

**H.R. 39, ARCTIC COASTAL PLAIN  
DOMESTIC ENERGY SECURITY  
ACT OF 2003; AND H.R. 770,  
MORRIS K. UDALL ARCTIC  
WILDERNESS ACT**

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**LEGISLATIVE FIELD HEARING**

BEFORE THE

COMMITTEE ON RESOURCES  
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTH CONGRESS

FIRST SESSION

Saturday, April 5, 2003 in Kaktovik, Alaska

**Serial No. 108-13**

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**LEGISLATIVE FIELD HEARING ON H.R. 39,  
ARCTIC COASTAL PLAIN DOMESTIC  
ENERGY SECURITY ACT OF 2003; & H.R. 770,  
MORRIS K. UDALL ARCTIC WILDERNESS  
ACT**

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**Saturday, April 5, 2003  
Committee on Resources  
U.S. House of Representatives  
Kaktovik, Alaska**

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The Committee met, pursuant to call, at 11:43 a.m., in the Kaktovik City Center Office, Kaktovik, Alaska, Hon. Richard Pombo (Chairman of the Committee) presiding.

Members Present: Representatives Pombo, Nunes, Renzi, Rehberg, and Bordallo.

Also Present: Senator Lisa Murkowski, Governor Frank Murkowski, Mayor Lon Sonsalla, Mayor George Ahmaogak.

Mayor SONSALLA. Maybe I don't need the mike. I think everybody can hear me anyways. So I'd like to welcome everybody. We're going to get started here. So find you a chair. Relax.

This is the official hearing of the House Resources Committee. I would like to welcome all the guests we have today. The Committee members. I'll let them introduce themselves when they get started on the hearing part of that because I don't remember all their names.

And we also have Governor Murkowski here. And—right there. Mayor Ahmaogak from the North Slope Borough is here.

Of course, I want to welcome all the elders and the people of Kaktovik. And thank you for coming today. As is our tradition, we usually start off the meeting with an invocation. I would like to ask the Reverend Isaac Akootchook if he could do that for us.

Mr. AKOOTCHOOK. Hello. Say, I am Inupiat Eskimo. I speak in Eskimo. Every time I speak in a prayer to the Lord I would use my language because it will never away because God is all things in Inupiat person, and that's what I gonna speak it in. And that way I'll explain it.

God is never misunderstanding. In a lot of languages they have, all of us always understand it. English is always talk about it together. God is always perfect, not us. You know. All of us got to help one another. Let us pray.

(Invocation given in Native language.)

Mayor SONSALLA. I would like to ask Desiree to lead us off in the Pledge of Allegiance. Desiree.  
[pledge of allegiance recited.]

**STATEMENT OF HON. LON SONSALLA, MAYOR,  
KAKTOVIK, ALASKA**

Mayor SONSALLA. I just have a few things before we get into the official part of the testimony.

I would like to remind everyone that we need to remember our young men and women that are in the military. And we have a couple of young men from Kaktovik here that are in the Armed Forces and we need to keep them in mind as we are in this meeting today.

Of course, we believe that this hearing is being held in Kaktovik to hear the voices of Kaktovik. We are the ones that are nearest and dearest to the refuge on a year-around basis. This land and these animals that occupy it mean everything to us. They define us. We don't leave the humans out of the picture.

People have been living here way before this became the state of Alaska and way before the military showed up and took some land from people that were living here and installed radar installations along the north coast. And way before this place was declared a wildlife range.

And also people have been here way before this was a wildlife refuge. And we need to keep that in mind.

This is why we are glad you're here today, to consult with us about the proposal to declare the coastal plain a wilderness and another proposal, another bill to open the coastal plain to responsible development.

Survival of people of Kaktovik is of primary importance, which is why we've always said if anything happens here within our homelands, we want to be involved in the process.

And also next I would like to introduce Governor Frank Murkowski, who we would like to have welcome the crowd here today.

**STATEMENT OF HON. FRANK MURKOWSKI, GOVERNOR,  
STATE OF ALASKA**

Governor FRANK MURKOWSKI. Thank you. Let me acknowledge the elders. On behalf of all Alaskans, we thank you for the opportunity to appear and make a statement relative to the important events at hand.

Let me also thank the group that has flown up here. I recognize that this is a very difficult turnaround in a weekend, but as head of the Committee on Resources in the House, why, as you know, you have to make the best circumstances with the availability of your time.

I can't think of time more well spent traveling roughly 6,000 miles to come to about as far north as you can come without falling off the top in North America, and expressing, if you will, an open ear and an objectivity of the people of this area, the North Slope Borough and the community of Kaktovik.

As Chairman of the Committee, why, you have, I think, the responsibility of listening to the residents, getting their views. And

we're most appreciative of you and the other members of your Committee from California, Arizona, Guam.

And I'm very pleased to see Lisa here. We have a relationship, as you know. And I don't get to see her very often anymore. So Lisa, it's nice to see you, and I trust you will have some advice and counsel for me, as well.

I'm somewhat disappointed that one member of the Committee isn't here, Representative Markey, who has made much to do about activities on the North Slope. And I hope that he has an opportunity and takes the time to read the record of this hearing because it's very important.

What we have here is the opportunity to listen to the people of Kaktovik and the North Slope Borough. And the borough mayor, my good friend, who is going to be talking to me about some issues affecting the life-style of residents in the borough a little later.

But you're going to have an opportunity to hear firsthand that the people of this area strongly support the responsible development in the coastal plain of ANWR. I'm sure there are others who will express their views, as well, and we welcome that as part of the democratic process.

But again, I commend your Committee on your overwhelming vote, which you took last week, to include ANWR in the comprehensive energy legislation that's now being formulated in the House of Representatives. I think it's much to your credit that even after the vote, you made a commitment to come up here, you've lived by that commitment.

I think your vote shows that a large portion of the Committee understands the importance of responsible oil and gas development in Alaska and the contribution it makes to the nation, as well. So I'm not going to belabor that issue here.

However, I don't think we can overlook the reality that as we look to the benefits of securing domestic resources of oil in our nation and the recognition that at this time, coincidentally, we're at war in the Persian Gulf, and much of that war is over oil.

We don't have to look back very many years to remember Saddam Hussein when he invaded Kuwait. We don't have to reflect very long in the recognition that since that time, we have been maintaining a no-fly zone over Iraq until we went into this conflict.

Yet at the same time, we were still buying oil from Saddam Hussein. Almost to the insidious, if you will, reflection that we buy oil, put it in our airplanes, and then go take out his targets. So clearly, it's in the national interest of this country to reduce its dependence on areas such as Iraq.

I think it's important to note that as we look at development of oil in Alaska, you might not like oil fields, but Prudhoe Bay is the best oil field in the world, and it's nearly 35-year-old technology. We've advanced that into Endicott where we brought in the tenth largest producing field almost 19 years ago, and the footprint was 56 acres.

Now, we have, as you will see, and the opportunity you will have while you're visiting here, to get a little framework on the size of Alaska. And I am pleased that we don't have any Texans with us, although some may have been born in Texas, I have to be a little careful, but we're about two and a half times the size of Texas.

And as a consequence, the relative significance of developing the bill that came out of the House of 2,000 acres out of 19-million acres is a reference and dimension that I think bears some reflection.

The reality is when you're looking for oil, you want to look where you're most likely to find it, and geologists tell us that we're most likely to find it in this area of ANWR. It's the most promising unexplored petroleum province on the continent, and the one with the potential of perhaps discovering another large oil field such as Prudhoe Bay.

On this trip you're going to see for yourselves a small footprint of oil development on the Slope is just that, very small in relationship to the whole.

The sign that you saw when you came in here was evidence of jurisdiction where, indeed, the Department of Interior has control of the 1002 area, the ANWR area, and as a consequence, the State of Alaska has a certain sovereign obligation to manage this land, as well.

And we had commitments, as Senator Stevens has mentioned time and time again, that the people of Alaska would have a major voice in the determination of whether or not ANWR would be open. And that process is still going on today.

I think it's fair to say that as we look at the responsibility that we have to maintain our wildlife populations that they have been pretty much unaffected by the oil exploration development which has occurred here in Alaska to date.

I'm very pleased that you got into Valdez. I was somewhat concerned because I've taken five congressional delegations up here over the last 22 years, and you're the first one that ever got into Valdez on the first try. Most of them had flown up and simply decided to abandon it and go someplace else.

So when I had planned these trips, why, I planned to fly into Cordova and then take a smaller airplane and get them out of Valdez. But some have said the stars are aligned, and I think there's some truth to that.

But if you look at Valdez, you'll find the finest oil port in the world. It's the only oil port in the world that has a vapor recovery system when the oil is being loaded on those tankers.

And you saw for yourself the extent of the effort to try and insure that an accident such as the Exxon Valdez could not happen again, or at least the risk is minimized by the tremendous capability and readiness that's in existence there.

As you will observe when you see the pipeline, you know, we've got 800 miles of pipeline that's been one of the construction wonders of the world. It's survived earthquakes, it's survived bombings, it's been shot at, and it does survive. And it moves, of course, at one time nearly 25 percent of the total domestic crude oil produced in Alaska.

So on behalf of Alaskans, I want to thank you for coming. Our experience has been that when Members of Congress come to our state, see the North Slope, but more importantly, meet the people, the real people of the North Slope, they almost always conclude that oil development, gas development, and transportation can occur safely.



And my hope is that these realities will become known to more, the partisan politics as we've seen it will pass on this issue, and that Congress will make the important step of passing this comprehensive energy legislation that includes ANWR for the benefit of our nation, as well as our state.

And as we look at the recognition of how long this issue has been with us, and the identification of the advanced technology that has occurred, why, I think it's fair to say the question of safety, the question of oversight, the question of our ability as a state to monitor the responsibility we have in working with the Federal agencies on the jurisdiction of the development of this area, and the recognition that the people themselves support.

You know, I can speak for all residents of Alaska in the recognition that Alaskans in rural areas of our state are entitled to the same benefits that you take for granted in your home state. Whether it's basic comforts: Sewer, water facilities, educational opportunities, and the resources provide opportunities, jobs, a better lifestyle, and a better future for the children that you see in this audience, the beautiful Eskimo children that are looking for a future, as well. And there goes one of them right now.

So as we look at the future of our state and the recognition that, to a large degree, the future of our state is tied into responsible resource development, the further recognition that our nation needs these resources.

And, you know, one of the things that is noteworthy that some of our friends from Washington occasionally forget is you don't move in and out of Washington on hot air. That was fuel that flew you in today, and fuel that's going to fly you back.

And as we look at the alternatives to energy, we have lots of alternatives, but America and the world moves on oil. We have yet to develop another alternative. I hope that we can someday.

But in the meantime, emerging nations are going to require more oil, more oil is going to be required to move people throughout the world. And the question is, do we want to rely on sources such as Iraq, Iran, or other nations that have no stability and clearly threaten, if you will, to raise prices to a level that oftentimes can affect the standard of living here in our nation? I think the answers are obvious.

So I want to thank all of you for attending today, and I look forward to carrying a message back to my cabinet, the Legislature, both the House and Senate, of the findings of this hearing today. And again, we're most appreciative of your visit. So I'll pick up my pen and leave the podium. Thank you.

Mayor SONSALLA. Thank you, Governor Murkowski. And with that, I'll turn the hearing over to Chairman Pombo.

**STATEMENT OF THE HON. RICHARD W. POMBO, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA**

The CHAIRMAN. Thank you, Mr. Mayor. The hearing will come to order.

Today the Committee is holding a hearing on H.R. 39, a bill to authorize environmentally sensitive oil and gas leasing on the

coastal plain of ANWR, and on H.R. 770, a bill to make the coastal plain a wilderness area.

Under the rules of the Committee, the Chairman is entitled to make an opening statement, but I will also allow other members of the Committee to make statements if they so wish.

Witnesses will have 5 minutes to make an oral statement. After they are finished, each member of the Committee will have 5 minutes to ask questions and receive answers to the—from the witnesses.

Let me remind the witnesses that their entire written testimony will be included in the record and will become part of the official hearing. If you can limit your oral testimony to 5 minutes, which will also be included in the record, that will help us to keep on time with the Committee hearing here today.

I want to thank the Mayor, the Governor, for welcoming us to Kaktovik, to the people who live here for allowing us to come in and showing up for the hearing.

We have spent a great deal of time and many years discussing, arguing, debating the merits of ANWR oil and gas development, what should happen with this area. Since in the 10 years that I've been a member of the House of Representatives, we've had countless numbers of hearings and debates and bills on taking both sides of the issue that have been introduced.

And I have had the opportunity several years ago to come up here. It was a little bit warmer when I was here, but had the opportunity to come up here and spend a little bit of time getting around, finding out for myself what was here and what the risks were, what the opportunities were, and came to the conclusion that we could safely go in and explore and look for what oil resources were here.

Some of the other members of the Committee have not had that opportunity before, and I made the commitment when I became Chairman of this Committee that we were going to spend more time getting out of Washington, getting the members out to actually meet with people and talk to them, see things for themselves, and make up their own minds about what they thought.

Early on in this process this year, I made the decision that we were going to come up here and bring as many members as who wanted to go up here and give them the opportunity to see this for themselves.

I wanted to again thank the Governor for being here. I know that he has an extremely busy schedule, and having the opportunity to have him be here and be part of this hearing process is important, not only to the people of Alaska, but to the members of the House of Representatives and the Senate who are here to have the Governor take such an active interest in what we're doing.

I would also like to thank Ms. Drue Pearce, who is with the Department of Interior, who came in today, as well, to be with us; Mr. Mike Smith, who is the Assistant Secretary of Energy is also with us today; and the Director of Fish & Wildlife, Mr. Steve Williams, is also here.

I can tell you that I've had very few field hearings anywhere in the country I've gone where the Governor showed up, let alone one in such a remote location, and I can't remember the last time I had

so many high level members of the Administration who attended a field hearing such as this. So this is a good start, a good day for us to have this hearing.

So having said that, I would like to ask the other members of the Committee if they have an opening statement they would like to make at this time. Mr. Rehberg.

**STATEMENT OF THE HON. DENNIS REHBERG, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MONTANA**

Mr. REHBERG. Thank you, Mr. Chairman. I'm Denny Rehberg and I represent the entire state of Montana in the U.S. Congress, so our state is much like yours.

I appreciate the Governor mentioning the fact that what is of interest to his administration, and I believe to those of us in Congress, is building a more secure future for the people of America, and specifically, for your community and your state because I represent a rural state much like yours.

To the mayor, thank you for being here; and Chairman Pombo, thank you for putting this together.

This is my first trip here, although as Lieutenant Governor of Montana in 1994, I traveled to Prudhoe Bay and always believed that the Federal Government seems to think that the sun rises and sets on the Potomac. They write laws that are not always unique nor specific to the character of a community.

And so I take the time to come up here. I'm a strong advocate of exploration here and a strong advocate of an energy policy. Shame on those politicians that have been in Washington for as long as they have with the energy crisis that is being created in this country.

Because ultimately, the day will come when we will not be able to fulfill the energy needs of this country if we don't have a well-rounded energy policy. We are creating an energy debt for future generations. We have to look at a well-rounded energy policy.

So it's my pleasure to be here. I thank you all for showing up and giving us your input.

And Chairman Pombo, again, thanks for giving me the opportunity to be on your trip.

The CHAIRMAN. Mr. Renzi.

**STATEMENT OF THE HON. RICK RENZI, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARIZONA**

Mr. RENZI. Thank you Chairman.

My name is Rick Renzi from Flagstaff, Arizona. I want to thank you so very much for your hospitality for allowing us to come to your beautiful town.

I am fortunate enough to be on this Committee with Chairman Pombo. This is the second time we've had a field hearing in less than a month. Chairman Pombo was kind enough to come out to Flagstaff, Arizona, where we have one of the largest stand of Ponderosa pine trees in America and we went through and looked at the needs of that community as it relates to controlling fire.

So it's a privilege to be with you here and now learning about and discussing the issues as it relates to the possibility of drilling here at the Refuge.

I want you to know that I've come here very much with an open mind. We've had a chance to learn and understand a lot of the facts, and I've listened to a lot of the witnesses in Washington D.C. There will be a vote probably next week or the week after on this bill.

I also want you to know I very much love the language that our Chairman has inserted in this bill. And I just take a moment to read one piece of it to you: In that anything we do, we must do together. Anything that we do with you, must be in harmony and a holistic approach with the land.

Section 3 of H.R. 39 requires the secretary to insure that oil and gas explorations development and production activities on the Coastal Plains will result—not “may” result, but “will” result in no significant adverse effect on Fish & Wildlife in their habitat. Including the substantial resources that they need in order to survive.

This is the highest legal standard that we can impose in any law. We're giving you the protection, we're giving you the words, we're giving you the legal protection to now work with us and make sure that any of the gas or oil companies that come in here must use the highest available commercial technology available, must use the best technology, and they must leave the land as they found it.

These are the three pillars of this legislation. Working with you, leaving the land as they found it, no impact on the wildlife. And so there are no greater, higher standards from a legal standpoint, to begin with, than from this point.

And so I want to thank the Chairman for inserting that language. It truly is a historic point to begin from, and I look forward to the testimony.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Mr. Renzi. Mr. Nunes.

**STATEMENT OF THE HON. DEVIN NUNES, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF CALIFORNIA**

Mr. NUNES. Thank you, Mr. Chairman. My name is Devin Nunes. I am from the Central San Joaquin Valley of California. It's a pleasure to be here on my first trip to Alaska. It's pretty warm outside in comparison to California. If the wind was blowing a little bit more, it might be a little colder. But I am enjoying it.

And I want to thank the Governor, the Senator, all the local elected officials and the community folks who have showed up here today to give testimony so that we can go back to Washington and relay your messages to the of the U.S. Congress.

I hope from gathering this testimony today we will be successful next week in passing this much needed legislation on the floor of the House.

Thank you again, Mr. Chairman, for preparing this trip for us, and I look forward to the testimony.

The CHAIRMAN. Ms. Bordallo.

**STATEMENT OF THE HON. MADELEINE BORDALLO, A  
DELEGATE IN CONGRESS FROM THE TERRITORY OF GUAM**

Ms. BORDALLO. Thank you very much, Mr. Chairman, Governor, and Mayor, and people of this region. I want to thank the Chairman for inviting me on this trip as it has been a real education for me.

I represent the territory of Guam. It's a small island in the Pacific where the temperatures range from 75 to 95 the year around. So this is just about as cold and as opposite to my living conditions as anyone here on the panel.

But I have been enthralled with the beauty of your state. I just—it's awesome. And I will always remember this. And I thank you, Mr. Chairman, for giving me this opportunity.

I think what's important here is the Chairman has called the residents together. And in any legislation that is ever passed, it's important that you get the input from the residents.

And the other point I want to make is that there has come a time now when we are currently in the midst of a war, and this war, the root of it, is over oil. And I think that it's time that we look at our own resources and begin to develop them. And that's why we're here today. As long as it's done environmentally safe for everyone in the region.

So that's one thing, Mr. Chairman, I'm very pleased that you did call the residents together because it's important that we get your input, as well. Thank you very much.

The CHAIRMAN. And thank you.

We also have with us the Senator who represents this state in the U.S. Congress, Senator Murkowski, and I would like to ask unanimous consent that she be allowed to sit on the dais and participate in this hearing today. Hearing no objection, so ordered.

Senator, if you would like to make an opening statement, I would recognize you at this time.

**STATEMENT OF THE HON. LISA MURKOWSKI, A SENATOR IN  
CONGRESS FROM THE STATE OF ALASKA**

Senator MURKOWSKI. Thank you, Chairman Pombo. And thank you for allowing me the privilege to be with you on this trip, to come back to my home state, even if just for literally a few hours.

It's important for me to be here to listen to the people of Kaktovik. I've not had the opportunity to meet a lot of you, and so for me to be here today, to hear and to understand, to listen, is critical, as I am back in Washington, D.C. to represent you.

So Mr. Chairman, I will probably be relatively quiet during this panel this afternoon because I do want to hear the comments from the people of Kaktovik. I would like to have the opportunity afterwards to talk to you individually, if you would like to give me your input there.

But what is happening back in Washington as it relates to your area, your community, is very, very significant. And it is important that we have this communication, that I can go back and stand on the floor of the U.S. Senate and tell the people that I'm speaking to, my colleagues, how critical, how important, and what it means to you, the residents, to have ANWR, to have it, the 1002 coastal plain open and available for drilling.

So I'm here to listen. I appreciate the hospitality from all.

Thank you, Mr. Mayor, and Mayor Ahmaogak, thank you for making this available to us today. I look forward to comments.

The CHAIRMAN. Thank you. I would like to invite our first panel to come sit. Ms. Debbie Williams, and Mr. Robert Thompson, if you would join us at the witness table. If you would just remain standing briefly.

It is the policy of the Committee to swear in all witnesses, so I would ask you to stand and raise your right hand.

[witnesses sworn.]

The CHAIRMAN. Let the record show that they both answered in the affirmative.

If I may, could the other gentleman identify himself for the record?

Ms. MILLER. Yes. Can you hear me on this?

The CHAIRMAN. We can hear you.

Ms. MILLER. This is Richard Fineberg from Fairbanks, and he has come up to assist me with showing some photographs for the Committee.

The CHAIRMAN. OK. Mr. Fineberg will not be testifying? He's just sitting there?

Ms. MILLER. No. Just helping me.

The CHAIRMAN. All right. As I said in the opening, we are—the oral testimony is limited to 5 minutes. Your entire written testimony will be included in the record.

And I see that you both have submitted written testimony. That will be included in the record in its entirety.

The lights in front of you here will guide you as far as the timing. The green light is on during your presentation, the yellow light comes on when to sum up your presentation, you have a minute remaining when the yellow light comes on, then the red light comes on, if you could finish at that point.

Welcome to the hearing. I'm going to start with Ms. Williams, I believe.

Ms. MILLER. Actually, my name is Debbie Miller.

Mr. FLUHR. I apologize.

Ms. MILLER. There is a Deborah Williams. Sorry for the confusion.

The CHAIRMAN. I apologize for that.

Ms. MILLER. If I can ask the Chairman, since I am the only person testifying today that is not a resident of Kaktovik, I live in Fairbanks, I think it's more appropriate that you hear from Robert Thompson, who does live in Kaktovik, as a courtesy. Is that—

The CHAIRMAN. Yeah. I can—I can start with Mr. Thompson. That's fine. I have no problem with that.

Ms. MILLER. Just a courtesy, I'm not a resident here, and you've just said you want to hear from the residents, so—

The CHAIRMAN. We will start with you then, Mr. Thompson.

**STATEMENT OF ROBERT THOMPSON, RESIDENT OF  
KAKTOVIK, ALASKA**

Mr. THOMPSON OK. My name is Robert Thompson, I'm a resident of Kaktovik. I first came to Kaktovik 30 years ago and I have lived here the past 15 years. I've hunted the area under consideration,

and I've traveled extensively throughout the 1002 area while doing the activity I do for a living, which is wilderness guiding.

I recently guided a photographer, Subhankar Banerjee, while he collected photographs for his book—you have copies here—Arctic National Wildlife Refuge, Seasons of Life. It's a photo essay about the refuge.

I'm very much opposed to H.R. 39 and support of H.R. 770 for the following reasons: Oil development will cause irreparable damage to the culture of my people, for now and the future generations.

The 1002 area of Arctic National Wildlife Refuge was set aside for evaluation as to whether or not it could be used for oil exploration without degradation to the environment. Geological reports indicate that the potential oil deposits within the general area are scattered, possibly over the whole area from the Canning River to the Aichilik.

Directional drilling has been cited to be the answer. Small footprints, forces state. This is true at Prudhoe Bay where the oil is in large pools. However, where these pools are many and scattered, this will have little beneficial effect. It is estimated that 350 miles of pipe or more would be needed. It's not a small footprint.

The supporters of drilling cite new technology, ice roads. If ice roads are used, there are large areas of the Refuge where water is not available to construct these.

The Environmental Impact Statement produced in 1987 is outdated. The effects relating to global warming are not considered. Cumulative effects are not considered to the environment and to the people. The noise pollution, due to increased use of aircraft, is not considered. I've heard helicopters from as far as 40 miles away.

The recent effect relating to global warming to the musk-ox, caribou, and polar bears are not considered. These effects are quite dramatic. There are approximately 50,000 less caribou now than there were several years ago. There's 300 less musk-ox. I think we are down to about 27 musk-ox. Polar bears must remain on the land for longer periods at a time due to less ice in the global warming.

Mention is made of attention to the environmental concerns during the exploratory phase; however, no safeguards are in place for the production phase. If adverse effects to animals are observed once production is started, the infrastructure will not be removed.

This is my opinion and has concurrence in a report requested by Republican Supporters of Drilling the Arctic National Wildlife Refuge. The requested report was produced by the National Research Council.

The mayor of the North Slope Borough, George Ahmaogak, has expressed adverse concerns relating to oil development. I have got an attachment.

In his statement before the National Research Committee, Mr. Ahmaogak stated, our people have seen access to traditional subsistence hunting areas reduced, the behavior and migratory patterns of key subsistence species has changed, increased incidence of cancer and other serious health ailments, disruption of traditional social systems, and vastly increased requirements in time, effort, and funding to meaningfully consider and respond to the ever multiplying number of projects proposed in our back yards.

It is important to a lot of people that there are undisturbed places left in the world. There are a lot of parks and undisturbed areas in Alaska; however, the 1002, along with the entire Arctic National Wildlife Refuge, is the only arctic ecosystem with a complete range of arctic habitats and wildlife that will be considered to be safe for future generations.

The Congressional Delegation of Alaska has led people to believe that the pipeline is in danger of running out of oil to keep it operational. They say it is only half full. The pipeline permit was recently renewed for 30 more years. Prior to the renewal, it was determined that there is a 30-year supply at the present, or even higher rate of production.

West Sak alone has possibly as much as 60 billion barrels. It is generally accepted that there are 14 billion barrels. The oil companies have stated in public ads that they have developed technology to recover this.

I heard the supporters of drilling call our land a moonscape and say it is a white sheet of paper, like a white sheet of paper 9 months of the year, and call it good-for-nothing land. They just say the land is good only for oil drilling.

To them it may be that, but to me and the majority of Americans, it has intrinsic value, value that cannot be replaced by money. Once it is gone, it is gone forever. Our culture is tied to the land. I am in favor of wilderness designation.

With wilderness designation, we will be sure of the ability to continue our traditional activities as provided in ANILCA. If an oil field is allowed to be put in the wildlife refuge, the cultural thread will be broken, there will be many areas where we will not be allowed to hunt, and possibly not even to access. If an oil field is there, we would not want to hunt there if allowed.

It is my sincere wish that the area remain as it is in a wildlife refuge with wilderness status for future generations to enjoy and to be able to continue our culture. The seventh generation in the future should have what we enjoy.

The CHAIRMAN. Thank you, Mr. Thompson.

[The prepared statement of Mr. Thompson follows:]

**Statement of Robert Thompson, Kaktovik, Alaska**

My name is Robert Thompson. I'm a resident of Kaktovik. I first came to Kaktovik 30 years ago and have lived here for the past 15 years. I hunt in the area under consideration and have traveled extensively throughout the 1002 area while doing the activity I do for a living, wilderness guiding. I recently a photographer, Subhankar Banerjee while he collected photographs for his book "Arctic National Wildlife: Seasons of Life and Land," a photo essay publication about the refuge.

I am very much opposed to H.R. 39 and in support of H.R. 770 for the following reasons: Oil development will cause irreparable damage to the culture of my people for now and for future generations.

The 1002 area of the Arctic National Wildlife Refuge was set aside for evaluation as to whether or not it could be used for oil exploration without degradation to the environment. Geological reports indicate that potential oil deposits within the 1002 area are scattered possibly over the whole area from the Canning River to the Aichilik. Directional drilling has been cited as to the answer, a small foot print the pro-drilling forces state. This is true at Prudhoe Bay where the oil is in large pools, however where the pools are many and scattered, this will have little beneficial effect. It is estimated that 350 miles of pipe, or more, will be needed. This is not a small footprint. The supporters of drilling cite new technology, ice roads. If ice roads are used there are large areas of the refuge where water is not available.



The environmental impact statement produced in 1987 is outdated. Effects relating to global warming are not considered. Cumulative effects are not considered to the environment and to people. The noise pollution due to increased use of aircraft is not considered. I have heard helicopters from 40 miles away.

The recent effects relating to global warming on the musk-ox, caribou and polar bears are not considered. These effects are quite dramatic. There are approximately 50,000 less caribou, 300 less musk-oxen, and polar bears that must remain on land for longer periods of time due to less ice because of global warming. Mention is made of attention to environmental concerns during the exploratory phase, however no safeguards are in place for production. If adverse effects to animals are observed once production has started, the infrastructure will not be removed.

This is my opinion and has concurrence in a report requested by Republican supporters of drilling in the Arctic National Wildlife Refuge. The requested report was produced by the National Research Council.<sup>1</sup>

The Mayor of the North Slope Borough, George Ahmaogak, has expressed adverse concerns relating to oil development (see attachment). In his statement before the National Research Committee Mr. Ahmaogak stated:

“Our people have seen access to traditional subsistence hunting areas reduced, the behavior and migratory patterns of key subsistence species changed, increased incidence of cancers and other serious health ailments, disruption of traditional social systems, and vastly increased requirements in time, effort, and funding to meaningfully consider and respond to the ever-multiplying number of projects proposed in their own backyards.”

It is important to a lot of people to know that there are undisturbed places left in the world. There are a lot of parks and undisturbed areas in Alaska, however the 1002 area along with the entire Arctic National Wildlife Refuge is the only Arctic ecosystem, with a complete range of arctic habitats and wildlife, that will be considered to be saved for future generations.

The Congressional delegation of Alaska has led people to believe that the pipeline is in danger of running out of oil to keep it operational, they say it is only half full. The pipeline permit was recently renewed for 30 more years. Prior to the renewal it was determined that there is a 30-year supply at the present or even higher rate of production. West Sak alone has possibly as much as 60 billion barrels—it is generally accepted that there are 14 billion barrels. The oil companies have stated in public ads that they have developed technology to recover this.

I have heard the supporters of drilling call our land a moonscape and say it is like a white sheet of paper 9 months of the year and call it a good for nothing land, good only for oil drilling. To them it may be that, but to me and the majority of Americans it has intrinsic value, value that cannot be replaced by money. Once it is gone, it is gone forever. Our culture is tied to the land. I am in favor of wilderness designation. With wilderness designation we will be assured of the ability to continue our traditional activities as is provided by ANILCA. If an oil field is allowed to be put in the wildlife refuge the cultural thread will be broken, there will be many areas where we will not be allowed to hunt in and possibly not even be able to access. If an oil field is there we would not want to hunt there even if allowed.

It is my sincere wish that this area remain as it is, in a wildlife refuge with wilderness status, for future generations to enjoy and to be able to continue our culture. The seventh generation in the future should have what we enjoy.

**Statement of the North Slope Borough by Mayor George N. Ahmaogak, Sr.  
Before the National Research Council Committee for the study of the  
cumulative effects of Alaskan North Slope oil and gas activities.  
January 8, 2001**

Excerpts

*Impacts*

(p.8) “Our people have seen access to traditional subsistence hunting areas reduced, the behavior and migratory patterns of key subsistence species changed, increased incidence of cancers and other serious health ailments, disruption of traditional social systems, and vastly increased requirements in time, effort, and funding to meaningfully consider and respond to the ever. multiplying number of projects proposed in their own backyards.”

(p. 10) “Our residents will tell you that anxiety over increasing offshore and on-shore oil and gas activity is widespread in North Slope communities. Hunters worry

<sup>1</sup>National Research Council. Cumulative Environmental Effects of Oil and Gas Activities on Alaska's North Slope. March 2003.

about not being able to provide for their families or the added risk and expense of doing so if game is more difficult to find and harvest.

(p. 15) “The people, wildlife and environment of the North Slope are being adversely affected by oil and gas activities.”

(p. 13) “Our residents are increasingly concerned about the health of the entire arctic ecosystem, including the quality of the air we breathe and the conditions of the animals we consume for food. Residents of some of our communities complain of an increased incidence of respiratory ailments, and point to a more visible “arctic haze” with alarm. Subsistence foods show increasing concentrations of heavy metals and other toxins. A warming climate has already reduced the use of ice cellars dug into the permafrost for food storage in some communities, and may affect the populations of some arctic species.

(p. 13) “On land, our primary concerns is the displacement of wildlife, especially caribou and waterfowl, from key habitat areas as industrial facilities expand in all directions from the core complex at Prudhoe Bay/Kuparuk. We are also concerned with restrictions on the free movement of wildlife to feeding, nesting, brooding, molting, insect relief, and other essential areas resulting from the ever-expanding web of pipelines, roads, and other facilities. We recognize that the increased use of ice roads and ice drilling pads [for exploration] minimizes impacts to the tundra. We also have a growing concern, however, regarding the dramatically escalating use of fresh water from lakes and rivers which provide essential habitat for important subsistence and other fish species. Native allotment holders also expressed concerns regarding restrictions on access to their traditional hunting areas, a displacement of game from those areas, and disruption of the ability to harvest resources within broader traditional hunting areas around their holdings.”

(p. 13–14). “In recent years, some community residents have reported a decline in participation in some whaling activities (hunting, landing, and butchering the whale). A significant factor mentioned by some as a major cause is the socio-cultural disruption resulting from people being worried about offshore activity and its effect on the bowhead whale and the fall hunt. The Borough and the AEWIC [Alaska Eskimo Whaling Commission] have asserted for several years to the responsible agencies that community-wide stress, associated with increasing industrial activity on the North Slope, and the barrage of an overwhelming number of industry-related documents to review and meetings to attend, is having on-going socio-cultural effects.”

(p. 7–8) “The devastation that would result from a major oil spill is something that no one wants to deal with. That of course means that we should do all we can to prevent a spill... We have asked for years for a realistic demonstration of the oil industry’s abilities to deal with a spill under the difficult conditions which exist offshore much of the time in the central Beaufort Sea. We have yet to see such a demonstration, and remain unconvinced that a significant spill could be effectively responded to in anything but near ideal conditions.

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[Attachments to Mr. Thompson’s statement follow:]



# Daily News-Miner

The voice of Interior Alaska since 1903

THURSDAY, MARCH 27, 2003

## ANWR

March 21, 2003

To the editor:

I am very happy the vote didn't pass for Arctic National Wildlife Refuge development. I was a resident in Nuiqsut for about 17 years and I have seen a drastic change since Alpine moved into the neighborhood. I am very concerned as I am the mother of five children, adults in Nuiqsut and I am seeing the impacts of oil development on our lands.

I think people should look at the impact on Nuiqsut before they allow more development in our precious land.

Nuiqsut is already seeing the affects on the caribou and fish.

The people of Nuiqsut are still trying to live as traditionally as possible. So it is hard when the caribou are not coming as close and as many as they have in the past. As well as the fish—there has been a major reduction in whitefish.

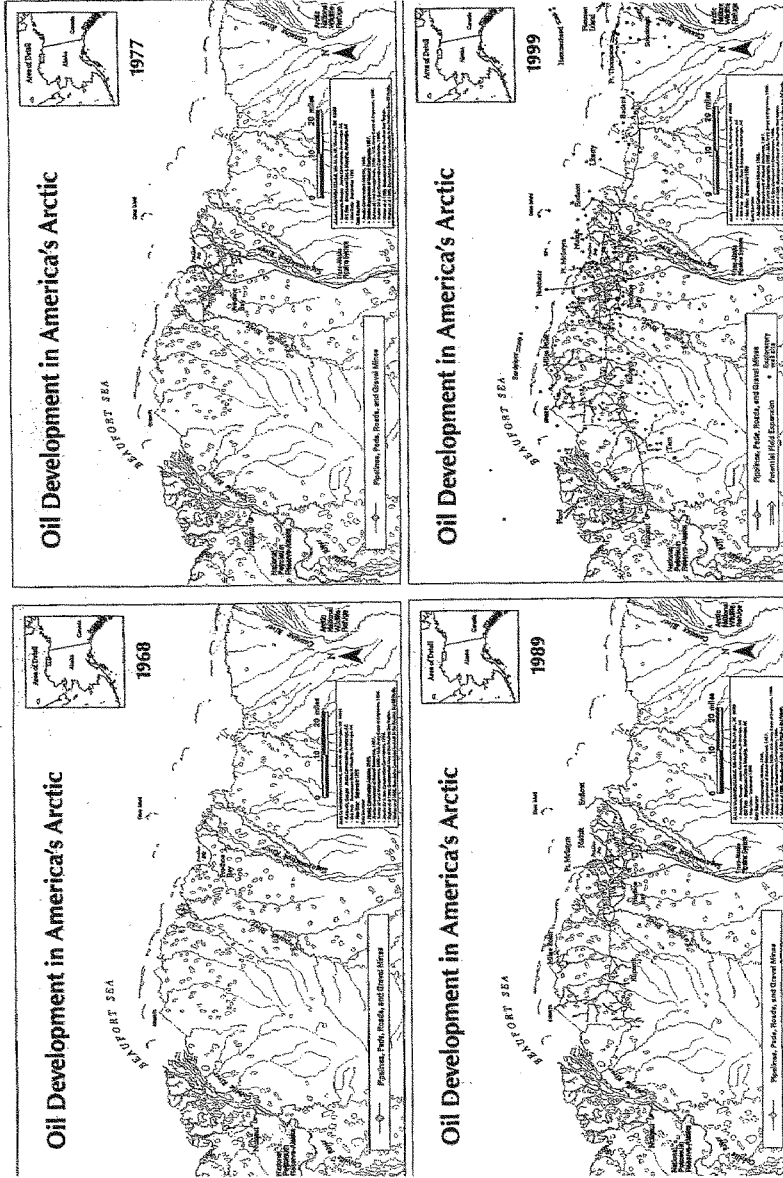
For Nuiqsut this is a very large hardship, as the community is greatly dependent on the fish and caribou for survival.

The families stock up the fish and caribou for whaling season for the whalers and their families. The price of meat from the store is too expensive to buy all the time when you lost about two-thirds of your income because your husband is whaling on a island miles away. So we would stock up on Native foods to keep us going until the husbands come back home.

There are many, many more things that could be said on the impact of Nuiqsut and the lands around Alpine. So please look what is happening now before you get money hungry and ruin our way of life here in the Arctic.

Culleen "Pepper" Sovalik  
Barrow

# Oil Industry Sprawl on Alaska's North Slope



COMPASS: Points of view from the community

## Oil drilling threatens Native ways

For this village of more than 400 people, a 600 percent increase in respiratory patients should get some type of response. Our voices are not being heard.



BY ROSEMARY AHTUNGARUK

As the mayor and former community health aide for the village of Nuiqsut, I have serious concerns about the ongoing effects of oil development in Alaska's Arctic. Nuiqsut is west of the Arctic National Wildlife Refuge and the Prudhoe Bay oil fields and is near the Beaufort Sea coast in the Coville River delta. We are within eight miles of the Alpha oil development project, often referred to as an example of how new fields have a smaller footprint.

The Alpha oil field already includes roads and pipelines, and we face new development with a gravel road from it to three new oil fields and new leases now being offered in the National Petroleum Reserve and across the Beaufort Sea. The NPR-A is our backyard, and the Inupiat people of this region have been hunting and fishing and living off the land here for thousands of years. Our way of life is increasingly threatened by the cumulative effects of oil and gas development. Seismic vibrator flights have disturbed the caribou herds where I live. Big herds of caribou do not come through our town anymore, and most of our hunters have found it hard to even get caribou. Our elders tell me that the caribou are having problems, as more are seen with illnesses. Fish have been decreasing in numbers, and multiple species are being affected. Fish caught in the net parasites, tumors in the muscle or reproductive glands, and some are stony with a bitter taste to the meat. Many people at the ongoing, never-ending meetings speculated

in the village have voiced these concerns, but development activities continue to be approved.

Air pollution is visible over the North Slope in winter, as a yellowish haze. Nitrogen oxide emissions from the oil fields are more than twice the total emitted in Washington, D.C. During winter there are many natural gas flares that occur, which caused me to have many busy nights on call responding to community members' complaints about respiratory illnesses. I remember when I began as a health aide there was only one asthmatic patient, and when I quit in 1999 there were 60 people who had to use respiratory medications. There are also increased numbers of thyroid disorders. For this village of more than 400 people, a 600 percent increase in respiratory patients should get some type of response. Our voices are not being heard.

Air pollution isn't the only problem. We have water quality changes, land use conflicts, oil spills, noise pollution, increased traffic and disturbance to fish and wildlife species, and the social fabric of the community is under stress. Transparency, nondiscrimination, competence, alcohol and drug abuse and substance are all increasing. Our

of our biggest concerns is a road and what new development that will bring. And how does all of this affect global warming? Remember that all of these sprawling pipelines will eventually go under water and the places of ice will rise. Then what will happen to the oil facilities? When the pristine white wonderland that we live in becomes a black wasteland, it will be too late.

Many people in our village have grown up with their parents attending meetings about development, and they are still curious through the long, dark winters and we need them to survive, as the jobs around us often go to outsiders. We need to work together to approve increasing energy alternatives in environmentally safe ways and leave this land that is rich and lush to the caribou, moose, wolves, bears, wolverines and many birds and other animals.

■ Rosemary Ahtungaruk is mayor of Nuiqsut former community health aide, industrial coach and a member of the Alaska Department of Land Management is accepting comments on the proposed oil and gas lease sale in the NPR-A this Wednesday. For more information, please visit the BLM's Web site at <http://www.blm.gov/rnppa>.

The CHAIRMAN. Ms. Miller.

### STATEMENT OF DEBORAH MILLER, AUTHOR, FAIRBANKS, ALASKA

Ms. MILLER. Thank you. Thank you so much for coming to Kaktovik, Mr. Chair, members of the Committee, Senator Murkowski, welcome to your first field hearing in the Far North as a Senator, and Governor Murkowski.

I have to turn around and I have to say this is the third time now that I've actually testified, twice before the Senate Energy Resources Committee in front of Senator—then Senator Murkowski, Governor, and now it's wonderful to have you here, as well. I am not a resident of Kaktovik and I am honored to be here.

I used to teach school and live in Arctic Village, which is on the southern edge of the Arctic Refuge. I'm disappointed, actually, that you couldn't find time on this trip to visit this village because those people directly depend on the Porcupine caribou herd, and this is the birthplace for that herd. It has sustained their culture for over

10,000 years, these people that live on the border of the Arctic Refuge.

So I would urge the Committee to visit the village at some point for a fact-finding trip to learn about their culture and how they depend on these resources in Arctic Village.

I was asked to hand deliver testimony from the Gwich'in Steering Committee. I would like to enter that into the record.

The CHAIRMAN. Without objection, it will be included into the record.

[The statement submitted for the record by the Gwich'in Steering Committee follows:]

**Statement of Jonathon Solomon, Chairman, Gwich'in Steering Committee,  
Fairbanks, Alaska**

As Chairman of the Gwich'in Steering Committee, I would like to take this opportunity to thank the Chairman and his colleagues for allowing me to submit the following written testimony on behalf of the Gwich'in Nation. We urge you to visit our communities to better understand our perspectives on this issue, and to hold an additional field hearing there as well.

The Gwich'in Nation opposes H.R. 39, which would open the coastal plain of the Arctic National Wildlife Refuge to oil and gas exploration and development because it threatens our way of life. We support H.R. 770, the Arctic Wilderness Act that would designate the Federal lands of the "1002 area" of the Arctic Refuge as wilderness in order to protect the subsistence resources we depend on.

To place this testimony in proper context, I will present a brief summary of who the Gwich'in people are and why we have a vested interest in preserving this sacred area.

*The Caribou People*

The Gwich'in Nation is comprised of approximately 7,000 people residing in fifteen isolated villages throughout northeast Alaska and northwest Canada. For thousands of generations our ancestors lived in the areas near to what is now known as the Arctic National Wildlife Refuge. Our communities have a sacred and long-standing relationship with the local resources of this region, namely the Porcupine Caribou Herd. The caribou have long been the principal means by which the Gwich'in people meet our essential cultural, physical, economic, social, and spiritual needs. In this regard, reliance on traditional and customary use (now termed "subsistence") of the Porcupine Caribou Herd is, and always has been, a matter of survival.

Gwich'in communities today continue to live a subsistence-based lifestyle relying on traditional foods to make up roughly 70% of our overall diet. We have a contemporary hunting culture with traditional ties to the animals and the land. As we are one of the last indigenous peoples in the world to maintain an intact subsistence cycle, the Gwich'in feel we have an obligation to uphold the integrity of our ancestral way of life. Since there is no alternative to Gwich'in subsistence livelihood, our communities have a unified longstanding position to protect the Porcupine Caribou, upon which our culture depends.

In addition to the importance of the caribou to our physical well being, the caribou is also central to Gwich'in spirituality and traditional belief systems. According to our Creation story, the Gwich'in originated from the caribou at the time when there was a separation of humans and animals. We have been told that there was an agreement between the caribou and the Gwich'in and from that time on, "the Gwich'in would retain a part of the caribou heart and the caribou would retain a part of the Gwich'in heart". This is why the Gwich'in believe so strongly that the future of the caribou and the future of the Gwich'in are one and the same. It is in honor of this reciprocal relationship that Gwich'in feel we have an obligation to our future generations to uphold the integrity of our spiritual beliefs as well as our way of life that has been handed down from one generation to the next. Since protecting the Porcupine Caribou Herd and their vital habitat is inseparable from the above stated aim, our communities are committed to seeking permanent protection for the primary birthplace and nursery ground of the Porcupine Caribou Herd.

*The Sacred Place Where Life Begins, "Izhik Gwats'an Gwandaii Goodlit"*

For millennia, the Porcupine Caribou Herd (North America's largest international herd) has used the coastal plain as their primary calving and nursing grounds. Each

April, the Porcupine Caribou Herd migrates over 1,400 miles across Alaska and Canada to the coastal plain where they typically give birth to 40–50,000 calves. The coastal plain provides an ideal environment for birthing cows as it has comparatively fewer insects and predators than other surrounding regions. The land within the coastal plain also offers a unique concentration of vegetation that supplies the cows and calves with the nutrition they need to prepare for the long migration to their wintering grounds.

In addition to being the primary birthplace and nursery for the Porcupine Caribou Herd, the coastal plain of the Arctic Refuge is a nesting area for over 135 species of migratory birds, home to 34 species of fish, a terrestrial denning area for polar bears, and a year-round home to the prehistoric musk oxen. The Arctic National Wildlife Refuge contains the greatest diversity of animal life of any conservation area in the circumpolar region. The coastal plain of the Arctic Refuge, where oil drilling has been proposed, is home to the largest concentrations of wildlife in the Refuge. The bio-diversity of the coastal plain is so great in fact that the Gwich'in have long referred to the area as "Izhik Gwats'an Gwandaii Goodlit", The Sacred Place Where Life Begins.

#### *The Arctic National Wildlife Refuge*

The Arctic National Wildlife Refuge was established under the 1980 Alaska National Interest Lands Conservation Act (ANILCA) with the specific purposes of conserving fish and wildlife populations (including the Porcupine Caribou Herd) and their habitats in their natural diversity, fulfilling international treaty obligations, and providing for subsistence uses. Over time, Congress enacted legislation to expand the acreage within the Arctic National Wildlife Refuge.

The following list highlights several of those noteworthy legislative acts:

- 1960—President Eisenhower established the Arctic National Wildlife Range, which included the coastal plain lands.
- 1980—The Alaska National Interest Lands Conservation Act (ANILCA) doubled the size of the Range to 19 million acres to include most of the Porcupine Caribou Herd U.S. winter range, and renamed it the Arctic National Wildlife Refuge designating all of the original range except the 1.5 million acre coastal plain area as wilderness.
- 1980—Congress mandated further studies of wildlife and wilderness values and oil & gas potential in what became known as the 1002 area for the section of law requiring them. But Congress explicitly prohibited oil and gas leasing and development in the coastal plain at that time.

Proposed oil development is contrary to the fundamental purposes of for which the Arctic Refuge was created.

#### *ANCSA & its Relation to the Oil Industry*

The discovery of oil at Prudhoe Bay in 1968 established an alignment of the oil companies and the Federal Government to promote their combined economic interests. This alliance provoked an urgency to settle the land claims in Alaska in order to provide a right of way for the Trans-Alaska Pipeline to access our land's resources. Consequently, the Alaska Native Claims Settlement Act of 1971 (ANCSA) was enacted and most Native lands became the "corporate assets" of the newly created for-profit Native Regional and Village corporations. Two Gwich'in villages, Arctic Village and Venetie, were among the few Alaska Native villages that opted out of ANCSA and chose to keep title to their lands.

The lasting effect of ANCSA has been to fundamentally alter the ways in which Alaskan Natives relate to the land as well as how they relate to one another. By artificially dividing Alaskan Native groups and establishing these for-profit corporations, many Native signatories to ANCSA were compelled to give multinational companies access to their lands in order to merely keep their corporations afloat. Generating profit quickly became a principal objective for most Native Corporations, including the Arctic North Slope Regional Corporation (ASRC) which is the corporation that represents the Inupiat people of the North Slope. Within the past few decades, the ASRC has leased much of their lands to oil companies and have benefitted tremendously from the profits derived from oil revenues. A primarily marine-based culture, the Inupiat have less to lose if on-shore development adversely affects the local wildlife and lands.

Though there is a major difference in the position of the Gwich'in Nation and the Inupiat Corporations regarding oil development in the coastal plain, our Elders advised us long ago to always respect our neighbors to the north regardless of their political stance on this issue. Our Elders directed us to approach our campaign "in a good way" and therefore we make the effort to conduct ourselves in a respectful manner when we discuss the difference of opinion between the Kaktovik Inupiat

Corporation, Arctic Slope Regional Corporation and the Gwich'in Nation. We honor the fact that the relations between the Inupiat and the Gwich'in extend back thousands of generations as our ancestors were once close trading partners. Our people want to continue to maintain good relations with the people of Kaktovik and one way we feel we can accomplish this is by supporting them in their opposition to offshore development. We recognize the fact that the mighty bowhead whale symbolizes the Inupiat way of life, and therefore we take the position that offshore development poses similarly avoidable threats to the marine wildlife and the Inupiat culture.

Much like the Inupiat, the Gwich'in have the inherent right to continue our cultural way of life, and this right is recognized and affirmed by civilized nations in the international covenants on human rights. Article 1 of both the International Covenant of Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights reads in part:

"...In no case may a people be deprived of their own means of subsistence."

Recent efforts to expand oil and gas development into the coastal plain pose a considerable threat to the future health and productivity of the Porcupine Caribou Herd. The Gwich'in Nation feels that as an indigenous group that has lived here for thousands of years, we understand that there are some places and times where the animals must not be disturbed. The most important of these areas is the caribou birthplace and nursery grounds. This place was set aside by the Creator as a place that brings forth life and as such, it deserves to be respected as a sacred place. Our Elders have known this for generations and we have traditional laws against disturbing birthplaces, spawning areas, nesting areas and denning areas. To the Gwich'in, the Arctic Refuge represents a spiritual umbilical cord for the animals that depend upon it to drop their young. In an effort to honor and uphold the wisdom of our ancient spiritual laws, the Gwich'in have pressed to obtain broader recognition of our cultural and spiritual rights. We are supported in this effort by many organizations including the House of Bishops and the Episcopal Diocese of Alaska.

"This issue is so important to the Church because it is both an environmental issue and a human rights issue. Oil exploration threatens both the Arctic National Wildlife Refuge and the Gwich'in People. We cannot accept development at the expense of the Refuge and the Gwich'in. In this regard, this Porcupine Caribou Herd is to our generation what the Buffalo was to an earlier generation: Will greed triumph over our deepest values as a people. Will we trade our values and 100 years of moral development for a few days of profit? Our heritage of faith, freedom, and fairness demand more. We must stand with the Gwich'in against oil development."

—BISHOP MARK McDONALD, EPISCOPAL DIOCESE OF ALASKA

#### *Gwich'in Nation Takes a Stand*

In 1988, the increasing threat of proposed oil development on the coastal plain of the Arctic National Wildlife Refuge led our Elders to call on the Chiefs to hold a traditional gathering Gwich'in Niintsyaa, to discuss this threat and make a decision for the future of our Nation. The Gwich'in Niintsyaa, which was held in Arctic Village, was the first reunification of the Gwich'in Nation in over a century. We addressed the issue in our traditional way and agreed unanimously to speak with one voice in opposing oil development on the coastal plain of the Arctic National Wildlife Refuge. Our Elders advised us to adopt this political position and work to educate the public and decision-makers of the reasons this sacred area must be protected.

The Gwich'in have therefore resolved to press the United States Congress to prohibit oil exploration and development in the calving and post-calving grounds of the Porcupine Caribou Herd, and that the public lands in the Arctic National Wildlife Refuge "1002 area" be designated as Wilderness to achieve this goal.

#### *Oil Development Harms Caribou & other Wildlife*

The Department of the Interior's 1987 Coastal Plain Resource Assessment clearly documented major impacts to wildlife from proposed oil development including:

- Displacement and reduction of wildlife populations including muskox and Porcupine caribou.
- Permanent loss of habitat.
- Increased noise and other disturbance factors.
- Major effects on subsistence and subsistence lifestyle.

A 2002 study by U.S. Geological Survey biologists reconfirmed what most scientists and scientific organizations have been stating for years: the coastal plain "1002 area" of the Arctic Refuge provides important wildlife habitat, and industrial development of this area poses significant risks to caribou and other species. Most significantly, the report concluded that the oil facilities at Prudhoe Bay have dis-



placed female caribou from their previously preferred calving habitat, and that similar displacement is likely to result if oil development is authorized in the Arctic Refuge.

According to the 2002 U.S. Geological Survey study (Arctic Refuge Coastal Plain Terrestrial Wildlife Research Summaries, Biological Science Report), caribou use of the oil field region at Prudhoe Bay has declined considerably from that noted during the 1970's. Caribou abundance within the main industrial complex as well as east-west movements through that area were significantly lower than for other areas occupied by caribou along the arctic coast. Conservative calculations yielded an estimated 78% decrease in use by caribou.

There was a demonstrated shift of concentration calving in the areas of the Central Arctic caribou herd away from petroleum development infrastructures. It is assumed that the Porcupine Caribou Herd will avoid roads and pipelines during calving in a manner similar to the Central Arctic herd if development in the 1002 area occurs. Avoidance of petroleum development infrastructure during parturient [birthing] caribou during the first weeks of the lives of calving is the most consistently observed behavioral response of caribou to development.

The coastal plain of the Arctic National Wildlife Refuge is too fragile to withstand the disturbances associated with development activities. Since 1996, the Prudhoe Bay oil fields and the Trans-Alaska Pipeline have caused an average of over 400 spills annually on the North Slope—most commonly spills of diesel and crude oil. Whether those spills were caused by an accident or faulty maintenance, the biological balance of the Arctic Refuge coastal plain is too delicate to be put at such risk. There is no technology available that would provide optimum safety for the Porcupine Caribou Herd if oil development occurred in the refuge. Even with the latest practices, oil production occurs all year-round, relying on permanent gravel roads and airports with thousands of flights during construction and operations.

To further emphasize these points, I draw upon the 2003 National Academy of Sciences report, Cumulative Environmental Effects of Oil and Gas Activities on Alaska's North Slope. The landmark study, published only a few short weeks ago, is the first comprehensive look at more than a quarter-century of oil drilling on Alaska's North Slope. Confirming many of our long-held concerns, the study produced a series of findings which affirmed that development on the North Slope has had adverse effects on the human, cultural, subsistence, and social environment.

*The National Academy of Sciences findings included:*

Alterations to the North Slope physical environment have had aesthetic, cultural, and spiritual effects on human populations.

- The committee heard repeatedly from North Slope Inupiat residents that the imposition of a huge industrial complex on the Arctic landscape was offensive to the people and an affront to the spirit of the land.
- North Slope residents also reported that traditional subsistence hunting areas have been reduced, the behavior and migratory patterns of key subsistence species have changed, and there is increased incidence of cancer and diabetes, and disruption of traditional social systems.
- In addition, Inupiat at Prudhoe Bay find they are a small minority in a primarily white workforce that can sometimes express hostility toward Alaskan Natives. The jobs available to the Inupiat often are seen by them as menial or as token jobs.

The Arctic Refuge represents only five percent of America's Arctic coastal ecosystem protected by law from the oil industry, whereas the remaining ninety-five percent is open to oil exploration and development. At a time when the American Nation is finding out more about the harmful effects of oil and gas development, the Gwich'in feel we should be extremely cautious of exposing new areas such as the Arctic National Wildlife Refuge to the pollutive oil and gas industry.

*Permanent Protection is Needed*

Until the Arctic Refuge is permanently protected, pro-development forces will try to gain access to the coastal plain of the Arctic Refuge. The oil companies (ChevronTexaco, ExxonMobil, BP, and ConocoPhillips), The Department of Interior, Arctic Power and their allies in Congress must respect the opinion of the American public; polls show overwhelming opposition to opening the Arctic Refuge to oil drilling. Therefore, we urge the House Resources Committee to support H.R. 770, the wilderness legislation, to this end.

*Native American Tribes support the Gwich'in:*

"We support the Gwich'in to seek permanent protection of this sacred Arctic Refuge, which is vital to their livelihood. Regardless of how much oil may be in the refuge, it is morally wrong to expect the Gwich'in to sacrifice their

way of life to meet this country's energy needs. What will be lost and what is at stake is too high a price to pay."—(Alaska Inter-Tribal Council 2002)

The Council of Athabascan Tribal Governments, Tanana Chiefs Conference, Alaska Inter-Tribal Council representing 187 tribes in Alaska, International Indian Treaty Council, Indigenous Environmental Network, Native American Rights Fund, National Congress of American Indians and numerous individual tribes oppose development in the coastal plain "1002 area" in defense of the human rights of the Gwich'in Nation.

#### *International Porcupine Caribou Herd Agreement*

For over a decade, the Porcupine Caribou Herd has been the subject of an international agreement with Canada that the Gwich'in communities in both countries, as well as representatives from Kaktovik worked hard to achieve. This agreement states:

"...Recognizing that the Porcupine Caribou Herd regularly migrates across the international boundary between Canada and the United States of America and that caribou in their large free-roaming herds comprise a unique and irreplaceable natural resource of great value which each generation should maintain and make use of so as to conserve them for future generations."

"...Recognizing the importance of conserving the habitat of the Porcupine Caribou Herd, including such areas as calving and post calving, migration, wintering and insect relief habitat."

The objectives of the Parties are:

To conserve the Porcupine Caribou Herd and its habitat through international cooperation and co-ordination so that the risk of irreversible damage or long-term adverse affects as a result of use of caribou or their habitat is minimized.

(International Agreement between the Government of the United States of America and the Government of Canada on the Conservation of the Porcupine Caribou Herd, June 17, 1987).

#### *Sustainable Development /Alternatives*

"They [the Gwich'in] do not want this [oil development]—they are fighting for their most fundamental right to exist as an indigenous people who are an integral part of the landscape, of the unique ecology of this region. We cannot condemn the Gwich'in as a people; we must respect their right to survival. We cannot ignore their rights the way we did in the last century. We cannot sacrifice them for the greed of a few oil companies or for a few months' supply of oil."

—THE LATE SENATOR PAUL WELLSTONE, 1991.

As our Elders and Chiefs of the Gwich'in Nation resolved in 1988, the public lands of the coastal plain of the Arctic National Wildlife Refuge must receive permanent protection status as designated Wilderness through an Act of Congress. The President of the United States and the U.S. Congress ought to encourage, promote and honor the rights of the Gwich'in to live our way of life and be able to pass this way of life on to our future generations. We should not be forced to sacrifice our way of life for six months of oil, ten years from now.

Potential U.S. Oil Supply—6 months

Development Time + 10 years

Destruction Amount = Generations

The Gwich'in Nation acknowledges the great promise the United States has in becoming a world leader in the promotion of sustainable energy initiatives. By supporting the enhancement of economically viable alternative energy development, we can begin the process of weaning ourselves from the destructive and pollutive fossil fuel energy industry. The technology necessary to accomplish this end currently exists. By reinvesting our efforts into the development of wind, solar, and hydrogen energy, the United States holds great promise in leading our world into the new energy era of the Millennium.

The Gwich'in Nation further recognizes that there are viable economic alternatives for the Arctic Slope Regional Corporation and the Kaktovik Inupiaq Corporation which could potentially entail the trading of their sub-surface mineral rights on the coastal plain to other lands elsewhere on the North Slope outside of the Arctic Refuge. Solutions such as the one mentioned above would enable the people of Kaktovik to continue generating profits while also allowing the Gwich'in to continue our way of life.

#### *Recommendations*

H.R. 770 would serve to beneficially designate the coastal plain of the Arctic Refuge as Wilderness. Conferring such status upon the coastal plain would serve to protect the subsistence rights of all Alaskan Natives who maintain a relationship of traditional and customary use of this area. Wilderness designation is simply an

overlay over the existing refuge purposes- and these include protection of subsistence resources and access. Therefore, the Wilderness bill is designed to provide continued opportunities for subsistence practices in protection of our Native way of life. We recommend that the Chairman and his colleagues take these important points into consideration as they make their decision regarding the H.R. 770 bill.

Our Nation's leaders must be willing to begin taking these first few steps to adequately address our current energy problems in ways which will ultimately be beneficial to the health and well being of all our future generations. The maximum production-based philosophy that guides our energy consumption practices serves to currently undermine our sacred responsibility to act as stewards of our environment. We therefore ask that this distinguished body call upon the United States to permanently protect the Arctic National Wildlife Refuge from oil exploration and drilling, and to uphold the economic, social, and cultural rights of the Gwich'in People.

Mahsi' Choo (Thank you).

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Ms. MILLER. Thank you. You might wonder why I'm here. I don't live in Kaktovik, I could be considered an outsider. I love the Arctic Refuge. I'm a 28-year Alaska resident. My daughter who is now 16 years old learned to walk on the coastal plain of the Arctic Refuge. When she was a 1 year old, she came on her first trip here.

This is a national treasure. We only have one Arctic National Wildlife Refuge. It's a beautiful area. I was thinking about the comment of it being a moonscape, I think Senator Murkowski at one time referred to the coastal plain as a moonscape.

Yesterday when I flew into Kaktovik, I looked down as we got over the coastal plain, beautiful day, you could see all the Brooks Range. And as we reached the coastal plain, I looked down and I saw craters on the coastal plain. It reminded me of your comment of the moonscape.

The craters were made by caribou digging through the snow to get their lichens to sustain them. Even in this time of year, there are caribou on the coastal plain of the Arctic Refuge, not anywhere to the degree that we have in the summer when, of course, the area explodes with life.

I would love to see you come back here as a Committee to see the area in the summertime. This is a vital area of the Arctic Refuge. If you had to pick one place in the Arctic Refuge, one place that is the most sensitive area, it is the coastal plain. This is the center of wildlife activity.

The second largest herd in Alaska, the Porcupine caribou herd, has come here for thousands of years. They follow the same trails that are etched in the tundra to deliver their calves.

I have witnessed this. I have been out on the Coastal Plains, and I have had 50,000 caribou surrounding me. Here is a picture that I took on the coastal plain. This is a wildlife spectacle when you are surrounded by 50,000 animals, calves.

Oil development would change all this. You would lose the wilderness quality, and that's what we're advocating here.

I wholeheartedly support H.R. 770. We—largely because it is a wilderness, it has always been a wilderness. The House of Representatives twice voted to designate the coastal plain and the former Arctic Range, wilderness back in 1978 and '79—twice.

And the Senate changed that with passage of ANILCA, the Alaska Lands Act, requiring that this area be studied. Not only for its oil and gas potential, but also for its biological values, and its wilderness values.

That study was released in 1987, and while there may be potential oil and gas resources in the 1002 area, and the numbers vary, some people say billions of barrels, maybe there's zero, but what we do know is that the whole coastal plain meets the wilderness criteria. It is an extraordinary birthplace for wildlife.

Another picture that I have here, shows the mountains of the coastal plain. We look at this picture, this is what it looks like in the summer. You're here in the winter, but in the summer, this was my first trip along the Opilak River.

We were walking across the tundra—it looks empty in this picture, but if you were on the ground, there are over a hundred species of birds that come to this area to nest from six continents. This is a convergent point for many, many millions of birds that flock to this area. It's not only a birthplace for the caribou, it's a birthplace for birds that make exhaustive migrations.

I stood on the top of that mountain in the picture. When you're on the top of that mountain you see the whole coastal plain area. You see the Arctic Ocean. It's the wildest view that I have ever seen in my life. I felt the greatest peace when I stood on top of that mountain.

There is nothing like that in the circumpolar north. These are the highest mountains above the Arctic Circle in the world. We're talking a world-class area that is magnificent.

Oil development will change that, with hundreds of miles of pipelines, of roads, of facilities, air pollution, oil spills, and people would no longer be able to hunt and fish from Kaktovik.

Wilderness would protect the people of Kaktovik because in wilderness, you can still hunt and fish, you can drive snow machines in wilderness, but in an oil field, if you go to Prudhoe Bay, there's a big sign on the guard shack that says no firearms. You can't hunt next to an oil facility where you might kill a worker, or you might hit a pipeline, or you might hit the side of a building.

The people in Nuiqsut that are surrounded by oil development, they are troubled by this. Many of their comments are in this report that Mr. Thompson has referred to, the Cumulative Environmental Effects of Oil and Gas Activities on Alaska's North Slope.

Here is a 400-page report that talks about what oil development does to a landscape and does to the people of Nuiqsut, which is the only Inupiat village that is surrounded by oil development. They are not happy.

I, as a journalist, went to Nuiqsut, wrote an article about my trip there, about what the people felt about the benefits of oil, and what they felt about the negative parts of oil development in the community. I've attached that article to my testimony. It's an extensive article. I spent several days there.

To sum up, the North Slope of Alaska, if you could hold up that map. Just so the members can see, if we look at the North Slope of Alaska, 95 percent of the North Slope is dedicated to oil and gas development in this state.

The Federal Government has opened the National Petroleum Reserve, a 23-million-acre area, where you see the yellow, and the red area to the east, state lands, development extends for 120 miles, which you will fly over today.

Thousands of miles of pipelines, roads, 25 producing fields is what we have on the North Slope of Alaska right now. Not one, we don't just have one Prudhoe Bay, we have 25 producing fields.

And just to show you that we have an alternative to drilling here, on the front page of the paper today, this is very meaningful, the front page of the Fairbanks Daily News-Miner, "An Elephant in NPR-A, Foothills?"

First paragraph, "Anadarko Petroleum Corporation now believes the hydrocarbon potential of the National Petroleum Reserve and Foothills regions of the North Slope is as great as the huge Prudhoe Bay and Kuparuk fields combined, in the neighborhood of 17 billion barrels."

This is land west of the Arctic Refuge. This will keep the pipeline flowing not only for 30 years, as Mr. Thompson has indicated, this will keep the pipeline flowing for another 30 years after that.

The CHAIRMAN. I'm going to have to ask you to—

Ms. MILLER. This is very important, you know, and I submit this into the record, as well.

We have other alternatives to drilling, we do not need to drill in the Arctic Refuge. If there was no other place to drill on the North Slope, we could consider areas like this. This is a national treasure for all Americans and to protect the people of Kaktovik for their subsistence access, and traditions, this should be designated as wilderness.

Thank you very much for allowing me to testify before the Committee.

[The prepared statement of Ms. Miller follows:]

**Statement of Debbie S. Miller, Author, Fairbanks, Alaska**

Mr. Chairman and members of the House Resources Committee, thank you for inviting me to testify on H.R. 770, the Morris K. Udall Arctic Wilderness Act. This significant piece of legislation will formally designate the 1.5-million-acre 1002 coastal plain area of the Arctic National Wildlife Refuge as wilderness in recognition of its extraordinary and unique values. As part of the National Wilderness Preservation System, the Arctic Refuge coastal plain will be off-limits to any industrial development. By designating the Arctic coastal plain wilderness, Congress will permanently protect the truly wild character of this spectacular and wildlife-rich land that is wedged between the Brooks Range and the Beaufort Sea. Congress will also protect subsistence resources and access that are specific purposes of the Arctic Refuge today.

I'm honored to be testifying in full support of this wilderness legislation at this first field hearing in Kaktovik. However, I'm surprised and extremely disappointed that three days ago the House Resources Committee passed Energy legislation that would allow oil development on the coastal plain, which would destroy the wilderness values of the area. I speak in opposition to H.R. 39, the Arctic Coastal Plain Domestic Energy Security Act of 2003 that would allow drilling and was basically wrapped into the Energy bill earlier in the week. Why hold what appears to be a disingenuous field hearing after the Committee has already made its decision on the issue at hand?

Having lived in the Gwich'in village of Arctic Village, I'm also disappointed that some members of your Committee have traveled a great distance to attend this hearing, yet your Committee has declined the invitation to stop in Arctic Village, a community that lies on the southern boundary of the Arctic Refuge. The Gwich'in people have depended on the wildlife resources of the Arctic Refuge for many thousands of years, in particular the Porcupine Caribou Herd. The Gwich'in Steering Committee has asked me to hand-deliver their invitation to hold a hearing in Arctic Village, and their testimony to you. I submit their heartfelt words into the record.

*Introduction*

I have been asked to testify about the wilderness values of the Arctic Refuge coastal plain on behalf of the Alaska Wilderness League and other conservation

organizations. Over the past 28 years, I have explored the Arctic National Wildlife Refuge on numerous occasions, hiked across the coastal plain, assisted with a wilderness study of the 1002 area, shared incredible wilderness experiences with my family, and written several books and publications about the wilderness and wildlife of the Arctic Refuge. Like the people of Kaktovik and Arctic Village, I love the wilderness, the beauty, and the extraordinary diversity of wildlife of the Arctic Refuge with my whole heart and soul.

There are some wild places in the world that are so special and unique that they deserve full protection from industrial encroachment. The coastal plain of the Arctic National Wildlife Refuge is one of those extraordinary places on earth that we should permanently protect for the benefit of the wildlife that depends on these coastal lands, the truly great wilderness itself, and for the Inupiat and Gwich'in people who have depended on the subsistence resources of the coastal plain for thousands of years. By fully protecting the coastal plain, Congress will also bequeath to all Americans, and the world, an unmatched wilderness legacy. I am here today to share with you my views of why the coastal plain of the Arctic Refuge is so special and deserving of full wilderness protection.

#### *Wilderness and Subsistence Hunting and Fishing*

If the coastal plain is designated wilderness, it will protect the subsistence resources and cultural values of the Inupiat and Gwich'in peoples. While oil fields restrict people and hunting access with the complexity of infrastructure, pipelines, security checks, coastal plain wilderness would continue to allow subsistence hunting and fishing, berry picking, camping, and traditional access by snow machine and boats. Subsistence hunting and fishing opportunities are clearly protected in ANILCA under Title I and Title VIII, and through the Arctic Refuge management purposes. Nothing in the wilderness bill would change these basic purposes of the refuge.

Simply put, coastal plain designated wilderness will protect the area from industrial and commercial-scale developments and road building. Subsistence hunting and fishing opportunities will continue as they always have.

#### *Wilderness and Other Wildlife on the Coastal Plain*

I always marvel at the diversity of birds when I visit the coastal plain during the nesting season. Graceful tundra swans mate for life and fly to the Arctic Refuge each year from places like Chesapeake Bay. The American golden plover makes a 10,000 mile migration from the Pampas in Argentina to nest on the tundra. Lapland longspurs sing their hearts out in the stiffest of arctic gales. Four species of loons can be spotted on ponds and in the lagoons. Golden eagles and snowy owls might glide by you. I love the birds of the coastal plain and marvel at their dramatic annual migrations.

The coastal plain provides habitat for 135 species of birds, including 70 regular nesters. Birds come from all 50 states, Mexico, Central and South America, the mid and South Pacific Islands, Asia, and even Africa and Antarctica. The coastal plain is a critical migratory destination for birds from nearly every continent.

While wilderness would protect this vital birthplace, oil field development would destroy and fragment bird habitat. Noise, general disturbance and pollutants from oil spills and other activities would degrade habitat. Recent findings reported by the National Research Council indicate that the oil fields have increased populations of ravens, gulls and foxes that are attracted to human food and garbage. Predation on some species of tundra nesting birds has significantly increased as a result.[1]

Grizzly bears have also been impacted by garbage on the North Slope oil fields. The National Research Council sadly reveals that out of 12 grizzly bear cubs, seven bears were killed in defense of life and property because they had been conditioned by scavenging on garbage.[2] Shouldn't wildlife refuges offer a place where bears can be wild and not grow dependent on landfills and garbage dumps? If the coastal plain is designated wilderness, grizzlies will have a better chance of running wild and living garbage-free lives.

#### *Wilderness and Polar Bears*

The coastal plain of the Arctic Refuge has the highest density of land-denning maternal polar bears in America. Of great concern would be the significant adverse effects from proposed oil development on these magnificent animals and their newborn cubs. It is imperative that our country protects the bears during their sensitive denning period in the winter. The United States, along with other circumpolar nations, are required to protect ecosystems that contain polar bears with special attention given to denning habitat. If oil development is allowed on the coastal plain, the U.S. will be violating this international Agreement on Conservation of Polar Bears.

Current three-dimensional (3D) survey techniques require multiple survey lines about 300 to 400 yards apart. These surveys create more trails and tundra damage than older 2D methods because of the increased number of lines and the amount of vehicle turning that is required. Noise from heavy equipment, work crews and seismic vibrations can disturb denning polar bears, causing them to abandon their dens and lose their cubs.

By designating the coastal plain wilderness, polar bear denning habitat would be permanently protected and the United States would take a leadership role in following the requirements of the international polar bear agreement.

#### *Oil Development and the village of Nuiqsut*

In 2001, I was asked as a journalist to write a detailed article on the subject of cumulative effects of oil and gas development on Alaska's North Slope. Over the past three decades North Slope oil development has spread extensively from the Canning River to beyond the Colville River into the NPRA. 25 producing fields now sprawl across 1,000 square miles (see attachments). I decided to focus on the Inupiat village of Nuiqsut, the only community that is surrounded by oil development on Alaska's North Slope. Since few journalists had visited Nuiqsut, I thought it was important to hear their views on oil field activities.

I spent many days in Nuiqsut and interviewed individuals at the school, health clinic, city office, public safety office, village corporation, hotel, and general store. I met with youths and elders, oil field workers and village leaders, hunters and hotel workers. Villagers were extremely open and friendly, and they wanted to share their concerns.

Many had complaints about the changes their community was feeling from increased oil development. While some appreciated their jobs at the Alpine field, about 8 miles from the village, others were distressed about the increased number of health and social problems, air pollution, oil spill clean up procedures, poor hunting access, and the difficulty of finding caribou. While the community first welcomed oil development because of jobs and increased revenues, many residents expressed their concern and frustration over the increased number of outside workers and traffic in the village, and the feeling that the village was boxed in by oil development.

If Nuiqsut is any indication, I fear that the Inupiat of Kaktovik may be faced with similar concerns and frustrations if oil development was ever allowed on the coastal plain of the Arctic Refuge. My article entitled "Ground Zero" is attached.

#### *History*

The wilderness values of the Arctic National Wildlife Refuge have long been recognized by conservationists, ecologists, scientists, explorers, public land specialists, the majority of Americans, the U.S. House of Representatives, and two former presidents—President Dwight Eisenhower and President Jimmy Carter. Support for protecting the Arctic coastal plain from oil development has been bipartisan, reflecting the overwhelming voices of Americans who believe that as a nation we should leave one relatively small portion of our Arctic coastal region free of industrialization. It has been well documented that the coastal plain of the Arctic Refuge is the most sensitive reproductive area of the refuge, the birthplace for many migratory species, including one of the largest caribou herds in North America.

It's important to look back at the history of the establishment of the original Arctic National Wildlife Range. During the early 1950s the National Park Service conducted an Alaska Recreational Survey under the leadership of the late George Collins who traveled extensively across Alaska to develop a parks and recreation program. At that time, all lands north of the crest of the Brooks Range were still withdrawn under Public Land Order No. 82, which reserved the use of North Slope lands in connection with World War II. This sweeping withdrawal was about the size of South Dakota and included the 23-million acre National Petroleum Reserve (NPRA), 20 million acres of Central Arctic lands where Prudhoe Bay and 24 other producing fields are now located, and 5 million acres of lands that would eventually become part of the Arctic National Wildlife Range.

When Collins investigated the Arctic region in 1951, it is interesting to note that he met with USGS senior official John C. Reed. Reed had traveled throughout northern Alaska and recognized that the northeastern corner had ideal characteristics for a future park. Since the Navy was exploring for oil and gas in NPRA, Reed recommended that Collins concentrate his survey efforts in the northeastern corner of Alaska, steering clear of potential oil and gas development conflicts. In a 1988 letter to Representative Morris K. Udall Collins wrote:

"It is true that the USGS told me during the early fifties that if the Park Service would stay east of the Canning River, well away from the National Petroleum Reserve, we would not be in the hair of the oil people..."[3]

Collins acted on the advice of the USGS and ultimately chose the Canning River as the western boundary of the proposed Arctic Range. When Collins surveyed the area he noted that the northeast region contained all of the ideal values of conservation area. The region contained the highest glaciated peaks in the Brooks in arctic North America, a complete spectrum of habitats from the south slope of the Brooks Range to the Arctic Ocean, and a tremendous diversity of wildlife that was virtually undisturbed.

Collins and biologist Lowell Sumner lay the groundwork for the establishment of an arctic preserve. They drew support from prominent conservationists such as Olaus and Margaret Murie, Richard Leonard, Sig Olson, and others. The dream of preserving the northeast corner bloomed. In 1959, the Department of Interior drafted legislation to establish the Arctic National Wildlife Range. Hearings on this legislation were conducted in several Alaska towns and in Washington D.C. While some were opposed to the establishment of an Arctic Range, the majority of those who testified favored the concept of preserving some of Alaska's vast wilderness for future generations.

#### *Establishment of the Arctic Range in 1960*

During the waning hours of the Eisenhower administration, it was clear that the Arctic Range legislation would not pass Congress. Secretary of Interior Fred Seaton was convinced that the proposal should move forward. On December 6, 1960, Secretary Seaton signed Public Land Order 2214 which established the 8.9 million acre Arctic National Wildlife Range in order to preserve its unique wildlife, wilderness, and recreational values.

In addition to establishing the Arctic Range, Seaton also revoked Public Land Order No. 82, which opened some 20 million acres of North Slope lands. Many at the time considered this a fair trade, but there were some Alaskans from the mining sector who were disgruntled. The Fairbanks Daily News Miner published a strong editorial that supported the formation of the Arctic Range and the 20 million acre deal.

"We favor the proposal for the Arctic Wildlife Range. We think the complaint of those opposing it is akin to that of a small boy who has just been given a pie much larger than he can eat but who cries anyway when someone tries to cut a small sliver out of it.

We ask those who would raise strong protest over reserving this comparatively "small sliver" to stop and ponder the fact that 20 million acres now being made available for development by Secretary Seaton's action comprises an area which exceeds the total land area of five New England states combined."<sup>[4]</sup>

Indeed, it was more than a fair trade. The giant Prudhoe Bay oil field would later be discovered on those North Slope lands. Today, the State of Alaska has reserved 14 of those 20 million acres for oil and gas leasing, and has received billions of dollars in revenues from the public lands that Seaton relinquished.

It is unthinkable, particularly on the 100th anniversary year of the National Wildlife Refuge System, that Congress would consider violating the purposes for the establishment of our only Arctic Refuge, by allowing oil and gas development in the most biologically sensitive area of the refuge. Such an action would stab the heart of the Arctic Refuge and set a horrible precedent for the more than 500 wildlife refuges that have been set aside to protect precious wildlife and habitats. Oil field development with its maze of roads, pipelines, processing centers, facilities, airports, and scattered drilling pads is clearly not compatible with the purposes for which our country set aside this refuge.

#### *Wilderness Proposals*

Subsequent to the passage of the 1964 Wilderness Act, the Department of Interior produced a wilderness study and proposal for the Arctic Range. A 1978 draft environmental impact statement noted that:

"All of the 8.9 million acres within the Arctic National Wildlife Range have outstanding wilderness qualities and ones considered suitable for inclusion of the National Wildlife Preservation System (with the exception of the Distant Early Warning Station sites which have since been cleaned up).

The 1978 draft specifically notes that the Arctic coastline ecosystem is the most biologically productive area in the Arctic Range and that the proposed wilderness would include a rare example of an undisturbed tundra ecosystem.

"Located in a region which is rapidly being altered by industrial development, its value as an ecological study area increases with time...With wilderness designation, this segment of the ecosystem may be the only portion of the Arctic coastal plain saved in its natural condition, considering the degree of development that is occurring to the west..."<sup>[5]</sup>



During the late 70s there were many hearings regarding the wilderness and wildlife values of the Arctic National Wildlife Range with respect to the proposed Arctic Gas Pipeline and the Alaska National Interest Lands Conservation Act (ANILCA). Secretary Cecil Andrus summed up the Administration's position in a speech before the Outdoor Writers Association on June 14, 1978:

"In some places, such as the Arctic Refuge, the wildlife and natural values are so magnificent and so enduring that they transcend the value of any mineral that might lie beneath the surface. Such minerals are finite. Production inevitably means changes whose impacts will be measured in geologic time in order to gain marginal benefits that may last a few years..."[6]

*House of Representatives designated the Arctic Range wilderness*

After much debate over ANILCA, the House of Representatives ultimately voted twice in 1978 and 1979 to designate the original Arctic National Wildlife Range (including the coastal plain) as wilderness. However, when the legislation reached the Senate, study provisions were added under Title 10, including Section 1002, which mandated an assessment of the fish and wildlife resources and the oil and gas potential of 1.5 million-acre coastal plain. While a one-time seismic exploration program was authorized in the 1002 area, any further exploration, leasing, and oil and gas development or production was prohibited under Section 1002(i) and 1003.

Over the years, some members of the Alaska delegation have erroneously claimed that the 1002 coastal plain area is not part of the refuge. The Title X studies of ANILCA did not change the land status of the coastal plain. This de facto wilderness has always been a part of the Arctic National Wildlife Refuge, and was part of the original Arctic Range. This is spelled out in Section 303 (2) of ANILCA which also defines four purposes for which the Arctic National Wildlife Refuge was established:

- to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, the Porcupine caribou herd, polar bears, grizzly bears, muskox, Dall sheep, wolves, wolverines, snow geese, peregrine falcons and other migratory birds and Arctic char and grayling;
- to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats;
- to provide the opportunity for continued subsistence uses by local residents; and,
- 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.

It is unthinkable, particularly on the 100th anniversary year of the National Wildlife Refuge System, that Congress would consider violating the purposes for the establishment of our only Arctic Refuge, by allowing oil and gas development in the most biologically sensitive area of the refuge. Such an action would stab the heart of the Arctic Refuge and set a horrible precedent for the more than 500 wildlife refuges that have been set aside to protect precious wildlife and habitats. Oil field development with its maze of roads, pipelines, processing centers, facilities, airports, and scattered drilling pads is clearly not compatible with the purposes of the Arctic Refuge. Significant adverse impacts cannot be avoided with a major oil field complex. The wilderness character of the coastal plain would be destroyed, which would also violate one of the original 1960 purposes.

*An Unforgettable Wilderness*

Over the past 28 years I have been most fortunate to make many trips to the Arctic National Wildlife Refuge. I've hiked through the majestic Brooks Range, climbed many nameless peaks, floated down wild rivers such as the Canning and Kongakut Rivers, walked across the coastal plain on numerous occasions, and camped in some of the most beautiful places on earth. The vastness, peace and great beauty of the Arctic wilderness keeps calling me back. Encounters with the tremendous diversity of wildlife in the Arctic Refuge are not forgotten.

Beauty is in the eye of the beholder. The coastal plain offers spectacular vistas of the Brooks Range, which includes the highest glaciated peaks above the Arctic Circle in North America. When I've waked from the Beaufort Sea coast to the mountains in the summer the expansive views across the flower-speckled plains are magnificent. To the south you can watch storm clouds billow above snow-capped mountains, to the north the never-setting midnight sun rolls across above the ice-mantled sea. It is a vast, open land free of man's industrial hand, but so full of life.

My most memorable wilderness experiences in the Arctic Refuge have occurred on the coastal plain. On one summer day, a herd of 40,000 caribou migrated past us,

on their way to the coast to seek relief from the swarming mosquitoes. There were so many caribou that the earth appeared to be moving. I could only see a jungle of legs, cows with their newborn calves. The land was flooded with new life. The varied sounds of the caribou were as impressive as the spectacle. I like to think of it as a caribou symphony with clicking hooves, grunts and bellows, and young voices of calves. It was a once in a lifetime experience.

The coastal plain is the birthplace and nursery grounds for one of the largest caribou herds in North America— 129,000 animals. Even during years when the caribou are forced to drop their calves outside the coastal plain, due to heavy snowfall or a late spring, the Porcupine Herd always returns to the coastal plain because of the desirable foraging and insect relief habitat, and there are fewer predators than in the mountains.

#### *Oil Development and Caribou*

Does a major oil field development belong in such a birthplace? The coastal plain is a relatively narrow stretch of tundra, 15 to 40 miles wide. It is well-documented that the Central Arctic caribou herd has been displaced from their former range by oil field facilities, roads, pipelines and associated disturbances. The cows and calves are particularly vulnerable to noise and traffic. While the smaller Central Arctic herd has grown over the years, the herd has moved away from oil field activities into non-industrialized areas.

The National Research Council recently issued the first report on the Cumulative Environmental Effects of Oil and Gas Activities on Alaska's North Slope. This report presents disturbing findings on the effects of oil field activities on the Central Arctic Herd. The findings state:

\*The intensively developed part of the Prudhoe Bay Oil Complex has altered the distribution of female caribou during the summer insect season. Elsewhere, a network of roads, pipelines, facilities has interfered with their movements between coastal insect relief and inland feeding areas. Possible consequences of these disturbances include reduced nutrient acquisition and retention throughout the calving and midsummer periods, poorer condition in autumn, and a lowered probability of producing a calf in the following spring.

\*As a result of conflicts with industrial activity during the calving and an interaction of disturbance with the stress of summer insect harassment, reproductive success of Central Arctic Herd caribou in contact with oil development from 1988 through 2001 was lower than for undisturbed females, contributing to an overall reduction in herd productivity.[7]

The report suggests that consequences similar to those reported for the Central Arctic Herd are possible on the Porcupine Caribou Herd summer range. However, the Porcupine Caribou Herd has the lowest growth capacity of the four arctic herds and the least capacity to resist natural and man-induced stresses. With the lack of suitable alternative habitats, due to the size of the herd and narrowness of the coastal plain, industrial activity could have substantial effects on the Porcupine Herd.

The first Arctic Refuge purpose is to "conserve fish and wildlife populations and habitats in their natural diversity." Based on studies to date, oil development would clearly put the Porcupine Herd at risk in terms of reproductive success. The disturbance from the possible web of facilities, roads, traffic, compressors, and pipelines would disrupt and alter the natural diversity of the coastal plain wilderness ecosystem and the free movements of caribou.

Arctic Refuge purposes also provide for the opportunity of continued subsistence uses by the Inupiat and the Gwich'in people. If the Porcupine Herd suffers as a result of oil field activities and loss of habitat, so will the Gwich'in people who have traditionally depended on the herd as a major subsistence resource for at least 10,000 years. The Inupiat will also be impacted, as they will be restricted from hunting near oil field facilities and pipelines due to public safety issues.

#### *Existing Wilderness:*

Approximately 8 million acres of the Arctic Refuge, south of the coastal plain, is official wilderness. One summer I climbed Mt. Michelson, the second highest peak in the Brooks Range, located in the wilderness portion of the refuge. From the top of this magnificent mountain you have a sweeping view of the Brooks Range mountains to the east and west, and you can look north across the vast sweep of coastal plain to the Beaufort Sea, beyond toward the North Pole.

I have climbed many mountains in Alaska, British Columbia, the Pacific Northwest, the Rockies, and in the Sierra. The view from Mt. Michelson stands alone as being the greatest wilderness vista that I have ever seen. It is an unlimited, far-reaching view that takes you beyond the edge of the North America continent. I

have never felt more free, more humble, more awestruck, or felt such great peace, as when I gazed out that day across the Brooks Range, across the expansive coastal plain.

If oil development invades this last protected stretch of Arctic coastline, not only would we lose the wilderness character of the coastal plain, and our last undeveloped wild stretch of coastline, but we would also degrade the scenic values of the existing wilderness. If one climbs a mountain in the Brooks Range and looks out at belching smoke, gas flares, and a web of pipelines and roads, the true wilderness will be gone. All for what may be a few billion barrels of oil that might fuel our nation for six months, and reduce our imports by only 2%. We could easily save more oil by driving more fuel efficient vehicles.

The original Arctic Range and the Arctic National Wildlife Refuge should not be taken apart and carved up. Of all the places in the Arctic Refuge, the coastal plain is perhaps most deserving of wilderness designation because of its wildlife and scenic values. It is a sensitive birthplace. An open wilderness full of life. A place where oil fields don't belong. It is an extraordinary beautiful place that we should forever protect for future generations of Americans, Arctic wildlife, and for the great land itself.

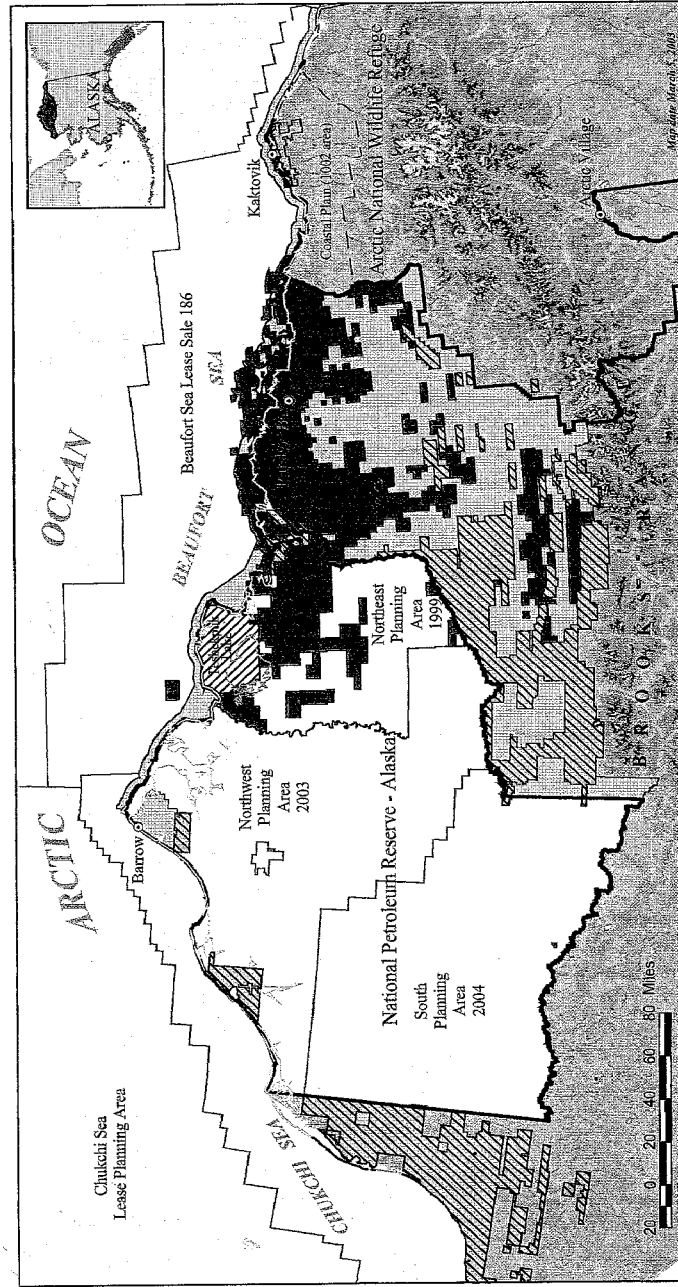
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- [2] National Research Council. Pg. 191
- [3] Letter from George Collins to Morris K. Udall, May 3, 1988
- [4] Fairbanks Daily News Miner editorial, Fall of 1957
- [5] U.S. Department of Interior, U.S. Fish and Wildlife Service. Draft Environmental Statement, Proposed Arctic Wilderness, Alaska, February, 1978.
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- [7] National Research Council. pgs. 187-188. March, 2003.

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[Attachments to Ms. Miller's statement follow:]

# Current and Proposed Oil & Gas Leases on Alaska's North Slope



Proposed Federal Leases  
 Proposed State Leases  
 Existing State and Federal leases  
 ASRC Surface and/or subsurface lands

1999 Teshkepkuk Lake Area deleted from leasing.  
 April 2003 BLM plans to consider leasing.

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Mr. THOMPSON. The corporation lands, I don't think that the government can make it a wilderness. It's private land, as far as I know.

The CHAIRMAN. Well, it—one of the questions that's come up on Mr. Markey's bill is whether or not those lands would be included in his wilderness designation because of the language that's used in his bill.

Mr. THOMPSON. I was under the assumption that it's fee simple land and the people own it. So it's up to them.

The CHAIRMAN. But by the definitions that he's used, there's a question as to whether that is included, as well. And I'm just wondering if you support that or you don't support that?

Mr. THOMPSON. I'm not sure what the corporations, if they agree, but I think they should look at the legality of it because it is private property.

The CHAIRMAN. I agree with that, but you don't support doing that? Including that in the wilderness?

Mr. THOMPSON. Well, wilderness designation, but I—

The CHAIRMAN. If it were possible?

Mr. THOMPSON. Yes. But it's inconsistent to say they don't want it.

The CHAIRMAN. One of the things that you said in your oral testimony was that there were less caribou today than there were before, I believe you said 50,000—

Mr. THOMPSON. Yes.

The CHAIRMAN. —less than there were before.

Mr. THOMPSON. Yes, about 50,000 less in the last few years.

The CHAIRMAN. We have heard differing testimony on that. Which herd are you talking about and which population of caribou are you talking about?

Mr. THOMPSON. This is the Porcupine caribou herd.

The CHAIRMAN. Because we've actually heard that there were more now than there were before.

Mr. THOMPSON. You're thinking of the Central Arctic, that has increased. But the Porcupine herd, from what I've heard, is less than it was previously.

The CHAIRMAN. And what do you believe has caused that?

Mr. THOMPSON. We had 2 years where it was very deep snow and the caribou weren't able to get into their normal calving area on schedule. And they had a very high mortality rate.

The deep snow is kind of unusual, it's been happening more and probably related to the warmer weather, to the global warming, more precipitation, and a lot of snow, takes longer to melt off in the spring.

The CHAIRMAN. And how do you believe that the exploration will impact that?

Mr. THOMPSON. The exploration is in the calving area of the Porcupine caribou herd. So whatever infrastructure, equipment, activity will have an adverse effect. They are very sensitive to disturbance during that stage. In fact, at Prudhoe Bay, the calving area that they previously had has been displaced and they don't calve there anymore.

The CHAIRMAN. OK. Well, I thank you for your testimony. I'm going to recognize Mr. Rehberg.

Mr. REHBERG. Thank you, Mr. Chairman. You mentioned the National Research Council study in your testimony. Who requested that study.

Mr. THOMPSON. That's what I read in the paper. Just a newspaper account. The Republicans in support of drilling, and requested in that report.

Mr. REHBERG. And it's within that report, then, that specifically talks about disruption of traditional social systems?

Mr. THOMPSON. Yeah.

Mr. REHBERG. And forgive me, and the audience as well, I'm more familiar with reservations in Montana: The Crow and the Northern Cheyenne and the Blackfeet and the Sioux. The Inupiat are Eskimos. Is everybody within the area that we're talking about from the same group? Inupiat Eskimos?

Mr. THOMPSON. Well, there's nonnatives there also.

Mr. REHBERG. Are you—

Mr. THOMPSON. I'm Eskimo.

Mr. REHBERG. Inupiat?

Mr. THOMPSON. Yes. But I'm not in the corporation here. I mean, there is different people, different status. I was from another area. So—

Mr. REHBERG. Well, we'll have an opportunity to ask you after I've talked to the proponents from the residents here, what are the traditional social systems that you think that the development will permanently affect?

I assume we're going to hear that there is a reason for it, they want to change some of the culture, they want to bring some economic opportunity for their children and futures for their own retirement. And what is it exactly that you, as an Eskimo, think it's going to destroy?

Mr. THOMPSON. Well, for the biggest part it would be the hunting. The oil activity most likely will be concentrating here on the coast as the indications are that large deposits are near shore and off shore. So that is a big concern. Most of our caribou hunting is very close on the coastline.

Mr. REHBERG. If the footprint is limited to what the legislation last year said, 2,000 acres or less, out of 19 million acres, is it, in your estimation, all or nothing, that 2,000 acre footprint is going to destroy the traditional culture?

Mr. THOMPSON. Some people are led to believe that 2,000 acres would be over by the existing oil field, but the 2,000 acres is all through the refuge. The oil will have to be transported by pipes, and so the calculation is—doesn't sound like very much, but it traverses the whole area.

Mr. REHBERG. But 2,000 acres is 2,000 acres.

Mr. THOMPSON. Yeah, but you've also got airports, you've got jetports involved, you've got traffic, helicopter traffic going on. You've got—

Mr. REHBERG. But that has to be included within the 2,000 acres. That's—that's why—

Mr. THOMPSON. The 2,000 acres is just part of it because the activity related to you getting onto that 2,000 acres is extensive.

If they use ice roads, there won't be any road system in the summer, you'll have to service all these facilities with aircraft. And so there will be a constant stream of aircraft.

Mr. REHBERG. And maybe you can't answer this and I'll ask somebody else later if they can. I'm certainly no engineer, but why do they have to bring water in for the ice field? I mean, if there isn't water there, can't they bring water in for the ice fields?

Mr. THOMPSON. They can't use—

Mr. REHBERG. Or ice roads, I'm sorry.

Mr. THOMPSON. They can't use saltwater because it's harmful to the environment. There's very few lakes or rivers that are—well, most of the rivers are frozen to the bottom, there's no water in them right now. And they need the water to mix with the snow to create the ice.

Mr. REHBERG. You can't keep packing the snow down and down and down and down and create a pad?

Mr. THOMPSON. Right. They don't—they don't have a supply. I mean, there's no water.

Mr. REHBERG. Thank you.

The CHAIRMAN. Mr. Renzi.

Mr. RENZI. Thank you, Mr. Chairman.

Ms. MILLER, I want to go back to your testimony, if you don't mind.

You made a statement about your personal peace that you felt when you were on top of that mountain. And then you jumped, under sworn testimony, to what I thought was kind of an extreme statement, you said that no longer would the people of Kaktovik be able to hunt or fish. Under sworn testimony.

That sounds a little strong, particularly given the people here in this room whose livelihood depends very much on hunting and fishing. And I have a tough time kind of putting the two together.

Ms. MILLER. Would you like me to clarify that.

Mr. RENZI. Would you like to clarify that?

Ms. MILLER. I would be happy to clarify that. Have you been to the Prudhoe Bay oil fields?

Mr. RENZI. I have not.

Ms. MILLER. If you go to the Prudhoe Bay oil fields, you have to go through security checkpoints, there's a big sign that says you can't take firearms.

I have talked to hunters when I did my research in Nuiqsut and they are eight miles from the Alpine Field, which you will be seeing later today.

I have talked to hunters that have gone out hunting caribou and have been unable to shoot at animals because they have been standing in front of the facilities. So for public safety, it's an issue.

If you have this 2,000 acres, it's not consolidated, as Mr. Thompson was trying to explain, you might have 10 different small oil fields scattered across the coastal plain, you might have 20 because the USGS report in 1998 specifically said that there are many small traps of oil in the 1002 area, which will require more, not less pipelines, facilities.

So when I said that about the hunting, my thought was if people in Kaktovik are used to going out on snow machines and hunting across the coastal plain, they will have obstacles. There will be bar-



riers if the infrastructure covers this area, and they will not be able to hunt as they have always hunted. So I'm totally honest about that.

Mr. RENZI. I see. Thank you. The information and testimony that we received from the Committee talks about the size of the footprint, talks about the new technology. The law demands that the newest technology be used, the absolute newest. Not the technology that exists 20 years ago or when the original pipeline was first created. It demands not just the most commercial technology be used, but it demands that the environment and the people's way of life not be impacted.

Ms. MILLER. It's impossible.

Mr. RENZI. Well, ma'am, the impact in relation to the game is something that I think is why we have such a contentious argument between each other. You talk about an absolute or a pristine model that you have in your mind, and you talk about the need to have oil for a nation that is getting oil from a dictator right now.

You talk about the fact that you're up here and as if—and as if you don't belong to the Nation of the United States. As if this is your ground and it's not to be included in the country. There is an absolute brother and sisterhood relationship between Alaska and the Lower 48 states, it's not a separate entity. And our nation and our people need to work in harmony with each other.

Ms. MILLER. I—

Mr. RENZI. If I can finish, please.

The letters that we receive, you've got a little Morgan VanHatten, student body president, who says that she feels ANWR should be opened up.

You've got Isaac Akootchook, who is the reverend here, who says that we should work in harmony with the earth, but that he's willing to work, given the provisions of the language that the Chairman has included.

You've got Herman Aishanna, who was a captain here, a whaling captain, a former mayor and city council person who favors beginning and working together with new technologies, with legal parameters that protect the landscape, that protect the wildlife, that protect their way of life.

And so I find your statement to be extreme. I find it to be personal in nature, as to what you want as your own pristine environment. And given the fact that, sir, I think you've got local people here who don't agree with your local view.

It's interesting that a lot of the letters that we're receiving want to make sure the language is involved, does protect, and that we do move forward together.

Would you like to comment?

Mr. THOMPSON. Well, I heard the comments from Nuiqsut where the same language presumably was in place when their development started and the oil field is much more extensive than what they anticipated. And they are not happy with it.

And also, in this situation, there's more oil development in the works that's not even being considered with this hearing, talking about off shore, that—that's going to be happening. So there's much more affecting the future that aren't being addressed.

Mr. RENZI. I want to—let me just close with this, Mr. Chairman, I have one other question.

We received testimony about a study of this Arctic herd of the caribou. And in this testimony, not only did we learn that the Central herd has grown in population, but that the Porcupine herd that you referred to actually doesn't always calve on the Coastal Plains. And in fact, in 2000, 2001, and 2002, that that was the case. Now, that was a bipartisan study. Go ahead.

Mr. THOMPSON. They did calve on the coastal plain in 2002. That is an incorrect statement.

Mr. RENZI. In 2000, 2001, and 2002, you're saying this bipartisan study that was conducted by the U.S. Geological Survey is incorrect?

Mr. THOMPSON. That is incorrect.

Mr. RENZI. As your sworn testimony?

Mr. THOMPSON. Yes. It is my belief that I saw the calves.

Mr. RENZI. That may be a percentage, a small percentage of the calves actually in 2002. Either way, my point is the calves don't always occur here, the birthing place doesn't always occur here of the Porcupine herd; is that a fact?

Mr. THOMPSON. Well, occasionally, as I mentioned, they can't make it because of the deep snow conditions. And every time they don't make it, when they don't get here, the survival rate is reduced substantial. And it's this area that they traditionally or usually goes to calve in is very central to their continued survival.

We're having these adverse effects with no impacts of the people, so throw in the oil activity and so on, and it deteriorates.

Mr. RENZI. Thank you, sir. Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Nunes.

Mr. NUNES. Thank you, Mr. Chairman.

The CHAIRMAN. If the gentlemen will suspend for just a minute. If I could ask the members and the witnesses to try to keep the talk loud because I step to the back of the room and we really can't—the folks in the back can't really hear. So when you're asking questions or answering questions, try to speak loudly because they really can't hear.

So thank you. Mr. Nunes.

Mr. NUNES. Thank you, Mr. Chairman.

Mr. Thompson, I want to ask you some personal questions since you're a resident of this area. And we have a lot of residents of this area here today.

What role, in your opinion, should the Federal Government play in regards to not only this community, but the surrounding 19 million acres?

I know what role they have played in the past with the designation, but what role do you personally feel that folks like myself and the Chairman and others should have here in the most northern part of North America?

Mr. THOMPSON. Well, it should be to the dictates of the people of the United States. They—you know, people vote on it and whatever happens will happen anyway. That's why we're having this process to let people's views be known. Whatever is outcome is, that's the obligation of the representatives.

Mr. NUNES. So you feel that the Lower 48 states should dictate what happens with the 19 million acres in this Refuge?

Mr. THOMPSON. Well, if it was up to me, I would say the people here should, but that's not—you know, it belongs to the Federal Government. We have had our land claims and we can't claim it anymore. So it's up to the Federal Government.

Mr. NUNES. So that gets back to my question, sir. Do you think that the local people should have control of these lands and not the Federal Government, like the Federal Government has?

Mr. THOMPSON. The 19 million acres?

Mr. NUNES. Yes. Would you rather see the local people have control over it, versus the Secretary of the Interior and ultimately Congress?

Mr. THOMPSON. Well, what we have, we've got corporations that are mandated to make money, and the officials of these corporations, if they didn't pursue ANWR development, they would be derelict in their duties. So they are doing what their corporations mandate, but there's people like me that don't go along with it.

Mr. NUNES. The corporations meaning who?

Mr. THOMPSON. The village corporation, the native corporation, the regional corporation.

Mr. NUNES. And who mandates them to make money?

Mr. THOMPSON. Well, it's a for-profit corporation. I mean according to bylaws, it's created for the purpose of making money. And if they did not pursue ANWR development, which is to make money, they would be derelict in their duties. So they must do that.

Mr. NUNES. So I come from a farm, and 2000 acres out of this 19 million acres is where the footprint would lay. And you—earlier, you disagreed with that, you said it's going to be more than 2,000 acres, or do you agree that the 2,000 acres is where the footprint would lay?

Mr. THOMPSON. Well, I'm a little unclear of how this 2,000 acres is calculated. At times I have heard that it is the square footage of the support beams rather than the pipe itself. So can you clarify that? I don't know.

Mr. NUNES. I'm asking you.

Mr. THOMPSON. OK. I believe it's 2000, but it will, in any event, it will have to be scattered over an area of about 100 miles in length and about 40 miles in depth.

Mr. NUNES. One and a half million acres?

Mr. THOMPSON. Whatever.

Mr. NUNES. So then you do agree, that the footprint is 2,000 acres?

Mr. THOMPSON. That's what they say, yes.

Mr. NUNES. And you think that this footprint would be—

Mr. THOMPSON. I don't know if it's in the bill that's 2000, but industry has been stating they would only utilize 2,000. So I'm not sure if that's part of the bill, the 2000 acres. Is it? I mean, I don't know.

The CHAIRMAN. Well, it's not—it's not in the current bill. It was in last year's bill.

Mr. THOMPSON. Everybody says it's 2000, but I didn't read it in the bill.

Mr. NUNES. So let's say that it's not 2000. Let's say that it's 20,000 acres. What real damage, is going to be done, in your opinion, to the environment if it was 2,000, 10,000, 20,000 acres?

Mr. THOMPSON. Well, I've been to Prudhoe Bay and there's flaring goes on, and I've seen the black smoke from Prudhoe Bay all the way over to here, and I don't believe the government has ever created any regulations to determine if that is a harmful substance or not.

But we do have a lot of smoke pollution from that, that even gets to here, without anything being done here. So when it starts here, I presume it will be the same, we will be exposed to that.

Mr. NUNES. So you're concerned about black smoke that would come from drilling on—

Mr. THOMPSON. Well, it's done in Prudhoe and I presume they would have to do that.

Mr. NUNES. If the people of this community feel that there should be drilling on this one and a half million acres, should they be allowed to do it?

Mr. THOMPSON. Well, the large part of that doesn't belong to the people of this community. It belongs to the people of the United States. And the people of the United States, as I understand, don't want it.

Mr. NUNES. But you said earlier in your testimony that you thought that that was wrong, that people should control this land.

Mr. THOMPSON. Well, at one time the Native people of Alaska controlled all of the Alaskan state. Now we're down to like 10 percent through Native Claims Settlement Act, so we don't have any control over the rest of it.

To me it would be a hypothetical to even, you know, think that we—we as the people have—our voice only is concerned, considered. It's the people of the United States, of the whole United States.

Mr. NUNES. Thank you, Mr. Chairman.

The CHAIRMAN. Ms. Bordallo.

Ms. BORDALLO. Thank you, Mr. Chairman.

Unlike my colleague who brought up the corporations, can you explain, do the villagers here or the Native people here, are they part of these corporations or are these all outside interests?

Mr. THOMPSON. The Native Claims Settlement Act was set up so there is a corporation in each village. And I believe the corporation and members of this village are probably only about one-third of the population. They don't represent all of the people in Kaktovik.

Ms. BORDALLO. About one-third. OK. Do you, when you speak, Mr. Thompson, do you represent people here or is this just your own singular thoughts?

Mr. THOMPSON. I'm not—

Ms. BORDALLO. You're not an organization?

Mr. THOMPSON. No, I'm not representing any other entities.

Ms. BORDALLO. Other than your own. Because I think it's important here and I feel all of us want to hear from the people, you know, I think that's important, and the people that live in this region and so forth.

And how about you, Ms. Miller, do you represent anybody other than yourself?

Ms. MILLER. Well, I represent my family, I represent the Alaska Wilderness League, I'm a founding board member of that particular group that is based in Washington D.C., the only conservation group that specifically focuses on Alaska conservation issues. And that is my love, my passion is the wilderness of Alaska.

I write about the area, so I really represent myself, as an author, as a mother, and also as a member of the Alaska Wilderness League.

Many conservation groups in Alaska do support the position that this area is very special, not only to Alaskans, but to the United States and the world, as a treasure, an arctic ecosystem that is unmatched anywhere in the world. And that is why we have worked so hard to protect this area. So hard.

I didn't show one picture, if I may, just—Richard, I wanted to—we have been talking about pipelines and buildings. You won't get on the ground quite to see this, but you'll probably be getting an overflight, but this is in the Prudhoe Bay oil fields.

We have many, many pipelines, buildings, the gas flaring that Mr. Thompson was just talking about that goes off all the time and creates a tremendous amount of pollution. The people of Nuiqsut have had increased asthma cases, it's documented in my article, from the flaring.

Very toxic kinds of pollution that many people in Nuiqsut have been very troubled over because of increased asthma cases and carcinogenic problems, as well. So you'll be hearing more about that if you—

Ms. BORDALLO. Yes, I haven't had a chance to look at the report.

Ms. MILLER. This picture gives you an idea of what the oil fields look like. You can't go hunting in a place like that. You can imagine a snow machine.

Ms. BORDALLO. I do thank you both, you know, for your testimonies, and I know that we all want to hear the input of the people of this region.

Thank you. Thank you, Mr. Chairman.

The CHAIRMAN. Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Mr. Thompson, I think you've indicated—I think you've indicated you're not a shareholder here?

Mr. THOMPSON. I'm not.

Senator MURKOWSKI. OK. You know, I guess the concern that I have, you've indicated that you support the legislation that would create a wilderness area here.

Mr. THOMPSON. Yes.

Senator MURKOWSKI. And the concern I think that so many of us have is under the land selections, the people of Kaktovik selected, I understand it was about 92,000 acres around here, they have the surface rights, the Arctic Slope Regional Corporation has the sub-surface rights.

So if, in fact, we were to designate this as wilderness, how do we—how do we address the land grant that we made to the residents of this room saying, you've got your right to select these lands, they have selected them, and now we are saying, whoops, pulling the rug out from underneath you, we are designating it as

wilderness, and they now have no rights to develop the land that they were granted?

And I'm not really asking you a question, I guess I'm just expressing my concern that these lands were selected by the folks in Kaktovik to the Arctic Slope Regional Corporation, and a wilderness designation, unfortunately, a wilderness designation, in my opinion, is an area that is wilderness completely, has always been wilderness.

And these people have been here for, I don't know, how many generations back people in this room go. And as we know, there has been significant activity up here for quite some time.

You say you are a wilderness guide by occupation. As a wilderness guide, how do you—how do you do your guiding? How do you get your clients around?

Mr. THOMPSON. Well, in the winter I use snow machines.

Senator MURKOWSKI. And in the summer, how do you—like, for instance, when you took this photographer around, how were you able to do the guiding?

Mr. THOMPSON. We flew in with aircraft.

Senator MURKOWSKI. If you were able to fly in with aircraft, you've got to have areas where you can land. And if we were to designate this as wilderness area, what would that do to you and your wilderness guide business?

Mr. THOMPSON. It wouldn't change it. The landing places are already there. A lot of the places where a guide can park are, in fact, wilderness at this moment.

Senator MURKOWSKI. Ms. Miller, I wanted to ask you, there was—there was mention made by both of you about this report, Cumulative Impact of Development on the North Slope. I will confess I have not read the full 400 pages, I've probably read about a hundred of it.

And I found the report interesting in many of the things that it stated that we were doing right up here. And in speaking, I had a briefing by about eight of the scientists that were involved with the preparation of that report.

And I asked them flat out, I said, this report is going to be released this afternoon, and we're trying to get ANWR open, there are those that are trying to keep ANWR closed, how is this report going to be used to help those of us that are proponents of opening ANWR?

And the scientists that were in that room said, you know what, this is a blueprint of how to do it right. How to do it better.

So it is a fascinating study. I thought the one thing that was very compelling, and you mentioned this, you said the concern about oil spills, we are going to have oil spills. Well, in fact, the report provides that there is no cumulative effect of oil spill up here on the North Slope, and so I think we need to look at that.

One of the things that it did state, though, is there is an impact with development?

And this community center is an impact of what happens on the North Slope, what happens as a consequence of oil drilling of oil resources.

And I asked, do you—would you consider a school or a community center or a clinic as a negative impact. And the scientists said to me, well, yeah, because it's not the way it used to be.

So the folks that are in this community center now, if you consider this a negative impact, we've got some talking to do with the scientists and the people back East.

Ms. MILLER. Could I comment?

Senator MURKOWSKI. Yes, please.

Ms. MILLER. One thing I think is really important to recognize is the people of Kaktovik and Barter Island, they have their own surface lands, with their own origin, their own—they use their own lands.

But the fact that the 1002 area is around them, actually, is like a wilderness buffer. It's always been a wilderness, it's de facto wilderness. They have used these lands over time. Wilderness doesn't prevent that.

Wilderness can be used by people for traditional subsistence hunting, fishing, and snow machine use. Wilderness does not preclude that. It actually protects the cultural traditions and the rights of the people. It doesn't preclude that use.

So I—I don't—it meets the criteria under the Wilderness Act, but they don't actually look at this medium as part of that criteria. All of the wilderness studies have focused on the land itself beyond the township.

Senator MURKOWSKI. Would you support—

The CHAIRMAN. Would you yield here just a moment? There's one thing that both of you keep saying that I think I need to point out to you, this bill puts the Arctic Coastal Plain in the Wilderness Act, under the Wilderness Act. You can't take your snow machine into the wilderness area.

Ms. MILLER. Yes, you can. No, this is absolutely wrong. These people in Kaktovik hunt for Dall sheep in the wilderness area of the Arctic Refuge.

The CHAIRMAN. That is a separate—that is the Alaska Wilderness Act. That is not what this bill does. This bill puts it under the 1964 Wilderness Act.

Ms. MILLER. But their rights are guaranteed under ANILCA.

The CHAIRMAN. That's not what this bill calls for.

Ms. MILLER. If it doesn't call for that, it should be added as a provision. I would recommend that today because—

The CHAIRMAN. But that is not what it calls for. But—

Ms. MILLER. But it's already written into law. That those rights are protected by ANILCA.

The CHAIRMAN. That's a separate law. And what this is saying is that it would be pulled in under the Wilderness Act. It doesn't say that it would be taken in under the Alaska Wilderness Act, which is something different. And there are different things that were protected under the Alaska Wilderness Act than are in the generic Wilderness Act. And that is not what this law requires.

Ms. MILLER. If that is your understanding, that is a shortcoming.

The CHAIRMAN. I'm just reading the bill.

Ms. MILLER. And ANILCA guarantees that. Guarantees that.

The CHAIRMAN. This is not ANILCA. This is not—that is not what this bill does.

Ms. MILLER. Well, there should be a provision added to clarify that because that is definitely—it is my understanding that that is not the case. And ANILCA allows for hunting and fishing and traditional activities—

The CHAIRMAN. That is not ANILCA.

Mr. RENZI. That is not ANILCA. That's not what the bill does.

Ms. MILLER. Then it should be—

Mr. RENZI. I apologize to the Senator.

Ms. MILLER. Then it should be added for a point of clarification, and I would still recommend that provision—and I'm sorry Representative Markey isn't here because that should be in the bill to clarify that this wilderness and this area would be used just as it always has been for the last 6,000 years that the Inupiat people have lived in this area, it would not change.

And if it's not clear in the bill, then that is an error. Because ANILCA guarantees that for the Native people in this village, as it does for the Gwich'in people. This clarification should be in the bill.

Senator MURKOWSKI. Mr. Chairman, I just wanted to follow up on the wilderness discussion.

Currently, there's some discussion about designating certain parts of NPR-A as wilderness, would you support that?

Ms. MILLER. I would support the special areas that have been identified and I have not studied that very closely. I know that it's a 23 million acre petroleum reserve, and there have been very few special areas, as I understand it, that have been identified that are very sensitive for wildlife, and I would support a special area to be protected in a possible wilderness classification. I think that would be a wise choice to have a little bit of NPR-A set aside. The most sensitive areas. In fact, the best protections.

Senator MURKOWSKI. I think in your testimony, and I didn't write it down, but you indicated that the potential there in NPR-A for vast reserves was certainly there. And I was just wondering if you were supportive of the wilderness designation?

Ms. MILLER. I'm supportive of the development there.

Senator MURKOWSKI. Mr. Chairman, I would just like to, for the benefit of the members that are here, there were a couple charts that we did bring down.

I know the people of Kaktovik have probably seen them, but since we've been showing pictures. There's one chart here, we're talking about the caribou. And this is—this is up in Prudhoe. This is not Kaktovik. But I do need to tell the story.

And anybody who has been around Prudhoe, I spent—I put myself through law school working up in Prudhoe and helping to develop oil activity up here, and am proud of what we were able to do up there. And I was fascinated with the compatibility of the caribou to the fields.

And I understand that calving is different, but if we're concerned about these caribou migrating through, they go over the roads and under the line and looking for a place to get out of wind and get up on the road, and I think it's significant to look at the pictures.

The other one is just a—it's just a fun shot because we like to talk about our wildlife. And these are the three bears on the top



of the pipeline. I have no idea how they got up there, but everyone likes to see that picture. E I think I put them up there.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Ms. MILLER. About the bears, one of the things I would urge you to read is the effects of oil fields on bears. In the study it notes that there were 12 grizzly bears, cubs. And of the 12 grizzly bear cubs in this study, 7 were killed in defense of life, defense of property and life because they had become habituated to garbage and landfills, and had to be killed because, you know, the story of Toby that walked into the Prudhoe Bay Hotel and had to be shot. So there are impacts to bears.

Senator MURKOWSKI. Just as when wildlife comes into a community that's not associated with any kind of oil development, they become a garbage bear, we have to do something with them.

Ms. MILLER. It also notes in the same report that—and I can read from it. It says, “as a result of conflicts with industrial activity during calving and an interaction of disturbance with the stress of summer insect harassment, reproductive success of the Central Arctic herd female caribou in contact with oil development over a 13-year period was lower than for those that were undisturbed,” that were living away from the oil fields. So this contributed to an overall reduction of the herds—as stated in this report.

So what we have is animals that live away from the oil fields—and Prudhoe Bay is very different from this 1002 area. The coastal plain near Prudhoe Bay stretches for 100 miles from the coast of the mountains.

So the caribou there are a much smaller herd, currently, 27,000 animals in the Central Arctic herd, and we have 129,000 in the porcupine herd here, those animals have moved away from the disturbance areas, the cows and the calves that are so sensitive have moved away from it. And the animals, although the herd has grown, they have been displaced.

If that happened with the porcupine herd, in the 1002 area, they would be displaced into the mountains. And in the mountains, that's where you have the predators and that's where you have a lower survival rate, higher mortality, and the herd would decrease. That's all documented in this report and the 1002 report.

The CHAIRMAN. Thank you. And I thank both of our panelists for their testimony, for answering the questions. I'm going to excuse you and call up our second panel.

We have The Honorable George Tagarook, The Honorable Herman Aishanna, Ms. Morgan VanHatten, and Mr. Isaac Akootchook.

If we could also have Mr. George Kaleak, Sr., join us at the witness table, as well.

If I can have the members sit down.

Mr. AKOOTCHOOK. I need to have an interpreter.

The CHAIRMAN. Yeah, would you please step forward. If I can have the members of the panel now who have settled in, if I could have the members of the panel stand.

[witnesses sworn.]

The CHAIRMAN. Let the record show all witnesses answered “yes.”

As I explained to the previous panel, your entire written statements will be included in the record. If you could maintain your oral testimony to 5 minutes.

The lights up here in front of you will give you an idea. During your oral testimony, the first 4 minutes the green light will be on and the yellow light will come on when you have a minute left. When red light comes on, I would appreciate it if you would stop at that point or sum up as quickly as possible. But the entire written testimony that you gave us will be included in the record.

So I appreciate it, you being here. I would also like to—there was a slight mix-up on the part of the Committee. Mr. Kaleak was supposed to testify, and because of a mix-up on the part of the Committee, he was not included in the official record.

I would like to ask the unanimous consent that Mr. Kaleak be allowed to testify before the Committee, and that his entire testimony be included in the record.

Hearing no objections, so ordered.

I think we will start with Mr. Tagarook, if I may.

Mr. TAGAROOK. Thank you, Chairman Pombo, Committee, Governor. And to you, Mayor. Audience.

With respect to my elders, I'll request that they have the elders talk first, then work my way over.

The CHAIRMAN. That would—that would be fine. They didn't give them to me in the line of—

Mr. TAGAROOK. Well, we will have Isaac start first, then Herman, then George, then Morgan, and then I'll speak. If you have no objections to that, we'll start with Isaac.

The CHAIRMAN. Well, I had him wrapping up, but—

Mr. TAGAROOK. Oh, you did? OK.

The CHAIRMAN. If that's the way you want to do it, that's perfectly fine.

Mr. AKOOTCHOOK. (Spoke in Native language.)

The INTERPRETER. He would like to have the younger generation speak first so he would have a chance to fix them.

The CHAIRMAN. We can deal with that.

**STATEMENT OF GEORGE TAGAROOK, CITY COUNCIL MEMBER  
AND FORMER MAYOR, KAKTOVIK, ALASKA**

Mr. TAGAROOK. Then I will start. Thank you.

Welcome to Kaktovik. I'm here to submit a statement from the city of Kaktovik. And also a few more items I'm going to present while I give my oral.

I'm kind of tired, my arms, because we took an 8-hour snow machine ride from Deadhorse to Kaktovik yesterday. The only caribou I saw were between Prudhoe Bay and Badami. There's no caribou on the Coastal Plains like somebody has just stated today. They are up in the mountains, on Hulahula and the Sadlerochit area. There are no caribou, there's nothing on the Coastal Plains. I want to make that a record.

We're in support of the development, responsible oil development, and we're opposed to any wilderness designation. I don't know, somebody from Outside making decisions for us, that's pretty bad. And I'm glad you guys are here to hear our comments.

The 1002 area can be developed in an environmentally sound way. We've witnessed that in Prudhoe Bay. Prudhoe Bay has been in existence for over 30 years. And I would like to submit a fact that 95 percent of the North Slope is not open to oil and gas development. The fact is, only 14 percent of Alaska arctic shoreline is actually open to oil and gas development. I will submit that for the record.

And they talk about wildlife. This is an article I want to submit, it talks about moonscapes and mountains. The one that we're responding 10 miles out of Kaktovik and works its way to the foothills. And we do hunt that area. We hunt, fish, hunt geese.

The other native tribe that lives on the south Brooks of Arctic National Wildlife Refuge do live on the south side, but they are not native to the 1002 area. They are adamant about turning this place into a wilderness. Their concern is caribou.

The caribou in the Porcupine caribou are here 30 to 40 days a year for calving. That's only the spring. From June until about mid July. That's the only time they are here. We do get a mixture of Central caribou herd and some mixture of Porcupine herd intermingled in, you know, together.

But the fact is that caribou, you know, are here 25 to 30—30 to 40 days of the year. They don't hang—hang around all winter long. I don't know. I wished I had saw caribou yesterday on the Coastal Plains, I could have brought it home, but I didn't.

It's amazing what the environmentalists do to an area where they don't live in. They use the ANWR issue as a, you know, cash cow. Those big Manillaq books, articles, maps, photos, pictures, that's really absurd.

I mean, if we put it here, we would be millionaires right now, but we're not. But they got the money and the power, I mean, they got the people.

But we're—we're here for responsible development. If we could somehow help the Committee and have the Committee help us in responsible development, we're prepared—pretty prepared for the exploration.

So I adamantly oppose a wilderness designation, and that concludes my comments. But I'll take any questions that you might have.

The CHAIRMAN. Thank you.

[The prepared statement of Mr. Tagarook follows:]

**Statement of George Tagarook, Member, Kaktovik City Council**

As the only resident people of the Arctic Drainage from east of the Canadian border to west of the Canning River, and thus the entire northern portions of what has been called the Arctic National Wildlife Refuge, we, the people of Kaktovik want to express our appreciation to the Mouse Resources Committee and especially to Chairman Pombo for coming hereto the very heart of the ANWR 1002 debate to hear the views of the people most directly affected in this matter.

For background on this issue and our place in it, we refer the Committee to consensus documents drawn up by the people of Kaktovik some years ago. These documents what we call "the Kaktovik Papers" and titled In This Place: A Guide to Those Wishing to Work in the Country of the Kaktovikmiut—express our views not only on oil and gas development but also our view of the larger picture, our place in the scheme of things. The City Council recently reviewed these documents and confirmed that they remain current and consistent with their original objectives, to explain to others just how things are here. We recommend that anyone with any interest in these precious lands and waters that form the homelands of our people

read and respect our views collected and expressed in these documents. We hope they will help those who do not understand that this part of the world is not the same seen from here as from other places. We believe our view of it is a valid, important and indeed a crucial one in this debate.

We urge the Committee to watch and respect the words of our people presented in our video also entitled: *In This Place*. We were driven to produce this video because what we saw on TV about us was so far off base that we could barely recognize ourselves in it. People with video cameras seemed, as if by magic, to record and then edit it selectively so that we ended up saying things we would never say. So we thought to try our hand at this magic, to see if it could be made to say what we really do think and feel. In *This Place* does that, and we put it forward as the real voices of Kaktovik.

Years ago, when the issue of oil exploration within the 1002 portion of the ANWR first came up, we were scattered on it. Some here thought it a bad idea, a terrible risk both to us and to the country on which we depend, the country that defines most of us as Native people. Some thought it a good idea because it would allow us to benefit from the petroleum resources that belong to us. As time went along, we watched with some suspicion the activity at Prudhoe Bay, but as we developed a working relationship with the petroleum industry, and as they did things the way we wanted them to do, we assessed the costs and the benefits of their being here on the North Slope and became increasingly comfortable both with the industry and with our ability to work with them. Today, nearly everyone here has moved towards the development side. It does not frighten us as it once did when we knew less about what it would be like, how the oil people would behave as neighbors and what the downside would be.

However, the consensus drawn up here by the City and people of Kaktovik should not be seen as an endorsement of anyone nor of any position held by others. That is not the way we are. We don't choose up sides, especially sides brought in from elsewhere. We have never spoken as partisans on this issue. We respect the concerns of everyone, even those with whom we disagree. Indeed, we have a few people here who are rather passionate in their opposition to development of the 1002. That is their right, and we respect them for making their point. Most of us think they are wrong, that they simply do not understand this place or its people, but we do listen to them and respect them.

Indeed, for anyone who really cares about this place, especially those who respect us and our place at the center of this debate, who recognize that nobody could possibly love this country more than we do, to them we reach out our hand and ask that they join with us to see that the things of value here are fully and completely protected whatever happens.

To that end we have asked that any legislation drawn up to open the 1002 to development be written to allow our full and effective participation in both the development and the direction of that development. We hold that the best way to protect this country is to see that those of us who understand it best and care most about it are effectively empowered to aid and assist any who would work here, to see that they do things right. We have put such language forward and are now working with the staff of this Committee to assure that it becomes law.

Those who know us know that the Inupiat are a progressive people but a people with our feet solidly on the ground here. The ancestors of our people found this place empty and have survived here for thousands of years. The spirits of our people are here and will be here forever. They are hard-wired to this place. And we, the now living, intend to be here forever, never to leave our spirits behind. That is the point of all this, to survive here in this magnificent place that is so much a part of what we are, to protect it and to make the most of it. For us this is not a romantic dream, a respite for a week to get away from the mess people have made of other places, some cover for the awful things they have done elsewhere. No, we intend to stay right here and to keep sweet and whole both our people and this land to which we so firmly attach.

To those who cannot see this, who see only emptiness here, who cannot or will not recognize our shadows on the land, our footprints that are everywhere, who cannot feel the spirits among us, all across this country and far out to sea, to those who deny our very being by declaring this a wilderness, to them we say this: Shame on you. Shame for trying to deny that we are here and that we exist. Shame for coming here and saying we do not matter. Shame for going into other Native communities and having them seem to say things no Native person would ever say about the homelands of another Native tribe. Shame. Shame. Shame.

We can live with the oil people. They will come and go. They listen to us and they have come to show us respect. Indeed, we can work with and accommodate any who come here and show us respect. But for those who come here to displace us with

their own shallow visions and empty illusions, we must ask you to leave. This is not a place for you. This is no empty land and surely not a wilderness. We are here, even if you will not see us. And you shall never displace us.

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The CHAIRMAN. Thank you. Let's go to Mr. Kaleak.

**STATEMENT OF GEORGE KALEAK, SR., WHALING CO-CAPTAIN  
AND MEMBER, NATIVE VILLAGE OF KAKTOVIK COUNCIL**

Mr. KALEAK. Hello. I welcome every one of you. Mayor Ahmaogak.

Thanks for letting me speak today. My name is George Kaleak, Sr.

I welcome you to my country, the country of my people who discovered this place thousands of years ago, settled here, protected, have never given it to anyone. This is our place, the place that defines us as Native people. The place that makes us whole.

We are at least as much a part of it as the caribou and the snow geese, except we do not migrate as they do. We use all of this country that drains into the Arctic Ocean. There is no place on the Arctic Slope that does not bear our footprints. No place.

We have never been everywhere gathering food, visiting both the living and the spirits of those passed. All who reside forever here with us in this vast home of the Inupiat, if it seems empty to you, you are just not looking, not seeing the real picture here.

Don't be confused by these little houses we sometimes stay in here on Barter Island. We stay in them so our kids can go to school and so we can make the money we need to live the lives we want to live. Our home is far more than this little village. Our home is all our country, from the Brooks Range to the south, to many miles to sea.

As you may have noticed, it is often not easy to tell just what is the land and what is sea, where the one ends and the other begins. We use it all, every inch of it. We have to use it all as we have always done, otherwise we could not survive here.

People talk lots about jobs, jobs are important to everyone. Their importance to us is probably different than their importance to others. Jobs for our people give us money, and we need to live off this country of ours.

Today it takes money to harvest the resource of land and sea. Years ago before they found oil at Prudhoe Bay, many people had so little money they could not afford the boats or guns or anything else they needed to harvest the food they need.

Some lived on the very edge of starvation, begging for food from those who did have the means to gather it. Those were wretched times, indeed. There have not been a lot of good times here until recently.

We see lots of people with romantic ideas about the past, people who think it would be nice to live the way we used to live—indeed, that we should live that way. That there is something wrong with the way we live now.

Let me assure you that nobody ever lived that way or—at or over the edge of starvation would say that. That is not a good place to be.

The income most of us have now have allowed us to buy the tools we need to harvest the land, the sea, to find delivery of the native food that we crave, the only food that can really sustain people like us.

It also gives us the leisure that every civilization needs to have a decent culture. Among other things, the new revenue generated from our underground resources have created a great—greatly enriched cultural life for the Inupiat.

We dance more and sing more and have much better times than ever before. We speak our language more even have it taught in our schools. In those good old days, our people were beaten for speaking our language. In those days, outsiders ran the North Slope and told us what to do.

It's not that way anymore, we run our own affairs. We control our lives. We send our kids off to Harvard or Norway, if that pleases them. We can afford to do that.

And we can afford to go to sea and catch a big black whale that gives himself to us. We catch them and thank them and then bring them home and eat them as they wanted us to do.

We go out in weather like this and look for wolves and wolverines and great bears. And we catch the ones who want us to catch them and make all kinds of beautiful things from them, as they wanted us to do.

We catch a fish and the musk-oxen and the white sheep in the mountains and the caribou and the snow geese and the ducks who come to visit, who come here to give themselves to us, and we eat them as they wanted us to do.

We can do all that because we have the means now to do it, and the time to dance and sing and talk in our own language about what we want to happen here.

Here in these lands that matter more to us than anyone from any other place could ever imagine for reasons beyond us, some people want to take that from us, take our food from our tables, the tools we need to get that food, the joy we now have from being able to dance and sing and tell stories in our own language.

Maybe these strange people don't like the sounds of our drums, which really is the beats of our hearts. That seems to think—they seem to think this place is empty, a wilderness, a place without people, or they want to make it that way, the drums of its people seem—seem to bother them. They want all that to go away.

It will not. In the end we shall be here, and these strangers will go back to where they came from, whatever anyone calls it, these homelands, these homelands of the Inupiat will never be a wilderness. Thank you.

[The prepared statement of Mr. Kaleak follows:]

**Statement of George Kaleak, Whaling Co-Captain and Member, Native Village of Kaktovik Council**

My name is George Kaleak, Sr. I welcome you to my country, the country of my people, who discovered this place thousands of years ago, settled here, protected it have never given it to anyone. This is our place, the place that defines us as a Native people, the place that makes us whole. We are at least as much a part of it as the caribou and the snow geese. . . . except we do not migrate as they do.

We use all of this country that drains into the Arctic Ocean. There is no place on the Arctic Slope that does not bear our footprints. No place. We have been everywhere, gathering food, visiting both the living and the spirits of those passed, all

who reside forever here with us in this vast home of the Inupiat. If it seems empty to you, you are just not looking, not seeing the real picture here.

Don't be confused by these little houses we sometimes stay in here on Barter Island. We stay in them so our kids can go to school, and so we can make the money we need to live the lives we want to live. Our home is far more than this little village. Our home is all of our country, from the Brooks Range to the south to many miles to sea. As you may have noticed, it is often not easy to tell just what is land and what is sea, where the one ends and the other begins. We use it all, every inch of it. We have to use it all, as we have always done. Otherwise, we could not survive here.

People talk a lot about jobs. Jobs are important to everyone. Their importance to us is probably different from their importance to others. Jobs for our people give us the money we need to live off this country of ours. Today it takes money to harvest the resources of the land and the sea- Years ago, before they found oil at Prudhoe Bay, many people had so little money they could not afford the boats or guns or anything else they needed to harvest the food they needed. Some lived on the very edge of starvation, begging food from those who did have the means to gather it. Those were wretched times. Indeed, there have not been a lot of good tunes here, not until recently.

We see lots of people with romantic ideas about the past, people who think it would be nice to live the way we used to live, indeed, that we should live that way, that there is something wrong with the way we live now. Let me assure you that nobody who ever lived that way, at or over the edge of starvation, would say that. That is not a good place to be.

The income most of us now have allows us to buy the tools we need to harvest the land and the sea, to find and deliver the Native food that we crave, the only food that can really sustain people like us- It also gives us the leisure that every civilization needs to have a decent culture. Among other things, the new revenues generated from our underground resources have created a greatly enriched cultural life for the Inupiat. We dance more and sing more and have a much better time than ever before. We speak our language more, even have it taught in our schools. In those "good old days", our people were beaten for speaking our language. In those days outsiders ran the North Slope and told us what to do. It is not that way anymore. We run our own affairs. We control our lives. We send our kids off to Harvard or Norway, if that pleases them. We can afford to do that.

And we can afford to go to sea and catch the big black whales that give themselves to us. We catch them and thank them and then bring them home and eat them, as they wanted us to do.

We go out in weather like this and look for wolves and wolverine and great bears and we catch the ones who want us to catch them and we make all kinds of beautiful things from them, as they wanted us to do.

We catch the fish and the muskoxen and the white sheep in the mountains and the caribou and the snow geese and the ducks who come to visit, who come here to give themselves to us, and we eat them, as they wanted us to do.

We can do all that because we have the means now to do it. And the time to dance and sing and talk in our own language about what we want to happen here, here in these lands that matter more to us than anyone from any other place could ever imagine.

For reasons beyond us, some people want to take that from us, take our food from our tables, the tools we need to get that food, the joy we now have from being able to dance and sing and tell stories in our own language. Maybe these strange people don't like the sound of our drums, which really is the beat of our hearts. They seem to think this place is empty, a wilderness, a place without people. Or they want to make it that way. The drums of its people seem bother them. They want all that to go away.

It will not. In the end, we shall be here and these strangers will go back where they came from. Whatever anyone calls it, these homelands of the Inupiat will never be a wilderness.

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The CHAIRMAN. Thank you. Mr. Aishanna.

Mr. AISHANNA. Aishanna.

The CHAIRMAN. You can give your testimony.

**STATEMENT OF HERMAN AISHANNA, CITY COUNCIL MEMBER  
AND FORMER MAYOR, KAKTOVIK, ALASKA**

Mr. AISHANNA. Chairman Pombo, I welcome you to Kaktovik. Governor. Our good Mayor Ahmaogak. And the rest of the people that are visiting.

My name is Herman Aishanna. Some of the people know me, I guess. I've been around. I would like to say this is my home. It's a little village by the side of the sea we call Kaktovik is my home. Our home. We have about pretty close to 300 people living here.

And all the lands that drains in the Arctic Ocean, we consider it as our home. Where we harvest food for our people. And all the way down to the ocean, as far as our little skiffs can take us out safely. 30, sometimes more than 30 miles out and come back. It's sometimes kind of dangerous to live here, but I'm proud to be Kaktovikmiut.

My family is here, most of our families. We have a lot of grandchildren growing up right now.

And look at this young lady right here. She's up there. She's in school. And that's what we want. Some people want ANWR to open, to help the education, get it funded more so these people can finish their education.

And it's been awhile since I testified in front of you. That was in Anchorage quite awhile back, since Governor Hickel. Governor Hickel was my buddy then.

I'm just trying to highlight some of my written testimony.

We are glad that you're here, and I know that you came here to listen to the people that actually live in Kaktovik. And I thank—thank you for coming, coming up here.

And this debate about ANWR has been going on—I don't know. If they had opened it when we first started, it would have been flowing already.

Anyway, my corporation here actually has 92,000 acres of its own up here. And Congress is holding it from being developed anyway. And that is they're depriving my corporation from economic development. I want you to understand that.

We are trying to be blocked out by people from so many miles away. The people that are not living here, the 1002 area is not a very beautiful place this time of the year, especially when the wind is blowing and the snow is—snow is blowing.

The only time some people visit is in the summertime and everything blooms. And I would like to see some people that think that it's beautiful. It's not very beautiful in the wintertime.

I will—I will submit this written statement. And also, I have a Resolution 303-02, a resolution with respect to lands use occupied and truthfully harvested by the people of Kaktovik will be included in my written testimony.

As for—as for the wilderness, for any who think they can make this rich and fully peopled country of the Kaktovikmiut into a wilderness, they should be aware not only that we, the living, are here, but also that the spirits of our people since time immemorial are here.

No matter how blind, no matter what anyone wants to a wilderness, and it will never be a wilderness. This country has a people and today, you are looking at them.



Thank you.  
[the statement of Mr. Aishanna follows:]

**Statement of Herman Aishanna, Whaling Captain and Member,  
Kaktovik City Council, Kaktovik, Alaska**

My name is Herman Aishanna. This is my home, this little village by the sea that we call Kaktovik—and all the lands that drain into the Arctic Ocean—and all of that ocean as far out into it as we can get our little boats and return safely—sometimes even beyond that. Our people have often perished as they tried to provide for themselves and their children in this dangerous country that is our home. Their spirits and those of all the rest who have gone before us remain among us, certifying that this is Inupiat country, now and forever, as it has been for thousands of years.

I welcome you to this place, these homelands of our people. With all due respect this visit is long overdue. For more years than I can remember we have debated the opening of the 1002 to oil and gas development. I have testified myself all over the place, even to this Committee once in Anchorage. We have lots of visitors coming here not so much to listen to us as to say they have been here, that they have seen the 1002 and talked with us. We know they do not listen because they do things we told them not to do. We know they do not listen to us because we see them telling people how we feel about this, and they get it all wrong.

That is why we are so happy to see you here today, to have this chance to tell you what we think about this oil and gas thing, about what we think should be done here on this precious country that defines us as a Native people. We know you have not come just to tell people you have been here. We know you have not come here to hear people from someplace else. We know you have come to listen to us, to hear what we have to say. We know you will not rush away, before you have heard us. We know you will hear and respect our words. Otherwise, why would you have gone to all this trouble?

One thing I want to make very clear. We seldom borrow the views of others. We do not parrot their words. We are not part of some outside point of view. We have our own views and our own concerns. We are not part of some team with some agenda that make no sense to us. Although we have said it many times in many places, I am sure many will be surprised to learn that we are neither for nor against oil and gas development east of the Canning River. Our position is far more sensible than that.

Indeed, we wonder how anyone could be for or against something they do not know or understand. Nobody knows what oil and gas development east of the Canning will mean. Nobody has yet defined it.

On the other hand, we do have a great deal of knowledge of this industry. The one thing we know about it is that they will do what they are required to do. We also know that if they are properly controlled, they need do very little harm. And so our position is a simple one. They can work here if they do things the way they should. To assure they do that, we have asked to be right in the middle of it, to help those who come here to find oil do it right and to help those assigned to protect this country make sure that they do do it right.

We have said this over and over again. We have said that this can be done if it is done right. We know it can be done right. To see to that, we want to be right on the cutting edge. We Inupiat are not a passive people. When the whalers came, we took every advantage of them we could. We picked and chose what we wanted from them. That is the way it has to be here.

This Committee has the language we want to see in any bill that may open the 1002 to oil and gas development. Our attorneys have given it to you. Give us that language, give us that chance to protect our people and our country, and we will be there to help you.

Those who know me know I have hardly ever threatened anyone. I am a peaceful man. My people are peaceful people. But you may note that nobody has ever us displaced here. Let me assure you nobody ever will.

For any who think they can make this rich and fully peopled country of the Kaktovikmiut into a wilderness, they should be aware not only that we the living are here but also that the spirits of our people since time immemorial are here. No matter how blind, no matter what anyone wants to call it, this country is hardly a wilderness—and it will never be a wilderness. This country has a people and today you are looking right at them.

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The CHAIRMAN. Thank you, sir. Ms. VanHatten.

**STATEMENT OF MORGAN VANHATTEN, STUDENT,  
KAVEOLOOK SCHOOL, KAKTOVIK, ALASKA**

Ms. VANHATTEN. Hello. My name is Morgan VanHatten and I'm the student body president at my school. I would like to start off by thanking all of you for being here to discuss this important issue about the 1002 plans.

Personally, I think that ANWR should be opened because I think that our community would benefit greatly from it. I also support the decision that we, Kaktovik, need to make sure that we get the support and acknowledgment that we deserve as a community, especially during this time.

And if oil development does occur, then the Kaktovik people need to be involved because it is us who know the land the best.

It's also important that people around the country, as well as yourselves, know that we are a community that use the land around us for everyday purposes and we care just as much about what happens and only want to see the best.

It's our responsibility to look out for the interests in our community, rather than a person who is trying to take over what is ours.

I hope that all of you see that whatever happens here, whether ANWR opens or not, that we need to have a say and take part in the decisionmaking.

And in addition to that, there was an article written by the Mayor of Nuiqsut saying that oil drilling does threaten native ways, and I think that's what could happen here if our language isn't put into the bill.

And I think that if oil drilling does occur and Kaktovik doesn't have a say, then it will threaten our native ways. And I want to make sure that that gets put into it because I don't think that happened with Nuiqsut, and I think that's where it went wrong there.

And I would like this tape, In This Place, to be part of my testimony also. The video. That's all. Thank you.

[The prepared statement of Ms. VanHatten follows:]

**Statement of Morgan VanHatten, Student, Kaveolook School,  
Kaktovik, Alaska**

Hello, my name is Morgan VanHatten and I'm the students body president at my school. I would like to start off by thanking all of you for being here to discuss this important issue about the 1002 plans. Personally I think that ANWR should be opened because I think that we as a community would benefit greatly from it. I also support the decision that we, Kaktovik need to make sure that we get the support and acknowledgment that we deserve as a community, especially during this time. If oil development does occur, then the Kaktovik people need to be involved because it is us who know the land best. It's also important the other people around the country as well as yourselves know that we are a community that use the land around us for everyday purposes and we care just as much about what happens and only want to see the best. It's our responsibility to look out for the interest in our community rather than a person who's trying to take over what is ours. I hope all of you see that whatever happens here, whether ANWR opens or not that we need to have a say and take part in the decision making. Thank you.

The CHAIRMAN. Without objection, it will be included in the record. Thank you.

**[The video has been retained in the Committee's official files.]**

The CHAIRMAN. Mr. Akootchook.

**STATEMENT OF REVEREND ISAAC AKOOTCHOOK, PRESIDENT,  
KAKTOVIK NATIVE VILLAGE, KAKTOVIK, ALASKA**

Mr. AKOOTCHOOK. My name is Isaac Akootchook. Born in Kaktovik 1922, and I still live here.

Welcome Governor, and senators from Outside, to see this, our place. I say this in English for a little bit, so you understand me. (Spoke in native language.).

The INTERPRETER. He would like to thank you for being here, and he would like to speak to the ANWR that you want to testify for ANWR today, in front of you.

Mr. AKOOTCHOOK. (Spoke in native language.).

The INTERPRETER. You may want to help me, George, a little bit with that because I'm not too familiar with the area where the Demarcation is, but he wants to allude you to the areas where they have grown up and known as the Federal lands that are near the Demarcation.

Mr. TAGAROOK. The imaginary line we see on the map, Alaska USA and Canada. The Demarcation.

The INTERPRETER. He wants to speak to those lands. Near the Demarcation where between Canada and US.

The CHAIRMAN. OK.

Mr. AKOOTCHOOK. (Spoke in native language.).

The INTERPRETER. He does not want to see this land to be put into wilderness area so that this land can also be used for the young generations to come, so that they will be able to utilize this land.

Mr. AKOOTCHOOK. (Spoke in native language.).

The INTERPRETER. His fathers before him have used this area, and that near the runway, there are some old remains where their forefathers have lived before.

Mr. AKOOTCHOOK. (Spoke in native language.).

The INTERPRETER. Their forefathers before them that have been here have known this and have handed these hunting areas down to them. He's speaking for himself, so the generations before him, his forefathers, have used this area, and then he's glad that you are here to be able to listen to him.

Mr. AKOOTCHOOK. (Spoke in native language.).

The INTERPRETER. And he's also thankful that you're here, that you're able to listen firsthand, that when it's time to vote on this issue, that you've come here to listen to the concerns that everybody needs to be heard.

Mr. AKOOTCHOOK. (Spoke in native language.).

The INTERPRETER. He also wants to be able to work with the industry and that so that it does not harm their way of life, and that it should be worked to a point where everybody can live harmoniously together with the industry and the people that lives here in the community, and thanks the people that are listening and that are able to help them to get this far.

Mr. AKOOTCHOOK. (Spoke in native language.).

The INTERPRETER. Thank you, he said.

[the statement of Mr. Akootchook follows:]

**Statement of Isaac Akootchook, President, Kaktovik Native Village,  
Kaktovik, Alaska**

My name is Isaac Akootchook. I am the Reverend at the Kaktovik Presbyterian Church. I'm 81 years old and I am a life-long resident of the North Slope of Alaska and as such have traveled by dog sled in my younger days, because that was the only mode of transportation at that time. I have served on the Kaktovik City Council and have been Mayor of Kaktovik. Currently, I am President of the Native Village of Kaktovik.

I love this land and as I have stated in the Kaktovik video, I believe that man was put on this earth to use the land. If anything happens here in our homelands; then we need to be involved. I want this place to be a useful place for my children and grandchildren and great-grandchildren.

I wish to speak about the land and the people and how we fit together to make this place our home. The land and the people and the animals are all important and we want to take care of this land the best way we know how.

I thank you for the opportunity to speak here in my home about the things that affect my life directly. We appreciate the chance to have our voices heard.

The CHAIRMAN. I thank you very much. Thank all the panel for their testimony.

I would like to ask Mr. Akootchook a couple of questions, if I may.

Your people, your forefathers, have been here for many, many years. Did they always hunt with snow machines and rifles and did they live in heated buildings like this?

Mr. AKOOTCHOOK. When I grown up, when I grown up, when we have no electricity, at all. And just use driftwood and a sod house. That's what we live when I was growing up.

The CHAIRMAN. And you lived in this community?

Mr. AKOOTCHOOK. Same place, 1922 until today.

The CHAIRMAN. The reason I ask you is that one of the things that continually comes up, the opponents of any kind of development here talk about wanting things to be the way that they always were, and wanting to maintain it in some kind of a natural setting.

Since the day that your people came here, if it was 10,000 years ago, 20,000 years ago, they changed this area, just being here. The first time they put up a house, the first time they built a fire, the first time that they hunted a caribou, they permanently changed this area. And I look at the young lady who testified and think about her future and how things would change for her.

Would you say that it's for the betterment of you, your people, the next generation, to have development here?

Mr. AKOOTCHOOK. (Spoke in native language.).

The INTERPRETER. From his—from the past, when they have lived, it has changed considerably from the time he is alluding to, from times past. It has changed very much.

Mr. AKOOTCHOOK. 1938 and '39. (Spoke in native language.).

The INTERPRETER. He's alluding to the years that he just mentioned, 1939—

Mr. AKOOTCHOOK. '38.

The INTERPRETER. '38, that in those years, their lives were in a state of starvation, where they didn't have too much. This was near the Colville area.

Mr. AKOOTCHOOK. (Spoke native language.).

The INTERPRETER. In the 1940's, they moved from the Colville or the Kutchik area to Kaktovik, and they have remained here since.

Mr. AKOOTCHOOK. (Spoke in native language.).

The INTERPRETER. He's very satisfied with the changes that now has occurred to up to date for that they are enjoying the heat in their homes, the schools, and also what the government—I think he's alluding to the North Slope Borough—providing the necessary things that they are now enjoying. He's very happy with those changes.

Mr. AKOOTCHOOK. (Spoke in native language.).

The INTERPRETER. And the education that the young folks have received, they now understand how to run the governments, they know how to run the schools, and they are very—are knowledgeable enough to run these things when they become of age.

The CHAIRMAN. Thank you. And just finally, I ask Ms. VanHatten, obviously, this area is very important to you, and it's something you care about. Those of us that are here come in and go, you know, we'll fly in, we'll fly out. We'll be here for a few hours, some of us may never have the opportunity to come back here, but for you, you've got a little different perspective on that.

If you would, what do you see as your future here? What would you—what would you like?

Ms. VANHATTEN. I would like—well, I would want ANWR to open, I think. But if it did, I think that a lot more things would happen here, and everyone would get—everyone would just benefit from it.

And I also would like to just see more young people taking part in the native ways, more people learning how to live off the land. As they said, we don't want to go back to the old ways, but we do want to preserve a lot of the old ways.

And I would like to see the young people being able to take action in it and being able to take action in stuff like this because we are the future, we are the next generation. And I just hope to see that the young people take part in it and learn from everyone around us so that our community would benefit.

The CHAIRMAN. Thank you. Thank you very much. Mr. Rehberg.

Mr. REHBERG. Thank you, Mr. Chairman.

I want to thank you for being with us today. And point out to you that President Clinton, in the closing days of his administration, created a new monument in the state of Montana, which is where I'm from, that included 81,000 acres of private property. 81,000 acres.

So your acreage is at risk. And currently, there's a movement afoot to shut down snowmobiles in Yellowstone Park. So there could be an opportunity for them to come in because there are no promises in our form of government.

Democracy is kind of ugly that way. We can promise you one thing today, but the next Congress hasn't made that same promise, so they can undo that and do something else.

And so I think if you're adamant in your position, which I believe you ought to be, always watch what's going on down there because they can also eliminate your snowmobiles.

Mr. Tagarook—am I pronouncing that correctly?

Mr. TAGAROOK. Well, you can call me Ray, call me Jay.

Mr. REHBERG. How about George? Can I call you George?

Mr. TAGAROOK. Yes.

Mr. REHBERG. You're the one that brought up your natives to the south. Now, are you speaking specifically of the Arctic Village, that area?

Mr. TAGAROOK. Anybody south of the Brooks Range. The non-native. Those who live there.

Mr. REHBERG. I'm looking at a map that has Gwich'in historic oil leases. Is that some of them?

Mr. TAGAROOK. Might be, yes. Could be considered LA, Lower Alaska.

Mr. REHBERG. Is there enough—is there oil and gas production in—on their property?

Mr. TAGAROOK. They did back in, I think, the early '70's.

Mr. REHBERG. But not now?

Mr. TAGAROOK. I have no idea. I think the interior, interior people are—explored for gas. But I don't know which tribe it is. Probably Tanana or Doyon.

Mr. REHBERG. So you don't know if they are proponents for opening your area for oil production? You don't know if they have taken a position? Or do you believe that those that have an opportunity to have oil production on their property are in opposition to yours?

Mr. TAGAROOK. Yeah, they are in opposition specific to take over their own lands that they want to develop, you know.

Mr. REHBERG. They would like to develop their lands, but have they—

Mr. TAGAROOK. I wouldn't have any opposition on that.

Mr. REHBERG. OK. But have they taken a position on your—

Mr. TAGAROOK. Yes. I'm not a village shareholder, I'm a shareholder from the Village of Barrow. So I can't speak for the corporation here.

Mr. REHBERG. OK. I guess what I was trying to get at was as a point that you would like to see oil development on your property, but perhaps there's those that are south of here that don't want you to have oil production on your property, but do have oil production on their property.

And I think it goes back to something you said that is extremely powerful and that is your U.S. Congress is keeping you from economic development, which, in fact, keeps you from economic opportunities.

Mr. TAGAROOK. Yes.

Mr. REHBERG. And I think that point needs to be made.

Mr. TAGAROOK. Yes.

Mr. REHBERG. Mr.—Herman. I apologize.

Mr. AISHANNA. You can call me Her Man, if you want.

Mr. REHBERG. I'm getting there. Is there any corporation property that is outside of that 91,000 acres?

Mr. AISHANNA. 92.

Mr. REHBERG. 92,000? Do you have a financial interest in any properties outside of that 92,000 acres? As a corporation?

Mr. AISHANNA. No.

Mr. REHBERG. You don't. So it's all this little area around the community here. OK.

Let me ask you, then, you support opening up. Do you—do you believe that there's any irreparable damage to the culture of your people or your animals by opening this property?

Because that was the statement that was made by the opponents to opening it, there was irreparable damage to the culture of you and your wildlife. Do you believe that's a true statement?

Mr. AISHANNA. What we've been trying to work on is if it does open to development, Kaktovik would like to be at the table in the planning stages. And that way, we would like to minimize the impact, minimize the spoils. I'm pretty sure we can work things out.

Mr. REHBERG. You can?

Mr. AISHANNA. Yes.

Mr. REHBERG. So the benefits outweigh the potential change in your culture, similar to what Chairman Pombo was talking about where some of the change in your culture was changed by snow machines.

Mr. AISHANNA. They definitely have their own regulations, they have to follow every—every set of rules if they are going to work here. And we would like them to do everything they are supposed to do. Protect the environment.

Mr. REHBERG. Well, just to clear up the record, then I'll stop with this, Mr. Chairman, there were statements made about the smoke at Prudhoe Bay. It all falls within the Clean Air Act.

Mr. AISHANNA. Pardon?

Mr. REHBERG. It falls within the protections of the Clean Air Act.

Mr. AISHANNA. Yes.

Mr. REHBERG. So I think that there's one thing our regulatory agencies are pretty good at is controlling business.

Mr. AISHANNA. Yeah.

Mr. REHBERG. So I could perhaps alleviate some of your fears.

Mr. AISHANNA. I've been hearing a lot about new technology. And instead of spreading out everything all over the place, I think it can be centralized someplace, so it won't be—it won't be like a Christmas tree.

Mr. REHBERG. Yes. Thank you. Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Renzi.

Mr. RENZI. Thank you, Mr. Chairman.

The Honorable Her Man. You have been a captain at the sea, you've fished these waters. The statement was made earlier that if we bring drilling and extracting oil from the land, that you won't be able to fish.

You know the neighbors, you know how well these neighbors have been at Prudhoe Bay, if they have been good neighbors or not.

Will you be able to fish if we are allowed to go on the Federal lands and extract the oil?

Mr. AISHANNA. On ANWR?

Mr. RENZI. How would the oil—how would we taking oil out of ANWR affect your fishing? It's been stated that you—

Mr. AISHANNA. Probably people with big—big smarts.

Mr. RENZI. Yeah.

Mr. AISHANNA. I wouldn't recommend they go through the ocean now.

Mr. RENZI. Yeah. So you don't see it affecting your fishing at all, then? You don't see us drilling—

Mr. AISHANNA. No.

Mr. RENZI. —on ANWR affecting your fishing, do you?

Mr. AISHANNA. No, I don't think the caribou is so blind they just run into a pipeline.

Mr. RENZI. I've listened, Mr. Akootchook, to your testimony.

The INTERPRETER. Akootchook.

Mr. RENZI. Isaac. I'm the father of 12 children, seven boys and five girls. In Arizona, I thought I was Her Man. But one of the things that's interesting is that in your philosophy, you talk about how the earth and the land has been given to us to take care of. It's been given to us also to take the resources from and to use the land. The idea that the oil within the land also is a resource.

If we set this up properly, if we give you the laws that allow you to require the best technology to be used, to require that we restore the land, and leave it, that we don't impact the wildlife, that studies be done, both from—from both sides, studies be looked at, is it your viewpoint that we should move forward and begin to use these resources, not just to leave them, lock people out from using them?

Mr. AKOOTCHOOK. (Spoke in native language.).

The INTERPRETER. He believes in that philosophy that what was given to us should be utilized by all.

Mr. RENZI. That's beautiful.

Mr. AKOOTCHOOK. (Spoke in native language.).

The INTERPRETER. And we all understand that this will be for the benefit of all our people, and we are now, all of us are just talking about it and saying it, but it is something that when done right, can be to the benefit and for all the people.

Mr. RENZI. Thank you. Morgan, in 20 years I want to come back and I believe you'll be the mayor. I also represent one of the largest Native American peoples of the United States, the Navajo people, the Grand Canyon, in Northern Arizona.

I was able to learn that when we brought water into the Navajo lands that were dry, and they were able to grow a good cattle crop, they were able to grow their traditional corns, that that provided a—an economic impact, it provided monies that they were able to use to preserve the traditional ways of life, to preserve their languages, to hire more teachers, to teach their culture in their schools.

So I leave you, as I know you are going to be a leader in the future, with the idea that if we are allowed to do this, that you take some of the monies and you use it to protect your heritage and your culture, and all the life, the traditions that you mention. And I appreciate your statement today. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Nunes.

Mr. NUNES. Mr. Tagarook.

Mr. TAGAROOK. Yes.

Mr. NUNES. You were talking about the caribou. There's been some discussion about the caribou. Do you hunt caribou here?

Mr. TAGAROOK. Yes, I do. I hunt both Porcupine and Arctic Central herd, yes.

Mr. NUNES. OK. And can you explain to us, in your opinion, what would happen if you did develop some of this land for oil drilling, what would happen to the caribou?



Mr. TAGAROOK. What would happen to the caribou? Well, I think the development and wildlife are coexistent, you know, they could co-exist together.

The Porcupine caribou herd, like I said, is here 40, 45 days a year. And when they go south to their wintering area, they have to cross a major highway, they cross a highway in Canada, some—some oil industry infrastructures, and the people there hunt them on roads and on the highways would have to take either a boat or a snow machine to go out and—to go out and get them.

Mr. NUNES. Prudhoe Bay, in the area where the pipeline is now, what has the development there done to the caribou population? Or have you hunted in that area before?

Mr. TAGAROOK. Not so much over by Prudhoe, no, just east of Prudhoe, you know, about 20 miles. I think it's a safe haven for the caribou because of the pipeline, the predators relief, mosquito relief, and I'm sure they will coexist.

Mr. NUNES. So would you agree that some of the studies have shown that the caribou population has increased near the pipeline? Would that be a true statement?

Mr. TAGAROOK. That could be a true statement with the facts and figures that I've been hearing. With the Central Arctic caribou, you know, they are less than 3,000, now they have multiplied five-fold. So—

Mr. NUNES. So that's true—that's a true statement?

Mr. TAGAROOK. That's a true statement.

Mr. NUNES. Thank you. Mr. Kaleak?

Mr. KALEAK. Kaleak.

Mr. NUNES. Kaleak. Do you also hunt caribou?

Mr. KALEAK. Yes.

Mr. NUNES. And do you fish?

Mr. KALEAK. I fish. Whale.

Mr. NUNES. Whale. What would this potential development do to your hunting, fishing? Would it hurt it? Would it help?

Mr. KALEAK. No. I don't think it would have an impact.

Only, the only thing I would be worried about is the stipulations on hunting near an oil rig or a pipeline. If there's a way you can work around that, I mean, I'm all for it. And I know there's a way to work around that.

Mr. NUNES. OK. OK. And maybe I can ask this to both of you because both of you snowmobile, I assume.

Mr. KALEAK. Yes.

Mr. NUNES. H.R. 770, which is better known as the Markey bill? Is that right?

The CHAIRMAN. Yeah.

Mr. NUNES. Are you aware that if this bill does pass, that snowmobiling would be banned and you guys would not be able to use your snowmobile?

Mr. KALEAK. No, I wasn't aware of that.

Mr. NUNES. And airplanes.

Mr. KALEAK. No, I was not aware of that.

Mr. NUNES. And I think that's something I was made aware of today that I find interesting.

Mr. KALEAK. Until he mentioned it, before there was talk of deleting that.

Mr. NUNES. So it would not be a good thing for snowmobiles to be banned in this area?

Mr. KALEAK. No, that wouldn't. I mean, we depend on our snow machines, and iron dog, if you will. And our boats, we depend on all that to get our subsistence food to feed our children and our elders. And that's why everybody, almost everybody here has a snow machine so we can utilize that to go hunting.

Mr. NUNES. I understand. Thank you very much. I have one quick question then I think my time is up.

The CHAIRMAN. Go ahead, if you want to finish.

Mr. NUNES. Mr. Isaac—

The INTERPRETER. Akootchook.

Mr. NUNES. Akootchook. I just want to thank you for being here today and testifying. And just for my background and a historical perspective, how many generations does your family go back, that you know of, in this area?

Mr. AKOOTCHOOK. I'm a grand, grand, grand, and third now.

The INTERPRETER. Three. Third generation.

Mr. AKOOTCHOOK. My dad is beyond, four more and beyond from my father's side. But I don't know the name because I'm born in 1922.

The INTERPRETER. So four fathers before him have been here before him.

Mr. NUNES. Four fathers?

The INTERPRETER. Four fathers before him, have been here before him.

Mr. NUNES. That you know of. Only that you know of.

Mr. AKOOTCHOOK. Just know my father, but my mom's side is grandma and granddad. I have a picture of them.

Mr. NUNES. So many years. Thank you very much. Thank you all of you. And thank you, Mr. Chairman.

The CHAIRMAN. Miss Bordallo.

Ms. BORDALLO. Thank you very much, Mr. Chairman.

I have been sitting here and listening very intently to everyone who is at the table, and I have to tell you, I represent a small island in the Pacific very much like this group of people here today.

In fact, it's brought back many memories just to see you at a witness table here, from you, sir, 81 years old, to Morgan, a young student in high school. It is truly a cross section of the community.

And in Guam, we were under the Spanish for many years, and then the United States, and just like you, many years ago, we didn't have a lot of opportunities. Now, we're a thriving U.S. Community where our young generation go on to colleges all over the United States and the world, and we're given opportunities that their forefathers would never have ever realized.

We also have our own language, our own culture, and we're preserving it right along with progressing. So I truly am impressed.

Morgan, you are such a beautiful young girl. Are there more like you here? Very beautiful.

And I enjoyed hearing Reverend Isaac and his wealth of experience over the years, and he's truly a very respected person here in the community, you can tell from the audience.

And of course, the others have been mayors, presidents of different councils, and so you have a lot of experience under your belt.

So Mr. Chairman, we truly have a cross section of representation from this region.

I wanted to ask one question, and I was very impressed with 8 hours of snowmobiling to get here?

Mr. TAGAROOK. From Deadhorse, yeah, 131 miles. 131.3 miles.

Ms. BORDALLO. That is awesome, sir.

Mr. TAGAROOK. Do you want to go for a ride?

Ms. BORDALLO. I would love to do that. But I want to ask, are you the fireman? You're both Georges, right? Are you the fireman?

Mr. TAGAROOK. Yes. I've been a fire chief for 20 years.

Ms. BORDALLO. All right. Now, I was just curious. You know, you said the water is solid. Water is scarce.

Mr. TAGAROOK. It's pretty hard to fight fires at 40 below.

Ms. BORDALLO. I was going to say, how do you fight fires here if one occurs?

Mr. TAGAROOK. You keep the fire truck inside the fire station where it's warm, the water is 70 degrees, and when you take it out at 40 below, the temperatures drop, you have to put the fire out really fast.

Ms. BORDALLO. So you really do have quite a bit of water on hand?

Mr. TAGAROOK. Yeah. And when your hands get cold, you can squirt water inside your gloves and it will warm up your hands.

Ms. BORDALLO. Oh, I see. All right.

All right. Now, to all of you here, the five of you, of course, the interpreter, what I'm gathering is that you want to open up this area for development, you want to know that it's environmentally safe, and you want a voice in it; is this correct?

Mr. TAGAROOK. Yes.

Mr. AKOOTCHOOK. That's right.

Ms. BORDALLO. Thank you very much.

Ms. VANHATTEN. Actually, I do want it to be open, but when they said that the chance that we can't use snow machines or our planes, I think—I don't think it should be open because our tradition and our culture is our first priority, and that's what needs to be—that's at the top of our priorities. And if that is threatened, then I don't think that they—

The CHAIRMAN. If you—we're actually talking about two different bills. One would put it into the—under the Wilderness Act, and that would restrict your ability to do certain things within the wilderness area.

Ms. VANHATTEN. OK. All right. I was unclear about that.

The CHAIRMAN. The other bill is Mr. Young's bill, which is designed to open the area up for potential development. So it's two separate bills that we're actually taking testimony on.

Ms. BORDALLO. Thank you very much, Mr. Chairman.

The CHAIRMAN. Senator.

Senator MURKOWSKI. Thank you, Mr. Chairman. And again, Mr. Akootchook, thank you for being here and speaking on behalf of the elders. And to you, Morgan, thank you for speaking on behalf of, as you say, the next generation.

And as I look around the room and see all these—these young children and the babies and recognize that what we are doing

today, conversations we're having, and ultimately the votes that happen 6,000 miles from here really affect your life tomorrow.

And perhaps the reverend, in 20 years, might not be around to testify, but you'll be testifying and your children will be testifying. And this has been going on for 20 years now. So I think we're at that point where we need to stop just talking about it and figuring out what's going on.

I think it was you, Mr. Tagarook, you mentioned that—I believe your statement was the environmentalists are making money off ANWR through, you mention, photographs and books, but the people who live here are not.

Mr. TAGAROOK. Yes.

Senator MURKOWSKI. And that's a very, very telling statement because as we drove into Kaktovik from the airport, you've got a small community here, you've got a school, looks pretty nice, you've got a nice community center here.

We've heard from you, Mr. Aishanna that you're a fisherman and there's a subsistence life-style that goes on here, but how are the residents of Kaktovik earning their living right now? What are the opportunities for you and for your children and for some of these babies that are here?

Mr. TAGAROOK. It's seasonal construction like water and sewer projects that has been here for about 2 years now, we're on the third year. The borough has the municipal services, the water, sewer, the water drainage, the sewage pickup, they have the utilities, the maintenance of roads, airports, landfills.

Some of the services that are funded by the borough through the Kaktovik infrastructure and the industry, the property taxes for the city, or the villages, and those are declining. And if we could get the NPR-A opening up, there will be some infrastructure attached on that, along with ANWR opening up, you know, boost the Canning River, it will help.

Senator MURKOWSKI. For the most part, then, the jobs that are here, the people that are in this room who have those jobs, are primarily borough related in some way?

Mr. TAGAROOK. Some are borough related and the corporation, as well.

Senator MURKOWSKI. Corporation related.

Mr. TAGAROOK. In the school district, I don't know about, 10 percent borough, probably 60 percent, somewhere in there.

Senator MURKOWSKI. Let me ask you this, and I'll direct it both to you, Mr. Tagarook, as well as Mr. Akootchook. Before we saw oil development on the North Slope, and this is Prudhoe, this is going back to—to predating 1980, what—what was here in the community of Kaktovik? Did you have a school? Did you have a community center? Did you have a clinic? What was the community like before we had the resources from oil development up here?

Mr. AKOOTCHOOK. We started with our native village of Kaktovik, coming up—we have our words. (Spoke in native language.)

The INTERPRETER. (Spoke in native language.)

Mr. AKOOTCHOOK. The Air Force.

The INTERPRETER. Air Force was here.

Mr. AKOOTCHOOK. 19—1947, after the Second World War, the Air Force set up here patrolling back and forth.

The INTERPRETER. There was no hospital, no school. There was no community center.

The CHAIRMAN. Was there electricity?

Mr. AKOOTCHOOK. No electricity, no.

The CHAIRMAN. No heat?

Mr. AKOOTCHOOK. North Slope Borough and Dew Line started, and that's what we have.

The INTERPRETER. Then we got the heat, the heat to the city.

Mr. AKOOTCHOOK. We usually used driftwood—

The INTERPRETER. Driftwood for heat.

Mr. AKOOTCHOOK. For heat.

The CHAIRMAN. Driftwood?

Mr. AKOOTCHOOK. Would haul—haul wood and haul ice for water. That was the way we'd grown up.

Senator MURKOWSKI. And so until we had development, oil development off the North Slope, which was about 20 to 25 years ago, you had no electricity, you had no school.

Mr. AKOOTCHOOK. Maybe the electricity started maybe around—maybe just about—

Senator MURKOWSKI. Just about that time? So I think it was your testimony that—

Mr. AISHANNA. I think you forgot I was buying electricity from you for a while.

Senator MURKOWSKI. It's important to put this in context in terms of a time line, for these people up at this table, they come from states where in their state, they have had electricity for a hundred and some odd years. They have had water systems and sewer systems and schools and fire stations.

And so what you have now has been brought about through oil development, and it has allowed you to have a quality of life that is, as all of you, I think you pointed out, it allows you the opportunity to—to speak your languages more often, sing more often, dance more often, and truly be part of the culture and tradition instead of, I think you used the term, Mr. Kaleak, it was a wretched world. It was a world of starvation. So we've come a long way in 25 years.

Mr. AKOOTCHOOK. Yes.

Mr. AISHANNA. 30 years.

Senator MURKOWSKI. 30 years. Mr. Aishanna, you mentioned something in your testimony, and I'm going to take your testimony back to Washington, D.C. and make sure that it's entered in the record back there.

Because you state that you're neither for oil or gas development, your position is far more sensible than that, and you say I want—we wonder how anyone could be for or against something they do not know or understand. Nobody knows yet what oil and gas development east of the Canning would mean, nobody has yet defined it.

And yet we're dealing with people in Washington, D.C. who will never know this area, they will not understand what it means to you, and what you're asking for is to have it developed responsibly,

and have the input that Morgan has suggested, that you've all suggested.

So your words are very, very compelling. And I appreciate the thought that was put into them.

Mr. AISHANNA. Yeah. A lot when I was back there, a lot of people from all over the world that came up to Kaktovik. And it's the same question all the time. Are you for or are you against.

Senator MURKOWSKI. And your response is?

Mr. AISHANNA. I haven't made up my mind yet.

Senator MURKOWSKI. But you're going to keep an eye on it?

Mr. AISHANNA. Yeah, I'm not jumping to conclusions right away. I want to check them out first.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Mr. AKOOTHOOK. Mr. Chairman, could we say one more before we close up? Because I think these here are up to me. And I heard something about the Skidoo travel.

We would oppose that because they are not going to go hunting without Skidoos, you know. Back and forth from 70, 80 miles up. We have to look at it more.

So we used—we work with the wildlife people, we have Fish & Wildlife up here, and those people. We always come together, we talk about lot those things.

The INTERPRETER. He wanted me to kind of elaborate, I know he's pretty hard on his English, but he really wanted to mention again before he closed that he would like to thank the panel here that's sitting with him and you folks.

And that he wants to make it known again that he's very opposed to H.R. 772, which would designate the area, wilderness, which would prohibit the use of snow machines for travel and hunting. Because they are subsistence hunters, and that they really need to have the use of the land for travel by snow machine. And that they are opposing H.R. 772.

Mr. TAGAROOK. Also, Mr. Pombo, before you close I want to add to the record the testimonies of Fenton Rexford, the Kaktovik Corporation, for the record.

The CHAIRMAN. Without objection—

Mr. TAGAROOK. And the testimony of Richard Glenn, from—the Vice-President of Arctic Slope Regional Corporation. And our In This Place documentary, Operational Guide For Those Wishing to Work in the Country of Kaktovikmiut, it's a working document. We have had it revised, but we haven't changed any of it yet, so...

The CHAIRMAN. Without objection, they will be included in the record..

[The prepared statement of Mr. Rexford follows:]

**Statement submitted for the record by Fenton O. Rexford, President,  
Kaktovik Inupiat Corporation**

Honorable Chairman Pombo, members of the Committee, thank you for allowing me to submit my written comments on H.R. 39 and H.R. 770 for the record. My name is Fenton Okomailak Rexford and I am the President of my village corporation Kaktovik Inupiat Corporation (KIC). KIC is the surface land titleholder to 92,000 acres of privately owned land within the Coastal Plain of the Arctic National Wildlife Refuge. On behalf of my Native corporation I write in support of H.R. 39 and in strong opposition to H.R. 770.

I am a life-long resident of Kaktovik and I intend to grow old here. I can compare what life in Kaktovik was like prior to oil development on the North Slope to the

quality of life we have today because of my personal experience. I am an elected official locally and regionally, and have held the office of President of KIC for 8 years. I have spent time listening to the people of Kaktovik and to the residents across the North Slope and the majority support responsible development of the Coastal Plain of ANWR. I have spent time educating Congress on this issue, with a considerable amount of my time consumed in Washington, D.C. I am very familiar with this issue and have been fighting the misrepresentations of the opposition for over 10 years. Therefore, I write with the institutional knowledge my people have about ANWR.

#### *BACKGROUND*

Kaktovik Inupiat Corporation is an Alaska Native village corporation established through the 1971 Alaska Native Claims Settlement Act (ANCSA). Instead of emulating the Indian reservation system of the Lower 48, ANCSA intended to create organizations that provided an economic base for Alaska Natives. Thus, the State was divided into twelve regions, each with a regional corporation. Within each region ANCSA also provided the local villages with a corporation, and it was out of that structure KIC was born.

The membership within KIC and its regional corporation, Arctic Slope Regional Corporation, are Inupiat Eskimos. KIC represents 110 shareholders, while ASRC represents roughly eight thousand shareholders.

Kaktovik Inupiat Corporation owns 92,000 acres of surface land within the Coastal Plain of ANWR. Our regional corporation, Arctic Slope Regional Corporation (ASRC), owns the subsurface rights to that land.

The Inupiat people of Kaktovik use the lands in and around ANWR to support our traditional subsistence lifestyle. The land and sea are our gardens and we respect them. We subsist off of the land and sea. As such, we would not support responsible development if it adversely affected our Inupiaq traditional subsistence way of life.

#### *H.R. 39*

On behalf of the KIC shareholders and the majority of the residents of Kaktovik, I write in support of H.R. 39. Responsible development of ANWR's Coastal Plain is a matter of self-determination for my people. It will enable the entire North Slope region to provide essential services taken for granted by people from the Lower 48, even places like urban Alaska. Responsible ANWR development means my people will have the ability to provide running water and flush toilets throughout the region, including Kaktovik. I grew up in the days of the "quqtaq" or pleasantly stated, "honeybucket." For your information a honeybucket is usually a five-gallon bucket with a seat top attached provided to humans to release their waste. Once full, the bucket is carried from the bathroom, through the house and to the front door where a collection agent disposes of the waste. When the bucket is full there is always the possibility of spillage onto the floor. This increases the risk to our young children, especially our infants to serious illnesses caused by unsanitary living conditions. The luxury of a flush toilet and running water decreases our risk of exposure to health hazards such as hepatitis.

Responsible development also means access to local health care facilities and professionals. Our region is vast and covers roughly 89,000 square miles. With eight tiny villages within our region, the only access we have to a hospital is 360 air miles from Kaktovik to Barrow. The flight time to Barrow in a twin-engine 1900 Beechcraft is roughly 90 minutes, weather permitting. It is very expensive to travel to Barrow and often difficult for families to cover the costs in a village with little economy. Localized health care provides access for our people to receive medical attention for minor ailments. However, in the case of an emergency, the local health clinic is the first line of defense for containing damages, and at the very least they provide the triage necessary to sustain a patient until emergency transport arrives.

Further, development of the Coastal Plain enables our community to sustain a local school. Growing up Kaktovik did not have a school after eighth grade and as a result, I attended high school at Chemawa Indian School in Oregon to receive my high school education. This was common practice for people of my generation in this region.

Finally, responsible development will continue to provide search and rescue, police and fire protection for our North Slope communities. The weather conditions within the North Slope are harsh and at times life threatening. As we continue to practice our traditional subsistence lifestyle, we take comfort in knowing that if we are misguided in our journeys, our region has the capability of conducting search and rescue missions.

We have seen Prudhoe Bay oil development evolve in the last 30 years. My people also know industry and wildlife can coexist. For example, the Central Arctic Caribou herd, home to the Prudhoe Bay region, numbered around 3,000 in the 1960's. Today the population is thriving above and beyond 30,000. Recently caribou researchers have tracked caribou from that herd as far south within the hunting grounds of the Gwich'in of Arctic Village.

My people have strong confidence in the North Slope Borough's ability to protect our natural wildlife environment and resources from adverse impact. I must state that local input is necessary to continue along this forward path.

Responsible development of the Coastal Plain of ANWR is a matter of self-determination for the Inupiat. My people want to champion their own causes. Opening the Coastal Plain for development will allow that to happen. Otherwise, we will continue to be refugees on our own land.

#### *H.R. 770*

KIC is strongly opposed to "Wilderness" designation of the Coastal Plain of ANWR. President Jimmy Carter acknowledged its potential and in his wisdom, did not authorize the Coastal Plain as Wilderness when signing ANILCA into law.

Wilderness designation means zero growth for our community. If in twenty years our community chooses to connect itself to Prudhoe Bay through the construction of a road, we will not be able to do so because Kaktovik will be surrounded by Wilderness.

Wilderness implies the area is untouched by man. Kaktovik is a village with a population of roughly 260 people. Long before any contact with the Western world my ancestors used this area to live, to exist. The United States government constructed DEWLine sites all along the Alaska's Coastal Plain during the cold war in an effort to detect oncoming attacks from the Russians. This area is far from untouched by man. Those statements are misleading.

Wilderness designation will prohibit any type of economic growth for the community. If our residents were interested in providing any form of ecotourism or wilderness guiding, the Wilderness designation would prohibit our residents from providing such services in the Wilderness area. Since our community is surrounded by Federal land, Wilderness designation would prohibit ecotourism and guiding prospects outside the boundaries of our Native-owned lands.

Couple the expensive travel to and from Kaktovik; a ban on road construction connecting Kaktovik to Prudhoe Bay; with zero opportunity for economic or community growth, we offer nothing to future generations.

As a result of Prudhoe Bay development we are the last village on the North Slope to receive running water and flush toilets. The new village water and sewer line is currently under construction in Kaktovik. In order to sustain the maintenance and operation of this utilidor system, Kaktovik is in need of a stimulated local economy. If we cannot support this system we will have to revert back to unsanitary living conditions that pose a hazard to our health. Wilderness?!

Education in Alaska, especially Kaktovik, is very important. We constantly encourage our children to do well in school, get an education and/or formal training so they are better equipped to compete in the labor market. As our children grow, attain an education and acquire skills, they need opportunities that foster healthy communities. Wilderness designation ensures zero growth potential for a community surrounded by Federal land; and thus, Kaktovik will not have the capacity to provide jobs for our residents including opportunities for our young people we so encouraged. Instead, our most educated and skilled residents will leave Kaktovik in search of other opportunities. Wilderness will be the beginning of the end of Kaktovik as we know it today. Rather than a healthy, thriving, educated, skilled community, Kaktovik will be a community on the population decline. Wilderness designation will suffocate our community into eventual extinction. Wilderness?!

#### *CONCLUSION*

As you consider both H.R. 39 and H.R. 770, please understand that the Inupiat people of Kaktovik, North Slope, residents of Alaska and U.S. citizens support responsible development of ANWR. This is a matter of self-determination for my people. I ask that you consider the facts and disregard the comments intended to invoke emotion or mislead the public. So often we hear about the opposition misrepresenting the local opinion on ANWR. They would like you to believe the Inupiat do not exist and the only indigenous group affected by ANWR development will be the Gwich'in. The facts are the Inupiat people are indigenous to the area and have been for thousands of generations. Kaktovik is the only village within the entire 19.6 million acres of the Federally recognized boundaries of ANWR. The majority of Kaktovik residents favor H.R. 39 and oppose H.R. 770. We are the aboriginal en-



vironmentalists of the North Slope and have deep respect for the land and all its bounties. Therefore, we would not recommend development if it created adverse impact on our traditional subsistence lifestyle.

Chairman Pombo, members of the Committee, I thank you from the bottom of my heart for holding this hearing in my hometown. I appreciate the fact you value our opinion and chose to conduct a hearing here. Quyanaqpak for all of your hard work, effort and time on this issue.

[The prepared statement of Mr. Glenn follows:]

**Statement submitted for the record by Richard Glenn, Vice President,  
Arctic Slope Regional Corporation**

My name is Richard Glenn. I am the Vice President of Lands for Arctic Slope Regional Corporation (ASRC). I write on behalf of ASRC to offer testimony in support of H.R. 39, which would allow environmentally sound leasing of the Coastal Plain of the Arctic National Wildlife Refuge (ANWR) and remove the legal hindrances preventing the economic self-determination of the Inupiat Eskimos of Alaska's North Slope. I offer additional testimony of behalf of ASRC against H.R. 770, which would establish "wilderness" status for the Coastal Plain of ANWR, and shut down the rights of the Inupiat people to exercise economic self-determination on Native-owned lands in the ANWR Coastal Plain.

ASRC is the Alaska Native-owned regional corporation representing the Inupiat Eskimos of Alaska's North Slope. ASRC owns surface and subsurface title to certain Alaskan North Slope lands. This ownership stems from an earlier claim of aboriginal title—covering the entire Alaskan North Slope—that was eventually settled in part by the Alaska Native Claims Settlement Act of 1971 (ANCSA). Under the terms of ANCSA, ASRC's land selection rights, which amounted to a small fraction of what was originally claimed as aboriginal title, were further limited by what at the time were pre-existing state- and Federal-selected lands. ASRC lands now include the subsurface estate to 92,160 acres of lands within the 1.2 million-acre ANWR Coastal Plain. The ASRC-owned subsurface estate lies under and adjacent to the village of Kaktovik. The Kaktovik Native Village Corporation, KIC, holds the surface title to these same lands.

More than eight thousand Inupiat Eskimos comprise the membership of ASRC, most of who live on the Coastal Plain of Alaska's North Slope in communities scattered from the Canadian border in the east to the Chukchi Sea in the west, covering an area about the size of the state of Minnesota. Our people live close to the land and sea and depend on the resources they provide, including caribou, fish, seabirds and marine mammals. In addition, we also depend on jobs, as today's subsistence lifestyle demands a mix of financial and traditional resources. As a result, the values of the ASRC membership reflect a balance of a need for economic self-determination and respect for the environment. This blend of development and stewardship is reflected in a core value statement of ASRC, which states that ASRC shall "develop our lands and resources by means that respect Inupiat subsistence values and ensure proper care of the environment, habitat and wildlife."

*H.R. 39: A Balance of Stewardship and Responsible Development*

The Inupiat people have contributed to responsible North Slope oil and gas development. Thirty years ago, our people strongly opposed all forms of oil and gas exploration in our region. We feared it. With our regard for the environment in mind, we created strong permitting and zoning policies within our local borough municipal government. We were not complacent with oil development, we were—and still remain—vigilant. In the face of strong local ordinances, oil industry exploration and development methods have improved over the last twenty-five years. In fact, the North Slope oil and gas practices of today are the best examples of environmentally responsible hydrocarbon development. Industry practices in our region still are not perfect, and we remain vigilant, in an effort to continually improve their performance in our environment. We are confident that with the passage of House Resolution 39 and the appropriate level of local consultation and control, the Coastal Plain of ANWR, and the Native-owned lands contained therein, can be explored and developed in a way that protects natural resources for everyone.

*Economic Self-Determination for Alaska's Inupiat People*

In northern and northwestern Alaska, there is no industry except for resource extraction. The land is too cold for agriculture, and too remote for refined manufactured products. In addition, the way of life in our rural communities has with time become a combination of subsistence and cash economies. Hence, our people are

needful of both a healthy natural environment and access to gainful employment. Over time, we have assisted with the development of North Slope oil and gas resources through our own Native-owned oil field service company subsidiaries, which have employed and developed the skills of our people. In addition, we have made efforts to seek title to subsurface and surface lands, including the KIC lands acreage, that hold natural resource potential, that we might benefit from the oil and gas industry as a resource owner. As it now stands we are prevented from developing our Kaktovik-area lands due to Section 1003 of ANILCA. The exploration and development of the Coastal Plain of ANWR, including the KIC lands, then represents an issue of economic self-determination for our people.

In addition, our local government and village residents realize great benefits from the sustained presence of the oil and gas industry on the North Slope. Because of the industry practices developed over time, our residents live in a land with few environmental hazards, and have begun to build in their communities infrastructure that is taken for granted in other parts of the country. Facilities for education, health care, police and fire protection, reliable power generation, and simple sanitation have all been initiated by the North Slope Borough, thanks to a revenue stream generated by the taxation of property including oilfield infrastructure. Our communities are cleaner and safer; our people are living longer and are less dependent on Federal assistance thanks to responsible North Slope oil and gas development.

*Opposition to H.R. 770*

ASRC is opposed to “wilderness” designation for the Coastal Plain of ANWR. Establishing “wilderness” status for the Coastal Plain would permanently remove the Inupiat Eskimos’ right to develop, should they choose to do so, their Native-owned lands. By attempting to create “wilderness” out of the ANWR Coastal Plain, H.R. 770 would shut down the right of the Inupiat Eskimo people to do what they want on their own lands, and remove from them the promise of economic self-determination that figured so prominently in the passage of the Alaska Native Claims Settlement Act of 1971 (ANCSA).

In addition, as it now stands, the existing “wilderness” lands of ANWR are already the cause of problems regarding subsistence and other land uses for the residents of Kaktovik and our Inupiat Eskimo shareholders. Our belief is that more “wilderness” status would mean more problems. The Committee may not be aware that the setting aside of large swaths of land in the name of conservation often has dramatic unintended consequences on the subsistence and economic needs the people of our region. We have learned in many instances, ranging from the existing Arctic National Wildlife Refuge “wilderness” to the enclaves of “Special Management Areas” in the National Petroleum Reserve—Alaska to the Gates of the Arctic National Park, that set-aside areas are often unnecessarily limiting. On the ANWR Coastal Plain, like in other areas of the North Slope, an appropriate level of protection can be afforded to our caribou, fish, waterfowl and other animals by applying existing permitting rules and an earnest and reasonable consultative process for any exploration and development.

ASRC thanks Chairman Pombo and the House Committee for its visit to Alaska’s North Slope, and hopes that the voice of Alaska’s Inupiat people will be heard and remembered when the Energy and Budget bills are debated in our nation’s Capitol.

**[In This Place documentary, Operational Guide For Those Wishing to Work in the Country of Kaktovikmiut, has been retained in the Committee’s official files.]**

Ms. VANHATTEN. I had a question. Is it OK?

The CHAIRMAN. Yeah.

Ms. VANHATTEN. Earlier, he, Mr. Rehberg, had made a statement that—

The CHAIRMAN. Just call him Denny.

Ms. VANHATTEN. —that many promises are made that aren’t kept, that aren’t able to be kept. How can we change that? How can—or why are promises continuing to be made about our traditions to be protected that you guys know that might not be kept? How can we—

Mr. REHBERG. That’s a very good question, and it’s by being involved. They can’t ignore you if you pay attention. Too many people

help pass a law and they go, whew, got that taken care of. Now you don't need to pay attention anymore. When you're not looking, they are doing something.

And you guys are all very involved, when you look around this room, and as long as you all remain as involved as you are, your interests will be considered and I think should take precedent in Congress.

They really ought to be listening to you, and that point has been made over and over here, that we hope to take back your ideas, your concerns, your dreams, and your desire for a future for your people. And hope to help Mr. Young be a representative for you.

Ms. VANHATTEN. OK. Thanks.

The CHAIRMAN. Ms. Bordallo.

Ms. BORDALLO. I would like to comment on that same thought. In Guam, you know, during World War II, we asked for war reparations from our government, and to this day, we have not received it. You're looking at 55 years. And it has a lot to do with our own fault because we did not continually go back and air our concerns.

And now, of course, we do have a commission set up and hopefully we'll be able to fund it and appoint the members, and maybe something will be done to take the atrocities that were committed with World War II and compensate our people for loss of land and other things.

But you have to continue to be vigilant and you have to watch out for these things. You know, they are considering your future now, so just be sure that you have your voice and you have your input.

The CHAIRMAN. Before we formally adjourn the hearing, I would like to invite the mayor of the North Slope Borough, Mr. George Ahmaogak. Mr. Mayor, if you want, you can just stand here. Use the microphone.

**STATEMENT OF MAYOR GEORGE AHMAOGAK, MAYOR,  
NORTH SLOPE BOROUGH**

Mr. AHMAOGAK. I don't know if I'm going to need a mike. I'm so used to being in public service, I know how to talk loud.

Thank you very much for this opportunity. We are biting at the bit to want to come up here and talk. And we are the residents of Kaktovik, giving that opportunity, to give their testimony while we're sitting in back patiently, allow them to finish.

But first, I would like to thank Members of Congress here that came here to look these people in the eye, the residents, and to hear from them firsthand. And I think that makes a world of difference when you look people in the eye that you represent, as elected leaders that you are, like I am, you've got to look at these people and give them a chance to talk.

And that's civility. That's part of public process. And for that, I commend you to let your ears hear exactly what these residents are trying to say, what their positions are, relative to 1002, and also the other bill that wants to designate ANWR as a wilderness. And I commend you for doing that.

First, Mr. Chairman, members of the House Resources Committee, other Members of Congress, Congressional staffers, if

there's any here, Senator Murkowski, thank you for coming. Governor Murkowski, we're glad to see you over here. Glad that you could come.

Mayor Tagarook, I also would like to introduce you before I get started.

We have another mayor, Mayor Edith Worsbrott (ph) representing the city of Barrow. Mayor. Mayor, welcome.

Also welcome all, again, give my regards to the residents here of Kaktovik and this village.

My name is George Ahmaogak, Senior. I'm the mayor of the North Slope Borough. I'm now serving my fifth term as being mayor. Each term is 3 years, so in my lifetime as being in public office, I've gone through a lot of oil and gas issues.

But the North Slope Borough is our regional government for Northern Alaska. It is the Home Rule Government that was created in 1972 under the Constitution of the State of Alaska, as a home rule government.

We have a total of 69 million acres of jurisdiction. We have eight villages, including with this Kaktovik that is here, including Prudhoe and the total population across it, we've been going as 10,000 to 12,000 people, so there's a lot of elbow room within our jurisdiction.

I want to welcome you, all of you to the North Slope and to the community of Kaktovik. The people you'll meet in this village today have hosted many times dozens of congressional visits over the years, and hundreds of fact-finding missions by organizations of all kinds.

They have kept a pretty good sense of humor through it all. And I think you'll find that they are still very friendly and welcoming people.

I forgot to mention, excuse me, Mayor Lon Sonsalla. The former mayor. Lon Sonsalla, and now the current mayor, right? The current city mayor. Excuse me.

I think for the Committee, it's important—

(Applause.)

[The prepared statement of Mr. Ahmaogak follows:]

**Statement of George N. Ahmaogak, Sr., Mayor, North Slope Borough**

Mr. Chairman, members of the House Resources Committee, other members of Congress, and Congressional staffers:

My name is George Ahmaogak, Sr., and I am the Mayor of the North Slope Borough, which is the regional government for northern Alaska.

I want to welcome you to the North Slope and to the community of Kaktovik. The people you will meet in this village today have hosted dozens of Congressional visits over the years and hundreds of fact-finding missions by organizations of all kinds. They have kept a pretty good sense of humor through it all, and I think you'll find that they're still very friendly and welcoming people.

It is important for you to realize that this village is the capital city of the Arctic National Wildlife Refuge. I know it sounds a little strange to talk about a community in the midst of a wildlife refuge. That's because there are really two ANWRs—the one you see in the ads by environmental organizations, and the one that extends about as far as you can see in every direction from here.

The first ANWR is beautiful mountain scenery that seems to go on forever. It's a world of wildlife, a refuge from the noise and disruption of human community. Obviously, you are not in that ANWR at the moment.

You are here in the second ANWR. It is tundra, and old military sites, and Eskimos who have lived and hunted and survived around here for thousands of years. You won't see this ANWR on the Sierra Club posters. That's because it's not really

a refuge; it's a land of many uses. Those uses predate its designation as a refuge and, in some cases, predate the founding of the United States.

This is Eskimo country. It has a thriving village whose residents work at local jobs and travel in all directions to hunt for caribou, bowhead whales and all the other animal species that have always sustained our people. This is the way we live. It is the nature of our culture, and nothing is going to change that.

The Sierra Club would probably be happier if we stopped hunting and fishing. We'd be happier if they stopped floating down all the rivers in ANWR, disrupting the wildlife that we depend on. But we can all get along if we acknowledge two ANWRs and if we allow both to exist.

That seems to be what Congress had in mind when it set aside the 1002 area in ANILCA. It recognized that ANWR is huge—about the size of South Carolina—and that it contained more than just scenic resources. Twenty-three years ago, Congress understood that ANWR is big enough to accommodate undisturbed wilderness and human habitation and the possibility of oil development.

Nothing has happened in this part of the world to revise that understanding. Here in the capital city of the Arctic National Wildlife Refuge, the reality of two ANWRs still exists. Nothing has changed out here on the multiple-use tundra. Nothing has been threatened in the scenic mountains of ANWR.

Environmental groups have discovered over the years that Americans will donate to the cause of preserving ANWR. If people really understood that there are two ANWRs successfully coexisting—one of protected wilderness and one of human habitation and multiple uses—it might become more difficult for the Wilderness Society to raise money.

So ANWR is pictured as caribou country. You'll never see a picture of this town in a fundraising ad about ANWR. That's because it's inconvenient when issues are not just black-and-white.

ANWR is not a black-and-white issue. There is more than caribou and oil involved here. There are the subsistence and cultural needs of the Inupiat. There are the economic needs of people who live in the capital city of ANWR. There are the interests of private landowners, including the Native corporations that are responsible for helping to create local jobs.

H.R. 770 ignores most of these concerns, and that is why the North Slope Borough opposes this bill. Declaring Kaktovik a wilderness area is like declaring Seattle or Atlanta or Washington, D.C., a wilderness area. It doesn't make sense, and it ignores reality.

H.R. 770 pretends that there is only one ANWR, and it honors only wilderness. In that respect, it is offensive to the people who live here. They are as much a part of ANWR as the land and the caribou. The people of Kaktovik have a greater stake in the land and the caribou than any card-carrying member of Greenpeace. That's because our people depend on the subsistence value of this area for the health of their culture. Subsistence hunting and Inupiat culture cannot be separated. The culture depends on a subsistence way of life.

H.R. 39 acknowledges the multiple interests in this part of ANWR. It recognizes the need for economic opportunity and cultural vitality for the people in one ANWR, and it preserves the wilderness values in the other. The North Slope Borough supports exploration and development of the Coastal Plain, as long as protections for subsistence, the environment and wildlife are included.

H.R. 39 makes specific provision for impact assistance to affected communities. The bill's establishment of an impact aid fund is recognition that even careful development has impacts on the people and the lifestyle in the area. H.R. 39 sets up a mechanism for helping to deal with these economic, social and cultural impacts.

The North Slope Borough expects to play an important role in monitoring and dealing with the effects of development. Our dependence on the land and wildlife gives us the incentive. Our zoning and permitting powers—as well as our regional health and safety services—give us the tools. We will always watch over development to make sure it serves the historic interests of our people, along with the energy future of the nation.

There is much more to say about the Inupiat perspective on ANWR. I want to yield the floor now to other speakers, but I will send the Committee an expanded version of these comments in the very near future.

In conclusion, I ask that when you consider these bills and any other ANWR legislation, you remember that there are really two ANWRs, and there is room within these 19 million acres for both ANWRs to exist. ANWR is not just a battleground over caribou and oil—it's also home to real people with deep cultural roots here and the hope of a productive future for their children. Please talk with the people of Kaktovik while you're here today. They are the voice of ANWR.

Enjoy your visit.

Quyanaqpak.

Mr. AHMAOGAK. I think for the Committee it's important for you to realize that this village is the capital city of the Arctic National Wildlife Refuge.

I know it sounds a little strange to talk about a community in the midst of the wildlife refuge. That's because there are actually two ANWRs. The one you see in the ad in the newspaper by environmental organizations, and the one that extends about as far as you can see in every direction from here.

The first ANWR is beautiful mountain scenery that seems to go on forever. It's a world of wildlife, a refuge from noise and disruption of human community. Obviously, you are not in that ANWR at the moment, sitting here with us.

You are here in the second ANWR. It is tundra. And the old decommissioned military site, which is just adjacent next door. And the Eskimo residents who have lived and hunted and survived around here for thousands of years.

You won't see this ANWR on the Sierra Club poster. That's because it's not really a refuge. It is a land of multiple uses, of many uses. Has been for a long period of time. Those uses predate its designation as a refuge, and in some cases, predate the founding of the entire United States.

This is Eskimo country. This is Inupiat country. It has a thriving village whose residents work at local jobs and travel in all directions to hunt for caribou. The bowhead subsistence whaling and all of their animal species that have always sustained our people. This is the way we live. It is the nature of our culture, and nothing is going to change any of that.

The Sierra Club would have—probably be happier if we stopped hunting and fishing. We would be happier if they stopped floating down all the rivers in ANWR. Disrupting the wildlife that we depend on. But we can all get along if we acknowledge two ANWRs, and if we allow both to exist, coexist.

That seems to be what Congress had in mind when it set aside the 1002 area in ANILCA. It recognized that ANWR is huge, about the size of South Carolina. And that it contained many more than just scenic resources.

Years ago, Congress understood that Arctic National Wildlife Refuge is big enough to accommodate undisturbed wilderness and human habitation, and the possibility of oil development. Nothing has happened in this part of the world to revise that understanding.

Here in the capital city right here, in the Arctic National Wildlife Refuge, the reality of two ANWRs still exists. Nothing has changed here on the multiple use tundra. Nothing has been threatened in the scenic mountains of ANWR.

Environmental groups have discovered over the years that Americans will donate to the cause of preserving ANWR. If people really understood that there are two ANWRs, successfully coexisting, one a protected wilderness, and one of human habitation and multiple uses, it might become more difficult for the wilderness society to raise any money at all.

So ANWR is pictured as a caribou country. You'll never see a picture of this town in a fund-raising ad about ANWR. They never have, they never will. That's because it's inconvenient when issues are not just black and white. ANWR is not a black and white issue. There is more than caribou and oil involved here.

There are the subsistence and the cultural needs of the Inupiat. There are the economic needs of people who live in the capital city of ANWR. There are the interests of private landowners, including the native corporations, private corporations that are responsible to help in creating more jobs.

H.R. 770 ignores most of all of these concerns. And that is why the North Slope Borough, the government that I represent, opposes this bill. H.R. 77. We oppose that bill. Declaring Kaktovik as a wilderness area is like declaring Seattle or Atlanta or Washington, D.C. as a wilderness area. It doesn't make any sense. And it really ignores a lot of reality.

H.R. 770 pretends that there is only one ANWR, and it honors only wilderness. In that respect, it is offensive to the people who live here. They are as much a part of ANWR as the land and the caribou.

The people of Kaktovik have a greater stake in the land and the caribou than any card-carrying member of Green Peace. That's because our people depend on the subsistence value of this area for the health of their culture.

Subsistence hunting in Inupiat culture cannot be separated, no matter what. The culture depends on a subsistence way of life. We have to depend on that.

Now to talk about H.R. 39. H.R. 39 acknowledges the multiple interests in this part of ANWR. It recognizes the need for economic opportunity and cultural vitality for the people of one ANWR. And it preserves the wilderness values in the other.

The North Slope Borough, the municipal government, the regional government supports exploration and development of the Coastal Plains, as long as the protection for subsistence, the environment, and the wildlife are included. Amen to that.

H.R. 39 makes specific provisions for impact assistance to affected communities. The bill's establishment of the Impact Aid Fund is recognition that even careful development has impact on the people and the life-style in this area. H.R. 39 sets up a mechanism, language in that bill for helping to deal with each economic, social, and cultural impacts.

The North Slope Borough, our regional government, expects to play an important role in monitoring and dealing with the effects of development. Our dependence on the land and wildlife gives us the incentive. Our zoning, permitting, land use, governmental powers, as well as our regional health and safety services, give us those tools.

We will always watch over development to make sure it serves the historic interests of our people, along with the energy future of this nation.

There is much more to say about Inupiat respect upon ANWR, and I'm glad we had an opportunity to hear the residents today.

In the conclusion, I ask that when you consider these bills, and any other Arctic National Wildlife legislation, you remember that

there are really two ANWRs, and there is room within this 19 million acres for both ANWRs to exist.

ANWR is just not—is not just a battleground over caribou and oil, it's also the home of real people with deep cultural roots here, in the hope of a productive future for our children. You've heard that young lady talk today. And I'm glad that you're talking to the villagers of Kaktovik here today. These people are the voice of ANWR.

Now, let me talk about North Slope Borough and the many questions, to answer a lot of questions that were raised, that you asked the panels.

The North Slope Borough is a regional form of a government created as a home rule government under the Constitution of the State of Alaska. They gave us—in 1972, it was incorporated, and we were allowed to select within our jurisdiction 94 million acres of land.

The North Slope Borough is our tool, our municipal government for self-determination. That government was created right after the initial Alaska Native Claims Settlement Act in 1971. Because we see the benefits of really taking a form of government as a tool to improve the quality of life for all of our residents in all of the eight villages.

With our broad governmental powers of land use, zoning, permitting, coastal zone management, and the power of taxation, and the power of taxation, real property and personal property as the North Slope Borough exercises authority as a municipal government and tax the oil and gas industry, the Prudhoe Bay, the TransAlaska pipeline, Endicott, Kuparuk, now Alpine, and now NPR-A.

But those funds that we tax went into major improvement of life for all of our residents across the whole North Slope. What you see in this village, we have hospitals, health aide clinics, we have police stations, we have water, sewer being constructed, we've got municipal services, we've got search and rescue.

All of these government funded departments that we serve, serve our purpose and our residents here, and to improve the quality of life that we have. And we have done that since 1972 by taxing the oil and gas industry.

And we improved the standard of living for our people, something that we—everybody else across the whole Lower 58 took for granted. We took that self-determination as our local government, and used our broad governmental powers to improve a lot of that.

Unfortunately, at least at this stage, like one of the panelists, the Mayor of Kaktovik said, revenues are declining. That is a very true statement.

Our municipality is projecting \$30 million cuts in 6 years. For all of these services that we provide, including the education in the high school and middle school and elementary. We took the school district in our own hands as a self-determination, away from the Borough of Indian Affairs.

But that takes tax dollars, too, and by all of us and we may gain no services. 60 percent of the work force that you see in entirety in all of our eight villages are employed by the borough. And we depend on that oil money.



And for me, that's why, at least the assembly, and me as being the mayor, support the opening of the 1002 area. That we need those future revenues to keep this life-style that we have created since 1972 and beyond. We don't want to go back to the old ways, go back in igloos.

We want to continue the way that we're progressing, to keep our people, our young people educated, jobs for our residents, services for our residents, that everybody takes for granted in the whole Lower 48.

And by God, they gave us that tool, the North Slope Borough. And we have successfully built all of this infrastructure, basic infrastructure in each and every one of our villages.

Opening up 1002 will give us additional income. But I question whether, since there's overlapping jurisdictions, very important, that if we're going to allow for 1002 to be open, that the city of Kaktovik's concerns and their positions be taken very seriously, and including the North Slope Borough. You're going to have to need that.

If you want to see environmental sound development, including the state of Alaska, you're going to have to see that form of partnership. We don't want this Federal supremacy rule all over us. Then you're going to really see some real problems that's going to happen if you allow that to happen.

You need to involve the city of Kaktovik, you need to involve the North Slope Borough, you need to involve the tribal IRAs, the native corporations in the oil and gas industry.

I think there's a lot of reports today from panelists, from Arctic Village mention the cumulative effects of oil and gas, the report that was done by the National Academy of Sciences, and they referred to that. I want to make a statement regarding that.

I was a very much part of that whole process. In fact, they took my statements from the very text of that report. I think that report, like Senator Murkowski had said earlier, it's a tool to make things a lot better than what they were.

The recommendations in that report came up to a couple of conclusions that I understand. If we are to have any oil and gas development, exploration development, then we need comprehensive planning.

Second, we need to do research in the effects of oil and gas, social, human, cultural, and all those areas that need further research, to get that data, to verify that impact definitely happened.

The third thing that needs to happen is that mitigation plans need to be set in place. Because once you disrupt the migration of the caribou, how do you mitigate that?

Well, you can work with the city of Kaktovik, North Slope Borough, with our wildlife department, the community, and we can find ways and plan and mitigate those areas.

The CHAIRMAN. I have to ask you to wrap up.

Mr. AHMAOGAK. OK. And I'm saying this right now. Use at least McCovey, which is our first offshore prospect that was drilled. That was a form of mitigation that we worked closely with that oil and gas exploration off shore.

And there was mitigation made. In fact, we even got the oil and gas company to post the bond in the event of a major catastrophe

of oil spill. But it was a mitigation of oil spill, that came from us and our demand. Tools like this.

You have got to keep in mind we have been in the oil and gas business, municipality here for a long time. And I think it's time that at least Members of the Congress understands that. I think we can have sound oil field exploration and development, so long as we work with the city of Kaktovik, so long we work with the North Slope Borough, and all of the entities that are involved.

I urge you to take that into full consideration. We can work with the oil and gas industry. There can be mitigations that can be had. We have done that successfully. But we definitely need the future revenues of the 1002 area.

Now, the other thing that I wanted to mention, there were some questions also to the panelists about economic development, job opportunities, and so forth. I want to go back to Alaska Native Claims Settlement Act.

And there was questions referencing economic development and oil potential of our private native corporation, Village of Kaktovik and Arctic Slope Regional Corporation, in 1972, 1971, when ANCSA was created, another piece of Federal legislation, it allowed ASRC, it allowed ASRC to select subsurface substate. It allowed Kaktovik to select surface substate.

And I'll be darned, they connected, partnered up with Chevron and they put the first ever exploratory well that is just right located out here, and it's a commercial field.

And this was self-determination under the Alaska Native Claims Settlement Act extinguishing aboriginal title. Congress deeded those titles over to the native corporations.

Ironically, because of ANWR, the problem is that the native corporations are not allowed to develop that resource. Why? Here we're debating about ANWR. And here's a proven field, commercial field, private native interest that were deeded under the Alaska Native Claims Settlement Act, which should be allowed to be developed as private corporation. Dividends should flow.

But no, ANWR legislation prohibits that. They have no room for any right-of-ways. How do you expect them to develop and transport that resource? In other words, you gave them the land claims, you gave them the right for self-determination, you gave them the right to select their birthright, then you told them that you can't develop.

That's wrong. That is very wrong. They should be allowed to develop their land. It's their resources, it's private property, but the problem is that Federal legislation hinders that progress.

And if 1002 area is not going to be opened, keep a careful eye on what that piece of Federal legislation that you pass, that you promised that you would give them self-determination, you gave them that land, but now they have got obstructions.

I want you to keep in mind, I hate to go through land claims that tell me that I can't develop my land. The private sector. That's wrong. That was self-determination for extinguishing aboriginal rights on state land.

And I think the corporations, the native corporations should be considered to be given right-of-way lands and the opportunity to develop that land.

I don't know what Congress is going to do, but in the event that it fails, you better know that these people want to develop that resource. We would like to get jobs. We would like to bring it to market. But we have got barriers under the existing legislation.

After all, land claims are land claims. You gave us that birthright. You gave us that resource. God gave us that resource to develop the 1002, in the event 1002 area does not get involved.

I wanted to bring that to your attention. That was self-determination under the Alaska Native Claims Settlement Act. Our birthright to select that land for extinguishing our aboriginal title.

So with that, I wanted to clear up a lot of things, but as far as accumulative effects, and that report that was referred to by the first panelist, I get irate. Using that as a basis to go against development of 1002 area.

There is some definite positive stuff with that report, yes, we are going to have to develop a comprehensive plan, and yes, if we get to 1002, we darn well better have a careful plan. Comprehensive plan to extract oil and gas. And that's what that report is focusing.

Yes, there is going to be a battle plan, but how do we mitigate? How do we make financial resources available that the people of Kaktovik will want to have?

And the bottom line is when I talk to the mayor, they want an impact office here in Kaktovik. And I hope part of the proceeds from ANWR oil and gas leasing funds this operation because they are going to need it.

I could see in the event 1002 areas comes—opens up, you're going to see people moving into this community. You're going to see our schools bustling with new students. You're going to see water and sewer going up, you're going to see police going up, you're going to see medevac going up. Who is going to pay for those costs?

That's why I'm saying impact funds could really offset a lot of that. Don't put the risk on the local community, nor the city of Kaktovik. We don't want that burden. You open up 1002, you put up the money to pay for those impacts. And that would be definitely needed by this community at the North Slope Borough.

In the past, we have always paid a lot of the expenses of these impact areas on state lands and NPR-A, all state lands. But here that report is a comprehensive report, it's a good tool.

So thank you very much. I'm going to end right here. But tonight, we welcome you to Barrow. Barrow is the seat of our government, and we will be hosting and honoring your presence here in Barrow and an Eskimo dance is waiting for you. Thank you very much.

The CHAIRMAN. Before we adjourn the hearing—before we adjourn the hearing, I want to thank the members of my Committee for coming up here, Senator Murkowski, for coming up with us, the Governor for being here, all of the mayors, the Federal officials came up. I want to thank you.

Most of all, I want to thank the people of Kaktovik for welcoming us in. One of the things that's extremely important to me is that the Committee take the time to hear what these local people think and what the impact is on them. So I appreciate a great deal all of you doing that.

And I just conclude—conclude by saying that we will take back everything that we heard today, everything that we see in the next few days, take that back to Washington with us, and hopefully work with your representatives to represent the views that you have told us here today.

So thank you very much, the hearing is adjourned.

[Whereupon, at 2:52 p.m., the Committee was adjourned.]

[Additional material submitted for the record follows:]

[A letter from Hon. Edward Markey and Hon. Nancy Johnson, to Hon. Richard Pombo submitted for the record and Chairman Pombo's response follow:]

**Congress of the United States**  
**Washington, DC 20515**

May 1, 2003

The Honorable Richard Pombo  
 Chairman, Committee on Resources  
 1329 Longworth HOB  
 Washington, DC 20515

Dear Chairman Pombo:

Having recently received and read the transcript of the hearing held in Kaktovik, we are writing to make part of the permanent record the interpretation and intent of the authors regarding snowmobiles for subsistence hunting in H. R. 770, the Morris K. Udall Arctic Wilderness Act. H. R. 770 does not preclude snowmobile use for subsistence hunting as provided in the Alaskan National Interest Lands Conservation Act (ANILCA).

H.R. 770, the Morris K. Udall Arctic Wilderness Act, would designate the 1002 area of the Arctic National Wildlife Refuge (ANWR) as a "wilderness" within the meaning of the Wilderness Act and ANILCA. However, this addition to ANWR's wilderness would not change the way the wilderness is managed. This is clear from any reasonable interpretation of the following four points:

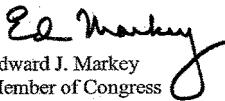
- H. R. 770, Section 3(b) requires that the area be administered "in accordance with the provisions of the Wilderness Act as part of the wilderness area already in existence within the Arctic National Wildlife Refuge." Since the existing areas allow traditional uses of snowmobiles, so would the new addition.
- Under Title I, Section 102 (4) of ANILCA, additions to wilderness areas are to be managed according to the same principles as ANILCA-established areas. According to the section:  
 "The term 'conservation system unit' means any unit in Alaska of the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers Systems, National Trails System, National Wilderness Preservation System, or a National Forest Monument including existing units, units established, designated, or expanded by or under the provisions of this Act, additions to such units, and any such unit established, designated, or expanded hereafter."  
 Again, since existing management under ANILCA includes traditional uses, so would the new addition.
- Since snowmobiles are allowed in the current wilderness in the Arctic Refuge for subsistence hunting purposes, subsistence activities in the 1002 area would also be protected under Title VIII, Section 811 of ANILCA, which states the following:
  - a) "The Secretary shall ensure that rural residents engaged in subsistence uses shall have reasonable access to subsistence resources on the public lands.

Chairman Pombo  
May 1, 2003  
Page 2

- b) Notwithstanding any other provision of this Act or other law, the Secretary shall permit on the public lands appropriate use for subsistence purposes of snowmobiles, motorboats, and other means of surface transportation traditionally employed for such purposes by local residents, subject to reasonable regulation.”
- Title XI, Section 1110(a) of ANILCA provides for the continued use of snowmobiles in Alaska wilderness areas for "traditional activities" and for travel to and from villages and homesites. According to the section:  
"Notwithstanding any other provision of this Act or other law, the Secretary shall permit, on conservation system units, national recreation areas, and national conservation areas, and those public lands designated as wilderness study, the use of snowmachines (during periods of adequate snow cover, or frozen river conditions in the case of wild and scenic rivers), motorboats, airplanes, and non-motorized surface transportation methods for traditional activities (where such activities are permitted by this Act or other law) and for travel to and from villages and homesites."

In short, nothing in H.R. 770 would mandate that the coastal plain wilderness be managed any differently than the rest of the wilderness in the Arctic Refuge. Insofar as the Department of Interior is currently allowing snowmobile use in the 1002 area for subsistence or for traditional activities, in accordance with ANILCA, the language of H.R. 770 would not change that authorization.

Sincerely,

  
Edward J. Markey  
Member of Congress

  
Nancy L. Johnson  
Member of Congress

RICHARD POMBO, CHAIRMAN

**U.S. House of Representatives**  
**Committee on Resources**  
 Washington, DC 20515

May 6, 2003

The Honorable Edward J. Markey  
 Member of Congress  
 2108 Rayburn HOB  
 Washington, D.C. 20515

The Honorable Nancy L. Johnson  
 Member of Congress  
 2113 Rayburn HOB  
 Washington, D.C. 20515

Dear Congressman Markey and Congresswoman Johnson:

Thank you for your May 1 joint letter clarifying the intent and interpretation of your legislation to designate the so-called "1002 area" of ANWR as a wilderness area. I pledge to work with you to ensure that, if the legislation is enacted, snowmachine use will be specifically guaranteed in the wilderness.

While I appreciate the clarification of your intent, I believe that the conflicts regarding access in ANILCA are substantial and ongoing. For example, there are ongoing disputes regarding snowmachine use in Denali National Park which Congressman Don Young has related to me, and the State of Alaska believes the existing vagueness of H.R. 770 requires clarity to ensure that the machines can be used in any wilderness created under its auspices.

Some time ago, the Committee was required to take pains to enact a federal law to adjust a boundary and clarify access for the Inupiat residents of Anaktuvuk Pass, Alaska, in the Gates of the Arctic National Park. These folks had assumed they were guaranteed access rights under ANILCA, but those rights were challenged by the federal land use agency and legislation was ultimately required. Furthermore, there is significant controversy over the use of snowmachines and other means of access on federal lands in the lower 48 States, including in Yellowstone and Voyageurs National Parks, to name a few.

Therefore, I am convinced that any legislation which might designate the 1002 area of ANWR as wilderness must include unambiguous language about the use of snowmachines. Since we agree that such use would be appropriate, I am sure we should have no problem agreeing on such language at the appropriate time. Unequivocal language which clearly states our intent is preferable to dueling lawyers and the vagaries of the courts, as I am sure you will agree.

Naturally, the villagers of Kaktovik are very worried about losing snowmachine access rights. But as the villagers testified, the Inupiat community is overwhelmingly opposed to a wilderness designation for many additional reasons; it will deny them the opportunity for new jobs, good schools, government services, the control of their own destiny, and, as we learned in our visit, the means by which they can afford to protect and sustain their culture.

I regret that you were unable to attend the hearing, but I appreciate your willingness to read the testimony and familiarize yourself with the views of the people of Kaktovik. I know they will be pleased that, should your legislation move forward, it will be amended to guarantee they can use snowmachines in the resulting wilderness.

Sincerely,

  
 RICHARD W. POMBO  
 Chairman

