

117TH CONGRESS
2D SESSION

S. 5305

To prohibit drilling in the Arctic Ocean.

IN THE SENATE OF THE UNITED STATES

DECEMBER 20, 2022

Mr. MERKLEY (for himself, Ms. WARREN, Mr. WYDEN, Mr. BLUMENTHAL, Mr. SANDERS, Mr. MENENDEZ, and Mr. MARKEY) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To prohibit drilling in the Arctic Ocean.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stop Arctic Ocean
5 Drilling Act of 2022”.

6 **SEC. 2. FINDINGS; STATEMENT OF POLICY.**

7 (a) FINDINGS.—Congress finds that, as of the date
8 of enactment of this Act—

9 (1) global climate change is occurring due
10 largely to anthropogenic emissions of greenhouse
11 gases and will continue to pose ongoing risks and

1 challenges to the people and the Government of the
2 United States;

3 (2) the evidence of impacts and dangers of cli-
4 mate change are supported by numerous reports and
5 panels, such as—

6 (A) the 2018 National Climate Assess-
7 ment;

8 (B) the 2018 Intergovernmental Panel on
9 Climate Change special report, which details
10 significant economic and ecological damage
11 from a 1.5 degree Celsius increase in tempera-
12 ture; and

13 (C) the 2018 United States Geological
14 Survey Scientific Investigations Report, which
15 highlights that developments on Federal land
16 account for a significant quantity of greenhouse
17 gas emissions;

18 (3)(A) the average temperature in the United
19 States during the decade preceding the date of en-
20 actment of this Act was 0.8 degree Celsius (1.5 de-
21 grees Fahrenheit) warmer than the 1901–1960 aver-
22 age; and

23 (B) that decade was the warmest on record
24 both in the United States and globally;

1 (4) the Arctic is warming at twice the rate of
2 the rest of the planet;

3 (5) a global temperature increase of 2 degrees
4 Celsius will lead to increased droughts, rising seas,
5 mass extinctions, heat waves, desertification,
6 wildfires, and acidifying oceans;

7 (6) delaying action on climate change will result
8 in severe economic losses, and global mitigation costs
9 increase by approximately 40 percent for each dec-
10 ade of delay;

11 (7) at least 80 percent of the carbon from
12 known fossil fuel reserves must not be released into
13 the atmosphere to have an 80 percent chance of
14 avoiding the worst effects of climate change stem-
15 ming from a 2 degree Celsius change in global tem-
16 perature;

17 (8) developing oil and gas reserves in the Arctic
18 Ocean is incompatible with staying within that glob-
19 al carbon budget and avoiding the worst effects of
20 climate change; and

21 (9) the Arctic Ocean is home to invaluable and
22 fragile ecosystems, which are critical to—

23 (A) marine mammals, including whales,
24 walrus, ice seals, and polar bears;

25 (B) fisheries;

- 1 (C) migratory birds;
- 2 (D) indigenous populations; and
- 3 (E) subsistence hunters.

4 (b) STATEMENT OF POLICY.—It is the policy of the
5 United States that the Arctic Ocean should be managed
6 for the best interests of the people of the United States,
7 including by keeping fossil fuels in the ground to avoid
8 the dangerous impacts of climate change.

9 **SEC. 3. PROHIBITION OF OIL AND GAS LEASING IN ARCTIC**
10 **AREAS OF THE OUTER CONTINENTAL SHELF.**

11 Section 8 of the Outer Continental Shelf Lands Act
12 (43 U.S.C. 1337) is amended by adding at the end the
13 following:

14 “(q) PROHIBITION OF OIL AND GAS LEASING IN
15 ARCTIC AREAS OF THE OUTER CONTINENTAL SHELF.—

16 “(1) DEFINITION OF ARCTIC.—In this sub-
17 section, the term ‘Arctic’ has the meaning given the
18 term in section 112 of the Arctic Research and Pol-
19 icy Act of 1984 (15 U.S.C. 4111).

20 “(2) PROHIBITION.—Notwithstanding any other
21 provision of this Act or any other law, the Secretary
22 of the Interior shall not issue or extend a lease or
23 any other authorization for the exploration, develop-
24 ment, or production of oil, natural gas, or any other

- 1 mineral on Arctic areas of the outer Continental
- 2 Shelf.”.

