with any data up there. The rest of the world is blind, yet we are rushing forward to give this away to big oil. So, I do want to congratulate you. You have an Administration right now with the Acting Secretary of the Interior, a former oil lobbyist, very excited to help you get even richer.

With that, I yield back.

Dr. LOWENTHAL. Thank you.

I am going to take this opportunity to ask a few more questions. If Mr. Westerman or Mr. Huffman wants to follow me, that is certainly OK also.

Mr. Brown, first of all, thank you for your moving testimony about the impact, and your own personal impact, in terms of fishing and what it has meant to you.

The question I have is why do you think that, of all places, the Arctic National Wildlife Refuge is such a healing place for you and other veterans and other under-served youth? Why this one place on earth?

Mr. BROWN. Thank you, sir. The Arctic Refuge has impacted many lives, youth and veterans, from the experience that I have been able to witness and follow through.

One of the lives that I remembered I will just share with you of a young lady by the name of Kolby. She comes from a broken home, disconnected background. And she has been with me for a little bit close to 3 years. She has grown into a youth leader at Soul River.

She has been to the Arctic twice. Since she has come back, she has brought back the learnings and the teachings that veterans have been able to educate her about conservation and the issues and the sensitivity of what is happening up in the Arctic. She has brought that back into her community, and she has shared that with her mother and father, down to the basics of where her mom

and her father, around the ages of 60-plus years of age, have never practiced conservation. The basics she shared with them was the basics of how to recycle.

From there on, Kolby has written her own presentation and presented this in front of her home high school of her experience in the Arctic, and why it is that important.

But the impact of Kolby doesn't stop there. She has actually aged out, and she has left the organization. And then one day she comes back in her dress blues, in the officer's program, studying to be a doctor, and thinking about how to straddle medicine and conservation.

The impact is great, and it is a domino effect that has started from the Arctic down into urban neighborhoods. And these are youth that are coming in, and they are getting educated, and they are becoming tomorrow's leaders for our sensitive environments.

Dr. LOWENTHAL. I want to ask you a follow-up question to that answer—and that was very helpful to the Committee. You describe people who have visited the Arctic National Wildlife Refuge and the Coastal Plain, and what that has meant to their lives in coming down. Why should other Americans who will likely never visit the Arctic National Wildlife Refuge—why should they care?

Mr. BROWN. My first deployment into the Arctic was a total of 23 participants. Sixteen of the participants were youth. When they all came back, they slept on the floor almost a month. Parents gave me a call and were wondering what was going on with their children, why they are not in bed. And I told them that they are still trying to hold on to these special moments, embrace what they experience, because it is just that special.

Now, what is happening is that domino effect—what I was saying earlier, that these parents are now becoming cheerleaders of the organization, they are becoming advocates of the Arctic, even though they haven't stepped foot in the Arctic. They see the domino effect within their kids of what has happened, how they have changed. They are a witness. They are actually becoming a witness of their children that I have not even seen, other than what I am hearing from the parents. Parents are now advocating to other parents, telling their children, "You have to join Soul River, Inc. You have to get on that deployment and go to the Arctic."

So, parents in urban neighborhoods who have never been are becoming advocates of the Arctic National Wildlife Refuge, even though they have not been, but they believe in the change, in what they are seeing in their own children.

Dr. LOWENTHAL. Thank you. I am going to yield back, and I am going to offer the same opportunity to my colleague, Representative Gosar, the Ranking Member, for any——

Dr. GOSAR. I am sorry I finally got back.

Dr. LOWENTHAL. Just at the right time to ask some questions, if you have any.

Dr. GOSAR. Mr. Glenn, I am very familiar with the Native tribe consortiums. Are they any less tribal?

Mr. GLENN. No, they are——

Dr. GOSAR. It is just a different way of configuring them, right?

Mr. GLENN. At the creation of Congress, we have been frayed into three organizations: the federally recognized tribes; the

municipalities that take care of municipal services; and the Native corporations that settled aboriginal title by an Act of Congress. This was not by our design, this was Congress' design.

And I resent the fact that the author of this bill seems to think that somehow we are less than human beings because of that. We didn't create this. We are trying to abide by the Act of Congress in the best way we can.

Dr. GOSAR. I am glad you brought that up, because in configuring this, and kind of, I'll be honest with you, forcing your hand into this consortium, have they been responsive to the individual tribal members more effectively, do you think? Because I know in my state of Arizona a number of the tribes are actually looking to the consortiums for reorganization, because of some of the benefits it has helped them with. Is that true?

Mr. GLENN. By consortiums, I think you mean these Native corporations. I think that the Native corporations have brought increased benefits back to their membership, their shareholders who are tribal members. And by doing so, they have improved the quality of life.

Remember how it all started. It started with the taking of aboriginal land that was never lost by any battle, never ceded away by any treaty. It took the land and gave us a portion of it back as partial compensation for the taking. With this land base, we were directed to form these profit-making corporations to improve the lives of our shareholders. And that has been our goal, that is in our mission, it is still our mission.

And the fact that we advocate for development on the North Slope is less about any single corporate opportunity. As the previous person who was questioning me noted, we are a successful company. We are all over the place. It is advocating for local development in our region to support our local government. It is the borough that depends on these tax revenues that improves the quality of life with things like roads, running water, reliable power.

Dr. GOSAR. So, once again highlight for me, you are no less diligent in doing your due diligence about the land. Are you?

Mr. GLENN. No, we are no less diligent.

Dr. GOSAR. You actually take that into consideration, right?

Mr. GLENN. Yes. If this is about how we treat the land, everything, from where we build a road, a water/sewer plant, or explore for oil of gas, it is on the land of our ancestors. The bones are still in the ground there. We come from a time where people weren't even buried within human memory. So, we treat all land with respect.

Yet, we know our communities have to survive. Today's modern village communities have a footprint. You can't deny it.

Dr. GOSAR. So, I guess I want to hear it again. You are responsive to the whole membership. This is not just a corporation. This is a corporation of all peoples within that area. Is that true?

Mr. GLENN. True. The Native corporations are owned by now more than 13,000 Iñupiat shareholders in our region, and this is true for all the regions of the state, probably 100,000 people.

Dr. GOSAR. Mr. Rexford, would you agree with the assessment that we have just had, this colloquy back and forth?

Mr. REXFORD. What do you mean by that, Mr. Gosar?

Dr. GOSAR. Well, we had a discussion, Mr. Glenn and I, in regards to the corporation.

Mr. REXFORD. Oh, yes.

Dr. GOSAR. It is just a title, right? There is no difference in how you take care of the land.

Mr. REXFORD. Yes, I agree.

Dr. GOSAR. And being much more responsive to people, right?

Mr. REXFORD. Oh, yes. We are responsive to people, as well. When any kind of development occurs in our lands and regions, we very much care about the environment and the wildlife. We do not want to see them decimated.

It is unfortunate that we have political science that is here to just make things harder for us, is how we see it in Kaktovik.

Dr. GOSAR. I brought up earlier, I actually got a chance to come up to the North Slope. It was phenomenal to be able to see that. When we left Fairbanks, to give you an example, it was 64 degrees, and it was a blizzard on the North Slope.

So, I guess one more last thing that I would like to know, Mr. Rexford—is the caribou herd going down, or growing?

Mr. REXFORD. It changes every year. If you see a map of the migration route of the caribou herd, even we question the science behind that. What has happened was historical data where the migration of the caribou is not the same as it used to be when people started gathering the science. It changes every year. You can't put a boundary for caribou. You can't say where they are going to migrate or calve at any given year.

Dr. GOSAR. Yes. So, Mr. Glenn and then Mr. Rexford on the same question. I was told that once you build a road, it is forever changed. I have a very different profile of that.

Could you address that, Mr. Glenn?

Mr. GLENN. Thank you.

Dr. GOSAR. And then Mr. Rexford.

Mr. GLENN. First of all, the trails used for seismic exploration are on compressed snow, so there are no roads for seismic acquisition. After a brief period of time, there is no trace of the seismic exploration on the ground at all.

Second issue regarding roads is there is a credibility question here. There are 457 miles of road that comprises the Dempster Highway in Canada that crosses right through the upper Eagle Plains where the Gwich'in people hunt caribou off the road. So, if the roads are so damaging in one part of the caribou's migration route, what about the other part of the caribou's route?

And I don't besmirch them for that, I am proud of them. Some of the people get to hunt caribou from the road. That is a good thing. What I am trying to say is caribou are relatively indifferent to infrastructure.

And if you are talking about the effect of a road on the environment, the gravel road forms an insulating blanket over the tundra. If the tundra is changing, it is going to change less underneath a well-built road.

Dr. GOSAR. Mr. Rexford, do you have anything to add?

Mr. REXFORD. Thank you. I almost didn't have a chance to get here. I was trying to get from my community to Anchorage, Alaska to make a flight to here, to DC, from Monday through Thursday.

And the weather was looking bad all the way past the weekend. I am from Kaktovik. We are on Barter Island. We are off the highway system. There are no roads coming in and coming out of our community. The only way to travel is by air or by snow machine or boat.

Dr. GOSAR. Thank you.

Dr. LOWENTHAL. I want to thank the witnesses for their testimony and the Members for their questioning.

The members of the Committee may have some additional questions for the witnesses from both panels, and we are going to ask you, members of the panel and the first panel, to respond in writing. Under Committee Rule 3(o), members of the Committee must submit their witness questions within 3 business days following this hearing. And the hearing record will be open for 10 business days following that for these responses.

If there is no further business, without objection, the Committee stands adjourned.

[Whereupon, at 5:13 p.m., the Subcommittee was adjourned.]

[ADDITIONAL MATERIALS SUBMITTED FOR THE RECORD]

Submission for the Record by Rep. Huffman

Slide Presented During the Hearing

TESTIMONY SUBMITTED FOR THE RECORD
FROM FRIENDS OF ANIMALS, WILDLIFE LAW PROGRAM, CENTENNIAL, COLORADO
BY MICHAEL RAY HARRIS, DIRECTOR

Re: The Arctic Cultural and Coastal Plain Protection Act

Dear Committee Members:

Friends of Animals (FoA)[1] submits this testimony in support of H.R. 1146, the Arctic Cultural and Coastal Plain Protection Act, and the repeal of section 20001 of Public Law 115–97. FoA represents a broad and diverse constituency that deeply believes that the Arctic National Wildlife Refuge deserves protection and that the oil and gas activities on the Coastal Plain will cause irreparable harm to the crown jewel of our nation's Refuge system.

The Arctic Refuge is home to some of the most stunning populations of wildlife in the world. In addition to the Porcupine Caribou herd, polar bears, and musk oxen, hundreds of species of migratory birds make their way to the Coastal Plain for its rich and varied ecosystems and excellent denning, nesting, and forage grounds.

The Coastal Plain of the Arctic National Wildlife Refuge is one of our nation's most iconic wild areas and it deserves the most stringent levels of protection. H.R. 1146 is an important step toward protecting the Refuge from adverse impacts caused by oil and gas development.

Climate change intensely impacts the Arctic because the Arctic is warming at more than double the rate of the rest of the country. The Refuge supports the highest density of land denning for polar bears, as melting sea ice forces bears inland. In his testimony at the subcommittee hearing, Dr. Steven C. Amstrup, the chief scientist of Polar Bears International, explained that oil and gas development on the Arctic National Wildlife Refuge Coastal Plain would accelerate the decline of the region's already imperiled polar bear population. Polar bears depend on sea ice for catching their prey and sea ice extent is directly related to global mean temperature. Allowing oil and gas extraction of the Coastal Plain will directly impact the polar bear because it perpetuates unsustainable dependence on fossil fuel and would remove protections of critically important onshore polar bear habitat. In addition, oil and gas development will increase risks to maternal denning polar bears and cause fragmentation of vital Arctic Refuge polar bear habitats.

In addition, oil and gas development in the Arctic National Wildlife Refuge Coastal Plain would negatively impact the Porcupine Caribou herd. Drilling would cause lower birth rates and threaten migrations. Pregnant females reside in the Coastal Plain when they give birth because the food on the Coastal Plain helps the mother provide rich milk and nutrition for the new calves. The breeze on the Coastal Plain protects the calves from mosquitoes, which can kill a newborn calf. If the caribou were forced to leave their habitat due to oil and gas development, it would cause significant risk to the calves because the Coastal Plain has fewer predators than other areas.

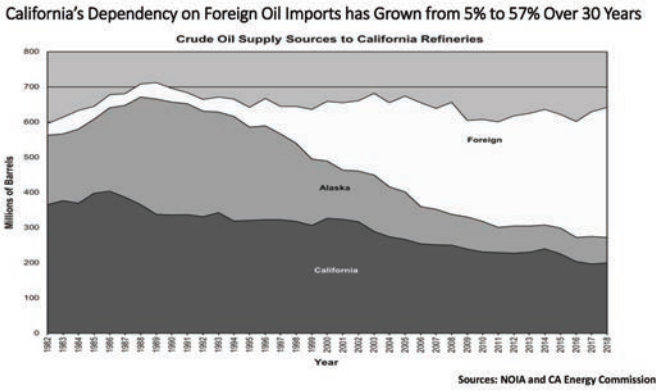
Oil and gas leasing, exploration, and development would further damage the quality and health of important natural resources like wildlife, air, water, and land. These resources have intrinsic value and oil and gas development would cause irreversible damage that will be felt by many generations to come. Repealing section 20001 of Public Law 115–97, H.R. 1146 will help protect our natural world and move toward a sustainable future.

In conclusion, we believe that the Arctic National Wildlife Refuge should remain a symbol of America's purity. Moreover, informed people recognize that the 19.6 million-acre Refuge is a national treasure. Its abundant wildlife is worth protecting from oil and gas companies for oil we don't need. Thus, FoA supports passage of the Arctic Cultural and Coastal Plains Protection Act (H.R. 1146).

[1] Friends of Animals is a non-profit international advocacy organization incorporated in the state of New York since 1957. FoA has nearly 200,000 members worldwide. FoA and its members seek to free animals from cruelty and exploitation.

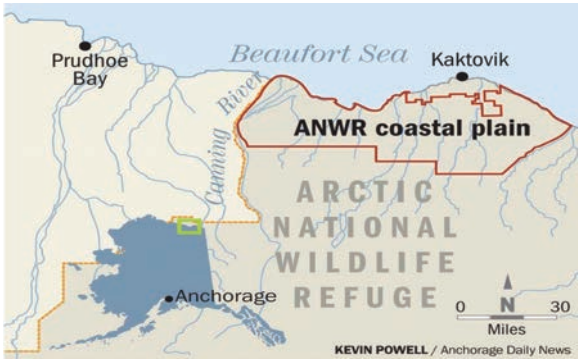
Submission for the Record by Rep. Gosar

Slides Presented During the Hearing



*****

*****



[MISCELLANEOUS MATERIALS SUBMITTED FOR THE RECORD]

April 8, 2019

Hon. ALAN LOWENTHAL, *Chairman*,
House Subcommittee on Energy Mineral Resources,
Committee on Natural Resources,
1324 Longworth House Office Building,
Washington, DC 20515.

Re: Correction of Representative Don Young's misleading statements on the Gwich'in Nation

Dear Chairman Lowenthal:

We write today on behalf of the Gwich'in Nation to request you submit this letter to the official record for the U.S. House of Representatives Subcommittee on Energy and Minerals hearing on H.R. 1146, The Arctic Cultural and Coastal Plain Protection Act," that took place on March 26, 2019.

The Gwich'in Steering Committee was created by the Gwich'in Nation to speak with a unified voice on behalf of our tribes across the United States and Canada to protect the Porcupine Caribou Herd. During the hearing, Representative Don Young (R, AK) misrepresented himself as Gwich'in and disrespected the Gwich'in representatives who were invited to testify at the hearing. Representative Young made several incorrect and inappropriate remarks, including the following:

- Representative Young stated "My tribe is Gwich'in." This is false. Representative Young is not Gwich'in, and is in fact originally from California, not Alaska. Having a native spouse does not confer tribal membership, nor does it provide an inherent understanding of native issues or a right to speak on behalf of tribes. Representative Young is not an appointed member of the Gwich'in Steering Committee, nor is he a member of any Alaska Native tribe. Representative Young does not speak for or represent the Gwich'in.
- Representative Young stated the Gwich'in are "foreigners" and do not live in the Refuge. For millennia the Gwich'in have lived within the boundary of the Porcupine Caribou Herd's range, including in what is now known as the Arctic National Wildlife Refuge, and have relied on the herd for sustenance and our way of life. The Gwich'in live in fifteen villages spread across a vast area extending from northeast Alaska to the northern Yukon and Northwest Territories in Canada. The ancestral homeland of the Gwich'in follows the migratory route of the caribou. The Gwich'in call the Coastal Plain area under consideration in H.R. 1146 "**Izhit gwat'san gwandaii goodlit**," "the sacred place life begins." The Gwich'in view this area as too sensitive and sacred to visit, as it serves as the calving ground for the Porcupine Caribou Herd. Oil and gas activities on the Coastal Plain would inflict devastating impacts on the Porcupine Caribou Herd, and negatively affect Gwich'in subsistence and cultural practices. Development in this sacred area is an affront to our human rights and way of life.
- There have been assertions that the Gwich'in representatives are engaged in the fight to protect the Refuge because of "free trips" outside of Alaska, suggesting Gwich'in representatives are engaging in tourism. Nothing could be farther from the truth. Gwich'in representatives make the arduous journey from Alaska and Canada to DC, which requires a minimum of two flights and 14 plus hours of travel time, to defend the traditional calving grounds of the Porcupine Caribou herd in front of US officials and leadership. This means spending time away from families and taking unpaid leave to fight to protect the refuge. We do this because of the importance of the Porcupine Caribou Herd and its birthing grounds to our identity and way of life, and the need to protect the herd for future generations. Our very survival depends on its protection.

Representative Young does not speak on behalf of the Gwich'in Nation.

Thank you for considering these comments and submitting them to the official record.

Sincerely,

Bernadette Demientieff, Ex. Director,
Gwich'in Steering Committee

Galen Gilbert, First Chief,
Arctic Village

Dana Tizya-Tramm, First Chief,
Old Crow Yukon Territory

Sam Alexander,
Gwich'in Leader

TESTIMONY SUBMITTED FOR THE RECORD
FROM ALLEN E. SMITH
OLYMPIA, WASHINGTON

Re: H.R. 1146, The Arctic Cultural and Coastal Plain Protection Act

To: The Honorable Alan Lowenthal, Chairman and Members of the Subcommittee:

Thank you for the opportunity to present my written testimony to be included in the hearing record in support of H.R. 1146, the Arctic Cultural and Coastal Plain Protection Act of 2019, an ACT to amend P.L. 115–97 to repeal Section 20001, the Arctic National Wildlife Refuge oil and gas program. My name is Allen E. Smith and I reside in Olympia, Washington. I am an environmental consultant and writer with over 45 years-experience with Alaska wildlife and wilderness conservation issues. I served The Wilderness Society for 20 years as Vice President, Alaska Regional Director and Senior Policy Analyst, and Arctic Consultant. I previously served as President/CEO of Defenders of Wildlife, Executive Officer of the Land & Natural Resources Division, USDOJ, and as Chief Financial Officer of the Sierra Club. I served in the U.S. Marine Corps and graduated from the University of NH in Business and Engineering.

Over the past 30 years I have been deeply privileged to visit and experience the Arctic National Wildlife Refuge Coastal Plain professionally and recreationally at least a dozen times and have witnessed in awe its extraordinary wildlife and wilderness values. I have also visited Arctic Village, Venetie, and Kaktovik and witnessed the reliance that the Gwich'in and Inupiat indigenous Native communities place on the subsistence values the wildlife of the Coastal Plain provide for their historic and cultural subsistence lifeways. The current administration has failed to recognize the significant negative impacts proposed oil and gas development would have on the Arctic Refuge Coastal Plain and those indigenous Native communities, forcing them from their historical and cultural subsistence way of life and from their homelands. I have also witnessed the increasingly significant impacts of climate change rapidly taking place at an alarming rate in the Arctic that will be exacerbated by oil and gas development on the Arctic Refuge Coastal Plain and prevent the continuation of development as permafrost melts.

Congress erred in passing Section 20001 of P.L. 115–97, the 2017 Tax Cuts and Jobs Act. Besides creating an unrealistic tax revenue expectation from coastal plain development, the unintended consequence of Congress' action is "termination legislation" because it will certainly force the Gwich'in to leave their way of life because of the irreparable harm development will cause to their subsistence lifeways. It is equally wrong to allow the U.S. Department of the Interior (USDI) to rush ahead with leasing plans that exceed the limits of P.L. 115–97 and would destroy the extraordinary wild natural values found there that those communities rely on for their very lifeway. Further, the administration has not considered that development would hasten climate change on the Coastal Plain, is inadequate in its analysis of these negative outcomes, and does not meet the requirements of the National Environmental Policy Act (NEPA). There is ample evidence that we cannot burn all the hydrocarbons on Earth and overcome the ravages of climate change. If we are to arrest climate change, it does not matter what oil and gas may or may not be in the Arctic Refuge—we should let it be and not develop it. Congress should repeal Section 20001 of P.L. 115–97 now.

Congress passed the landmark Alaska National Interest Lands Conservation Act P.L. 96–487 (ANILCA) in 1980, which proscribed the inter-related purposes of the Arctic National Wildlife Refuge in law to protect it as follows:

> **ANILCA § 303. (2)(B) The purposes for which the Arctic National Wildlife Refuge is established and shall be managed include—**
>
> **(i) to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, the Porcupine caribou herd (including participation in coordinated ecological studies and management of this herd and the Western Arctic caribou herd), polar bears, grizzly bears muskox, Dall sheep, wolves, wolverines, snow geese, peregrine falcons and other migratory birds and Arctic char and grayling;**
>
> **(ii) to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats;**
>
> **(iii) to provide, in a manner consistent with the purposes set forth in subparagraphs (i) and (ii), the opportunity for continued subsistence uses by local residents; and**
>
> **(iv) to ensure, to the maximum extent practicable and in a manner consistent with the purposes set forth in paragraph (i), water quality and necessary water quantity within the refuge.**

In enacting Section 20001 of P.L. 115–97, the 2017 Tax Cuts and Jobs Act, Congress mistakenly added another purpose to the Arctic Refuge—to provide for an oil and gas program on the Coastal Plain. This additional purpose is totally inconsistent and incompatible with the legally established ANILCA purposes of the Refuge listed above because it will contravene those ANILCA purposes to cause lasting damage to animal and plant diversity, disrupt subsistence activities, upset water quality and quantity, and disregard international wildlife protection treaty obligations legally demanded by those ANILCA purposes. USDI has failed to analyze how oil and gas development will interfere with the originally stated purposes of the Refuge.

Since the passage of P.L. 115–97, USDI has ignored the legal requirements to first establish and evaluate an oil and gas program under NEPA review before making plans for lease sales, and has instead rushed ahead with a plan and Environmental Impact Statement (EIS) that makes wholesale allowances for major oil and gas support infrastructure to be built outside of the 2,000 acre development footprint legally allowed under P.L. 115–97, Section 20001 in order to fast-track lease sales as soon as possible. These brazen steps resulted in limited public access and participation in the process while USDI continued to work behind the scenes during the recent government shutdown. USDI's compressed EIS scoping, inadequate Draft EIS (DEIS), omission of science reviews, disregard of the 2,000 acre footprint limitation, disregard for indigenous Native knowledge, lack of thorough analysis, and short public comment period has created a development disaster waiting to happen. USDI has totally failed to meet its legal obligations for development in the Arctic Refuge and should not be allowed to proceed with it.

There are internationally significant wildlife species and populations protected by the ANILCA purposes for the Arctic National Wildlife Refuge and international treaties that rely on the coastal plain for critical habitat and food that would be irreparably harmed by oil and gas development there, as would water resources.

The 200,000 animal Porcupine Caribou Herd (PCH) annually migrates from Canada onto the Coastal Plain and fully occupies its entire area moving back and forth across the plain like a giant wave of life for calving, replenishing nutrition, predator avoidance, and insect relief.

Polar bears are listed as threatened under the Endangered Species Act and 77 percent of the Arctic Refuge Coastal Plain is designated polar bear Critical Habitat. The Southern Beaufort Sea population of polar bears has lost about half its population since 1980, about one-third of these bears increasingly depend on the Coastal Plain to den and give birth to their cubs as sea ice retreats, and this area of the Arctic Refuge is now one of the world's largest land based polar bear denning sites.

Over 200 species of birds from every U.S. state and six continents nest on the Arctic Refuge coastal plain which provides essential nesting, foraging, and migratory stop-over for millions of birds each year.

The Arctic Refuge Coastal Plain is one of the world's most extraordinary intact wilderness and wildlife areas by any measure of ecological value or wilderness character as officially reported through decades of detailed studies of it and by those

who have traveled there and bear witness to those internationally unique values. As an undisturbed ecosystem, it is also a benchmark standard to measure the health of the planet against.

Imagine a place so vast and wild that you see something new every time you visit it and yet each time you see unique ecological patterns shaped by millennia of repeated annual cycles on a grand scale as old as time. A place where bands of white Dall sheep peer down on you from the cliffs above as you float north through the Brooks Range toward the Coastal Plain; where millions of birds come from all over the world to sing, feed, breed and fledge their young; where tens of thousands of caribou move back and forth across the Coastal Plain between the Beaufort Sea and the Brooks Range like a sea of life to feed, give birth, and avoid predators and mosquitoes; where wolves and grizzly bears chase caribou, where Grizzly bears boldly come into your camp; where you can see 88 muskox in the course of one day as you float down the Canning River; where polar bears den and have their cubs in winter and line the gravel crest of Icy Reef on the coast with their post-hole tracks in summer for miles and miles; and a place where a large lone wolf trots past your rest stop along the Hulahula River under the pale yellow light of a late summer evening briefly pausing to look you over. Having personally witnessed all of that in this great wilderness is an unforgettable privilege, in a place so vibrant that wildness runs through it like the blood of life. It is the gold standard for all Wilderness Areas, a magical place.

The relatively narrow coastal plain of the Arctic Refuge cannot be developed without destroying those ecological and wilderness values. The density and intensity of wildlife use there is too great and geographically concentrated to absorb any industrial development. The vast network of seismic survey lines, hundreds of miles of permanent roads and pipelines, airstrips, and associated infrastructure that would be brought by development would be like a coarsely woven giant fish-net thrown across the Coastal Plain ensnaring that wildlife and displacing it from its historic migrations and natural patterns of use. One has to look no farther than west to Prudhoe Bay to see what the result would be—a densely developed industrial zone visible from space where climate change is already taking its toll with rising temperatures, melting permafrost, collapsing oil wells, and shorter frozen ground seasons for mechanized over tundra access.

By contrast, a national investment in an energy policy that emphasizes Conservation, Alternatives, Renewables, and Efficiencies to reduce our dependence on all oil would be environmentally, economically, and nationally more secure and would eliminate the need to sacrifice this and other ecological treasures for whatever oil may or may not be there—Call it the C.A.R.E. energy policy. We cannot survive if we continue to pursue energy policies that would have us burn all of Earth's hydrocarbons. In the face of rapidly increasing impacts of climate change can we afford not to make that investment in a C.A.R.E. energy policy?

The human rights of indigenous Native Athabaskan Gwich'in Indians living in villages south and east of the Brooks Range in Alaska and Canada would be compromised and their reliance on the Porcupine Caribou Herd for their cultural and traditional subsistence way of life would be destroyed by oil and gas development on the Arctic Refuge Coastal Plain. That would be an environmental racial injustice of monumental proportions.

As a non-Native, I cannot speak for the Gwich'in, but from visiting their villages and working with them I can make value based observations about their needs and human rights. They are indigenous Natives who were here first and have a legal right to exist and prosper in their cultural and traditional way of life as they have for millennia. Examining the purposes of ANILCA and the Arctic Refuge and the history of Native law shows that Congress has guaranteed those rights. Any claims that have been made by proponents of oil and gas development that the Gwich'in must adapt in the face of our perceived need for oil are condescending and unfounded. To the Gwich'in, the Arctic Refuge Coastal Plain is "the sacred place where life begins." Must we destroy them and their culture that others might have the last drop of oil? No. Morally, that cannot be justified. We are the ones who must adapt.

Oil and gas development cannot take place on the Arctic National Wildlife Refuge Coastal Plain without contravening the legal purposes of the Arctic Refuge established by Congress under ANILCA and cannot be undertaken there without destroying the wildlife and wilderness values protected in law causing irreparable harm to the subsistence communities that rely on those values. No amount of analysis can honestly escape the devastating realities of what that development would do to the internationally significant wildlife values and subsistence communities that rely on that extraordinary wilderness. Whatever oil and gas may or may not be there, we should leave it there.

The Arctic National Wildlife Refuge Coastal Plain is wild and free, let it be.

I oppose any oil and gas development on the Arctic National Wildlife Refuge Coastal Plain and strongly recommend that Congress pass H.R. 1146 to amend P.L. 115–97, the 2017 Tax Cuts and Jobs Act to repeal Section 20001.

Again, thank you for the opportunity to submit my written testimony to the Subcommittee on Energy and Mineral Resources to be included in the hearing record on H.R. 1146.

[LIST OF DOCUMENTS SUBMITTED FOR THE RECORD RETAINED IN THE COMMITTEE'S OFFICIAL FILES]

Submission for the Record by Rep. DeGette

— Community Hearing to Defend the Arctic National Wildlife Refuge, held March 7, 2019 at The Alliance Center, Denver, Colorado.

○