

115TH CONGRESS
2D SESSION

H. R. 5911

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.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2018

Mr. HUFFMAN (for himself, Mr. GRIJALVA, Mr. GALLEGO, Mr. LOWENTHAL, and Mr. MCEACHIN) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) Americans cherish the continued existence
2 of expansive, unspoiled wilderness ecosystems and
3 wildlife found on their public lands and feel a strong
4 moral responsibility to protect this wilderness herit-
5 age 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 Range
19 expressly “for the purpose of preserving unique wild-
20 life, wilderness and recreational values”.

21 (4) When the Arctic National Wildlife Refuge
22 was established in 1980 by paragraph (2) of section
23 303 of the Alaska National Interest Lands Con-
24 servation Act (Public Law 96–487; 94 Stat. 90; 23
25 16 U.S.C. 668dd note), subparagraph (B) recog-

1 nized the following four additional purposes of the
2 Arctic National Wildlife Refuge:

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

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

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

11 (D) “To ensure . . . water quality and
12 quantity within the refuge”.

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

21 (6) Canada has taken action to preserve those
22 portions of the wilderness ecosystem of the Arctic
23 that exist on its side of the international border and
24 provides strong legal protection for the habitat of
25 the Porcupine caribou herd that migrates annually

1 through both countries to calve on the Arctic coastal
2 plain.

3 (7) The Gwich'in people of eastern Alaska and
4 Northwestern Canada have relied on the Porcupine
5 caribou herd for millennia and caribou is a vital cul-
6 tural, spiritual, and nutritional resource for the
7 Gwich'in.

8 (8) The Arctic is being impacted by climate
9 change at unprecedented levels. Temperatures are
10 rising at twice the rate of the rest of the country,
11 and wildlife and habitat that depend on the Arctic
12 are being detrimentally impacted.

13 (9) Title II, section 20001 of Public Law 115–
14 97 (commonly known as the Tax Cuts and Jobs Act)
15 would allow an oil and gas program on the Coastal
16 Plain. Oil and gas activities are not compatible with
17 the protection of this national treasure.

18 (10) Repeal of section 20001 would best protect
19 the unspoiled ecosystem of the Coastal Plain, the
20 human rights of the Gwich'in, and the integrity of
21 the National Wildlife Refuge System.

22 **SEC. 3. STATEMENT OF POLICY.**

23 The Congress hereby declares that it is the policy of
24 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;

6 (3) to honor and respect the human rights of
7 the Gwich'in; and

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

12 **SEC. 4. REPEAL OF ARCTIC NATIONAL WILDLIFE REFUGE**
13 **OIL AND GAS PROGRAM.**

14 Section 20001 of Public Law 115–97 is hereby re-
15 pealed.

○