

111TH CONGRESS
1ST SESSION

H. R. 39

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2009

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

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

