

October 28, 2024

The Honorable Chuck Schumer
United States Senate
Washington, DC 20510

The Honorable Mike Johnson
U.S. House of Representatives
Washington, DC 20515

The Honorable Mitch McConnell
United States Senate
Washington, DC 20510

The Honorable Hakeem Jeffries
U.S. House of Representatives
Washington, DC 20515

Dear Leader Schumer, Leader McConnell, Speaker Johnson, and Leader Jeffries:

Despite widespread Tribal opposition to the 211-mile speculative Ambler mining road proposed for the Brooks Range of Alaska, the Senate Armed Services Committee approved an amendment from Senator Sullivan in the National Defense Authorization Act (NDAA) that would undermine Tribal sovereignty. This provision would legislatively force the approval of the private Ambler industrial road in Alaska, papering over extensively documented undue impacts from the project on Alaska Native cultural and subsistence resources.

On behalf of the undersigned Tribes and Tribal organizations, representing 90 Tribes, First Nations, and Communities, we stand united against this and future legislation that would force permitting for the Ambler Road.

In a Bureau of Land Management Record of Decision released on June 28th, 2024, the administration rejected the mining road due to impacts to Alaska Native communities and subsistence food resources, including the Arctic caribou, sheefish, and salmon of Northwest Alaska. Those findings are based on science, Traditional Knowledge, and a robust consultation process that involved the input of numerous Tribes and community members that would be directly harmed by this project.

If built, this project would cross 2,900 streams, 1,794 acres of wetlands, and 11 major rivers and impact more than 20 million acres of national parklands. The Bureau of Land Management identified numerous communities across a vast region whose subsistence resources, cultures, and traditional ways of life would be permanently harmed by the Ambler Road – from construction, pollution, heavy truck traffic, and operations that would alter wildlife migration routes, destroy habitat, and cause widespread harm to fish, caribou, and other important food resources.

The Ambler Road language in ANILCA Section 201(4) refers only to the portion of the road that crosses Gates of the Arctic National Preserve. Senator Sullivan's amendment would bypass the law in ways that were not contemplated by Congress when it passed ANILCA: Congress did not intend for Section 201(4) to override Section 810, which requires Tribal consultation and prioritizes subsistence uses and resources in permitting projects including the Ambler Road. Congress did not intend for ANILCA Section 201(4) to override Title XI, which requires a joint permitting process for

any transportation system through a conservation system unit. Congress was aware in passing ANILCA that other agencies would be involved in any permitting process to allow surface transportation across Gates of the Arctic National Preserve and other public lands. Senator Sullivan's amendment would ignore the input from numerous Alaska Native Tribes through extensive Tribal consultation and erase the direct subsistence and cultural resource impacts to over 30 Tribes across the region.

For years, numerous Alaska Native Tribes have strongly opposed this project, with 90 Tribes and First Nations passing or signing onto resolutions against the Ambler Road. 82 percent of the public testimonies submitted in 12 separate in-person hearings across Alaska were opposed to the Ambler Road, calling for the Ambler Road permits to be revoked.

Legislatively mandating the development of the Ambler Road goes against the science- and Traditional-Knowledge-based process that occurred here, erases widespread Tribal opposition, undercuts Tribal sovereignty, and circumvents bedrock laws designed to foster informed decision-making. This road would be an expensive, destructive and highly speculative project that has no national security relevance, and would permanently threaten the health and wellbeing of Tribes, communities, and wildlife in Northwest Alaska.

We urge you to oppose this amendment's inclusion in any final NDAA, and we encourage you to oppose any future legislative attempts to undercut our Tribes' concerns about this project.

Sincerely,

Alatna Tribal Council
Evansville Tribal Council
Ivisaappaat (Ambler) Traditional Council
Koyukuk Tribal Council
Norton Bay Watershed Council
Tanana Tribal Council
Tanana Chiefs Conference, representing 37 Tribes
Yukon River Inter-Tribal Watershed Council, representing 74 Tribes and First Nations