



May 4, 2025

Bruce Westerman  
Chairman  
U.S. House Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, D.C. 20515

Dear Chairman Westerman,

Voice of the Arctic Iñupiat (VOICE) writes today regarding the North Slope specific provisions within the U.S. House budget reconciliation language released by the Committee on Natural Resources.

VOICE was established ten years ago in 2015 as a non-profit to advocate on behalf of the collective elected leadership of the North Slope Iñupiat. VOICE is dedicated to preserving and advancing North Slope Iñupiat cultural and economic self-determination. Its members include local governments, Alaska Native Corporations, federally recognized tribes, and tribal non-profits across the North Slope of Alaska.

VOICE and its members are encouraged by the focus and inclusion of Alaska's North Slope as not only a way to advance American energy independence, but also to listen to the people that will be affected the most by federal actions on our ancestral homelands of both the Arctic National Wildlife Refuge (ANWR) and the National Petroleum Reserve in Alaska (NPR-A).

As you know those two large tracts of federal land were created and expanded without consideration of the people that have called those lands home for millennia. The past five decades have shown that not only can responsible on-shore resource development on our homelands exist, but it promotes the sustainability of culture and community in some of the most remote American villages, none of which are connected by permanent roads making cost-of-living high and economic opportunity low. With the creation of the North Slope Borough in 1972 came the ability to tax infrastructure, not production. Tax revenues generated from industry infrastructure provide the Borough with the means to provide modern public services to all eight North Slope communities, so the state and federal governments do not have to, such as running water and sewer systems, healthcare clinics, roads and schools within the communities, and a worldclass wildlife management department which provides science and data on the environment and species our culture depends.

Working in close partnership with the affected communities, expansion of exploration, leasing, and resource development throughout NPR-A and the 1002 area of ANWR will benefit our local communities, our state, and our country. VOICE has had a standing resolution since 2017 in support of the exploration and development of the 1002 area within ANWR. But the North Slope region

elected leadership's support of the opening of ANWR goes back decades prior. And the provisions within the 2017 Tax Cut and Jobs Act were celebrated throughout our region and preparations for development were made.

In 2024, the VOICE passed a resolution in opposition to the 2024 NPR-A rule issued by the previous administration and passed another resolution months later to explore legal options against the rule. VOICE was the first organization to file a lawsuit to challenge the 2024 NPR-A rule, which was crafted without meaningful engagement with those who live on the North Slope, significantly hindered economic development in the region, and presented serious risks to survival of Indigenous communities and North Slope Iñupiaq culture.

VOICE and the North Slope region have a history of working with the state and federal governments and industry to ensure on-shore resource development projects are moved forward in a sustainable and durable manner, and we hope to do the same for the on-shore prospects within ANWR and NPR-A made possible through this language. VOICE wants to reiterate our gratefulness for the opportunity for member organizations and VOICE itself to come before the House Natural Resources Subcommittee on Energy and Mineral Resources to provide testimony to speak to these issues directly. I have attached the testimonies that were provided in the fall of 2023 on the importance of engagement with local communities for actions within ANWR and NPR-A, and support of responsible on-shore resource development.

VOICE understands reconciliation is an opportunity to work with Congress to advance common priorities. The reconciliation language from your committee pertaining to on-shore leases and development in ANWR and NPR-A advances the North Slope Iñupiat's goal of cultural and economic self-determination on our homelands.

Thank you again for prioritizing on-shore development of the North Slope region in your committee's reconciliation language.

Quyanaq,

A handwritten signature in dark ink, appearing to read 'Nagruk Harcharek', followed by a stylized flourish or checkmark.

Nagruk Harcharek  
President

Attached:

- May 2, 2025 VOICE Press Release
- November 29, 2023 Charles Lampe Written Testimony
- November 29, 2023 Doreen Leavitt Written Testimony
- September 15, 2023 Nagruk Harcharek Written Testimony



**\*FOR IMMEDIATE RELEASE\***

**Date:** May 2, 2025

**Contact:** [voiceofthearctic@marathonstrategies.com](mailto:voiceofthearctic@marathonstrategies.com)

## **House Natural Resources Budget Reconciliation Language Takes Steps Toward Unleashing North Slope Iñupiat's Right to Self-Determination**

**Anchorage, AK** – Members of the U.S. House of Representatives Committee on Natural Resources released their budget reconciliation language, which will restore development rights in the National Petroleum Reserve in Alaska (NPR-A) and advance lease sales in the Arctic National Wildlife Refuge (ANWR), in line with the North Slope Iñupiat's wishes for self-determination on our ancestral homelands. The language again affirms the importance of Alaska's North Slope to our nation's energy policy goals, supports economic development in the region – crucial to sustaining our Indigenous culture – and advances Iñupiaq self-determination on our homelands.

"The language released by the House Committee on Natural Resources is another positive step toward unleashing our right to self-determination on our ancestral homelands," said **VOICE President Nagruk Harcharek**. "Over the past three months, efforts by Congress and the federal government have moved toward creating significant opportunities to strengthen our communities, economy, and culture. We look forward to continued engagement with the executive and congressional branches to maintain this momentum and create durable policies that benefit our region in the long-term."

VOICE's membership, which includes the elected leadership of Kaktovik, which is located on the Coastal Plain and is the only community with ANWR, and Atqasuk, which is located within the NPR-A, were [unified in opposition](#) to the previous administration's unilateral actions on our homelands without meaningful engagement and consultation.

"As the sole Indigenous community within ANWR, it is important the Kaktovikmiut's perspective be reflected in policies affecting our ancestral homelands, including the Refuge's Coastal Plain," said **Kaktovik Iñupiat Corporation President Charles Lampe**. "The House Committee on Natural Resources' budget resolution language does just that by opening opportunities for economic development projects that are overwhelmingly supported by our community."

"Congress has finally heard our collective Iñupiaq voice and understood the vital importance of economic development projects to North Slope communities like Kaktovik," said **City of Kaktovik Mayor Nathan Gordon, Jr.** "Its actions give us renewed hope that important community services and infrastructure will not be held hostage by those unaffected in Washington, D.C. and that our community will flourish thanks in part to a revitalized local economy."

"The previous administration's unilateral actions in the NPR-A were deeply troubling and posed significant risks through restricted access to our community and culture," said **Native Village of Atqasuk President Mary Bordeaux**. "The language released today gives us hope by creating pathways for North Slope communities to steward our lands in accordance with our economic and cultural needs so that we may continue to live on our homelands for generations to come."

Over 95% of the North Slope's tax revenue is derived from taxation on resource development infrastructure. These funds support essential services, like schools, health clinics, modern water and sewer systems, and world-class wildlife management and research supporting Indigenous subsistence traditions. The proliferation of these services is directly connected to significant increases in average lifespan for the North Slope Iñupiat from just 34 years in 1969 to 77 years today – the [largest increase](#) of its kind in the United States over that period.

The House Committee on Natural Resources' budget reconciliation language mandates at least six lease sales within ANWR and resumes the leasing program within the NPR-A for energy production.

“Congress hears the North Slope Iñupiat and is taking steps to reflect our communities' wishes in the budget reconciliation,” **said Iñupiat Community of the Arctic Slope Tribal Secretary and Director of Natural Resources Doreen Leavitt.** “While the North Slope notes this milestone, we recognize that there is still much work to be done, and we encourage congressional and federal officials in Washington to continue engaging with our regional leadership early and often.”

###

#### **About Voice of the Arctic Iñupiat (VOICE)**

VOICE is a nonprofit organization established in 2015 by the region's collective elected Iñupiat leadership and is dedicated to preserving and advancing North Slope Iñupiat cultural and economic self-determination. Its members include local governments, Alaska Native Corporations, federally recognized tribes, and tribal non-profits across the North Slope of Alaska.

In 2017, VOICE's board passed a resolution in support of opening the 1002 Area of the Arctic National Wildlife Refuge (ANWR) to oil and gas exploration and development, and it filed a lawsuit last year against the deeply flawed National Petroleum Reserve in Alaska (NPR-A) 2024 rule. VOICE was the first organization to [file a lawsuit](#) to challenge the 2024 NPR-A rule, which was crafted without meaningful engagement with those who live on the North Slope, significantly hinders economic development in the region, and presents serious risks to survival of Indigenous communities and North Slope Iñupiaq culture.

**Hearing on H. R. 6285, the “Alaska’s Right to Produce Act of 2023”**

**Written Testimony  
Of  
Charles Lampe  
President of Kaktovik Iñupiat Corporation  
November 29, 2023**

**Before the  
United States House Committee on Natural Resources**

Thank you, Chairman Stauber, Ranking Member Ocacio-Cortez, Members of this Subcommittee.

Thank you for inviting me to speak and represent my community of Kaktovik, Alaska. My name is Charles Lampe and I come to you from the native village of Qaaktuġvik where I was born and raised and continue to raise my family – I am a whaling captain, and subsistence hunter. **But most importantly, I am Iñupiaq and I am here to show that we exist!** Qaaktuġvik is located 280 miles southeast of Utqiagvik, the seat of our municipal government, the North Slope Borough, however we are only 90 miles west of the Canadian border. Our village borders the Beaufort Sea and is situated on Barter Island along the coast of the Arctic National Wildlife Refuge (ANWR).

I am President of Kaktovik Iñupiat Corporation (KIC), I am a member of the Native Village of Kaktovik (NVK) and a resident and voter in the City of Kaktovik (City). We are a community locked inside the Arctic National Wildlife Refuge – not at our doing but through the various acts of Congress.

KIC owns approximately 92,000 acres of surface lands in and around our community that we received pursuant to the 1971 Alaska Native Claims Settlement Act (ANCSA). Nine years after the passage of ANCSA Congress passed the 1980 Alaska National Interest Lands Conservation Act (ANILCA) which expanded the Arctic National Wildlife Range to include federal land around the KIC lands – since then we have been surrounded by the federal lands of ANWR. We are an island in the middle of the largest wildlife refuge in

America. Spanning more than 19 million acres, ANWR's lands cover an area larger than 10 States.

We have been given many promises through these various congressional actions and because we are Iñupiaq we are always hopeful is that we will realize those promises – yet here we are again fighting for the rights that Congress promised us both in 1971 and then again in 1980. The debate over opening ANWR to oil drilling gained national attention in 1980, when the Congress set aside **less than 8 percent** of the newly formed Refuge for potential oil and gas development. This section of ANWR became known as the 1002 Area, after Section 1002 of ANILCA. Unstated in ANILCA is that these lands are home to the Kaktovikmiut.

Mr. Chaiman, I want to thank you and Alaska's Representative Peltola for introducing HR 6285 – **“Alaska's Right to Produce Act of 2023”**. This is meaningful to us, and it means that we are being heard – we support your bill. I am here to continue the legacy of our past leaders to fight for what is rightfully ours – these are our homelands. We fought to have the Coastal Plain open for oil and gas leasing many times in the past and we continue that fight today.

Since 1980, we have fought to open the 1002 Area, also known as the Coastal Plain to oil drilling to pursue the economic freedom provided to us under ANCSA. Since the passage of ANILCA, some Lower 48 lawmakers and special interest groups across the country have waged war on the idea of oil drilling within our homelands, citing the disruption of wildlife and the pristine Arctic environment. Through these efforts, over time, several misconceptions have been generated about caribou and development. We were finally successful in getting the 1002 Area open under the 2017 Tax Cuts and Jobs Act (TCJA). This took us almost 40 years after the passage of ANILCA.

We do not approve of these efforts to turn our homeland into one giant national park, which literally guarantees us a fate with no economy, no jobs, reduced subsistence, and no hope for the future of our people. We are already being impacted by restrictions of access to the federal lands for subsistence purposes – this is really disturbing to us since we have lived here long before there ever was a refuge designated.

Since all these federal actions we have been subjected to eco-colonialism – we are treated as colonists on our own lands and are subject to federal approvals for almost everything we need. Forty years after ANILCA there are several provisions not related to oil and gas that we are still fighting to be implemented: Sections 811 related to our traditional access to the lands before 1980, 1110(b) this is the promise of rights of access across the Refuge to our KIC lands, and 1307 related to commercial activities within our region such as tourism.

Our experience is that living inside the Refuge is one of paternalist behavior by the federal agencies. Yet, as Al Gore would say we are an ‘inconvenient truth’ because we are here, and we will not give up on our rights as indigenous people and the federal government has an obligation to us through the laws of ANCSA and ANILCA.

KIC along with NVK and the City all submitted letters with our comments during the October 2021 Public Scoping for the Supplement Environmental Impact Statement (SEIS) opposing the actions of the Secretary. Our community had already participated in a long and arduous EIS process that we considered fair in its protection of the natural habitat that we belong to. This turn-around by the Secretary again displays the tone-deaf nature of the Administration despite all their focus on strengthening ties with indigenous Americans.

At the time we stated the following “KIC is opposed to conducting a Supplemental Environmental Impact Statement (SEIS) for the Leasing Program. We feel that the Bureau of Land Management (BLM) performed a full-scale review as required under the National Environmental Protection Act (NEPA) of a wide range of potential impacts from leasing in the 1002 Area and gave special attention to the impacts to the local village of Kaktovik and the people of Kaktovik, the Kaktovikmiut. To perform a Supplemental EIS, undermines our participation throughout the NEPA process for the 2019 FEIS and 2020 ROD. We are extremely frustrated that our small corporation -the only private landowner in the Coastal Plain must again expend our limited resources to participate in this effort with no acknowledgement of the burdens the Notice of Intent places on our community. With the Biden Administrations focus on tribal and indigenous rights and shoring up underserved communities by providing them with economic opportunities, we are perplexed by this decision.” **Nothing has changed in our opinion of**

**the process – the current draft SEIS is set up to dissuade any serious company from attending the lease sale.**

The Coastal Plain Draft SEIS (DSEIS) and the Secretary Haaland's abrupt notice of the cancellation of the Alaska Industrial Development Export Authority's (AIDEA) leases occurred on the same day, September 6, 2023. This was the same day that our community began whaling and caught our first whale of the season. To us this reflects the tone-deaf nature of this Department to the people who live in the Coastal Plain. On September 19, 2023, KIC, NVK, and the City submitted a single letter to this Committee to show unity within our community expressing our frustration of the Departments continuing avoidance of us as a people.

The AIDEA leases were obtained under the 2020 Coastal Plain Oil and Gas lease sale. These are valid contracts with the federal government, and they were cancelled with no explanation! My corporation was in discussions with AIDEA pre- and post-moratorium on contracting opportunities. Due to the cancellation, we are without the means to develop our economic freedoms as spelled out under ANSCA. KIC was financially impacted in a meaningful way by the Secretary's actions.

Our question is "Did the first lease sale really happen?" The TCJA requires the Secretary to hold two lease sales on not less than 400,000 acres each. The first sale was to have happened within four years of enactment of the Act – the AIDEA leases were acquired within that timeframe but it has now passed. The cancellation of the leases based on the Secretary's arguments begs the question of whether it actually occurred. If not, then the Secretary has missed the schedule and the 400,000 acre requirement. The second lease sale is also required to have 400,000 acres and needs to occur no later than December 2024.

Our review of the new Alternatives in the DSEIS indicates that the only Alternative that can meet the 400,000 acre requirement (is this now 400,000 acres times two?) is Alternative B which was the Preferred Alternative in the 2020 Record of Decision. Alternative B was our preferred Alternative and remains so despite all the additional work, time, cost, and effort the SEIS has created.



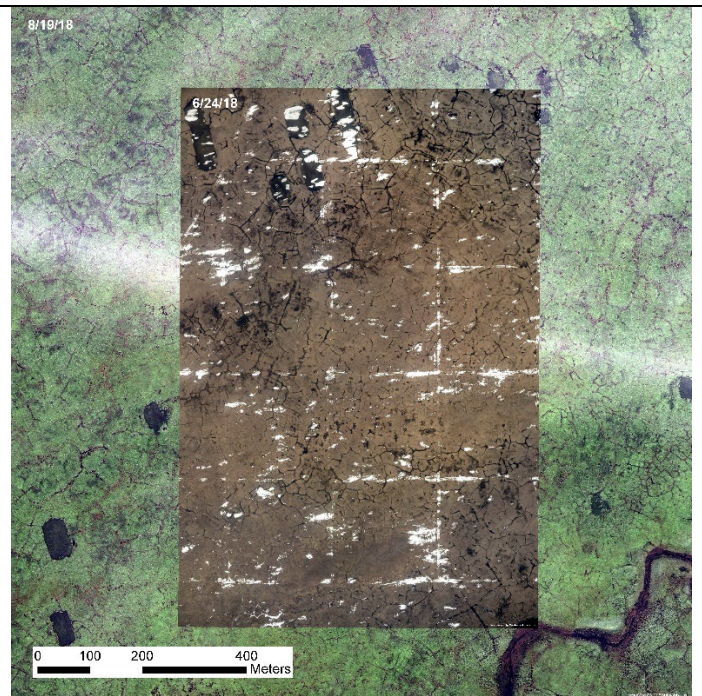
HR 6285 should not be necessary but what we are experiencing under this Administration is a continuation of the pattern of injustice we have suffered since the formation of ANWR under the ANILCA, in that it erases our hundreds of years of existence on our land. Section 20001 of the 2017 Tax Cuts and Jobs Act is written in plain English – it is only four-pages long. To some it may seem tough to understand why Secretary Haaland and her staff are having such a difficult time interpreting those four-pages.

To us it is very clear how we have come to this moment of needing a second piece of legislation to direct the Department of Interior to implement the Coastal Plain leasing program. The Department is filled with the same people who opposed Section 20001 from Secretary Haaland to many others currently imbedded inside the Department. We know this because these are the very people who opposed us back in 2017! We know because then-Representative Haaland was very clear in her comments about my community when she testified before this very Committee on HR 1146 on September 12, 2019, and voted against our inclusion. We know because Executive Order 13990 – “Protecting Public Health and the Environment and Restoring Science To Tackle the Climate Crisis” was issued on January 20, 2021, and Section 4 mentioned “alleged legal deficiencies” and accused the Bureau of Land Management (BLM) of performing an inadequate NEPA review with respect to the Coastal Plain.

The BLM has performed more NEPA on the North Slope of Alaska than any other Interior agency and has built trust amongst the Iñupiat across the region –we were stunned by this finding and yet when we asked multiple times following the Executive Order and subsequent Secretarial Orders 3395 and 3401, what the ‘alleged legal deficiencies’ were we could not get a definitive answer. Now after two years it appears that it is mostly about the “up to 2,000 acres of gravel” that was allowed under the 2017 TCJA. This seems to be much ado about nothing because this is gravel that may never be used to develop production infrastructure. Plus, the leases require the operator to submit a Plan of Development (POD) for production facilities should there be a commercial discovery made in the Coastal Plain. This POD would require its own Environmental Impact Statement (EIS) to fill wetlands. What is needed is sufficient exploration through low-impact seismic and winter exploratory drilling.

There is a lot of fear about seismic in the general public but on the North Slope of Alaska it is conducted during the winter months using low impact equipment that essentially leaves no trace following 'green-up' of the tundra. KIC has been involved in several attempts to permit seismic in the Coastal Plain and feel its is important for this Committee to understand what low-impact seismic really means. This is satellite imagery over the same location at two different times the same summer. This location of this image is approximately 60 miles west of my community and was taken following a seismic program in 2018.

In this image you can see the compressed snow pattern for the 3D seismic program in mid-June 2018. The same area is shown in August 2018. As you can see the compressed lines are not visible in August. This is due to the strict regulatory compliance of the seismic industry by the State of Alaska and the many years of analysis of the best available technology for low impact acquisition.

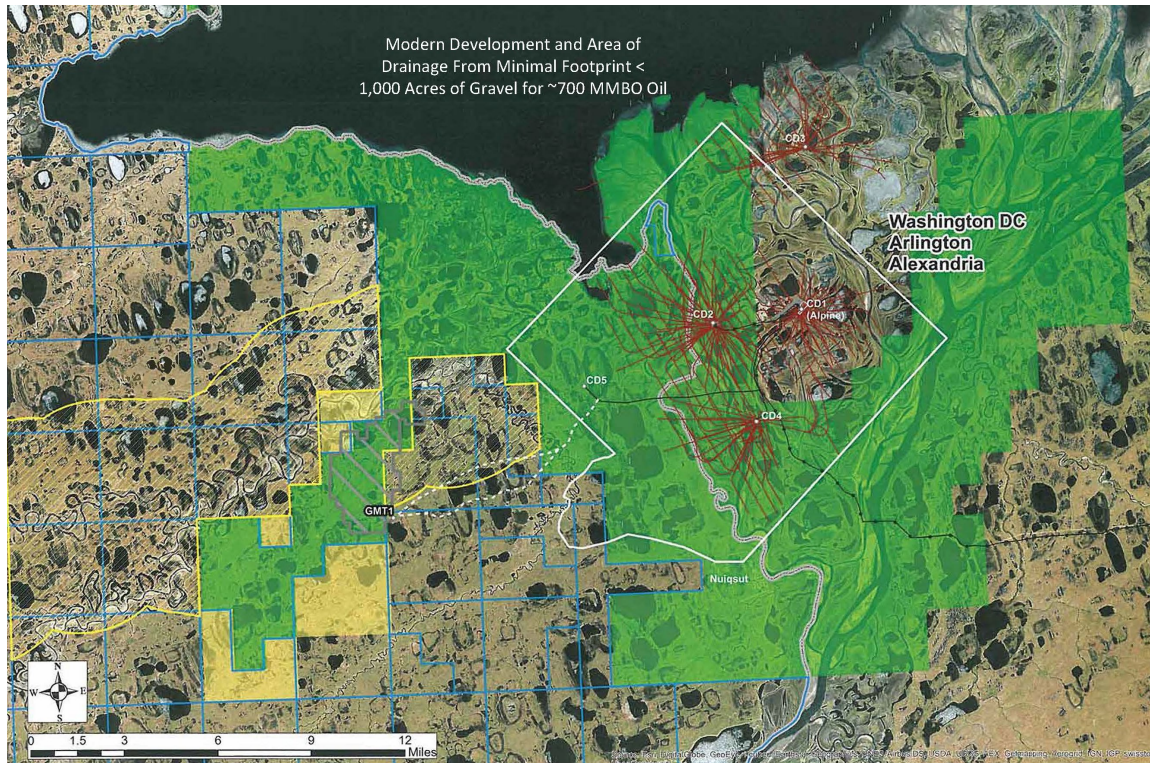


We Iñupiat understand this because we have been instrumental in gravel reduction across the North Slope since the discovery of Prudhoe Bay through our municipal government, the North Slope Borough, and the State of Alaska. In fact, our region can access more resource from the smallest gravel footprint compared to any other State in the country, including New Mexico. The gravel footprint continues to shrink and as an example the Nanushuk Development Project, on State lands, plans to access 700 million barrels of recoverable oil with a gravel footprint of 254 acres of gravel. Gravel is not the issue.

As an example of the area of drainage from minimal gravel one just needs to look at development in the Colville River Delta. This is an image that shows the development wells from less than 500 acres of gravel with respect to



Washington DC, Alexandria, and Arlington superimposed with the white box. The green is Kuukpik Corporation Lands. The red lines are development wells in the Alpine Field Development. The image shows that with less than 500 acres of gravel and three pad, a location the size of all three cities can safely be developed.



**The issue and goal of this Administration seems to be to erase us from the landscape! We will not become conservation refugees at the behest of the environmental corporations from the lower-48 states that are trying to “protect us from ourselves”.**

It was Congress that created my corporation under the 1971 Alaska Native Claims Settlement Act (ANCSA) with the intent to stimulate economic development and opportunities for Alaska Native communities. Yet for Kaktovik, at every turn, there is counter-legislation like the 1980 Alaska National Interest Lands Conservation Act (ANILCA) that locked us inside a National Wildlife Refuge. It took 37 years following ANILCA to finally open the Coastal Plain to oil and gas leasing. This is our right and it implements the intent of ANCSA! This is our destiny and our economic freedoms that were promised by Congress. For our survival we need these economic opportunities – does anyone here know how much a gallon of milk costs in my

community? First, we don't sell milk in gallons because it's too expensive but a quart of milk costs \$6.25 and the math says that one-gallon costs \$25! Due to the cancellation of the AIDEA leases, we are without the means to develop our economic freedoms as spelled out under ANSCA – this creates not only economic hardship for KIC as a corporation but for our people who need a paycheck.

Until exploration occurs, we will never know if there is even a need for gravel or what the extent of gravel volumes required for development and production may be. KIC needs the contracts, and our community needs the jobs that come with exploration. The operators of the leases need subsistence representatives, polar bear guards, cultural resource experts – this is what we can provide. These are important opportunities for our people.

We understand that without a significant discovery these jobs could be ephemeral but people in Kaktovik need these opportunities to build resumes and to work with outside companies to grow their capabilities and capacities. Why does this Administration insist on shutting us down?

This decision to cancel the leases was made without any consultation with the Native Village of Kaktovik despite what was represented in your September 19, 2023 hearing. They were involved in the 2020 EIS and are currently engaged in government-to-government consultation on the draft SEIS. For an Administration that touts the importance of tribal consultation it seems to pick and choose when to do so at its convenience and does not follow any of its own guidelines for doing so.

My community UNAPOLOGETICALLY supports the oil and gas leasing program in the Coastal Plain. Many people try to steer the debate about caribou, specifically the Porcupine Caribou Herd (PCH). I am here to tell you it is about PEOPLE and having an ECOMONY to survive. My people also utilize the caribou and it's an important subsistence resource – we were instrumental in the 2020 EIS to provide critical protections for their calving and insect relief areas, we agreed to BLM withdrawing several leases from the 2020 lease sale that have historically been important to calving. We are good stewards of our lands and resources.

The PCH are a migratory mammal and as such they do not always calve in the same area year-to-year. Sometimes they calve in the United States north of the

Brooks Range, however in the last several years they have been calving in Canada – sometimes in and around Canadian oil development and infrastructure – but that is not generally discussed.

After 50 years of observations our people can tell you that caribou like gravel and infrastructure. They use it for insect relief because it is off the tundra, and they use it for calf protection because where there is infrastructure it provides predator abatement. Caribou have now been living with gravel and infrastructure through many generations and it has become a natural part of their annual movements.

If you studied indigenous knowledge, you would know that the phrase “The Sacred Place Where Life Begins” only became popular post-ANILCA! It was not a phrase that was used prior to that – because there was no Section 1002 and no potential for oil and gas leasing in the 1002 Area to be alarmed about. This phrase is not about people – it’s about caribou – a point that is probably lost on the general public. We find it ironic that the phrase is only applied to the 1002 Area which indicates to us that it was politically driven. We won’t argue that caribou are not important for ours and other cultures and we have been involved in protections for them as already mentioned – however this phrase is offensive to our people because we are the ones who live here.

Our ancestors settled in the area hundreds of years ago. They settled here because the land provides for us through its plants, animals, birds, and abundance. We now want to pursue continued use of our land. We will not apologize for our presence, existence, or desires. It is our ancestors who are buried here, our children are born here, and to carry our culture and heritage into future generations we need to realize the SELF-DETERMINATION that this Secretary so strongly advocates for but refuses to provide it if you disagree with her.

Ironically, this Administration applauds its progressive policies in all things, but it is the North Slope of Alaska that is THE MOST PROGRESSIVE region in the country through our regional municipal government, the North Slope Borough. We are not a region that is dependent on federal or state transfers. Our founders saw the opportunity to tax the infrastructure at Prudhoe Bay and through that revenue source moved our communities from 3<sup>rd</sup> world conditions to 1<sup>st</sup> world conditions. This has increased our peoples’ lifespans by more than 13 years over the last 40 years. WHY SHOULD WE BE OSTRACIZED FOR OUR OWN SELF-DETERMINATION.

We openly admit that oil is critical to our region. It is the tool that we used to bring us into modern society. We have had many environmental corporations, yes corporations, challenge our advocacy of oil development in our region. Our response over the years has been to provide us with some of your multimillion-dollar revenue – enough that can pay for the infrastructure we need to live in the Arctic then maybe we would change our position. We ask what ideas they have to replace our economy, or should we become wards of the federal government for all our needs? We have suggested that the outdoor clothing companies develop a “Qaaktuḡvik” product that we could financially benefit from but to no avail. We never get a solution on how we can fix their problem.

It is ironic to us that November is National Native American Heritage Month and that the 2023 theme is ‘Celebrating Tribal Sovereignty and Identity’ – stating that “Tribal sovereignty ensures that any decisions about Tribes with regard to their property and citizens are made with their participation and consent.” The federal trust responsibility is a legal obligation under which the United States “has charged itself with moral obligations of the highest responsibility and trust toward Indian tribes”. We find this to be almost satirical because this year’s theme is exactly the opposite of what the current Administration is doing to our people and community. Instead of lifting us up, we are being “stepped on” yet again from the Department that is supposed to find ways to support us.

KIC, NVK and the City firmly stand behind the 2020 EIS. We were engaged and involved in its development. We feel that it went through a robust NEPA process with a wide range of Alternatives. **We supported Alternative B in the 2020 EIS and we continue to support it today. The Department needs to rescind its cancellation of the AIDEA leases to allow our community the opportunities promised to us over the last 50 years.**

Lastly, I want to comment briefly on the Proposed Rule on the Management and Protection of the National Petroleum Reserve in Alaska. We, in Kaktovik, are concerned about the implications of the proposed rule – it seems – at its surface to provide the Secretary of Interior more authority to designate ‘Special Areas’ which are essentially conservation units. The deal that Congress made with Alaska through ANILCA, was a ‘No More’ clause which means no more conservation units in Alaska. Kaktovik’s concern is that this

Administration wants to use this as a vehicle for more conservation not only in the National Petroleum Reserve – Alaska (NPR-A) but also in the Coastal Plain area of the Arctic National Wildlife Refuge since the Department is to manage the Coastal Plain in a manner “similar to” the NPR-A .

This would **double down** on conservation within our homelands and is unacceptable to us as the only people who live there.

We Iñupiat, have every right to pursue economic, social, and cultural self-determination. The laws of the U.S. should support Indigenous populations, not interfere with these basic human rights.

Thank you for listening to me today. I submit this testimony for the record.

**Legislative Hearing on H.R. 6285, “Alaska’s Right to Produce Act of 2023”**

**Written Testimony of**

**Doreen Leavitt**

**Director of Natural Resources &**

**Tribal Council Secretary**

**Iñupiat Community of the Arctic Slope**

**November 29, 2023**

**Before the United States House Committee of Natural Resources,  
Subcommittee on Energy and Mineral Resources**

Good morning, Chairman Stauber, Ranking Member Ocasio-Cortez, and members of the Committee. Quyanaqpak, or “thank you very much” in Iñupiaq, for welcoming me today to discuss the bipartisan H.R. 6285, “Alaska’s Right to Produce Act.” Thank you to Chairman Stauber, Alaska’s Representative Mary Sattler Peltola, and Representatives Kevin Hern and August Pfluger for introducing the bill earlier this month. Thank you as well to Senators Lisa Murkowski and Dan Sullivan of Alaska for introducing the companion bill in the Senate.

H.R. 6285 addresses both land rights and usage on the North Slope, both of which are essential to the self-determination of the Indigenous communities represented by the federally recognized tribe I am here to represent today. This proposed legislation is central to restoring access and benefits for local communities to two different tracts of federal land located within the North Slope region: The National Petroleum Reserve in Alaska (NPR-A) and the Arctic National Wildlife Refuge (ANWR).

I am Doreen Leavitt, Director of Natural Resources for the Iñupiat Community of the Arctic Slope (ICAS). I also serve in an elected capacity as Secretary for the Tribal Council. I am a tribal citizen of ICAS and the Native Village of Barrow; a shareholder of Ukpeaġvik Iñupiat Corporation, the Alaska Native village corporation of Utqiagvik, and Arctic Slope Regional Corporation, the North Slope’s regional Alaska Native corporation; and a resident of the North Slope Borough. I state these affiliations and memberships because some folks do not understand the complicated nature of Alaska Native governance and representation — nor the fact that it was this body, Congress, who fractured our representation with the Alaska Native Claims Settlement Act of 1971 (ANCSA).

Established in 1971, ICAS is one of two federally recognized regional Alaska Native tribes. Our tribal government was formed to defend the aboriginal rights of our 13,000 Iñupiaq tribal citizens, who reside across eight different villages. We do this by establishing and carrying out justice systems pursuant to Iñupiaq tribal law and custom, increasing the variety and quality of services provided to current tribal members and for our future generations, and conserving and retaining tribal resources, especially as they relate to subsistence and environmental issues.

In addition to the governmental, social, and cultural functions served by ICAS on the North Slope, we also oversee our North Slope ancestral homelands across in an area encompassing



89,000 square miles – 15 percent of Alaska’s total land mass. This area includes much of ANWR and encompasses almost the entirety of the NPR-A. Among our eight communities is Kaktovik, the only community located within ANWR’s boundaries; as well as Utqiagvik, Wainwright, Nuiqsut, and Atkasuk, which are the only communities located within the NPR-A.

ICAS was created and is governed by the Indian Reorganization Act of 1934 and the ICAS Constitution; our leadership represents and is elected by the Iñupiat of the North Slope region. Under the Indian Reorganization Act of 1934, we have a legally mandated government-to-government relationship with the federal government, entitling us to consultation on policy proposals with substantial, direct effects on our lands and people. The Indian Reorganization Act included this legal obligation to strengthen indigenous self-rule, and as such, it is a critical tool for furthering Iñupiaq self-determination.

We talk about self-determination for several reasons. For one, the North Slope Iñupiat live in one of the most remote areas of the country, with none of our communities connected by a permanent road system to each other or to other municipalities in the state. This makes private and public investment very costly, so it is up to our people to seek out opportunities and partners to strengthen our regional economy. Without the foresight, courage, and advocacy of our leaders in the 1960s and 1970s, our people would not even have ownership over the lands our ancestors have called home for millennia; the lands on which we subsist and support development projects to sustain our families and our communities.

Before ANCSA was signed into law in 1971, our people faced a life expectancy of just 34 years. With the ability to tax oil and gas infrastructure, with access to modern amenities afforded to most other US citizens such as running water, and with the shareholder benefits from our new Alaska Native corporations created by Congress through ANCSA, life expectancy in the North Slope Borough soared to 65 by 1980. We have since forged a life of economic and social gains as a direct result of the revenues from resource development projects, and these revenues are being reinvested into our communities.

Today, it is now impossible to separate our traditional subsistence practices, which have sustained our people and forged the backbone of our culture for millennia, from the modern economy. We must avoid dichotomies that falsely state our subsistence traditions cannot coexist with responsible resource development in our homelands. It is not a choice of one or the other, as they have coexisted to great effect for our people for the past 50 years.

We have gained much in the last half century thanks to this balance as well as the formalization of ICAS and other tribal representation entities dedicated to the advancement of Iñupiaq self-determination. Nevertheless, our self-determination is something to be fought for still to this day. This includes continuously reminding Washington about our legal rights — including calling out the administration for shirking its government-to-government consultative responsibilities to the North Slope Iñupiat.

One only needs to look to this administration's recent, unprecedented actions affecting our lands and people in NPR-A and ANWR as an example of Washington's backpedaling. The unilateral actions that took place on September 6, without prior consultation with the only indigenous group who calls the affected lands home, is not just a dereliction of duty, an issue of mere miscommunication, or disrespect for Indigenous voices — it is a violation of the rule of law.

Under the Indian Reorganization Act, the U.S. Secretary of the Interior is obligated to honor a government-to-government relationship with our federally recognized tribes, like the Iñupiat Community of the Arctic Slope. And the current administration's January 2021 Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships made further commitments to Alaska Native Tribal Nations as sovereign governments — building upon Executive Order 13175 of November 6, 2000 (Consultation and Coordination With Indian Tribal Governments) which directs *“all executive departments and agencies with engaging in regular, meaningful, and robust consultation with Tribal officials in the development of Federal policies that have Tribal implications.”*

It's time for Washington to make good on not only its rhetoric but also its obligations. Policies crafted in our nation's capital, without the input of those that will be most impacted — like those announced by the Department of the Interior (DOI) on September 6 affecting NPR-A and ANWR — have direct, profound impacts on the North Slope Iñupiat and our communities. The federal government must uphold its legal commitments to the North Slope Iñupiat by creating a space for our voices at the policymaking table, starting now.

### **Brief North Slope History**

The Iñupiat have lived on Alaska's North Slope, one of America's harshest, most remote environments, for millennia. We have stewarded our lands since well before the creation of the State of Alaska, the DOI, or even the very idea of American independence. Our people are inseparable from these lands and the bounty they provide.

Yet over the past 150 years, large tracts of our ancestral homelands have been cleaved away from the North Slope Iñupiat by the federal government, who gave little thought or care to the significant cultural value of our lands, the impact of their decisions on Alaska Native communities, or our self-determination. To begin, the Alaska Purchase in 1867 transferred possession of Alaska from the Russian Empire to the United States. The U.S. government paid \$7.2 million for the purchase of roughly 400 million acres of land, but Washington did not address aboriginal land rights as part of the purchase — it would take another 100 years.

Federal land grabs in our region began in earnest in 1923, when President Harding designated approximately 23 million acres of Iñupiaq land to create the Naval Petroleum Reserve Number 4, now known as the National Petroleum Reserve — Alaska. In 1959, President Eisenhower conveyed 104 million acres of land to the State of Alaska, 12 million acres of which were on the

North Slope. A year later in 1960, President Eisenhower, at the behest of outside groups like the Sierra Club and the Wilderness Society, appropriated 8.9 million acres of our lands to create the Arctic National Wildlife Range.

Over 75 percent of the North Slope was claimed by the federal or state government before legitimate aboriginal land claims were resolved. For context, that 75 percent adds up to 44 million acres of land solely on the North Slope that had been claimed by the state and federal governments prior to the passage of ANCSA, including the extremely lucrative oil and gas fields of Prudhoe Bay. Yet 44 million acres also adds up to the *total* acreage returned to *all* Alaska Native people through ANCSA. The North Slope Iñupiat, through Arctic Slope Regional Corporation, would be conveyed just under five million acres of this total amount.

Seizure of Iñupiaq land by the state and federal governments did not stop there. When President Carter signed the Alaska National Interest Lands Conservation Act (ANILCA) into law in 1980, the Arctic National Wildlife Range became the Arctic National Wildlife Refuge and was more than doubled in size. ANILCA included a provision, Section 1002, that set aside 1.5 million acres of the Coastal Plain to be assessed for development potential. In 1987, DOI recommended that this area, which represented only 7.8 percent of ANWR's total land area, be opened to exploration and potential responsible development projects.

Each of these decisions are connected by a sordid throughline: At no point did Washington consult with the North Slope Iñupiat or consider the impact of its policy proposals on our communities. The federal government neither cared for the governmental authority of organizations like ICAS nor did it respect the obvious "public interest" in the lands of ANWR of communities like the Iñupiat village of Kaktovik, the sole community located in the Section 1002 area and the over 19 million acres of ANWR.

These actions directly contravened the Indian Reorganization Act, which demands tribal consultation, defined as *"government-to-government dialogue between official representatives of Tribes and Federal agencies to discuss Federal proposals,"* any time a proposed agency action could have substantial direct effects on a federally recognized tribe. The law also notes that it is sometimes necessary to communicate with tribal governments in advance of policy decisions to determine whether or not it will have a substantial, direct effect on our lands and people. Yet Washington shamefully ignored its legal obligations while it carved up our ancestral homelands.

### **Inadequate Consultation with the North Slope Iñupiat**

This brings us to today and the federal government's September 6 announcements about ANWR and NPR-A, both of which will profoundly affect the North Slope Iñupiat and our five communities located within the boundaries of these federal tracts located on our ancestral homelands.

If those who do not learn from history are doomed to repeat it, then the federal government has clearly learned nothing from its dealings with the North Slope Iñupiat over the past 150

years. As ICAS and other North Slope organizations and elected leadership have highlighted before this committee earlier this year, this administration developed its new policies on ANWR and NPR-A without first consulting with Alaska Native communities about their potential impacts, positive or negative.

Just as throughout history, the administration's actions are an affront to the rule of law as outlined in the Indian Reorganization Act and described above. The federal government's rulings on our ancestral homelands will have a tremendous impact on our regional economy, the viability of our communities, and the future of our Iñupiaq culture, as there is no daylight between the three: economy, community, and culture. Yet ICAS was not consulted in advance of DOI's sweeping September 6 mandates. Instead, like many others on the North Slope, we found out through the press.

According to the Bureau of Indian Affairs, tribal consultations are required to include at least 30 days' notice, a discussion between the tribal government and relevant federal agencies, and a federal response to tribes highlighting how their feedback was incorporated into a final decision. To date, the federal government has not followed through on all of these steps on decisions concerning Iñupiat lands affected by the ANWR and NPR-A announcements. Making matters worse, ICAS has sent multiple entreaties and invitations to Secretary Deb Haaland for formal consultation to which we have never received a written response. The Secretary and DOI are seemingly intent on ignoring or avoiding their government-to-government obligations to ICAS.

Even more disgraceful has been the lack of engagement by the federal government with the five communities targeted by these two separate announcements. To date, there have been zero public meetings on the North Slope, not even in Kaktovik, to discuss the administration's draft Supplemental Environmental Impact Statement for ANWR and the Section 1002 area. There have been only two public meetings on the North Slope with regard to the proposed NPR-A rule. This negligent approach not only defies the law but disagrees with Secretary Haaland's highly publicized recent comments at the Alaska Federation of Natives 2023 Conference as well as White House policy memorandums, Executive Order 13175, and the White House National Strategy for the Arctic.

Had the administration acted according to the Indian Reorganization Act or its own orders, its leadership and staff would have made allowance for the fact that ICAS, alongside many other North Slope tribes and entities like the Native Village of Kaktovik, Voice of the Arctic Iñupiat, Arctic Slope Regional Corporation, and more, have a long history of supporting responsible resource development projects in ANWR. The Voice of the Arctic Iñupiat, of which ICAS is a member, has a standing resolution supporting the responsible exploration and development of the 1002 area of ANWR.

It is equally important that DOI engage directly with Kaktovik, the only Alaska Native community located within ANWR. ICAS supports Kaktovik and its efforts, without reservation, to engage DOI

on the sweeping September 6 mandates, and we are grateful that the people most affected are represented today in this hearing by Charles Lampe, President of the Kaktovik Iñupiat Corporation. We have traveled here from our communities located within ANWR and NPR-A to speak before this committee and other groups in Washington to ensure that the federal government hears our message and that past mistakes do not continue to be repeated.

### **The National Petroleum Reserve in Alaska (NPR-A)**

ICAS would also like to voice deep concern with the federal government's historic approach to NPR-A, which covers 23 million acres and has been home to the North Slope Iñupiat for more than 10,000 years.

Following the discovery of oil in Prudhoe Bay in 1968, Congress passed the Naval Petroleum Reserves Production Act (NPRPA) in 1976 to authorize full commercial development of America's strategic fuel reserves. This included the Naval Petroleum Reserve Number 4, which was renamed as NPR-A and transferred from the Navy to the Bureau of Land Management (BLM). The NPRPA defined how NPR-A would be managed, including the establishment of five Special Areas within NPR-A, but it gave little thought to the North Slope Iñupiat who have called these lands home for millennia.

Today, four of the eight villages represented by ICAS are within NPR-A, including Nuiqsut, Atkasuk, Utqiagvik, and Wainwright. Two other North Slope Iñupiat communities, Point Lay and Anaktuvuk Pass, are adjacent and use NPR-A for subsistence purposes. And a 1977 study identified 119 traditional Iñupiat land use sites in the area.

All eight North Slope communities depend on the taxation of infrastructure for services that everyone here in Washington, D.C. and in your home districts expect as the baseline for first-world conditions, such as running water, flush toilets, schools, power, and heat.

Despite the governmental authority of ICAS, codified by the Indian Reorganization Act, as well as our historic claims to the land, Washington has failed to observe its government-to-government obligations or consider the possibility of co-management of our lands. In 2013, the BLM released an Integrated Activity Plan (IAP) to prohibit development on 11 million acres in NPR-A – nearly 50% of its total land area, further limiting the ability of the North Slope Iñupiat to determine our future in our ancestral homelands.

A few years later, then-Interior Secretary Bernhardt issued a new IAP in June 2020 that increased the total land area for development within NPR-A from 11.8 million acres to 18.6 million acres. Further, the 2020 IAP allowed community infrastructure to be considered anywhere in the NPR-A. Community infrastructure is defined as an infrastructure project that responds to community needs, such as roads, power lines, fuel pipelines, and communications systems, and is owned and maintained by or on behalf of the North Slope Borough (NSB), city government, the State of Alaska, a tribe, or an ANCSA corporation. This provision applies across the NPR-A unless otherwise noted in specific areas. It is difficult to predict what infrastructure

needs North Slope communities may have in the next 20 plus years as their demographics shift and they respond to a changing climate, and this decision ensures the BLM will have the flexibility to be responsive to local needs.

Our voice, it seemed, was finally being heard in Washington.

### **Inconsistent Engagement**

Yet when President Biden was sworn into office, he immediately issued an executive order suspending all drilling leases in ANWR, including those in the Section 1002 area. One and a half years later, in January 2022, the Biden administration's BLM announced that it would stop using the 2020 Integrated Activity Plan (IAP) for NPR-A and would revert back to the 2013 IAP restricting development, including community infrastructure such as utility lines or roads, to only 11.8 million acres within NPR-A.

Naturally, the Biden administration's decisions were deeply concerning for ICAS as a tribal government and the North Slope Iñupiaq communities it represents. Responsible resource development projects that proceed with the engagement and inclusion of the North Slope Iñupiat are the cornerstone of our regional economy, our health, and our social well-being. By curtailing land available for these projects, the federal government was also foreclosing any economic opportunities that would provide stability for our communities and culture.

When the Biden administration re-approved the Willow Project earlier this year, it seemed as if our voices were finally breaking through to this administration. We were grateful to be consulted by Washington throughout the re-approval process, with our voices clearly heard, and we looked forward to engaging with BLM to develop practical protections in other areas of our ancestral homelands.

This further consultation never materialized. On September 6, ICAS and all other North Slope tribes, cities, ANCSA corporations, non-profits, schools, and the collective regional elected leadership were blindsided by this administration's decision to ban development in ANWR, cancel all existing leases in the area, and further restrict development in NPR-A to more than 13 million acres.

Despite ICAS' legal right to tribal consultation and its government-to-government relationship with federal agencies in Washington, we received no advanced warning of these decisions. Nor did the administration consider its unprecedented impact on villages we represent within and adjacent to NPR-A and ANWR.

Instead, DOI hastily scheduled a "public meeting" to discuss the proposed rules affecting ANWR with only a few days' notice and in the midst of our fall subsistence season. Despite numerous requests from ICAS and other North Slope elected leaders, this meeting went ahead and yielded insufficient public engagement. DOI since promised to reschedule, though it never held another public meeting on the North Slope for the draft ANWR Supplemental Environmental Impact

Statement (SEIS) and DOI cannot call for another public meeting because the comment period closed on November 7.

In response, ICAS and other North Slope entities repeatedly pressed BLM for a 120-day extension of the comment period to allow the public to review the 1,400-page Draft SEIS for governing the area. We received a 15-day extension – a fraction of our requested delay. ICAS and other North Slope leaders traveled to Washington to meet directly with the White House and other federal agencies about the issue and to also request an extension for the ANWR Draft SEIS — of which none was granted.

These comment periods do not allow enough time for our communities to meaningfully review or provide feedback on the administration's proposed rule for NPR-A or the Draft SEIS for ANWR. It also fundamentally ignores our requests – and Washington's legal obligations – for greater consultation by leading officials like Secretary Haaland, who has ignored or denied at least eight meeting requests from ICAS and other North Slope entities since taking office.

### **Alaska's Right to Produce Act of 2023**

Despite our struggles with the federal government, we are thankful that members of Congress are championing our cause. In September, Nagruk Harcharek, President of Voice of the Arctic Iñupiat, testified before this committee about the administration's disregard for North Slope Iñupiat voices and disinterest in including us at the policymaking table. At the time, Chairman Pete Stauber commented that, "as long as I am privileged to be chair of this committee, your community will be represented."

Earlier this month, he and Congresswoman Mary Sattler Peltola put these words into action by introducing the bipartisan Alaska's Right to Produce Act of 2023. Senators Dan Sullivan and Lisa Murkowski have introduced its companion bill in the Senate.

This legislation would reverse this administration's sweeping September 6 announcements that restrict development on 13 million acres in NPR-A and reinstate resource development leases in the ANWR. ICAS strongly supports this legislation and thanks you for working to address this bipartisan issue.

As mentioned earlier, ICAS supports responsible resource development in our region. We have a 50-year relationship with industry. Why? Because it was the federal government that wanted access to the resources within our ancestral homelands. We have forced a seat at the table to ensure our communities would not be left behind.

Our tribes, Alaska Native corporations, and municipal governments are engaged in the planning processes of projects and support those projects that take into account the needs of our people

and our communities. Without an economy, our communities are not sustainable; without our communities, our culture begins to die as more and more of our people are forced to leave to find economic opportunity elsewhere.

Thank you, Chairman Stauber and Representative Peltola for your continued support and advocacy on behalf the North Slope Iñupiat, including the introduction of HR8265 and the chance to testify in support of the bill here today in front of the committee.

Thank you for the opportunity to provide comments today. Quyanapqak.



**Examining the Biden Administration's Mismanagement of  
the Federal Onshore Oil and Gas Program  
Written Testimony of  
Nagruk Harcharek  
President  
Voice of the Arctic Iñupiat  
September 19, 2023  
Before the United States House Committee of Natural Resources,  
Subcommittee on Energy and Mineral Resources**

Good morning, Chairman Stauber, Ranking Member Ocasio-Cortez, and members of the Committee. Quyanapqak, or “thank you” in Iñupiaq, for having me here today to discuss land rights and usage in our region, critical to the Indigenous communities my organization represents. I am Nagruk Harcharek, President of the Voice of the Arctic Iñupiat, or just VOICE.

VOICE is a nonprofit organization established in 2015 by the region's collective elected Iñupiat leadership to speak with a unified voice on issues impacting the North Slope Iñupiat, our communities, our economy, and our culture. Our 24 members include the leadership of local governments, Alaska Native Corporations, tribes, and tribal non-profits across the North Slope of Alaska. Notably, our membership includes the North Slope Borough, the regional government for an area as large as the State of Minnesota, which has taxing authority over the development of land on the North Slope and is the largest employer in our region. We also represent Iḷisaḡvik College – the only tribal college in Alaska and the only institute of higher education in our region – and the Iñupiat Community of the Arctic Slope, the North Slope's federally recognized regional tribe.

The discussion about building more consistent, predictable policy, communication, and collaboration between Alaska Native communities and Washington, D.C. is as pressing and challenging now as it was over 50 years ago, when the Alaska Native Claims Settlement Act, or ANCSA, was signed into law, and which directly shaped the rights we have to our land and the usage of that land today. Much like ANCSA, the policies set in these rooms and in this city have a direct impact on the viability of our people and our communities – and we are asking for a consistent seat at the table to ensure our voices are heard.

**Alaska Native Communities and the United States: A One-Sided Start to the Relationship**

The Iñupiat have lived on Alaska's North Slope, one of America's harshest and most remote environments, since time immemorial. Our connection to our homelands is strong and straightforward: we care for these lands and rely on them to sustain our communities and our culture – from the financial resources that support our lives to the subsistence food we put on our tables.

Unfortunately, the same cannot be said of the North Slope's relationship with Washington, which began in 1867 following the Alaska Purchase. For just \$7.2 million – about \$151 million adjusted to 2022, or roughly the cost of two F-35 Lightning II fighter jets – the United States acquired an area of land more than twice the size of Texas that would eventually become the State of Alaska. Absent from the negotiation table from the start, however, were the Alaska Native people who stewarded the lands in question and the notion that they deserved any benefit from the transaction.

This disregard was a harbinger of things to come. In the decades following the sale, Washington continued to deny our people an equal voice when developing policies affecting our homelands.

Over the past 100 years, large tracts of land that hold significant cultural value for the North Slope Iñupiat and are still used today by our communities to live and practice our subsistence traditions, have been carved out of Alaska at Washington's behest. In 1923, President Warren G. Harding created the Naval Petroleum Reserve Number 4, now known as the National Petroleum Reserve in Alaska (NPR-A). Later, in the 1960s, Washington, spurred on by a public campaign led by outsiders including the Sierra Club and the Wilderness Society, worked to set aside 8.9 million acres to create the Arctic National Wildlife Range, and was the basis for what is now the Arctic National Wildlife Refuge.

Again, absent from the discussion about these lands were its original inhabitants and stewards: the North Slope Iñupiat. Our people were afforded less consideration than the land itself and were virtually erased in the rush to regulate what outsiders and policymakers viewed as “the last great wilderness.” Yet their colonial perspective of Alaska as an untouched, unpopulated wilderness could not have been further from the truth. In their efforts to protect the land, they forgot about the region's most important resource, its people – the North Slope Iñupiat.

### **Alaska Statehood: Unfulfilled Promises to Alaska Native Communities**

A sea change occurred in 1959 when President Dwight D. Eisenhower signed the Alaska Statehood Act into law and Alaska became the 49<sup>th</sup> state admitted to the union. Finally, Alaska residents would have an opportunity to shape their shared destiny via representation in Congress.

But the promise of representation did not materialize for the Alaska Native peoples. Instead, the Act authorized the State to appropriate over 100 million acres of land from the “vacant, unappropriated, unreserved” areas of Alaska, many of which were vibrant hunting and fishing grounds already used and occupied by Alaska Native people who had lived on those lands for thousands of years.

In fact, our newly minted “representatives” acted as anything but and instead supported projects on the appropriated lands that would have significantly disrupted Alaska Native communities. This included projects such as Project Chariot, which would have detonated five thermonuclear devices to create an artificial harbor near the Iñupiaq village of Point Hope.

Thanks to determined, organized opposition by a diverse coalition of Alaska Native communities, projects like this did not come to fruition.

In 1965, the Arctic Slope Native Association (ASNA) was formed to advocate for an aboriginal land claims settlement on behalf of the North Slope Iñupiat. Its leaders understood that the Russian Empire did not have the legal right to sell Alaska in 1867. It is also understood that between 1867 and 1959, the United States government failed to resolve Alaska Native aboriginal land rights, and that the formation of the new state only complicated the issue.

In January 1966, on behalf of the North Slope Iñupiat, ANSA filed a land claims lawsuit with the U.S. Department of Interior for nearly 55 million acres of land on the North Slope. This action prompted other regions across the state to form their own regional Alaska Native associations to file claims to their ancestral homelands as well. Collectively, the regional Alaska Native associations lobbied the Secretary of the Department of the Interior, Stewart Udall, to impose a land freeze until aboriginal land claims were resolved.

The following year, we secured an important victory when Secretary Udall imposed a land freeze to prevent state or private entities from securing title to any lands claimed by Alaska Native communities until Congress addressed the issue. The freeze was catalyzed by a request from the recently established Alaska Federation of Natives and was a symbol of the growing political influence of the Alaska Native people. Other Alaska Native groups quickly followed suit and, by May of 1967, 39 claims covering about 380 million acres – an area larger than the land area of Alaska itself – had been filed.

The timing of these claims and Secretary Udall's land freeze was auspicious. In 1968, the following year, one of North America's largest deposits of commercial quantities of oil was discovered at Prudhoe Bay on the North Slope, our homelands. This discovery dramatically elevated the importance of Alaska Native land claims resolution, as did the suit filed by five Alaska Native villages to prevent construction of a cross-state pipeline on claimed lands to transport oil and gas from Prudhoe Bay to Valdez. Until the issue of Alaska Native land claims was resolved, these resources could not be accessed, and the infrastructure required to bring them to market could not be built.

The State, oil companies, and Alaska Native communities and organizations increased their pressure on Congress for a land claims settlement to resolve the situation. It is important to note that the discovery of oil on the North Slope and the potential windfall it could yield to oil companies and the State – not justice for Alaska Native communities – is what drove settlement discussions forward in Washington.

### **ANCSA: An Imperfect Solution and the “New Harpoon”**

Several solutions emerged over the course of negotiations. The Arctic Slope Native Association (ASNA), which was formed under the leadership of Charles “Etok” Edwardsen, Jr. to advocate on

behalf of North Slope Iñupiat land claims, proposed that a final land claims settlement be based on the amount of land lost by each group, rather than regional population. After all, the North Slope represented only 5% of the Alaska Native population but claimed 16% of Alaska's total land area. And the recent discovery at Prudhoe Bay underscored the immense value of our land claims.

Many proposed bills to settle land claims did not reflect this perspective, and the bill that was signed into law – ANCSA, in 1971 – partially observed ASNA's proposal. Signed by President Richard Nixon, the act created 12 Alaska land-based regional corporations, which would act as private, for-profit businesses with Alaska Native people as their sole shareholders. In essence, corporations whose profits would solely benefit their Indigenous shareholders. It also awarded Alaska Native communities 44 million acres of their homelands and nearly \$1 billion in compensation for lost land claims.

As far as the Iñupiat were concerned, this was only a partial settlement. The law recognized only 11% of our total claims – notably, the North Slope Iñupiat were required to relinquish their rights to approximately 50 million acres of land out of the total 55 million acres that comprise our region – and the compensation for all of the land lost by Indigenous people in Alaska was only slightly more than the \$900 million yielded by auctioning two parcels of Alaska Native land to oil companies. Both parcels were located on our ancestral homelands on the North Slope. As Charles "Etok" Edwardsen Jr. stated in an essay summarizing the law, "we were simply robbed by the settlement."

Despite our grievances, we realized that ANCSA provided us with a new tool: the Alaska Native Corporations. To use Etok's words again, we set about the urgent business of wielding this "new harpoon" to bring prosperity to Alaska Native communities on the North Slope, much as our ancestors had done at sea and on land before us.

To help govern and administer the nearly 95,000 square miles of land in our region, the North Slope Borough was established in 1972 after yet another fight with the State of Alaska and the oil and gas industry. The Borough exercised powers of zoning and taxation and was the first time that the Iñupiat exercised their self-determination through municipal government. It was, and remains, proof that we had succeeded in returning self-rule to our land. Our region, as stated previously, is roughly the size of the State of Minnesota and not connected through a permanent road system between our communities or to the rest of Alaska.

Despite the formation of the Borough, our claims to its surrounding lands, and our Alaska Native Corporations' right to develop our lands to provide economic benefit to the shareholders, as enshrined by ANCSA, the Naval Petroleum Reserve was transferred from the Navy to the Bureau of Land Management and renamed as the National Petroleum Reserve-Alaska (NPR-A) through the Naval Petroleum Reserves Production Act in 1976. The Act defined how the NPR-A would be managed, including the establishment of five Special Areas within the NPR-A, and gave little thought to those who have called it home for thousands of years.

In fact, half of the North Slope Borough's communities are located within NPR-A, including Nuiqsut near the Colville River Delta, Atkasuk, Utqiagvik, and Wainwright. Two other communities, Point Lay and Anaktuvak Pass, use the NPR-A for subsistence purposes. Four separate village corporations – Atkasuk Corporation, Olgoonik Corporation, Ukpeagvik Iñupiat Corporation, and Kuukpik Corporation – collectively own over 400,000 acres of land in NPR-A. And a 1977 study identified 119 traditional Iñupiat land use sites in the area.

However, despite our governmental authority, exemplified by the North Slope Borough and the federally recognized tribe of the Iñupiat Community of the Arctic Slope (ICAS), as well as our historic claims to the land, Washington chose again not to consult the Iñupiat about the impact of its decisions or create the possibility of co-management of these lands.

Just east of NPR-A, more inconsiderate and callous actions expanded ANWR. The Alaska National Interest Lands Conservation Act (ANILCA) was signed into law by President Carter in 1980. The law more than doubled the size of the Range and renamed it as the Arctic National Wildlife Refuge. It also included a provision, Section 1002, setting aside 1.5 million acres of the Coastal Plain to be assessed for its development potential. After years of careful study, in 1987 the Department of the Interior recommended that this Section 1002 area be opened to responsible development projects. The Alaska Native village of Kaktovik, which has “public interest” in the lands in ANWR and multiple entities as members of VOICE, is the sole community located in Section 1002 area of ANWR and the only community located in all of the over 19 million acres of ANWR.

Once again, Alaska Native interest was discounted in Washington's calculus. Without consulting Alaska Native communities about the impact of their decision, the federal government under the waning days of President Jimmy Carter cleaved large tracts of land away from Alaskans until Congress could determine their future.

### **The Current Situation: An Inconsistent Policy Approach to Alaska Native Lands**

This brings us to today and the administration's recent announcement about ANWR and NPR-A, both of which are critical to America's onshore energy production efforts and the economic self-determination of the people of the North Slope.

As my organization and our constituents noted immediately following the decision, the Biden administration developed the new policies on ANWR and NPR-A without first consulting with Alaska Native communities about their impact on our lives and communities. They did so despite publishing many memos and strategies outlining a purported desire to include Indigenous communities, like the Iñupiat, in their decision-making processes. In fact, the recently published White House National Strategy for the Arctic states “the United States is committed to regular, meaningful and robust consultation, coordination, and, as appropriate, co-management with Alaska Native Tribes, communities, corporations, and other organizations – both to ensure Alaska Native communities are partners in decisions affecting them and also because we recognize that Alaska Native experience and knowledge is essential to the success of this strategy. We will

support an equitable partnership, including by integrating co-production of knowledge and Indigenous Knowledge into federal processes and by supporting Tribal self-determination and opportunity.”

Yet these new mandates directly contradict this statement and many other claims made by this administration about incorporating Alaska Native perspectives into its policymaking process and will undoubtedly have a profound, negative effect on our self-determination as well as America’s future energy production efforts.

The administration’s latest decisions are viewed by North Slope Alaska Native communities no differently than ANCSA or ANILCA. But, upon closer inspection, there is a subtle, but important, difference between the two. Whereas ANCSA essentially stripped away our lands in the name of profit, the administration’s latest NPR-A and ANWR regulations, similar to ANILCA, are foreclosing on our communities’ future economic opportunities in the name of climate change and environmental justice.

When most of our lands were taken from us, starting in 1923 with the creation of the now NPR-A, there was at least minimal opportunity for compensation and economic gain by the North Slope Iñupiat, like the creation of the North Slope Borough. Now, the opportunity to grow our economy and build a stronger, more prosperous Iñupiaq culture has been seized from us.

There is a sordid throughline threading these decisions: Washington has and continues to trammel on our right to self-determination and economic prosperity. This flies in the face of environmental justice. As expressed by a communique following the 2023 Arctic Peoples’ Conference, “Climate change cannot be an excuse to infringe on our distinct rights as Indigenous Peoples.”

To be clear, due to our very complicated history that I have endeavored to describe, the position that we find ourselves in today is because of the federal government and Congress. Now, after decades of being denied a seat at the table, we deserve a more active role in shaping the future of our homelands and people.

In fact, Joseph Upicksoun, one of ASNA’s first presidents, in 1971 noted in an address to the AFN that “the United States wants to provide for its own security against foreign enemies out of our land” by pursuing energy projects on the North Slope. Now, when we are in a position to cooperate and equitably benefit from this production occurring on our homelands, we are being denied the opportunity by Washington.

At present, the North Slope Borough, which was established to ensure our people would benefit from development projects in the region, receives more than 95% of its total revenue from infrastructure taxation authority on development. This revenue is used to support valuable community infrastructure projects that improve our quality of life in one of America’s most challenging and unforgiving environments.

These include schools, community and recreational centers, housing, water and sanitation, police and fire departments, search and rescue, and special equipment to bury our deceased during the winter months. It's important to highlight that Kaktovik, which is located in ANWR and will be deeply impacted by the administration's recent announcement, desperately needs a new school after theirs burned down several years ago. Wainwright, which is located within the NPR-A, uses tax revenues and funding from the NPR-A Impact Mitigation Grant Program to support its youth program, which provides recreational and cultural activities critical to keeping local youth on the right path. Going forward, Wainwright hopes these funds will also support a new building to replace their aging city hall and other community infrastructure projects.

Tax revenues derived from resource development projects also support vital administrative bodies like the North Slope Borough Department of Wildlife Management, which plays a leading role in studying and managing our region's wildlife resources, including the caribou and bowhead whales that our communities rely on. It's safe to say that without these responsibly developed projects, we would not be able to conduct our world-class research on population strength and movements or afford the staff to preserve these resources for future generations. Our police and search and rescue and emergency services – which operate across a land area larger than the United Kingdom – are also supported by these important tax revenue streams.

Taxes levied by the North Slope Borough on resource development projects are furthermore used to develop and maintain basic amenities like roads and modern water and sewer systems that are ubiquitous to the lower 48 but have only recently arrived on the North Slope within the last 40 or so years. That revenue also provides critical access to jobs: the Borough is the largest employer on the North Slope.

In fact, we can quantify the powerful impact of these projects by observing the increase of life expectancy on the North Slope. In 1969, before our people had any land rights and no economic prospects as a result, life expectancy was just 34 years. By 1980, our average life expectancy was 65, roughly equivalent with Libya and lower than North Korea. Today, our people can expect to live to an average of 77 years. This increase, the most dramatic in the United States, can be directly connected to the proliferation of a basic economy, modern infrastructure, and services supported by resource development projects.

The VOICE Board of Directors, comprised of mostly locally and regionally elected leaders, recognizes the benefits these projects offer our communities and have passed resolutions supporting responsible, community-led development, when appropriate, of ANWR and the NPR-A. Since ANILCA, which was crafted and passed without our input, the North Slope Iñupiat have been fighting for the right to develop ANWR.

We believe that responsible resource development projects in both the NPR-A and ANWR are vital to our collective future. They are even more so for communities located within the NPR-A which, again, represent half of the North Slope's communities, and Kaktovik, the only community

located within ANWR. In numerous letters to the Bureau of Land Management (BLM) and members of this committee, we have made clear the economic benefits of development in these regions, including the 1002 Area, to these communities and our firm belief that resource development projects and conservation efforts are not divergent priorities. They can – and must – coexist on the North Slope. To do otherwise would be to strangle our communities from the long-term economic and food security they rightfully deserve.

These letters also highlighted Washington's hypocrisy when it comes to conservation. It is unfair to seize our lands and ask Alaska Native communities to carry this burden while other states develop their lands freely with an easy conscience. It is equally outrageous to suggest that ecotourism stand as a replacement for resource development projects in our region.

For a brief time, it seemed that Washington had heard our voice. The 2017 Tax Cut and Jobs Act gave us hope of realizing our goals by directing the BLM to conduct two lease sales in the 1002 Area of ANWR. The first of which was held in January 2021. The second lease sale is required by law to happen by the end of 2024.

We also felt heard when BLM released an NPR-A Integrated Activity Plan (IAP) in June 2020 that considered the interests of our communities, including future community infrastructure needs.

Most recently, the recent re-approval of the Willow Project also suggested that our relationship with Washington was growing stronger. Our Board issued multiple resolutions in strong support of the project, and we are pleased that Willow, which was first approved in 2020, is proceeding in a manner that respects our communities' economic and environmental needs. Though it is important to note that outside environmental groups with little to no connection to our lands are now seeking to overturn our will through frivolous, time-consuming court cases.

Since coming into office, the Biden administration has since done much to undo this progress, beginning with its mandate to suspend operations and production on the awarded leases in ANWR. And two weeks ago, the administration chose to foreclose on current and future opportunities in ANWR with its new regulations.

It's important to contextualize the total area impacted by the Biden administration's decision. The 1002 area in ANWR is 1.5 million acres, only 7% of the Reserve's more than 19 million acres of land, and only a small fraction of the 1002 area's non-wilderness land has been reserved for development, specifically 2,000 acres. Despite this small size, the Biden administration elected to seal off this area in its blatant attempt to appease so-called climate activists who are all too eager to disregard our desire for self-determination in our ancestral homelands and long-term economic security for our people.

This decision, coupled with further "protections" for NPR-A, will undoubtedly shrink the economic opportunities available to the North Slope. It virtually guarantees to set us back on our journey toward self-determination by requiring further reliance on the federal and state



government to provide for the basic needs of the people on the North Slope. In the early 1960's, Howard Rock, a champion for our people and founder of the Tundra Times, stated: "We are battling greed that is relentlessly closing in on us." That statement was true back then, and with the latest Biden administration announcements, remains true today. We battled greed in the name of profits during the days of ANCSA, and now we are battling greed in the name of climate change and environmental justice.

### **The Way Forward: Consistent Engagement, Mutual Respect, and Self-Determination**

We support responsible energy development projects on the North Slope because, to paraphrase the current Secretary of Interior, "we know our lands better than anyone." And we understand that responsible resource development with the inclusion and engagement of our communities has taken place for over 50 years. It exemplifies a positive model of cultural, economic, and ecological interdependence.

Over the past few months, we have heard much discussion of what we *cannot* do in our homelands with little attention given to economic alternatives to support our economy in the long term. Past investments in our region have already yielded a brighter future for the Iñupiat. It is important that we continue this upward trajectory, and we hope that Washington joins us at the table to discuss a viable economic path forward for North Slope communities that includes on shore oil and gas leasing.

This shared effort will require a strong partnership characterized by consistent, predictable, and reliable communication and collaboration between Alaska Native leaders and Washington. We believed the foundation for this relationship was in place when we recently welcomed EPA Administrator Michael Regan to the North Slope for fruitful discussions that resulted in \$2.5 million in grant funding to restore federally contaminated lands conveyed to Alaska Native Corporations via ANCSA. Yet, the following week, we were blindsided by the White House's ANWR and NPR-A announcements, suggesting that this partnership is very much a work in progress.

This approach is no way to operate, especially with communities as remote and distinct as ours. Despite these inconsistencies, the North Slope Iñupiat are eager to engage with Congress and the federal government.

We believe that strength comes from unity and cooperation, and we understand the importance of that value locally, regionally, and nationally. That is why VOICE was created: to unify and strengthen the North Slope. As partners, we can right the historic wrongs imposed on our communities, create responsible resource development projects in our region to secure America's energy future, and fully realize Iñupiat self-determination and prosperity. But this can only happen with policymaking sensitive to the needs and rights of indigenous communities, consistent and meaningful engagement, and mutual respect.

Thank you for the opportunity to provide comments today. Quyanapqak.