

Alaska Delegation Rebuffs Proposed NPR-A Rule: Legally Unsound and Counterproductive

President Biden is prioritizing electoral politics over sound policy and in doing so has threatened our nation's energy independence and energy security while putting the state of Alaska into a vulnerable position. The Bureau of Land Management's (BLM) 2023 proposed regulation for the National Petroleum Reserve Alaska (NPR-A) will drastically reshape exploration and production in the region and our state at large for the worse.

If the BLM implements this new regulation, [13 million](#) acres of the NPR-A will be restricted by fiat, eliminating the balanced approach to conservation and development in the area Congress designated a petroleum reserve. This restriction would result in loss of jobs, domestic energy sources, and public revenue — revenue that bolsters our state's schools, critical infrastructure and emergency services. There is no legal basis for the administration to adopt this rule, which caters to narrow political interests rather than the broad public interest.

The bipartisan Alaska Delegation—senators Lisa Murkowski (R-AK) and Dan Sullivan (R-AK) and representative Mary Peltola (D-AK)—[joined together](#) to discuss the troubling policy shift regarding the NPR-A.

Our state delegates begin by showing what this rulemaking really is: a political ploy to gain the favor of environmentalists in an election year. Particularly, after the administration lost their favor with the approval of the [Willow oil project](#):

“The administration has done this to appease national environmentalists regardless of federal law, their commitment to elevate Native voices, the millions of acres of sensitive areas within the petroleum reserve that are already withdrawn from development, and our nation's broader economic, environmental, and security interests.”

The delegates also admonished the administration for failing to consult with the groups who will be the most affected by this rulemaking: Alaska Natives. BLM failed to even divulge the existence of this rule to many Alaska Natives, who first heard of the rule when it was announced:

“The last few months have been especially infuriating for the Alaska Natives who live within or near the NPR-A. Many were away from their communities when this rule was announced and blindsided by it after returning from their fall subsistence hunts. . . Instead of consulting with Alaska Natives on the North Slope, BLM violated its own policies and deliberately excluded them from informing the development of this rule.”

In addition to the BLM side-stepping Alaska Native perspectives and ignoring their own policies on tribal consultation, the Alaska delegation points out that the Department of the Interior is acting with an especially egregious disregard for the law:

“From a legal perspective, the Biden administration is unilaterally reinterpreting federal statute to justify managing millions of acres of land in a manner that is directly contrary to congressional intent—yet another blow to the rule of law, and a prime candidate to fall should the Supreme Court restrict Chevron deference.”

Our state delegation ends their piece by detailing what devastating impacts the rule will have on not only Alaska and the U.S., but the entire world, should it be finalized:

“[I]t will stop the creation of good jobs for Alaskans and revenues needed to build modern infrastructure across our state, some of which will be necessary to adapt to climate change. In doing so, it will create a vacuum for future energy that is filled not by Alaska, but autocrats in countries like Russia, Iran, and Venezuela, giving them the means to stay in power as they sow corruption and terror around the world.”

Sens. Murkowski and Sullivan, and Rep. Peltola have eloquently voiced the thoughts of millions: the proposed rule for the NPR-A is bad regulation. There is no legal, scientific, or logical reasoning behind diminishing the energy providing and job enabling land within the NPR-A — only a political one. To echo our congressional members, President Biden must end this charade and direct the BLM to withdraw their rule.