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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

SOVEREIGN INUPIAT FOR A LIVING
ARCTIC, et al.,

Plaintiffs,

v.

BUREAU OF LAND MANAGEMENT, *et al.*,

Defendants,

and

CONOCOPHILLIPS ALASKA, INC., *et al.*

Intervenor-Defendants

No. 3:23-cv-00058-SLG

CENTER FOR BIOLOGICAL DIVERSITY, et al.,

Plaintiffs,

v.

BUREAU OF LAND MANAGEMENT, et al.,

Defendants,

and

CONOCOPHILLIPS ALASKA, INC. et al.

Intervenor-Defendants.

No. 3:23-cv-00061-SLG

**ALASKA CONGRESSIONAL DELEGATION AND ALASKA STATE
LEGISLATURE'S MOTION FOR LEAVE TO FILE
AMICUS CURIAE BRIEF IN SUPPORT OF DEFENDANTS' AND
INTERVENOR-DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTIONS
FOR INJUNCTION PENDING APPEAL**

United States Senators Dan Sullivan and Lisa Murkowski, United States Representative Mary Sattler Peltola, and the Alaska State Legislature (collectively “Alaska Elected Officials Amici”), respectfully move this Court for leave to file the accompanying *amicus curiae* brief in support of Defendants’ and Intervenor-Defendants’ Opposition to Plaintiffs’ Motions for Injunction Pending Appeal filed in the above-captioned matter on November 29, 2023. The Amici seek to address the public interests at stake in the approval of the Willow Project, as they did at the preliminary injunction stage.

Counsel for Amici contacted counsel of record for all parties to seek their consent for the filing of the accompanying *amicus curiae* brief. Plaintiffs Center of Biological Diversity et. al. do not oppose this motion, and Plaintiffs Sovereign Inupiat for a Living Arctic et. al. take no position on this motion. Defendants do not oppose this motion. Intervenor-Defendants State of Alaska, North Slope Borough, ConocoPhillips Alaska Inc., and Arctic Slope Regional Corporation do not oppose this motion. Counsel for Intervenor-Defendant Kuukpik Corporation has not responded as of the time of filing.

A. Alaska Elected Officials Amici’s Interest in This Case

Alaska Elected Officials Amici are the representatives of the people of Alaska and their voice in the federal and state governments. As the representatives of all Alaskans, Amici have a strong interest in providing the court with relevant briefing on the public interests affected by an injunction pending appeal that would halt the Willow project.

MOTION FOR LEAVE TO FILE *AMICUS CURIAE* BRIEF

Sovereign Inupiat for a Living Arctic et al. v. BLM, et al.; Case No. 3:23-cv-00058-SLG

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B. Amicus Briefing on the Public Interest is Desirable

In order for an injunction pending appeal to be granted, the injunction must be in the public interest.¹ As the representatives of Alaska in the federal and state governments, Amici are well placed to provide relevant briefing on the public interests at stake in the approval of the Willow Project. The Ninth Circuit has recognized, “[t]he district court has broad discretion to appoint amici curiae,”² and this Court has stated that “[a]micus briefs are frequently welcome . . . concerning legal issues that have potential ramifications beyond the parties directly involved or if the amicus has unique information or perspective that can help the court beyond the help that the lawyers for the parties are able to provide.”³ This decision will have ramifications for all Alaskans, and the Amici are uniquely placed to evaluate the many public interests at stake. Amicus briefing on the public interest issue is desirable here. Alaska Elected Officials Amici file this Motion and accompanying amicus curiae brief on November 29, 2023, the same day that the Defendants and the Intervenor-Defendants are filing their response briefs in opposition to the injunction pending appeal motions.

CONCLUSION

For the reasons set forth above, Alaska Elected Officials Amici respectfully request

¹ *Bartell Ranch LLC v. McCullough*, 2023 U.S. Dist. LEXIS 30864 at *3 (D. Nev., Feb. 24, 2023) (quoting *Sierra Club v. Trump*, 929 F.3d 670, 687 (9th Cir. 2019)).

² *Hoptowit v. Ray*, 682 F.2d 1237, 1260 (9th Cir. 1982) (overruled on other grounds).

³ *Southcentral Found. v. Alaska Native Tribal Health Consortium*, 2022 WL 1184079, at *2 (D. Alaska, Apr. 21, 2022) (citation and quotation marks omitted).

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that the Court grant leave to file the accompanying *amicus curiae* brief in support of the Defendants' and Intervenor-Defendants' Opposition to Plaintiffs' Motions for Injunction Pending Appeal.

Dated this 29th day of November, 2023.

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CERTIFICATE OF SERVICE

I hereby certify on November 29, 2023, I caused to be electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification and electronic service of the same to all counsel of record.

HOLLAND & HART LLP

/s/ Jonathan W. Katchen

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INTRODUCTION

Plaintiffs previously asked this Court for injunctive relief to prevent work on the Willow Project. Those motions were denied. Now, after failing to succeed on the merits, Plaintiffs once again seek injunctive relief on the same grounds that this Court rejected less than a year ago.

Plaintiffs' motions, however, fail to address the fatal flaw underlying their first attempt to secure an injunction—that halting the Willow Project is not in the public interest. This Court rejected Plaintiffs' motions seeking injunctive relief, in part, because Alaska's elected leaders in federal, state, and local governments made filings with this Court demonstrating that an injunction conflicted with the public interest. Indeed, this Court observed at the preliminary injunction stage that this support, notably demonstrated in a unanimous resolution by the Alaska State Legislature, “tips strongly” against an injunction halting the Willow Project.¹ Plaintiffs' most recent attempt at securing injunctive relief not only recycles the same arguments that this Court rejected, but also completely fails at addressing the unified voice of Alaska's elected leaders and their strong and reasoned conviction that the Willow Project is in the public interest. Consequently, Plaintiffs' motions provide this Court with no basis to disturb its prior finding that halting activity on the Willow Project would undermine the public interest.

¹ Order re Motions for Temporary Restraining Order and Preliminary Injunction, Doc 74 at 43 (D. Alaska, Apr. 3, 2023) (PI Order).

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BACKGROUND

A unanimous Alaska Legislature² and the Alaska Congressional Delegation believe the Willow Project advances the public interest for three primary reasons. *First*, Alaska's economy would quickly atrophy without responsible resource development and granting injunctive relief will cause immediate harm to Alaska's economy.³ In the Court's order denying the Plaintiffs' request for a preliminary injunction, the Court noted the many job-related benefits, such as high wage jobs for local residents monitoring construction activities, that would be cancelled or delayed by enjoining the April 2023 construction season, and the harm that would be felt by the local residents of Nuiqsut and Alaskans more broadly.⁴ The construction at issue here is more extensive and integral to the Project, making the potential harm to many Alaskans' livelihoods even greater, and an injunction even less appropriate. *Second*, preventing or delaying this Project from reaching first oil will deprive state and local governments of the revenue to provide essential services to

² Ex. A (Joint Resolution of the Legislature of the State of Alaska, H.J.R. Res. 6, 33rd Leg., 1st Sess. (Alaska 2023)).

³ Final Supplemental Environmental Impact Statement (FSEIS), Vol. 1 at 294 ("Alaska's economy is also tied closely to the oil and gas industry. . . . For each job in Alaska's oil industry, there are 15 additional jobs in the Alaska economy connected to the industry. Given this, the oil industry is estimated to account for one-quarter of Alaska jobs and about one-half of the overall economy when the spending of state revenues from oil production is considered (McDowell Group 2020)").

⁴ PI Order, Doc. 74 at 34-36.

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Alaskans.⁵ *Third*, energy development in the NPR-A strengthens national security and decreases dependence on foreign energy.⁶

Broad bipartisan support for resource development is nothing new to Alaska. This support flows, in part, from three statutes: the Alaska Statehood Act; Alaska Native Claims Settlement Act (ANCSA); and Alaska National Interest Lands Conservation Act (ANILCA). With each of these landmark statutes, Congress expected that certain lands, like those designated here by Congress and the Secretary for oil development in the NPR-A,⁷ would be managed to generate economic opportunities and revenue, while development would be precluded on other lands.⁸ Congress also recognized that Alaska's socio-economic well-being, along with the viability of Alaska Native Corporations and state and

⁵ Ex. A at 2:6-9 (noting that the federal government has estimated that the “potential annual government revenue, including local, state, and federal taxes and royalties, of \$730,000,000 to \$4,750,000,000 from oil and gas development in the National Petroleum Reserve in Alaska”); FSEIS, Vol. 1 at 293-295.

⁶ Ex. A at 3:16-20.

⁷ See *ConocoPhillips Alaska, Inc v. Alaska Oil and Gas Conservation Commission*, 2023 U.S. Dist. LEXIS 39110 at *2-3 (D. Alaska Mar. 8, 2023) (citing *N. Alaska Env't Ctr. v. Norton*, 361 F. Supp. 2d 1069, 1072 (D. Alaska 2005) (discussing how the Naval Petroleum Reserves Production Act recognizes the NPR-A “as a potential source for oil and gas exploration and production while simultaneously assuring that environmental concerns would not be overlooked”)).

⁸ See, e.g., *Sturgeon v. Frost (Sturgeon II)*, 139 S. Ct. 1066, 1075-1076 (2019) (discussing the balance in ANILCA between “sufficient protection for the national interest in the scenic, natural, cultural and environmental values” and “adequate opportunity for satisfaction of the economic and social needs of the State of Alaska and its people”); FSEIS, Vol. 1 at 302 (“The desire to develop oil and gas resources on the North Slope was a major factor in passage of the ANCSA and creation of ANCSA Native corporations”).

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local governments, depends in large part on resource development. But mindful of the need to protect vital ecological and cultural values, Congress also placed many public lands in conservation units.⁹ For their part, Plaintiffs ignore the policy choices made by Congress and seek judicial intervention to mandate that lands designated by Congress for resource development be instead managed as a *de facto* conservation unit.

ARGUMENT

I. THE BALANCE OF HARMS AND PUBLIC INTEREST WEIGH HEAVILY AGAINST AN INJUNCTION.

When the government is the opposing party to an injunction pending appeal motion, it is appropriate for a court to jointly consider the balance of harms and public interest.¹⁰ In undertaking the public interest inquiry, the district court “primarily addresses impact on non-parties rather than parties, and takes into consideration the public consequences in employing the extraordinary remedy of injunction.”¹¹ The Ninth Circuit has upheld denials

⁹ A. Sears, A. Lindholm & P. Christian, *ANILCA: A Perspective from Boots on the Ground*, *Alaska Park Science* 21(1), 2022, at 35 (noting that 148 million acres of federal acreage in Alaska is designated for conservation).

¹⁰ *Cf. Nken v. Holder*, 556 U.S. 418, 435 (2009) (considering these elements jointly in the preliminary injunction context); *Feldman v. Ariz. Sec’y. of State’s Office*, 843 F.3d 366, 367 (9th Cir. 2016) (noting that the injunction pending appeal standard is similar to the preliminary injunction analysis).

¹¹ *Macdonald v. Univ. of Alaska*, 2020 U.S. Dist. LEXIS 90125 at *17 (D. Alaska 2020) (internal quotation marks omitted); *see also Shell Offshore Inc. v. Greenpeace, Inc.*, 864 F. Supp. 2d 839, 853 (D. Alaska 2012) (noting in the context of a preliminary injunction, that the public interest analysis “requires us to consider whether there exists some critical public interest that would be injured by the grant of preliminary relief”) (quoting *Cal. Pharmacists Ass’n v. Maxwell-Jolly*, 596 F.3d 1098, 1114-15 (9th Cir.2010)).

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of injunctive relief where the public interest in allowing an energy project to continue outweighed the alleged environmental injury asserted by plaintiffs.¹² In the case of Willow it is clear—regardless of what Plaintiffs argue—that the public interest and balance of the equities tip so far in favor of the Defendants and the Intervenor-Defendants that an injunction pending appeal is not warranted.

A. The Broad Support for the Willow Project from Nearly All of Alaska’s Elected Officials and Key Stakeholders Weighs Heavily Against an Injunction.

The Supreme Court has stated that courts should pay “particular regard for the public consequences” of an injunction.¹³ Further, as the Court recognized in its denial of Plaintiffs’ preliminary injunction motions, the views of elected officials and key local

¹² See, e.g., *W. Watersheds Project v. Salazar*, 692 F.3d 921, 923 (9th Cir. 2012) (upholding a denial of an injunction where the district court properly weighed the environmental harm posed by the project against the possible damage to project funding, jobs, and the state and national renewable energy goals that would result from an injunction halting project construction, and concluded that the balance favored defendants); *Lands Council v. McNair*, 537 F.3d 981, 1005 (9th Cir. 2008) (upholding the lower court’s determination that the public interest in reducing fire risk and aiding the local economy outweighed possible environmental harms in the context of a timber harvesting project).

¹³ *Winter v. NRDC, Inc.*, 555 U.S. 7, 24 (2008) (quoting *Weinberger* 456 U.S. at 312); see *Sawtooth Mt. Ranch LLC v. United States Forest Serv.*, 2019 U.S. Dist. LEXIS 100378 at *63-64 (D. Idaho 2019) (noting broad public support for a project in a denial of a preliminary injunction).

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stakeholders affected by the Willow Project carry considerable weight and “constrain” the Court’s analysis of the public interest element.¹⁴

Every statewide-elected official in Alaska supports the Willow Project.¹⁵ The Alaska Legislature also voted *unanimously* on a joint resolution supporting the Project and emphasized that “a further delay in approval or construction of the Willow project . . . is not in the public interest.”¹⁶ Willow has also received nearly universal support from every government and entity affected by the Project on the North Slope.¹⁷ In particular, one important regional group supporting the Willow Project is the Voice of the Arctic Iñupiat (“The Voice”), whose membership consists of 24 tribes, Alaska Native Corporations, local governments, and tribal nonprofits whose future relies on the development of the Willow

¹⁴ PI Order, Doc 74 at 41 (noting that the Ninth Circuit instructed district courts to give due weight to the consideration of the public interest by responsible state officials, especially when they act unanimously); *id.* at 40 (discussing the “considerable weight” against an injunction because local stakeholder representatives Kuukpik, the North Slope Borough, and ASRC all intervened to support construction activities).

¹⁵ See Ex. B (September 20, 2022 Letter from Senator Lisa Murkowski, Senator Dan Sullivan, and Representative Mary Sattler Peltola to Secretary of Interior Deb Haaland).

¹⁶ Ex. A at 4:17-19.

¹⁷ Ex. A at 2:29-31, 3:1-2; Ex. C (Joint Statement of the Iñupiat Community of the Arctic Slope, North Slope Borough, and Arctic Slope Regional Corporation (Feb. 1, 2023)). This support includes the North Slope Borough, Iñupiat Community of the Arctic Slope (“ICAS”), the City of Wainwright, the City of Atkasuk, the City of Utqiagvik, the Arctic Slope Regional Corporation, and the Kuukpik Corporation. The Project also has the support of other prominent statewide Alaska Native organizations, including the Alaska Federation of Natives, the Alaska Native Village Corporation Association, and the ANCSA Regional Association.

Project.¹⁸ Then-Alaska State Representative Josiah Patkotak, who represented the entire North Slope area in the Alaska Legislature and now represents the Alaska Native people that would benefit most from this project as the Mayor of the North Slope Borough, explained that the Project “represents an opportunity, really, of a lifetime for the citizens of the state of Alaska and more directly to citizens of the North Slope.”¹⁹

It is extremely rare that Alaska’s elected officials throughout the state unanimously support anything. But the Willow Project is an exception that unites all statewide elected officials. Alaska’s elected officials and leaders, including those on the North Slope who will be most impacted by this Project, believe shutting down this Project is antithetical to the public interest, and, as the Court noted at the preliminary injunction stage, this unanimous support “tips strongly” against any injunction halting the Willow Project.²⁰

The Willow Project also enjoys a remarkable and broad-based coalition of support from virtually every economic, business, and labor organization in Alaska and across the United States. This includes the Alaska branch of the American Federation of Labor and Congress of Industrial Organizations, the Associated General Contractors of Alaska, Laborer’s International Union of North America, North America’s Building Trades Union,

¹⁸ <https://voiceofthearcticinupiat.org/members/>.

¹⁹ Ex. D (March 1, 2023 Press Conference Transcript (remarks of State Representative Josiah Patkotak)).

²⁰ PI Order, Doc. 74 at 43.

and the International Union of Operating Engineers.²¹ These organizations in Alaska represent tens of thousands of Alaskans, and including national organizations, this support encompasses several million hardworking Americans.

B. The Enhanced Energy Security and National Security Provided by the Willow Project Weigh Heavily Against an Injunction.

Congress has repeatedly made clear the public has an important interest in safe and environmentally responsible oil and gas development on public lands.²² Ensuring affordable energy has animated U.S. policy for decades.²³ For Alaska’s North Slope, Congress declared in the Trans-Alaska Pipeline Authorization Act of 1973²⁴ “that the crude oil on the North Slope of Alaska is an important part of the Nation’s oil resources, and that

²¹ See, e.g., Ex. A at 3:3-7.

²² See, e.g., *California Co. v. Udall*, 296 F.2d 384, 388, (D.C. Cir. 1961) (“The public does not benefit from resources that remain undeveloped, and the Secretary must administer the [Mineral Leasing Act] so as to provide some incentive for development.”); Outer Continental Shelf Lands Act, 43 U.S.C. § 1332(3) (“the outer Continental Shelf is a vital national resource reserve held by the Federal Government for the public, which should be made available for expeditious and orderly development, subject to environmental safeguards, in a manner which is consistent with the maintenance of competition and other national needs”).

²³ See, e.g., Energy Policy and Conservation Act, 42 U.S.C. § 6231(a); Energy Policy Act of 2005, Pub. L. No. 109-58, § 961, 119 Stat. 594, 889 (2005) (“The Secretary shall carry out . . . programs in fossil energy [and] take into consideration the following objectives . . . (4) Decreasing the dependence of the United States on foreign energy supplies. (5) Improving United States energy security.”); Energy Independence and Security Act of 2007, Pub. L. No. 110-140, preamble., 121 Stat. 1492, 1492 (2007) (providing that the purpose of the Act is “To move the United States toward greater energy independence and security”).

²⁴ 43 U.S.C. § 1652.

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the benefits of such crude oil should be equitably shared, directly or indirectly, by all regions of the country.”²⁵

Directly relevant to this suit, Congress amended the Naval Petroleum Reserves Production Act (NPRPA) ²⁶ in 1980 to expressly authorize “an expeditious program of competitive leasing of oil and gas” in the NPR-A,”²⁷ and put in place provisions designed to incentivize the leasing of lands within the NPR-A that the Secretary determines to be suitable for oil development.²⁸ Congress also included provisions to encourage the greatest

²⁵ Pub. L. 93–153, Title IV, §410, Nov. 16, 1973, 87 Stat. 594. (a) (“The purpose of this chapter is to insure that, because of the extensive governmental studies already made of this project and the national interest in early delivery of North Slope oil to domestic markets, the trans-Alaska oil pipeline be constructed promptly without further administrative or judicial delay or impediment. To accomplish this purpose it is the intent of the Congress to exercise its constitutional powers to the fullest extent in the authorizations and directions herein made and in limiting judicial review of the actions taken pursuant thereto.”).

²⁶ The NPR-A was renamed and its management authority was transferred to the Secretary of the Interior in 1976 by the Naval Petroleum Reserves Production Act (“NPRPA”), 42 U.S.C. § 6501 et seq. *See ConocoPhillips Alaska, Inc v. Alaska Oil and Gas Conservation Commission*, 2023 U.S. Dist. LEXIS 39110 at *1-3 (D. Alaska Mar. 8, 2023).

²⁷ Pub. L. No. 96-514, 94 Stat. 2964 (1980) (codified at 42 U.S.C. § 6506a).

²⁸ *See* 42 U.S.C. § 6506a; *see generally N. Alaska Env’t Ctr. v. Norton*, 361 F. Supp. 2d 1069, 1072 (D. Alaska 2005). Under the authority granted to it in the NPRPA, the Biden Administration issued a ROD dictating that “approximately 11.8 million acres (52 percent) of the NPR-A’s subsurface estate are available for oil and gas leasing. The remaining approximately 11 million acres (48 percent) of the NPRA, including the majority of lands within Special Areas and much of the coastal area of the NPR-A along the Beaufort Sea, are closed to oil and gas leasing under this plan in order to protect and conserve important surface resources and uses in these areas.” 2022 IAP ROD at 1.

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ultimate recovery of oil or gas on these lands.²⁹ To this end, the BLM unitized the Willow leases in 2009 with the expectation that these lands would be brought into production.³⁰ As the Secretary found, “by making these lands available for leasing, the decision adopted in this ROD fulfills BLM’s responsibility under the NPRPA to manage NPR-A to conduct oil and gas leasing *and development*.”³¹

If Plaintiffs ultimately prevail in stopping the Willow Project, however, Congressional objectives in advancing energy security would be stymied because the nation would be forced to import a majority of the oil that Willow would have provided.³² This outcome is contrary to the public interest.³³

²⁹ 42 U.S.C. § 6506a(k)(1)(A) (“To encourage the greatest ultimate recovery of oil or gas or in the interest of conservation, the Secretary may waive, suspend, or reduce the rental fees or minimum royalty, or reduce the royalty on an entire leasehold (including on any lease operated pursuant to a unit agreement), whenever . . . in the judgment of the Secretary it is necessary to do so to promote development, or whenever in the judgment of the Secretary the leases cannot be successfully operated under the terms provided therein.”); *see generally Sovereign Inupiat for a Living Arctic et al v. BLM, et al.*, 516 F. Supp. 3d 943, 946 (D. Alaska Feb. 2, 2021).

³⁰ Bear Tooth Unit Agreement, Agreement No: AA-091675, BLM (2009).

³¹ 2022 IAP ROD at 9 (emphasis added).

³² FSEIS, Vol 1. at 45.

³³ *See, e.g., Wyoming v. United States DOI*, 136 F. Supp. 3d 1317, 1349-50 (D. Wyo. 2015) (“the generation of revenue and employment from mineral development projects serves the public interest”); *W. Watersheds Project* 692 F.3d at 923 (affirming the denial of a preliminary injunction for a renewable project because it advanced California’s policy goals and energy security).

AMICUS BRIEF

Sovereign Inupiat for a Living Arctic et al. v. BLM, et al.; Case No. 3:23-cv-00058-SLG
Center for Biological Diversity, et al. v. BLM, et al.; Case No. 3:23-cv-00061-SLG
Page 10 of 14

Nonetheless, Plaintiffs argue that there is a significant interest in protecting the “Reserve” while they pursue their appeal,³⁴ and that the “weakened energy security” caused by halting construction is irrelevant to their request for the extraordinary relief of an injunction.³⁵ However, as the Court noted in its decision on the merits, the Willow Project lies on a “petroleum reserve” set aside by Congress to “help meet the Nation’s need for oil and gas,” and, “infrastructure is allowed, and indeed anticipated” to develop that petroleum reserve consistent with the “congressional policy objective of resource extraction in the NPR-A.”³⁶ Stopping the carefully planned construction of infrastructure in this petroleum reserve therefore conflicts with that congressional directive and is not in the public interest.

Relatedly, stopping the Willow Project is plainly inconsistent with both (1) the congressional demand to provide energy security by developing the NPR-A “expeditiously,” *i.e.*, speedily and efficiently, and (2) the unanimous Alaska State Legislature’s resolution declaring that “a further delay in approval or *construction* of the Willow project . . . is not in the public interest.”³⁷ Plaintiffs briefing fails to explain how

³⁴ Motion for Injunction Pending Appeal at 16, *Sovereign Inupiat for a Living Arctic v. BLM* (No. 3:23-cv-00058-SLG), Doc. 169 (D. Alaska, Nov. 15, 2023).

³⁵ Motion for Injunction Pending Appeal at 13, *CBD et al. v. BLM et al.* (No. 3:23-cv-00061-SLG), Doc. 190 (D. Alaska, Nov. 17, 2023); *see Winter*, 555 U.S. at 22 (2008) (stressing that injunctive relief is an “extraordinary remedy” only awarded upon a “clear showing” that plaintiff is entitled to relief).

³⁶ Decision & Order at 19-22, Doc. 166 (D. Alaska, Nov. 9, 2023).

³⁷ Ex. A at 4:17-19 (emphasis added).

an injunction is consistent with these expressions of the public interest. Just as before, these federal and state legislative pronouncements “tip[] strongly” against an injunction.

C. The Willow Project’s Socioeconomic Benefits Weigh Heavily Against an Injunction.

Aiding the local economy and preventing job loss are valid public interest concerns. It is uncontested that an injunction would kill many Alaskan jobs and deprive Alaskans of direct and indirect economic benefits associated with imminent development activities. But more importantly, the Willow Project will generate up to \$17 billion in revenue/royalties over the life of the Project, with up to \$10 billion going to state and local governments and will foster wide ranging socio-economic benefits.³⁸

Plaintiffs simply have no answer for how Alaska, the North Slope Borough, ANCs, and the nation are expected to replace the economic opportunities and revenue that will be generated by this Project. Nor can they reconcile how stripping Alaska Natives of the autonomy and economic self-determination promised to them in ANCSA and ANILCA is consistent with the public interest.

³⁸ FSEIS, Vol. 1 at 298; *see also id.* at 293-94 (detailing how the North Slope Borough receives nearly all revenue for government services from oil development).

CONCLUSION

For the foregoing reasons, the Court must deny the Plaintiffs' motion for an injunction.

DATED at Anchorage, Alaska this 29th day of November, 2023.

HOLLAND & HART LLP
Attorneys for United States Senator Dan
Sullivan, Senator Lisa Murkowski,
Representative Mary Sattler Peltola, and the
Alaska State Legislature

By: /s/ Jonathan W. Katchen
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AMICUS BRIEF

Sovereign Inupiat for a Living Arctic et al. v. BLM, et al.; Case No. 3:23-cv-00058-SLG
Center for Biological Diversity, et al. v. BLM, et al.; Case No. 3:23-cv-00061-SLG
Page 13 of 14

CERTIFICATE OF SERVICE

I hereby certify on November 29, 2023, I caused to be electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification and electronic service of the same to all counsel of record.

HOLLAND & HART LLP

/s/ Jonathan W. Katchen

AMICUS BRIEF

Sovereign Inupiat for a Living Arctic et al. v. BLM, et al.; Case No. 3:23-cv-00058-SLG

Center for Biological Diversity, et al. v. BLM, et al.; Case No. 3:23-cv-00061-SLG

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*Attorneys for United States Senator Dan Sullivan, United States Senator Lisa Murkowski,
United States Representative Mary Sattler Peltola, and the Alaska State Legislature*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

SOVEREIGN INUPIAT FOR A LIVING
ARCTIC, et al.,

Plaintiffs,

v.

BUREAU OF LAND MANAGEMENT, *et al.*,

Defendants,

and

CONOCOPHILLIPS ALASKA, INC., *et al.*

Intervenor-Defendants

No. 3:23-cv-00058-SLG

CENTER FOR BIOLOGICAL DIVERSITY, et al.,

Plaintiffs,

v.

BUREAU OF LAND MANAGEMENT, et al.,

Defendants,

and

CONOCOPHILLIPS ALASKA, INC. et al.

Intervenor-Defendants.

No. 3:23-cv-00061-SLG

**DECLARATION OF JONATHAN W. KATCHEN IN SUPPORT OF
ALASKA ELECTED OFFICIALS' AMICUS BRIEF**

I, Jonathan W. Katchen, hereby declare under penalty of perjury:

1. I am over the age of eighteen, legally competent, and have personal knowledge of the facts stated herein.

2. I am an attorney for United States Senator Dan Sullivan, United States Senator Lisa Murkowski, United States Representative Mary Sattler Peltola, and the Alaska State Legislature in the above-captioned cases.

3. The purpose of this Declaration is to provide the foundation and verification of accuracy of nonprivileged documents in support of Alaska Elected Officials Amici's Amicus Brief.

4. Attached hereto as **Exhibit A** is a true and correct copy of the Joint Resolution of the Legislature of the State of Alaska, H.J.R. Res. 6, 33rd Leg., 1st Sess. (Alaska 2023), dated February 20, 2023.

5. Attached hereto as **Exhibit B** is a true and correct copy of the Letter from Senator Lisa Murkowski, Senator Dan Sullivan, and Representative Mary Sattler Peltola to Secretary of Interior Deb Haaland, dated September 20, 2022.

6. Attached hereto as **Exhibit C** is a true and correct copy of the Joint Statement of the Iñupiat Community of the Arctic Slope, North Slope Borough, and Arctic Slope Regional Corporation, dated February 1, 2023.

7. Attached hereto as **Exhibit D** is a true and correct copy of the Transcript of the March 2023 Press Conference, dated March 1, 2023.

DECLARATION OF JONATHAN W. KATCHEN

Sovereign Inupiat for a Living Arctic et al. v. BLM, et al.; Case No. 3:23-cv-00058-SLG
Center for Biological Diversity, et al. v. BLM, et al.; Case No. 3:23-cv-00061-SLG

Page 2 of 3

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 29th day of November, 2023.

/s/Jonathan W. Katchen

Jonathan W. Katchen

DECLARATION OF JONATHAN W. KATCHEN

Sovereign Inupiat for a Living Arctic et al. v. BLM, et al.; Case No. 3:23-cv-00058-SLG

Center for Biological Diversity, et al. v. BLM, et al.; Case No. 3:23-cv-00061-SLG

Page 3 of 3

CS FOR HOUSE JOINT RESOLUTION NO. 6(RES) am

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY THE HOUSE RESOURCES COMMITTEE

Amended: 2/20/23

Offered: 2/20/23

Sponsor(s): REPRESENTATIVES PATKOTAK, Rauscher, Fields, Tomaszewski, Stapp, Cronk, Carpenter, Prax, McKay, Saddler, Vance, D.Johnson, Sumner, Ruffridge, Tilton, C.Johnson, Edgmon, McCabe, McCormick, Coulombe, Foster, Shaw, Schrage, Stutes, Galvin, Allard, Ortiz, Groh, Eastman, Josephson

A RESOLUTION

1 **Supporting oil and gas leasing and development within the National Petroleum Reserve**
2 **in Alaska; and urging President Biden and the United States Department of the Interior**
3 **to approve the Willow Master Development Plan.**

4 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 **WHEREAS**, in 1923, President Warren G. Harding issued an Executive Order
6 establishing Naval Petroleum Reserve No. 4 on the North Slope region to provide a potential
7 supply of oil for the United States Navy; and

8 **WHEREAS** 42 U.S.C. 6501 (Naval Petroleum Reserves Production Act of 1976)
9 redesignated Naval Petroleum Reserve No. 4 as the National Petroleum Reserve in Alaska
10 and transferred responsibility for its administration to the Secretary of the Interior; and

11 **WHEREAS** the National Petroleum Reserve in Alaska encompasses 23,500,000
12 acres, with boundaries extending south from Icy Cape to the drainage divide of the Brooks
13 Range, then following the divide eastward to 156 degrees west longitude, then north to the
14 Colville River, and following the Colville River downstream to its mouth; and

15 **WHEREAS** the National Petroleum Reserve in Alaska falls entirely within the

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CSHJR 6(RES) am

New Text Underlined [DELETED TEXT BRACKETED]

1 boundary of the North Slope Borough and includes the communities of Anaktuvuk Pass,
2 Atkasuk, Nuiqsut, Utqiagvik, and Wainwright; and

3 **WHEREAS**, in 2017, the United States Geological Survey estimated there to be
4 8,700,000,000 barrels of recoverable oil and 25,000,000,000 cubic feet of recoverable gas
5 reserves in the National Petroleum Reserve in Alaska; and

6 **WHEREAS** the 2020 National Petroleum Reserve in Alaska Integrated Activity Plan
7 and Environmental Impact Statement estimates potential annual government revenue,
8 including local, state, and federal taxes and royalties, of \$730,000,000 to \$4,750,000,000 from
9 oil and gas development in the National Petroleum Reserve in Alaska; and

10 **WHEREAS** the 2020 National Petroleum Reserve in Alaska Integrated Activity Plan
11 and Environmental Impact Statement estimates that the exploration, development, and
12 production of oil and gas in the reserve could generate 3,600 direct jobs and 2,750 indirect
13 jobs annually over a period of 30 years; and

14 **WHEREAS** the Willow oil and gas prospect, known as the Willow project, is located
15 in the Bear Tooth Unit of the National Petroleum Reserve in Alaska and would be the
16 farthest-west producing field on the North Slope; and

17 **WHEREAS** the Willow project would tap into reserves of an estimated 600,000,000
18 barrels of oil and, at peak production, produce 180,000 barrels a day; and

19 **WHEREAS** the Final Supplemental Environmental Impact Statement for the Willow
20 Master Development Plan was developed over multiple years through a rigorous process with
21 significant involvement by and support from local communities and Alaska Native entities
22 and was specifically designed to protect surface values and the Inupiat way of life; and

23 **WHEREAS**, on February 1, 2023, the United States Department of the Interior
24 released its Final Supplemental Environmental Impact Statement for the Willow project,
25 which demonstrates that the project is legally sufficient and environmentally sound; and

26 **WHEREAS** the Inupiat people are the longstanding stewards of the land on which the
27 National Petroleum Reserve in Alaska sits, and take seriously the need for careful and
28 balanced stewardship; and

29 **WHEREAS** the Arctic Slope Regional Corporation, the Inupiat Community of the
30 Arctic Slope, the North Slope Borough, the Alaska Federation of Natives, the Alaska Native
31 Village Corporation Association, the ANCSA Regional Association, the City of Utqiagvik,

CSHJR 6(RES) am

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New Text Underlined [DELETED TEXT BRACKETED]

1 the City of Wainwright, the City of Atkasuk, and the Kuukpik Corporation are all united in
2 support of the Willow project; and

3 **WHEREAS** the Willow project has received the support of labor unions and trade
4 groups, including the Alaska Petroleum Joint Crafts Council, the Alaska Support Industry
5 Alliance, the Alaska AFL-CIO, the International Union of Operating Engineers, the Laborers'
6 International Union of North America, the National Association of Manufacturers, the North
7 America's Building Trades Unions, and the Alaska Chamber of Commerce; and

8 **WHEREAS** Representative Mary Peltola, Senator Lisa Murkowski, and Senator Dan
9 Sullivan, the Alaska delegation in Congress, unanimously support approval of the Willow
10 project; and

11 **WHEREAS** state royalties from oil and gas development in the National Petroleum
12 Reserve in Alaska are allocated to the National Petroleum Reserve in Alaska Impact
13 Mitigation Fund, which is used to provide the local communities of Anaktuvuk Pass, Atkasuk,
14 Nuiqsut, Wainwright, Utqiagvik, and the North Slope Borough with grants to mitigate
15 impacts related to oil and gas development; and

16 **WHEREAS** oil and gas development in the National Petroleum Reserve in Alaska
17 would strengthen national security and provide long-lasting benefits to the national economy
18 by creating thousands of jobs nationwide, generating billions of dollars in government
19 revenue, providing affordable energy to American consumers, and decreasing dependence on
20 foreign energy; and

21 **WHEREAS** resource development in the state has benefited rural communities by
22 bringing family-supporting jobs and wages, increased educational opportunities, safe water
23 and wastewater facilities, and expanded health care services to those communities; and

24 **WHEREAS**, because of resource development, compared with the national average,
25 rural areas of the state experienced greater increases in life expectancy between 1980 and
26 2014 in locations where resource development activities, including oil and gas development,
27 mining, and fisheries operations, have occurred; and

28 **WHEREAS** safe and responsible oil and gas exploration, development, and
29 production has been demonstrated by over 50 years of activity on the North Slope region
30 without adverse effects on the environment or wildlife populations; and

31 **WHEREAS** the state's leadership in the nation's energy future includes robust support

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CSHJR 6(RES) am

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1 for the development and implementation of renewable energy systems and sources to ensure
 2 that cost-effective energy and power are provided to communities and individuals in the state;
 3 and

4 **WHEREAS** responsible resource development today equips communities in the state
 5 to make investments in technology and infrastructure to support the use of renewable sources
 6 of energy and power; and

7 **WHEREAS** the Willow project is an important part of a diverse energy future for the
 8 state and the nation;

9 **BE IT RESOLVED** that the Alaska State Legislature urges the United States
 10 Department of the Interior, Bureau of Land Management, to maximize the area available for
 11 oil and gas leasing and development within the National Petroleum Reserve in Alaska while
 12 conserving and protecting valued fish, wildlife, subsistence, and cultural resources; and be it

13 **FURTHER RESOLVED** that the Alaska State Legislature urges President Biden and
 14 the United States Department of the Interior to move forward with final approval of the
 15 Willow project by selecting the preferred Alternative E plan, which allows three drill sites, the
 16 minimum for the project to remain economically viable; and be it

17 **FURTHER RESOLVED** that a further delay in approval or construction of the
 18 Willow project undermines the values and benefits of the project to the state and its residents
 19 and the nation and is not in the public interest; and be it

20 **FURTHER RESOLVED** that the Alaska State Legislature urges the United States
 21 Department of the Interior, Bureau of Land Management, when considering management
 22 activities related to the National Petroleum Reserve in Alaska, to take into account the long
 23 history of safe and responsible oil and gas development on the North Slope region and the
 24 enormous benefits that development of oil and gas resources in the National Petroleum
 25 Reserve in Alaska would bring to local communities, tribal governments, the state, and the
 26 nation.

27 **COPIES** of this resolution shall be sent to the Honorable Joseph R. Biden, President
 28 of the United States; the Honorable Kamala D. Harris, Vice President of the United States and
 29 President of the U.S. Senate; the Honorable Deb Haaland, United States Secretary of the
 30 Interior; the Honorable Tracy Stone-Manning, Director, Bureau of Land Management, U.S.
 31 Department of the Interior; Steve Cohn, Alaska State Director, Bureau of Land Management,

CSHJR 6(RES) am

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HJR006c

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- 1 U.S. Department of the Interior; and the Honorable Lisa Murkowski and the Honorable Dan
- 2 Sullivan, U.S. Senators, and the Honorable Mary Peltola, U.S. Representative, members of
- 3 the Alaska delegation in Congress.

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CSHJR 6(RES) am

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Congress of the United States
Washington, DC 20515

September 20, 2022

The Honorable Deb Haaland
Secretary
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Secretary Haaland:

We write to reiterate our strong support for the Willow Master Development Plan (Willow or Project) in the National Petroleum Reserve-Alaska (NPR-A). The expeditious approval of this crucial project would greatly benefit Alaska, our nation, and the world, while demonstrating the Administration's commitment to addressing inflation, high energy costs, the need for greater energy security, and environmental justice initiatives.

On July 8, 2022, the Department of the Interior (Department or DOI) published a draft supplemental environmental impact statement (SEIS) for Willow. We appreciate the Department's recognition that 45 days provided sufficient time for public comment on the SEIS. After years of study and review, both the Administration and Alaskans can feel confident that the Project will abide by the strictest environmental considerations in the world, while being constructed and operated by a company with an impressive record of safe and responsible development on the North Slope.

Willow will be a significant economic driver for Alaska, creating thousands of high-paying construction jobs, primarily with labor from union workers, and hundreds of permanent positions. ConocoPhillips has already invested more than \$500 million in the development of Willow's leases, which were acquired in 1999 during the Clinton administration, and plans to spend upwards of \$8 billion in total.

The Project will also generate as much as \$17 billion in new revenues for the federal government, the State of Alaska, the North Slope Borough, and communities in and around NPR-A. In fact, the Bureau of Land Management estimated in the draft SEIS that the Project would generate \$3.91 billion in new federal revenue, \$3.54 billion in revenue for the State of Alaska, and \$1.25 billion in revenue for the North Slope Borough.

As Julie Kitka, President of the Alaska Federation of Natives, wrote to you, Willow "could jumpstart our economy with thousands of jobs and be a model in community and environmental stewardship for years to come."¹ Similarly, the Iñupiat Community of the Arctic Slope, North Slope Borough, and Arctic Slope Regional Corporation wrote to you that:

¹ Letter from Julie Kitka, President, Alaska Federation of Natives, to the Honorable Debra Haaland, Secretary, U.S. Department of the Interior (Feb. 23, 2022).

“The current development plan for Willow incorporates local knowledge and input, and it was specifically designed to protect surface values and to protect the Iñupiat way of life, including subsistence...we are satisfied that the mitigation measures adopted by the Department will protect the land, water, and wildlife resources of the North Slope, as well as our communities’ health and wellbeing. We are united in our continuing support for the Willow project. And if this Administration is truly committed to Alaska Native self-determination and the meaningful involvement of our people in federal decisions tied to our ancestral lands, it must listen to the elected regional Alaska Native leadership who speak in unified support for Willow, not to outside interests.”²

There are many more individuals and groups that strongly support the Willow project. For example, it has drawn backing from North Slope mayors and communities, Alaska AFL-CIO, building trades, LIUNA, Alaska’s congressional delegation, and the President of the United States.

In the midst of their strong support, it has been 14 months since a federal court remanded the alternatives analysis to BLM, so it is reasonable for the agency to move forward and complete the permitting process. We believe the final SEIS should identify the preferred alternative; appropriately weight the purpose of energy production in the NPR-A; and recognize the public interest in supporting energy security and responsible resource development. The permitting process must be completed by the end of 2022 at very latest so the project’s proponent can make a final investment decision and hire Alaskans in time for the winter construction season. That decision will not be possible, and none of those jobs will be created, in the absence of a clean and timely Record of Decision (ROD).

We urge the Department to select a preferred alternative for the final SEIS that facilitates at least as much infrastructure and access to North Slope resources as Alternative E, and look forward to the Department’s swift re-approval of the Willow Master Development Plan. This is a pivotal moment for our Alaska and our country, where the timely approval of projects today can assure needed future supply and help us avoid the type of crisis affecting many of our foreign allies.

² Letter from Morrie Lemen, Executive Director, Iñupiat Community of the Arctic Slope; Harry K. Brower, Jr., Mayor, North Slope Borough; and Rex A. Rock, Sr., President and CEO, Arctic Slope Regional Corporation, to the Honorable Deb Haaland, Secretary, U.S. Department of the Interior (July 21, 2022).

The economic development and energy security benefits that Willow will provide can be realized through a ROD that is completed in time for this year's winter construction season to proceed. Alaskans are counting on you to make that happen.

Sincerely,



Lisa Murkowski
United States Senator

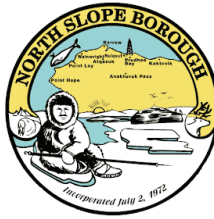


Dan Sullivan
United States Senator



Mary Sattler Peltola
Representative for All Alaska

CC: *The Honorable Tommy Beaudreau, Deputy Secretary, Department of the Interior*
The Honorable Tracy Stone-Manning, Director, Bureau of Land Management



Date: Feb. 1, 2023

Contact: Catherine Pickels (cpickels@ASRC.com)

*** For Immediate Release ***

A joint statement from the Iñupiat Community of the North Slope (ICAS), North Slope Borough, and Arctic Slope Regional Corporation (ASRC) on the Bureau of Land Management's Willow Project Final Supplemental Environmental Impact Statement (SEIS).

"The elected regional Iñupiat leadership of the North Slope encourages the Biden administration to move forward with final approval for Alaska's Willow Project, based on the Final Supplemental Environmental Impact Statement (SEIS) released today by the Bureau of Land Management. As the final SEIS signals, advancing Willow is critical for domestic energy independence, job security for Alaskans and the right of Alaska Natives to choose their own path.

"While the final SEIS is an important procedural step, we, the regional elected leadership of the North Slope, continue to call on the Biden administration to issue its final approval for Willow. Moving ahead with Willow would mean economic certainty for our communities. Any move by the Biden administration to restrict Willow beyond the threshold for economic viability, including additional deferrals, would imperil not just the project, but the future of our region.

"Despite living in the most extreme climate in the United States, the Iñupiat have thrived for more than 10,000 years, while staying true to our cultural values and traditional subsistence way of living. We know our lands and our communities better than anyone, and we know that resource development and our subsistence way of life are not mutually exclusive. Contrary to the coordinated attacks of outside activists, we are partnered with ConocoPhillips in the design of the Willow Project to protect our ancestral lands and local animal migratory routes, and we have diligently used all official channels with the Interior Department to communicate and advocate for this critical economic stimulus. The new economic activity initiated by Willow will strengthen our region's economic foundation and make possible the continuation of our Iñupiaq culture and way of life.

"We thank the bipartisan group of leaders, including Sens. Lisa Murkowski and Dan Sullivan, Rep. Mary Peltola, Gov. Mike Dunleavy, labor leaders and Alaska Native leaders, that have worked with us to advocate their strong support for Willow. We look forward to the Biden administration's support and approval for advancing Willow."

###



Iñupiat Community of the Arctic Slope (ICAS) – ICAS is the regional Alaska Native tribal government for the North Slope region, governed by the Indian Reorganization Act of 1934 and the ICAS Constitution. ICAS represents and is selected by the Iñupiat people of the region.

North Slope Borough (Borough) – The Borough is the regional municipal government for the northernmost region of Alaska and the largest municipality in the United States by size. The Borough’s jurisdiction encompasses the National Petroleum Reserve-Alaska. Approximately three-quarters of the Borough’s nearly 10,000 residents are Iñupiat.

Arctic Slope Regional Corporation (ASRC) – ASRC is one of twelve land-owning regional Alaska Native Regional Corporations established pursuant to the enactment of the Alaska Native Claims Settlement Act of 1971. ASRC is owned by and represents the business interests of its approximately 13,000 Iñupiat shareholders. ASRC owns nearly 5 million acres of Alaska Native land on Alaska’s North Slope. ASRC’s Corporate headquarters are located in Utqiagvik (Barrow), Alaska

Press Conference Transcript
March 1, 2023

Josiah Patkotak (JP) : Good afternoon, everybody. Welcome to the press availability regarding NPR-A and Willow and the decision that's set to come before us that will impact the generations to come from the villages that I represent, at least. Firstly, I'll say my name is Josiah Patkotak. I serve as a District 40 state representative in the Alaska Legislature, a non-partisan member going on my second term.

I'm also joined behind me by other members of the 33rd Legislature. We've got Senator Hoffman, Senator Olson, Senator Shower, a couple of representatives—Representative Edgmon, Representative Foster, Representative McCormick. The purpose for our visit here is to deliver the message, as far as the opinion of the State of Alaska, when it comes to production of NPR-A in general, but specifically, the Willow Development Project. We received unanimous support from both bodies of the Legislature on a resolution that spoke to the reasons that we need to see this investment in our community, and in our state. Broadly speaking, we talk about what it means to provide for our communities and live a sustainable lifestyle, both culturally and, importantly, economically.

To the economics of the Willow Project, it represents an opportunity of a lifetime for the citizens of the State of Alaska and, more directly, to citizens of the North Slope. Some of those numbers over the course of the project—30 year life of the project—represent about \$3.7 billion dollar in NPR-A grant mitigation funds. And those directly affect the communities within the National Petroleum Reserve of Alaska, along with a few of the villages above the North Slope. Those grants are used for anywhere from school playgrounds to salaries for city managers in villages that don't have an economic base, to water and sewer infrastructure, power generation, and road—building them and maintaining them. Another aspect of the Willow Development Project is the ad valorem tax that the North Slope board levies on property values in the North Slope, and that represents about \$1.3 billion dollars over the life of the project.

Why that's meaningful is because the North Slope Borough, unlike many other organized municipalities or governments across the nation, does a number of things that are unique. One of the things that they do is fund the Department of Wildlife that does baseline studies that help shore up our quotas in our hunting management of marine mammals, specifically bowhead whaling. I don't think any other municipality participates at that level to making sure that our people have the subsistence opportunities that we've long lived and want to continue to live into the future.

Another aspect that the Borough facilitates, as I mentioned earlier, is the water and wastewater treatment facilities, the ability for us to have a flush toilet in all of our communities. That's something that the Willow Project and the revenues generated from it will go toward. That's speaking on a specific level to the North Slope and its affected communities. On a more broad level, going up to the State of Alaska, we have, like many other places, we have budgetary

constraints and challenges in providing the core services that the Legislature, in hand with the governor, put forth on behalf of the residents. You can name any project or any program that affects every corner of the state, and that's funded through our state Legislature and our state budget. The reason I say that is, over the life of Willow, we expect to see in the vicinity of \$5.5 billion dollars.

I don't want to make it sound like the dollar aspect is the sole reason for Willow. I want to make sure it's highlighted to folks listening and understanding that those dollar figures directly translate into a rural Alaska lifestyle. The degree that we can continue to live in rural Alaska, where it's expensive, and to the degree in which we can continue to keep our culture alive, whether we're talking [about] the ability to gas up your boat to go fishing, the ability to gas up your boat to go whaling, the ability to gas up your boat and catch your seals and bearded seals that we love to eat, or you talk about the land aspect and the terrestrial game that we all rely on—are all affected directly by the strength of the economy of the State of Alaska. Just for perspective, the North Slope Borough, which is about half of my district, is approximately 56 and a half million acres of land. The NPR-A, which was asked to be pursued commercially in 1976 by Congress, represents just under half of that—23 million acres. The project that we're specifically talking about, Willow, represents 556 acres of the 56 and a half million acres on the North Slope. To put that into perspective of the 23 million acres of NPR-A, we're asking to have the opportunity to pursue .002 percent of NPR-A. There's a whole list of reasons why this is good for the state.

But I wanted to highlight more so the reasons why it's good for the local people and the people in rural Alaska. [For a] long time, we've boasted the most stringent oil and gas, and even mining, measures of protection toward not only the environment, [but] the ecology as a whole. One thing that I think we do relatively well is recognize that, when we talk about environmental justice and protecting the environment, that us Alaska Natives, we're a part of that environment. We always have been and we always will be. That's why it's important to underscore the opportunities for a better quality of life, staying away from the third world conditions that the generation immediately before me grew up in. Those are some of the reasons that we're asking the President, his cabinet, all of those involved in the decision-making process to keep that in mind, because if there's any a good highlight of environmental or social governance, this Willow Project represents that.

With that, I know other folks are going to speak to the job aspect available today, the production opportunity that this project presents. I wanted to formally hand-deliver the resolution that I spoke [about] to our senators. The printer ran out of ink. I only have two. Wherever the third one is, Mary, it's in the mail. This passed unanimously by the Legislature urging support of the Willow Development Project.

Senator Dan Sullivan: All Alaskans!

JP: With that, it's my honor and pleasure to introduce and give the floor to our senior senator, Lisa Murkowski.

Lisa Murkowski (LM): Representative Patkotak, thank you. Thank you for your leadership in our state. And thank you for articulating so well why Willow is a priority for Alaska. The Alaskans that you see behind me, you have a unified and united congressional delegation, a bipartisan delegation, standing before you—100 percent in support of Willow. Our governor and our state administration in support of Willow. These resolutions coming from the state House and the state Senate unanimously support the Willow Project. We have behind us some of our state's true Native leaders from the very beginning, individuals who have walked the halls of Congress as they have worked to outline legislation that has really made Alaska who we are and [made] Alaska Native leadership, governance, what it is today. We have whaling captains. We have young people. We have elders. We have unions, labor behind us, standing with us in agreement. Why are we all here in support of the Willow Development Project? What is it all about? It can be summed up in one word. It is about security. It is energy security, yes, because we are developing a resource that not only this country needs but, certainly, the world still needs it.

As we move to transition from petroleum, we know we will need it in the years going ahead. So why we are not accessing from a resource where we know our environmental track record is second to none, where we are not a country like some of these others that have human rights issues [and] environmental issues. We are basically exporting our environmental issues when we ask Venezuela to ship it into us. When we ask places in the Amazon to take down more trees so that we can have your oil when we can be producing it in this country, in our state, with the permission of those who live there. So it is absolutely energy security. But it is also economic security. As you've just heard Representative Patkotak say, what it means to them to have an economy in their region, resources that can come to them so that they can take care of themselves.

This is about empowerment for Alaska Native people. They're not asking for the hand-out. They're saying allow us to be participants in our own economy where we live and work and raise our families and have for thousands of years. So this is economic security for them, but it's economic security for the State of Alaska as well. The State of Alaska needs an economic boost to our economy. We have a pipeline that is yet half full. It is an artery. It is a lifeline waiting to be filled, not only to support Alaskans, but to support everyone in this country and our friends and allies, as well. It is about economic security in addition to energy security. And it is absolutely about national security. We just came, many of us, from a conference, a two-day symposium put on by the Alaska Federation of Natives.

We have four-stars. We have three-stars. We have retired generals. And what they're saying, what they're reaffirming is that when the United States produces [its] own resources, we are strong, we are less vulnerable. We can be there for our allies and our partners. It's about national security as well as anything. We are here today, literally days ahead of a decision by

this administration. They seem to be agonizing over whether or not they should allow for a re-approval of the Willow Project. This is a re-approval. There is nothing to agonize here. This is about security for America, security for Alaskans. Get off the dime, Administration. Approve the Willow Project. I now turn to my friend and colleague, Senator Sullivan, for his comments.

Dan Sullivan (DS): Well, this is a great group of Alaskans, and I am so honored that they're all here—some legends, incredible Alaskans. This is what this press conference is all about. The main purpose here is: Hear our voices! Hear our voices! These are Alaskans who flew 4,000, 5,000 miles to Washington, D.C., to hear our voices. Some have tried for 12 months to try to get one meeting with the Secretary of Interior. She won't meet with them. So we're going to make some noise here to hear our voices. And, as Senator Murkowski said, I am so honored that we got this joint, bipartisan resolution from the Alaska Legislature. Every elected leader in our state has signed onto this—Democrats, Republicans, Independents—many of whom are here. This is why it's so important to us. Hear our voices, national media. Hear our voices, Mr. President. Hear our voices, Secretary Haaland.

Senator Murkowski said it: This is a no-brainer on so many fronts. National security. My goodness. Read the paper. We have challenges all over the world. One of our strongest instruments of American power is American energy. And yet, this administration has gone out of their way to shut down American energy, make it harder to produce, harder to move, harder to finance. And when the resulting implication of those policies is higher energy prices on working families, they go to Saudi Arabia on bended knee to beg them for oil. They go to Venezuela and say, we're going to lift sanctions on Maduro, a terrorist, so he can produce more oil. Mr. President, don't beg Saudi Arabia, don't beg Venezuela. Get it from Alaska. Get it from Alaska.

This is a no-brainer on the environment—the highest environmental standards in the world are in Alaska. This project has the highest standards of any major energy project on the planet Earth. Read the EIS. The EIS says, if you get oil from Saudi Arabia or Venezuela and not Alaska, you're going to crank up global emissions. That's the Biden administration's EIS! It's a no brainer on the environment. And then the final issue is workers. We have some of the great American unions represented here. Every building trade in the country has made this their top priority. Why? 2,500 jobs to build it and we can start building tomorrow. Again, Mr. President, if you're for the working men and women of this country, this is a no-brainer.

Again, we are so honored by all the great support here. But the union support has been incredible. Every labor union leader in the building trades has written directly or tried to talk directly to the President of the United States, saying, Mr. President, please let us produce American oil with American workers. We need it. We're going to need it.

Final issue: This was approved by the ... Trump administration with five pads. The Biden administration came in and said, our scientists and our career people are approving it with three pads. The White House is now looking to maybe reduce it to two. We have all said, if you

do that, you're going to kill it. You're going to kill it. And that would just be an exercise of raw political power. They're not scientists. John Podesta is not a scientist. [The] career officials who did the science and data work said they can do it with three pads.

That's all we're asking for, to approve what they've already said they can do, not to use political power because radical environmental groups are telling them to kill this, when it would hurt our country's national security, jobs, energy security, environmental interests, and the great people of our great state. I'll just make one final point. I wasn't going to say it, but I couldn't help it.

The Washington Post just did a big story on this. One of my colleagues in the Senate, Martin Heinrich, has spoken out again against Willow. My point to Martin Heinrich is: Senator Heinrich, butt out. Okay? You're a hypocrite. Butt out. New Mexico has had almost over 50 percent of all the federal oil and gas leases in the country. They have increased production by 700,000 barrels a day. And now he's telling the White House to not let Alaska produce? Butt out. Take care of your own state. Quit being a hypocrite. I'm now going to call up my friend, Congresswoman Peltola, for her words. Thank you.

Mary Peltola (MP): Thank you. I'm Mary Peltola. It's a real honor to be here today supporting the Willow Project with all of these Alaskans who, like Senator Sullivan said, have traveled thousands of miles to be here. We have people, a lot of people here, who are Inupiat from the North Slope region. This is their region. This is their land. This is about their sovereignty and their autonomy to go forward with their economic development, which will help the State of Alaska. It will help residents across our state in every school, public safety, public transportation. It will help the nation. We have many supporters from across the Alaska Native community, not just Inupiaqs. I'm Yupik, we have Athabascans in this audience, we have Tlingits, we have Eyaks. Across the board, Alaska Natives are standing in support with Inupiaqs. And, no, there is not 100 percent unanimous support. Across America, there is no issue that has 100 percent unanimous support. But, clearly, there is the preponderance of the majority of Inupiaqs who are in support of this. The majority of Alaska Natives, the majority of Alaskans are in support of this.

Like Senator Sullivan said earlier, and Senator Murkowski, we have labor unions who are solidly in support of this. I'm very proud to be here. I'm very proud to be an advocate for this. And I, too, would like to appeal to the administration to recognize the NEPA process and the back-and-forth that has occurred for a number of years, and also recognize that...while many other states have enjoyed economic development and economic growth, Alaska has gone backwards by 8 percent over the last 15 years. We can't afford this. We have to make sure that our future generations have the schools that they need, have the public safety they need, have the roads that they need. Alaska can't shoulder the issues of global warming alone.

I also wanted to share that in the village of Noatak in northern Alaska right now, today, for unleaded gasoline, they're paying \$14.49 a gallon. For stove oil to heat their homes, they're

paying \$15.31 a gallon. I don't know how many of you understand [this]. My home heating bill in Bethel is \$1,000 dollars a month and I have one of the lowest bills for home heating in rural Alaska. I pay about \$7 dollars a gallon. But, to think of paying \$15.31 a gallon to heat my home, that is just an exorbitant cost. Households across Alaska cannot shoulder this burden. I really want to thank you all for being here today and hearing our plea. Next in the lineup is Joelle Hall from the Alaska AFL-CIO. Qu yana.

Joelle Hall (JH): Good afternoon, everyone. Like Mary said, my name is Joelle Hall. I'm a mother of Alaskans. I'm a veteran. I served my country during the Cold War. This all feels vaguely familiar to me. I also am the president of the Alaska AFL-CIO, representing 55 unions and about 50,000 union workers in the State of Alaska. Mary was talking about the 100 percent club. I'm here to represent the 100 percent club. 100 percent of Alaska's unions are in support of the Willow project, not just our building trades unions, [but] also our private unions and our public sector unions, because development in Alaska, revenue to Alaska, employs Alaska's workforce, but it also helps support the state workers and the public workers, who are vital to the monitoring of this work and to make sure that this work is done justly. Senator Sullivan is completely right. We have some of the best monitoring and maintenance and supervision of industry of any place in the world. Those are Alaska state employees. This job helps to pay for their wages to make sure they can continue to do the same thing. This is a virtuous cycle that allows workers in Alaska to keep their jobs.

I just want to talk a little bit about the workers in Alaska that are going to build this project. Nine million man-hours. 2,500 jobs worked by the toughest humans on the planet. They are going to go to work in the conditions that you can't even begin to fathom. Only Alaskans can do this job. Only Alaskans have done this job, and we will continue to do this job. I am beyond humbled to stand in this crowd today. If you're in Alaska and you know the people behind me—it's an amazing constellation of Alaska royalty. I'm thrilled to be here, to speak on behalf of our unions and on behalf of all of the work that we can do. We also have quite an interesting event happening here. This is management and labor. Alaska Native corporations, all manner of Alaska organizations standing together asking the same question. Put us to work. Put us to work, Mr. President.

We want to build this job. We want to build for American security. We want to build American jobs, and we want to build these consoles in the Gulf States, barge them up, and we're going to put Texans to work in the middle of all of this too. I'm not even offended by that, even though they're a littler state. It's okay. I don't mind. So, ladies and gentlemen, thank you so much for coming today on behalf of the Alaska AFL-CIO and our 55,000 members who are looking forward to putting on multiple layers of Carhartts, some bunny boots, some goggles, about four hats and many, many gloves to go to work on Willow. Thank you.

I'd like to introduce Nagruk Harcharek from Voice of the Arctic [Inupiat].

Nagruk Harcharek (NH): Thank you, Joelle, and thank you to the senators, Representative Peltola, for the leadership, as well as the Alaska delegation as you've seen voted unanimously to support the Willow Project. My name is Nagruk Harcharek. I'm the President for the Voice of the Arctic Inupiat. Our organization was set up in 2015, in part, to advocate on issues important to Alaska's Inupiat on the North Slope.

Willow is one of those issues. Our board voted unanimously, which is made up of 24 member organizations, from various organizations on the North Slope—tribes, city governments, regional organizations, like the borough, Arctic Slope Regional Corporation, village corporations. 24 of those organizations on the North Slope voted unanimously to allow me to do everything I can to push this project forward and get it to the finish line in a way that's viable for the organization, for the company, for industry partners, for the region, and for the state. Majority consensus. Again, I'm part of that 100 percent club that that was just mentioned. We're there. A lot of people on the North Slope are as well. The majority consensus is.

One other point I'd like to make with regards to it, there's a lot of information out there regarding subsistence activities and how this project is going to negatively impact those activities. We would not, as the subsistence hunters of the North Slope, we would not support a project that threatened our subsistence livelihood in that negative of a fashion. We would not be supportive of that. Our subsistence activities and the resource development are not mutually exclusive, at least not today, and they're not going to be in the future.

We utilize the jobs that projects like this are going to provide, provid[ing] income for the families on the North Slope. That income turns into equipment, snowmobiles, boats that Representative Patkotak mentioned, firearms—all of these things that we need in this more modern age to be able to participate in those subsistence activities. You can't separate the two. We need the jobs to be able to subsist and we need the subsistence to be able to continue our way of life that is unique and that we will definitely continue going forward.

With that, we understand the complexities and we know the project will make it possible for our community to continue our traditions while reinforcing the economic foundation of our region, of our state, of the nation for decades to come. Thank you.

Now, I'd like to introduce Doreen Leavitt. She's director of natural resources for the Inupiat Community of the Arctic Slope.

Doreen Leavitt (DL): Good afternoon. I'd like to thank our senators and representatives for our state who continuously advocate and fight for us every day. My name is Doreen Leavitt, and I'm with the Inupiat Community of the Arctic Slope. I'm a natural resources director and I also serve on the council as secretary. We are one of two federally-recognized regional tribes in the United States. Willow has been designed to meet the needs of our indigenous people. Willow is a well-studied, well-thought-out project. BLM followed a rigorous year-long planning

process, and ICAS served as a consulting agency. We have eight tribes, 13 members, and we voted to support onshore, safe oil and gas development, of which the Willow Project will do.

Our community showed up at every event, [submitted] public comments, hosted 25 public meetings to date, and we attended most of those. As it is difficult to imagine, we are just a generation removed from first world access to running water and sewers. Stopping Willow means reversing progress for our people. Without the project and its critical economic benefits, many of our people would be forced to leave the lands that they have inhabited for thousands of years, thereby extinguishing many of the important characteristics of our Inupiat people.

The Biden administration must listen to Alaska's indigenous voices. This administration also promised to support indigenous people. Not supporting and passing Willow would not be in support of our indigenous people. Thank you.