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Arctic National Wildlife Refuge: Status of Oil and Gas Program

The Arctic National Wildlife Refuge (ANWR, or the Refuge) comprises 19 million acres in northeast Alaska, administered primarily by the Fish and Wildlife Service (FWS) in the Department of the Interior (DOI). ANWR's Coastal Plain—a 1.57-million-acre area in the northern part of the Refuge (**Figure 1**)—is viewed as an onshore oil prospect, with a mean estimate by the U.S. Geological Survey of 7.7 billion barrels of technically recoverable oil on federal lands. (For comparison, total U.S. petroleum consumption in 2024 was about 7.4 billion barrels.) The Refuge also is a center of activity for caribou and other wildlife, with subsistence use by Alaska Natives and critical habitat for polar bears under the Endangered Species Act (ESA; 16 U.S.C. §§1531-1544).

P.L. 115-97 established a program for oil and gas leasing and development in ANWR's Coastal Plain. The law's 2017 enactment marked a turning point in decades of congressional debate over energy development in the Refuge. Prior to enactment of the law, Section 1003 of the Alaska National Interest Lands Conservation Act of 1980 (ANILCA; P.L. 96-487) had prohibited oil and gas activities in ANWR unless explicitly authorized by an act of Congress. Section 20001 of P.L. 115-97 directed the Secretary of the Interior, acting through the Bureau of Land Management (BLM), to establish and administer a competitive oil and gas program for ANWR's Coastal Plain and added this program as a stated purpose of the Refuge. The law required at least two lease sales in the Coastal

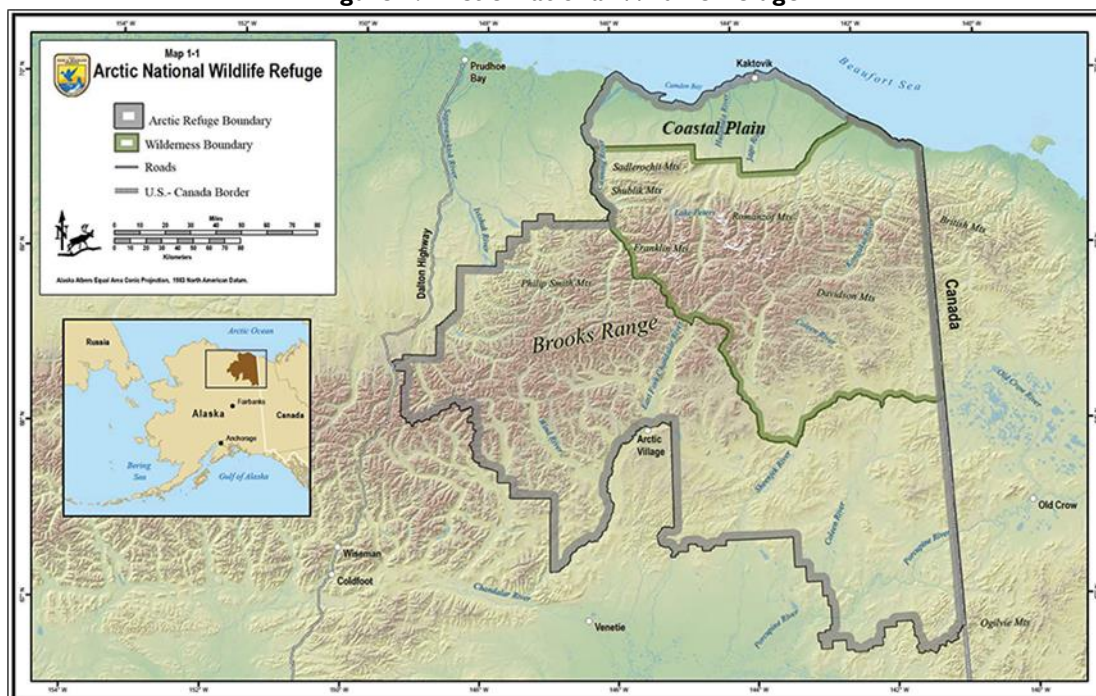
Plain, one within four years of the law's enactment (i.e., by December 2021) and a second within seven years (by December 2024). Each lease sale was required to offer at least 400,000 acres and to include those areas with the highest potential for discovery of hydrocarbons. The law also contained provisions concerning management of the oil and gas program, minimum royalty rates for ANWR leases, disposition of revenues from the program, rights-of-way, and surface development. (For more information, see CRS In Focus IF10782, *Arctic National Wildlife Refuge (ANWR) Oil and Gas Program: Provisions in P.L. 115-97, Tax Cuts and Jobs Act.*)

During BLM's implementation of the ANWR oil and gas program, Congress has continued to debate leasing in the Refuge. Successive presidential Administrations have taken varying approaches to program implementation.

January 2021 Lease Sale

On January 6, 2021, under the first Trump Administration, BLM held the first oil and gas lease sale for the ANWR Coastal Plain, offering 22 tracts on 1.1 million acres. The sale yielded a total of \$14.4 million in high bids, and BLM issued leases for nine tracts, covering 437,804 total acres. Seven of the leases went to the Alaska Industrial Development and Export Authority (AIDEA), a state-established public corporation. Two leases went to private companies, both of which later relinquished their leases.

Figure 1. Arctic National Wildlife Refuge



Source: FWS, *Arctic National Wildlife Refuge Comprehensive Conservation Plan*, April 2015. Edited by CRS.

The 2021 lease sale was informed by a 2019 environmental impact statement (EIS) and a 2020 record of decision (ROD) prepared under the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. §§4321 et seq.). The ROD directed that approximately 1.5 million acres—the entire Coastal Plain program area—be offered for leasing for the 2021 sale (although later changes resulted in 1.1 million acres ultimately offered at that sale). The ROD identified more than 60% of the program area as subject to surface occupancy and/or timing restrictions.

After taking office in 2021, President Biden issued Executive Order (E.O.) 13990, directing the Secretary of the Interior to place a “temporary moratorium” on activities in the Coastal Plain leasing program and to conduct a new analysis of the program’s potential environmental impacts. DOI suspended operations on the leases awarded at the 2021 sale while a supplemental environmental impact statement (SEIS) was prepared to reevaluate impacts of the leasing program. In September 2023, the Secretary of the Interior canceled the ANWR leases from the 2021 sale (the seven leases held by AIDEA), citing “fundamental legal deficiencies” such as failure to analyze a reasonable range of alternatives and to “properly quantify” downstream greenhouse gas emissions.

At the start of his second term in January 2025, President Trump issued E.O. 14153, rescinding the earlier lease cancellations and ordering agencies to issue authorizations needed for lease development. Separately, in March 2025, the U.S. District Court for the District of Alaska vacated the 2023 lease cancellations, on the basis that DOI did not obtain a required court order prior to the cancellations. AIDEA has stated it will seek to conduct seismic testing to identify oil and gas resources on its reinstated leases.

January 2025 Lease Sale

After completion of the SEIS required by President Biden’s E.O. 13990, DOI issued a ROD on December 9, 2024, and scheduled the second Coastal Plain lease sale for January 10, 2025. For the second lease sale, BLM required stricter environmental protections and offered less acreage than was offered at the first sale. BLM’s chosen alternative from the SEIS offered for leasing the minimum allowable acreage under P.L. 115-97 (400,000 acres), with approximately 80% of that acreage subject to restrictions on surface occupancy and/or timing limitations. AIDEA and the State of Alaska filed legal challenges to the ROD.

On January 8, 2025, DOI announced that no bids had been received for the January 2025 lease sale by the bid deadline, thus concluding the sale with no acres leased. Some observers, including AIDEA, stated that BLM’s “strict” terms for the lease sale discouraged participation. Others noted other factors that could discourage industry interest, including the area’s distance from existing infrastructure, the expense of developing in Arctic conditions, a lack of updated data on oil and gas resources, and the potential for litigation related to environmental impacts of development. For further discussion, see CRS Report RL33872, *Arctic National Wildlife Refuge (ANWR): An Overview*. President Trump’s E.O. 14153 rescinded the SEIS that had informed the 2025 sale and reinstated the earlier 2020 ROD and 2019

EIS, thus potentially facilitating the inclusion of wider acreage and fewer restrictions in future lease sales.

Alaska Native Lands in the Coastal Plain

Some lands in and adjoining the Coastal Plain are owned by Alaska Native corporations. A 1983 agreement, known as the Chandler Lake Agreement, provided that oil and gas development would not take place on these Alaska Native lands until Congress approved development of the Coastal Plain. P.L. 115-97 thus opened the possibility of oil and gas development on both the federal lands and the Alaska Native lands. After the 2021 lease sale, Alaska Native corporations applied for permits to conduct seismic testing on their lands, but BLM and FWS did not complete the approval process for the necessary permits.

Issues for Congress

Congress and stakeholders have long debated priorities for energy development and preservation of natural habitat in the Refuge. Broader questions about U.S. energy and climate policy also have shaped the debate. Supporters of oil and gas leasing assert that Coastal Plain development would increase U.S. energy security and bring economic benefits to Alaska Native communities and other Alaska residents. Opponents contend that ANWR leasing would irretrievably damage wildlife habitat and subsistence uses and express broader concerns about climate impacts of continued investment in fossil fuel extraction and use.

The status of the Coastal Plain oil and gas program may continue to be of interest to Congress. Options for Congress could include requiring additional lease sales beyond the two required in P.L. 115-97, prohibiting further leasing, or maintaining the current statutory framework that leaves future leasing decisions to the executive branch. President Trump’s E.O. 14153 directs DOI to “initiate additional leasing” for the Coastal Plain. By contrast, some 118th Congress bills (H.R. 724 and S. 282) would have repealed the ANWR leasing program and designated the Coastal Plain as wilderness under the Wilderness Act (16 U.S.C. §§1131 et seq.), meaning that commercial development would be prohibited.

Congress also could consider whether to set additional requirements for managing oil and gas development in the Refuge. P.L. 115-97 set certain conditions, such as limiting production and support facilities to 2,000 acres. Congress could consider whether to revisit additional provisions from earlier bills (e.g., H.R. 49 and S. 49 in the 115th Congress) related to seasonal closures, land reclamation, species protection, drilling technologies, employment of Alaska Natives, pipeline construction standards, and other matters. Another potential issue for Congress is federal revenue from ANWR lease sales, which to date has been lower than some earlier predictions. Some previous proposals (e.g., Section 118 of House-passed H.R. 3055 in the 116th Congress) would have directed BLM to set minimum bids sufficient to produce specified revenue amounts.

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