

who obtains access to such data and information from the Secretary or from any person other than a permittee from participation in any lease sale which includes the areas from which the information was obtained and from any commercial use of the information, and that Secretary require that any permittee make available such data to any person at fair cost.

**§ 3143. Production of oil and gas from Arctic National Wildlife Refuge prohibited**

Production of oil and gas from the Arctic National Wildlife Refuge is prohibited and no leasing or other development leading to production of oil and gas from the range shall be undertaken until authorized by an Act of Congress.

(Pub. L. 96-487, title X, §1003, Dec. 2, 1980, 94 Stat. 2452.)

**Statutory Notes and Related Subsidiaries**

**OIL AND GAS PROGRAM**

Pub. L. 115-97, title II, §20001, Dec. 22, 2017, 131 Stat. 2235, provided that:

“(a) DEFINITIONS.—In this section:

“(1) COASTAL PLAIN.—The term ‘Coastal Plain’ means the area identified as the 1002 Area on the plates prepared by the United States Geological Survey entitled ‘ANWR Map – Plate 1’ and ‘ANWR Map – Plate 2’, dated October 24, 2017, and on file with the United States Geological Survey and the Office of the Solicitor of the Department of the Interior.

“(2) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior, acting through the Bureau of Land Management.

“(b) OIL AND GAS PROGRAM.—

“(1) IN GENERAL.—Section 1003 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3143) shall not apply to the Coastal Plain.

“(2) ESTABLISHMENT.—

“(A) IN GENERAL.—The Secretary shall establish and administer a competitive oil and gas program for the leasing, development, production, and transportation of oil and gas in and from the Coastal Plain.

“(B) PURPOSES.—[Amended section 303(2) of Pub. L. 96-487, listed in a table under section 668dd of this title.]

“(3) MANAGEMENT.—Except as otherwise provided in this section, the Secretary shall manage the oil and gas program on the Coastal Plain in a manner similar to the administration of lease sales under the Naval Petroleum Reserves Production Act of 1976 (42 U.S.C. 6501 et seq.) (including regulations).

“(4) ROYALTIES.—Notwithstanding the Mineral Leasing Act (30 U.S.C. 181 et seq.), the royalty rate for leases issued pursuant to this section shall be 16.67 percent.

“(5) RECEIPTS.—Notwithstanding the Mineral Leasing Act (30 U.S.C. 181 et seq.), of the amount of adjusted bonus, rental, and royalty receipts derived from the oil and gas program and operations on Federal land authorized under this section—

“(A) 50 percent shall be paid to the State of Alaska; and

“(B) the balance shall be deposited into the Treasury as miscellaneous receipts.

“(c) 2 LEASE SALES WITHIN 10 YEARS.—

“(1) REQUIREMENT.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall conduct not fewer than 2 lease sales area-wide under the oil and gas program under this section by not later than 10 years after the date of enactment of this Act [Dec. 22, 2017].

“(B) SALE ACREAGES; SCHEDULE.—

“(i) ACREAGES.—The Secretary shall offer for lease under the oil and gas program under this section—

“(I) not fewer than 400,000 acres area-wide in each lease sale; and

“(II) those areas that have the highest potential for the discovery of hydrocarbons.

“(ii) SCHEDULE.—The Secretary shall offer—

“(I) the initial lease sale under the oil and gas program under this section not later than 4 years after the date of enactment of this Act; and

“(II) a second lease sale under the oil and gas program under this section not later than 7 years after the date of enactment of this Act.

“(2) RIGHTS-OF-WAY.—The Secretary shall issue any rights-of-way or easements across the Coastal Plain for the exploration, development, production, or transportation necessary to carry out this section.

“(3) SURFACE DEVELOPMENT.—In administering this section, the Secretary shall authorize up to 2,000 surface acres of Federal land on the Coastal Plain to be covered by production and support facilities (including airstrips and any area covered by gravel berms or piers for support of pipelines) during the term of the leases under the oil and gas program under this section.”

**§ 3144. Wilderness portion of study**

**(a) Suitability of lands for preservation as wilderness; report to President**

As part of the study, the Secretary shall review the suitability or nonsuitability for preservation as wilderness of the Federal lands described in section 3141 of this title and report his findings to the President.

**(b) Presidential recommendations to Congress**

The President shall advise the Senate and the House of Representatives of his recommendations with respect to the designation of the area or any part thereof as wilderness together with a map thereof and a definition of its boundaries.

**(c) Preservation of wilderness character and potential**

Subject to valid existing rights and the provisions of section 3142 of this title, the wilderness study area designated by this section shall, until Congress determines otherwise, be administered by the Secretary so as to maintain presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System. Already established uses may be permitted to continue, subject to such restrictions as the Secretary deems desirable, in the manner and degree in which the same were being conducted on December 2, 1980.

(Pub. L. 96-487, title X, §1004, Dec. 2, 1980, 94 Stat. 2452.)

**§ 3145. Wildlife resources portion of study and impact of potential oil spills in Arctic Ocean**

**(a) Wildlife resources**

The Secretary shall work closely with the State of Alaska and Native Village and Regional Corporations in evaluating the impact of oil and gas exploration, development, production, and transportation and other human activities on the wildlife resources of these lands, including impacts on the Arctic and Porcupine caribou herds, polar bear, muskox, grizzly bear, wolf, wolverine, seabirds, shore birds, and migratory waterfowl. In addition the Secretary shall consult with the appropriate agencies of the Government of Canada in evaluating such impacts