

111TH CONGRESS  
1ST SESSION

# H. R. 39

To preserve the Arctic coastal plain of the Arctic National Wildlife Refuge, Alaska, as wilderness in recognition of its extraordinary natural ecosystems and for the permanent good of present and future generations of Americans.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2009

Mr. MARKEY of Massachusetts introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To preserve the Arctic coastal plain of the Arctic National Wildlife Refuge, Alaska, as wilderness in recognition of its extraordinary natural ecosystems and for the permanent good of present and future generations of Americans.

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

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Udall-Eisenhower Arc-  
5       tic Wilderness Act”.

6       **SEC. 2. FINDINGS AND STATEMENT OF POLICY.**

7       (a) FINDINGS.—The Congress finds the following:

1           (1) Americans cherish the continued existence  
2       of expansive, unspoiled wilderness ecosystems and  
3       wildlife found on their public lands, and feel a  
4       strong moral responsibility to protect this wilderness  
5       heritage as an enduring resource to bequeath undis-  
6       turbed to future generations of Americans.

7           (2) It is widely believed by ecologists, wildlife  
8       scientists, public land specialists, and other experts  
9       that the wilderness ecosystem centered around and  
10      dependent upon the Arctic coastal plain of the Arctic  
11      National Wildlife Refuge, Alaska, represents the  
12      very epitome of a primeval wilderness ecosystem and  
13      constitutes the greatest wilderness area and diversity  
14      of wildlife habitats of its kind in the United States.

15          (3) President Dwight D. Eisenhower initiated  
16      protection of the wilderness values of the Arctic  
17      coastal plain in 1960 when he set aside 8,900,000  
18      acres establishing the Arctic National Wildlife Ref-  
19      uge expressly “for the purpose of preserving unique  
20      wildlife, wilderness and recreational values”.

21          (4) In 1980, when the Congress acted to  
22      strengthen the protective management of the Eisen-  
23      hower-designated area with the enactment of the  
24      Alaska National Interest Lands Conservation Act  
25      (Public Law 96–487), Representative Morris K.

1        Udall led the effort to more than double the size of  
2        the Arctic National Wildlife Refuge and extend stat-  
3        utory wilderness protection to most of the original  
4        area.

5            (5) Before the enactment of the Alaska Na-  
6        tional Interest Lands Conservation Act, the House  
7        of Representatives twice passed legislation that  
8        would have protected the entire Eisenhower-des-  
9        ignated area as wilderness, including the Arctic  
10       coastal plain.

11           (6) A majority of Americans have supported  
12       and continue to support preserving and protecting  
13       the Arctic National Wildlife Refuge, including the  
14       Arctic coastal plain, from any industrial development  
15       and consider oil and gas exploration and develop-  
16       ment in particular to be incompatible with the pur-  
17       poses for which this incomparable wilderness eco-  
18       system has been set aside.

19           (7) When the Arctic National Wildlife Refuge  
20       was established in 1980 by paragraph (2) of section  
21       303 of the Alaska National Interest Lands Con-  
22       servation Act (Public Law 96–487; 94 Stat. 2390;  
23       16 U.S.C. 668dd note), subparagraph (B)(iii) of  
24       such paragraph specifically stated that one of the  
25       purposes for which the Arctic National Wildlife Ref-

1        uge is established and managed would be to provide  
2        the opportunity for continued subsistence uses by  
3        local residents, and, therefore, the lands designated  
4        as wilderness within the Refuge, including the area  
5        designated by this Act, are and will continue to be  
6        managed consistent with such subparagraph.

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

14           (9) The extension of full wilderness protection  
15       for the Arctic coastal plain within the Arctic Na-  
16       tional Wildlife Refuge will still leave most of the  
17       North Slope of Alaska available for the development  
18       of energy resources, which will allow Alaska to con-  
19       tinue to contribute significantly to meeting the en-  
20       ergy needs of the United States without despoiling  
21       the unique Arctic coastal plain of the Arctic Na-  
22       tional Wildlife Refuge.

23        (b) STATEMENT OF POLICY.—The Congress hereby  
24       declares that it is the policy of the United States—

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

4           (2) to sustain this natural treasure for the cur-  
5           rent generation of Americans; and

6           (3) to do everything possible to protect and pre-  
7           serve this magnificent natural ecosystem so that it  
8           may be bequeathed in its unspoiled natural condition  
9           to future generations of Americans.

10 **SEC. 3. DESIGNATION OF ADDITIONAL WILDERNESS, ARC-**  
11 **TIC NATIONAL WILDLIFE REFUGE, ALASKA.**

12           (a) INCLUSION OF ARCTIC COASTAL PLAIN.—In fur-  
13 therance of the Wilderness Act (16 U.S.C. 1131 et seq.),  
14 an area within the Arctic National Wildlife Refuge in the  
15 State of Alaska comprising approximately 1,559,538  
16 acres, as generally depicted on a map entitled “Arctic Na-  
17 tional Wildlife Refuge—1002 Area Alternative E—Wilder-  
18 ness Designation” and dated October 28, 1991, is hereby  
19 designated as wilderness and, therefore, as a component  
20 of the National Wilderness Preservation System. The map  
21 referred to in this subsection shall be available for inspec-  
22 tion in the offices of the Secretary of the Interior.

23           (b) ADMINISTRATION.—The Secretary of the Interior  
24 shall administer the area designated as wilderness by sub-  
25 section (a) in accordance with the Wilderness Act as part

1 of the wilderness area already in existence within the Arc-  
2 tic National Wildlife Refuge as of the date of the enact-  
3 ment of this Act.

