

Congress of the United States
Washington, DC 20510

December 8, 2016

The President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear President Obama:

We write to reiterate our strongest objections to the use of Section 12(a) of the Outer Continental Shelf Lands Act (OCSLA) to withdraw any acreage in the Arctic planning areas of the Outer Continental Shelf (OCS) from future leasing.

The Governor of Alaska, the leadership of the North Slope and Northwest Arctic Boroughs, the majority of the tribal leadership representing Alaska Natives who live in the Arctic, a supermajority of the members of the Alaska State Legislature, and an overwhelming majority of the Alaskan people also oppose the withdrawal of acreage within these areas. In fact, many of the officials listed here repeatedly urged your administration to make the Beaufort or Chukchi areas available for development through the Five-Year OCS Leasing Program for 2017-2022.

The reasons why we support responsible development in the Arctic OCS – and oppose the withdrawal of acreage within it – are legal, economic, and scientific in nature.

From a legal perspective, OCSLA is already designed to provide for the responsible development of our offshore areas, and that development is conditioned on additional authorities that ensure the protection and preservation of our lands, waters, and air. Each five-year program, which determines the scope of our nation's offshore leasing efforts, is subject to rigorous review under the National Environmental Policy Act. So, too, are the lease sales within each five-year program. The environmental review process further requires operators to obtain a series of approvals and permits before the exploration and development of individual leases may begin.

A Section 12(a) withdrawal would also violate the long-standing and deeply held promises made to Alaska by the federal government. The Alaska National Interest Lands Conservation Act (ANILCA) of 1980 contains multiple “no more” clauses that reflect Alaska's already significant contributions to the wilderness of our nation. At the signing ceremony for ANILCA, then-President Jimmy Carter affirmed that after it became law, “A hundred percent of the offshore areas and 95 percent of the potentially productive oil and mineral areas will be available for exploration or for drilling” in Alaska. Withdrawing acreage in the Arctic OCS would explicitly break that promise and continue to restrict Alaskans' access to our own lands and waters.

The use of Section 12(a) would also carry steep economic consequences for Alaska and the rest of our nation. Unlike the North Aleutian basin, which you withdrew from leasing in 2010, industry remains highly interested in development off of Alaska's northern coast. For example,

Caelus announced a major find in Smith Bay in October 2016 and is continuing to explore its potential. The Arctic Slope Regional Corporation announced in November 2016 that it will purchase 21 leases in the Beaufort Sea. A withdrawal in the Arctic OCS would limit the incredible opportunities in this region and destroy our ability to create jobs, generate revenues, and increase national security from them.

Finally, it is clear that no serious analysis conducted under environmental law or OCSLA will support a 12(a) withdrawal in the Arctic planning areas. The analysis that has been completed so far clearly shows that development and stewardship are not mutually exclusive, and supports the scheduling of lease sales in both planning areas. This, in turn, has allowed high-ranking officials from your own administration to express their support for Arctic development as recently as October 2016.

We oppose the withdrawal of acreage from any OCS basins in Alaska, and believe such a decision would be particularly unwarranted and unnecessary within the Arctic OCS. During your final weeks in office, we instead encourage you to work with us – and to listen to and respect the voices of the Alaskan people – to chart a course allowing responsible development to proceed.

Sincerely,


Lisa Murkowski
United States Senator


Dan Sullivan
United States Senator


Don Young
Congressman for All Alaska