

# United States Senate

WASHINGTON, DC 20510

March 22, 2021

The Honorable Debra Haaland  
Secretary  
Department of the Interior  
1849 C Street, N.W.  
Washington, DC 20240

Dear Secretary Haaland,

We write to express our continued opposition to Executive Order (EO) No. 14008, and to request additional information on the Department of the Interior's (DOI) March 25, 2021 "Virtual Forum" on the Order. On February 12, 2021, DOI postponed all of the scheduled federal lease sales in the West and Gulf of Mexico pursuant to EO No. 14008. This order creates regulatory uncertainty and discourages investment in our states. It threatens critical sources of funding for our states, including funding for public education, roads and bridges, and conservation measures across much of the country.

We request a detailed explanation of the legal and procedural effect the forum and subsequent "interim report" will have on the federal decision making process. The federal oil and gas leasing process is governed by the Mineral Leasing Act (MLA), the Outer Continental Shelf Lands Act (OCSLA), National Environmental Protection Act (NEPA), and Administrative Procedures Act (APA), the Federal Advisory Committee Act (FACA), among other statutes. These laws standardize procedures and ensure everyone has a voice in the federal decision-making process. We believe that you have intentionally limited the right for the public to participate, including state-wide elected officials, namely the governors of our states. As you are aware, all information disseminated from DOI to the public is subject to the Department's Information Quality Guidelines, which requires all information to "maximize objectivity, utility, and integrity."<sup>1</sup>

Though we have not been invited to participate in the Virtual Forum, we believe it is imperative to respond to the false and misleading statements in the DOI press release. Your press release states that "Fossil fuel extraction on public lands accounts for nearly a quarter of all U.S. greenhouse gas emissions." However, an accurate reading of USGS data shows carbon dioxide emissions from oil and gas extraction itself on federal lands account for just 0.43 percent of the total emissions associated with federal lands.<sup>2</sup> During your confirmation hearing before the Senate Committee on Energy and Natural Resources, you acknowledged that a federal oil and gas leasing moratorium will not reduce global production or consumption of oil and gas. Therefore, including emissions associated with electricity generation, industrial coking, manufacturing, home heating oil, and the

---

<sup>1</sup> U.S. Department of the Interior, Information Quality Guidelines, <https://www.doi.gov/sites/doi.gov/files/InformationQualityGuidelines.pdf>

<sup>2</sup> U.S. Geological Survey, Federal Lands Greenhouse Gas Emissions and Sequestration in the United States: Estimates for 2005–14, p.7, <https://pubs.usgs.gov/sir/2018/5131/sir20185131.pdf>

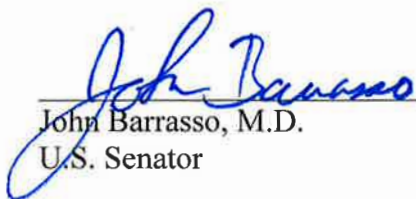
transportation sector – nearly all of which take place off of federal lands – is highly misleading. We ask that, in the interest of accuracy and objectivity, that DOI cease making disingenuous statements.


It is also important to clarify that federal oil and gas leases and subsequent permit approvals are not “stockpiled,” but are subject to the many layers of federal regulations, lease stipulations, and required best management practices, which are designed to protect the environment and other resources. Leaseholders invest in design techniques, and conduct additional studies in order to comply with these regulations. Onshore, once a lease holder submits a drilling application, they must work around any applicable timing restrictions to avoid wildlife and seasonal weather conditions. Offshore, leaseholders face unique challenges to comply with regulations for Outer Continental Shelf (OCS) deepwater activities, including hurricanes. A reliable and consistent federal leasing and permitting process would result in increased production on leased federal acreage. Currently, less than four percent of the federal onshore mineral estate is leased for onshore oil and gas production.<sup>3</sup> Less than one percent of the OCS is under lease for oil and gas production.<sup>4</sup> Leasing and production from this small percentage of total acreage accounted for over \$12 billion in revenues in Fiscal Year 2019.<sup>5</sup>

Lastly, Laura Daniels-Davis, Principal Deputy Assistant Secretary - Land and Minerals Management, states in the press release that the “federal oil and gas program is not serving the American public well.” Millions of Americans, including children in our public schools and university students, those subject to coastal erosion along the Gulf of Mexico, National Park visitors, Land and Water Conservation Fund grant recipients, and Bureau of Reclamation beneficiaries would beg to differ. Federal oil and gas not only serves the American people well, it is what drives our nation and our states forward. Federal oil and gas is highly regulated to manage for and protect our land. Investing in American energy creates jobs, lowers global emissions, and funds key programs that benefit all Americans.

With the Virtual Forum just days away, time is of the essence. We look forward to your prompt response.

Sincerely,

  
John Barrasso, M.D.  
U.S. Senator

  
Cynthia Lummis  
U.S. Senator

<sup>3</sup>Bureau of Land Management, About the Oil and Gas Leasing Program, (<https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/about>)

<sup>4</sup> U.S. Department of the Interior, Office of Congressional and Legislative Affairs, OCS Oil/Gas Development, Statement of Katharine MacGregor, July 12, 2017, (<https://www.doi.gov/ocl/ocs-oilgas-development>); U.S. Department of the Interior, Bureau of Ocean Energy Management, Combined Leasing Report, February 1, 2021, (<https://www.boem.gov/sites/default/files/documents/about-boem/1.case%20stats%202-1-21.pdf>)

<sup>5</sup> U.S. Department of the Interior, Energy Revenues and Disbursements Soar Under the Trump Administration, October 24, 2019, (<https://www.onrr.gov/pdfdocs/20191024.pdf>)

*Steve Daines*

Steve Daines  
U.S. Senator

*Bill Cassidy, M.D.*

Bill Cassidy, M.D.  
U.S. Senator

*James Risch*

James Risch  
U.S. Senator

*John Hoeven*

John Hoeven  
U.S. Senator

*John Cornyn*

John Cornyn  
U.S. Senator

*Kevin Cramer*

Kevin Cramer  
U.S. Senator