From:	Wallace, Andrew G
To:	Feldgus, Steven H; Rezaeerod, Paniz
Cc:	Sanchez, Alexandra L; Kasper, Rebecca I; Gray, Morgan
Subject:	RE: O&G report briefings/convos
Date:	Tuesday, November 30, 2021 5:06:35 PM

My bad – it is Thursday. Noon to 1pm. Hopefully won't take that long

---

From: Feldgus, Steven H <steve_feldgus@ios.doi.gov>
Sent: Tuesday, November 30, 2021 4:28 PM
To: Wallace, Andrew G <andrew_wallace@ios.doi.gov>; Rezaeerod, Paniz <paniz_rezaeerod@ios.doi.gov>
Cc: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>; Kasper, Rebecca I <rebecca_kasper@ios.doi.gov>; Gray, Morgan <Leslie_Morgan_Gray@ios.doi.gov>
Subject: RE: O&G report briefings/convos

When's the approps briefing tomorrow?

From: Wallace, Andrew G <andrew_wallace@ios.doi.gov>
Sent: Tuesday, November 30, 2021 4:00 PM
To: Rezaeerod, Paniz <paniz_rezaeerod@ios.doi.gov>; Feldgus, Steven H <steve_feldgus@ios.doi.gov>
Cc: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>; Kasper, Rebecca I <rebecca_kasper@ios.doi.gov>; Gray, Morgan <Leslie_Morgan_Gray@ios.doi.gov>
Subject: RE: O&G report briefings/convos

the HNR briefing can be 45 mins total. Let's book it for 30 and we'll run over if there's a strong push for Qs

10 mins overview at the top and 20 mins of Q&A is plenty

a pre brief is a good idea but I think 30 should suffice

Laura will have done approps tomorrow (steve you should join I think if you can to observe)

+ Morgan b/c we can track the same on senate side

From: Rezaeerod, Paniz <paniz_rezaeerod@ios.doi.gov>
Sent: Tuesday, November 30, 2021 3:56 PM
To: Feldgus, Steven H <steve_feldgus@ios.doi.gov>
Cc: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>; Wallace, Andrew G <andrew_wallace@ios.doi.gov>; Kasper, Rebecca I <rebecca_kasper@ios.doi.gov>
Subject: FW: O&G report briefings/convos

Steve – who is your EA? Can you ask them to find you a 1 hr 15 min (75 min timeblock) for next

th th

Wednesday the 8 please? And we should also do a 1 hour pre brief on Monday the 6 .

Paniz Rezaeerod
Deputy Director of Congressional Affairs - House
Department of the Interior
1849 C Street, NW
Washington, DC 20240
paniz_rezaeerod@ios.doi.gov

NOTE: Every email I send or receive is subject to release under the Freedom of Information Act.

From: Wallace, Andrew G <andrew_wallace@ios.doi.gov>
Sent: Tuesday, November 30, 2021 3:55 PM
To: Rezaeerod, Paniz <paniz_rezaeerod@ios.doi.gov>; Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>; Feldgus, Steven H <steve_feldgus@ios.doi.gov>; Kelly, Katherine P <Kate_Kelly@ios.doi.gov>; Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Cc: Taylor, Rachael S <rachael_taylor@ios.doi.gov>; Beaudreau, Tommy P <tommy_beaudreau@ios.doi.gov>; Kasper, Rebecca I <rebecca_kasper@ios.doi.gov>; Gray, Morgan <Leslie_Morgan_Gray@ios.doi.gov>
Subject: RE: O&G report briefings/convos

Yes – doesn't have to be this week but if not then early next week.

From: Rezaeerod, Paniz <paniz_rezaeerod@ios.doi.gov>
Sent: Tuesday, November 30, 2021 3:52 PM
To: Wallace, Andrew G <andrew_wallace@ios.doi.gov>; Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>; Feldgus, Steven H <steve_feldgus@ios.doi.gov>; Kelly, Katherine P <Kate_Kelly@ios.doi.gov>; Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Cc: Taylor, Rachael S <rachael_taylor@ios.doi.gov>; Beaudreau, Tommy P <tommy_beaudreau@ios.doi.gov>; Kasper, Rebecca I <rebecca_kasper@ios.doi.gov>; Gray, Morgan <Leslie_Morgan_Gray@ios.doi.gov>
Subject: RE: O&G report briefings/convos

Will do. Are we looking at doing these before Christmas?

Paniz Rezaeerod
Deputy Director of Congressional Affairs - House
Department of the Interior
1849 C Street, NW
Washington, DC 20240
paniz_rezaeerod@ios.doi.gov

NOTE: Every email I send or receive is subject to release under the Freedom of Information Act.

From: Wallace, Andrew G <andrew_wallace@ios.doi.gov>
Sent: Tuesday, November 30, 2021 3:49 PM
To: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>; Feldgus, Steven H <steve_feldgus@ios.doi.gov>; Kelly, Katherine P <Kate_Kelly@ios.doi.gov>; Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Cc: Taylor, Rachael S <rachael_taylor@ios.doi.gov>; Beaudreau, Tommy P <tommy_beaudreau@ios.doi.gov>; Kasper, Rebecca I <rebecca_kasper@ios.doi.gov>; Rezaeerod, Paniz <paniz_rezaeerod@ios.doi.gov>; Gray, Morgan <Leslie_Morgan_Gray@ios.doi.gov>
Subject: O&G report briefings/convos

Update on this front -

We told the SENR/HNR folks we'd do bipartisan briefings after the report came out. We're not getting urgent incoming on that but should go ahead and plan to do so. Let's do Steve for the HNR staff briefing and Laura for SENR. Paniz and Morgan can you work to find times that work and then take it to HNR/SENR respectively?

Majority approps interior subcoms for both House and Senate have asked for briefing – that is happening tomorrow with Laura. No request from the minority but if they make one we'll need to accommodate.

In addition, Sen. Whitehouse's staff reached out today: "We have some significant concerns and would like to discuss" so we'll need to do a staff convo there too – to avoid whack-a-mole we might want to consider do so under the auspices of the Senate climate working group where they could invite others. Steve going to look for your help on that one also.

Andrew G. Wallace
Director of the Office of Congressional and Legislative Affairs
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240
andrew_wallace@ios.doi.gov

F om
To Sanchez Alexand a ; Wallace And ew G; Kaspe Rebecca I; eldgus Steven H; G ay Mo gan
Cc Hamilton Edwa d A
Subject RE-BRIE O&G Repo t HNRC
Sta t Monday Decembe 6 2021 10 00 00 AM
End Monday Decembe 6 2021 10 30 00 AM
Location Mic osoft Teams Meet ng

M c osoft Teams meet ng

Jo n on you compute o mob e app

C ck he e o jo n he meet n [redacted] (b) (5)

O ca n (aud o on y)

[redacted] (b) (5) <te [redacted] (b) (5) Un ted Sta es Wash ngton DC

Phone Confe ence ID [redacted] (b) (5)

F nd a oca numbe [redacted] (b) (5) Reset PIN

Lea n Mo [redacted] (b) (5)

From: Rezaeerod, Paniz
To: Hamilton, Edward A
Cc: Sanchez, Alexandra L; Wallace, Andrew G; Kasper, Rebecca I; Feldgus, Steven H
Subject: RE: O&G report briefings/convos
Date: Tuesday, November 30, 2021 4:44:35 PM

Let's hold 10 to 10:30 AM for the pre brief on Monday, Dec. 6.

Let's hold 1 to 1:45pm on Wednesday, Dec. 8.

I will send a calendar invite for both shortly.

Paniz Rezaeerod
Deputy Director of Congressional Affairs - House
Department of the Interior
1849 C Street, NW
Washington, DC 20240
paniz_rezaeerod@ios.doi.gov

NOTE: Every email I send or receive is subject to release under the Freedom of Information Act.

From: Hamilton, Edward A <edward_hamilton@ios.doi.gov>
Sent: Tuesday, November 30, 2021 4:14 PM
To: Rezaeerod, Paniz <paniz_rezaeerod@ios.doi.gov>
Cc: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>; Wallace, Andrew G <andrew_wallace@ios.doi.gov>; Kasper, Rebecca I <rebecca_kasper@ios.doi.gov>; Feldgus, Steven H <steve_feldgus@ios.doi.gov>
Subject: RE: O&G report briefings/convos

Hello Paniz,

I have available:

Dec 6th:
10am – 11am or 12:00 – 1 pm

-
Dec 8th :
1 – 2:15 or 2 – 3:15

Edward A. Hamilton Jr
Executive Assistant
Assistant Secretary Land & Minerals Management

Department of Interior
202-208-5954
Telework Cell: 202-494-0861

From: Rezaeerod, Paniz <paniz_rezaeerod@ios.doi.gov>
Sent: Tuesday, November 30, 2021 3:59 PM
To: Feldgus, Steven H <steve_feldgus@ios.doi.gov>
Cc: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>; Wallace, Andrew G <andrew_wallace@ios.doi.gov>; Kasper, Rebecca I <rebecca_kasper@ios.doi.gov>; Hamilton, Edward A <edward_hamilton@ios.doi.gov>
Subject: RE: O&G report briefings/convos

No. Just some buffer time for us internally and 5 mins to go over in the spirit of generosity

Paniz Rezaeerod
Deputy Director of Congressional Affairs - House
Department of the Interior
1849 C Street, NW
Washington, DC 20240
paniz_rezaeerod@ios.doi.gov

NOTE: Every email I send or receive is subject to release under the Freedom of Information Act.

From: Feldgus, Steven H <steve_feldgus@ios.doi.gov>
Sent: Tuesday, November 30, 2021 3:58 PM
To: Rezaeerod, Paniz <paniz_rezaeerod@ios.doi.gov>
Cc: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>; Wallace, Andrew G <andrew_wallace@ios.doi.gov>; Kasper, Rebecca I <rebecca_kasper@ios.doi.gov>; Hamilton, Edward A <edward_hamilton@ios.doi.gov>
Subject: RE: O&G report briefings/convos

Edward Hamilton is my EA, so including him here for all of this. Are we really offering them a 75-min briefing?

From: Rezaeerod, Paniz <paniz_rezaeerod@ios.doi.gov>
Sent: Tuesday, November 30, 2021 3:56 PM
To: Feldgus, Steven H <steve_feldgus@ios.doi.gov>
Cc: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>; Wallace, Andrew G <andrew_wallace@ios.doi.gov>; Kasper, Rebecca I <rebecca_kasper@ios.doi.gov>
Subject: FW: O&G report briefings/convos

Steve – who is your EA? Can you ask them to find you a 1 hr 15 min (75 min timeblock) for next Wednesday the 8th please? And we should also do a 1 hour pre brief on Monday the 6th.

Paniz Rezaeerod
Deputy Director of Congressional Affairs - House
Department of the Interior
1849 C Street, NW
Washington, DC 20240
paniz_rezaeerod@ios.doi.gov

NOTE: Every email I send or receive is subject to release under the Freedom of Information Act.

From: Wallace, Andrew G <andrew_wallace@ios.doi.gov>
Sent: Tuesday, November 30, 2021 3:55 PM
To: Rezaeerod, Paniz <paniz_rezaeerod@ios.doi.gov>; Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>; Feldgus, Steven H <steve_feldgus@ios.doi.gov>; Kelly, Katherine P <Kate_Kelly@ios.doi.gov>; Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Cc: Taylor, Rachael S <rachael_taylor@ios.doi.gov>; Beaudreau, Tommy P <tommy_beaudreau@ios.doi.gov>; Kasper, Rebecca I <rebecca_kasper@ios.doi.gov>; Gray, Morgan <Leslie_Morgan_Gray@ios.doi.gov>
Subject: RE: O&G report briefings/convos

Yes – doesn't have to be this week but if not then early next week.

From: Rezaeerod, Paniz <paniz_rezaeerod@ios.doi.gov>
Sent: Tuesday, November 30, 2021 3:52 PM
To: Wallace, Andrew G <andrew_wallace@ios.doi.gov>; Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>; Feldgus, Steven H <steve_feldgus@ios.doi.gov>; Kelly, Katherine P <Kate_Kelly@ios.doi.gov>; Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Cc: Taylor, Rachael S <rachael_taylor@ios.doi.gov>; Beaudreau, Tommy P <tommy_beaudreau@ios.doi.gov>; Kasper, Rebecca I <rebecca_kasper@ios.doi.gov>; Gray, Morgan <Leslie_Morgan_Gray@ios.doi.gov>
Subject: RE: O&G report briefings/convos

Will do. Are we looking at doing these before Christmas?

Paniz Rezaeerod
Deputy Director of Congressional Affairs - House
Department of the Interior
1849 C Street, NW
Washington, DC 20240
paniz_rezaeerod@ios.doi.gov

NOTE: Every email I send or receive is subject to release under the Freedom of Information Act.

From: Wallace, Andrew G <andrew_wallace@ios.doi.gov>
Sent: Tuesday, November 30, 2021 3:49 PM

To: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>; Feldgus, Steven H <steve_feldgus@ios.doi.gov>; Kelly, Katherine P <Kate_Kelly@ios.doi.gov>; Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Cc: Taylor, Rachael S <rachael_taylor@ios.doi.gov>; Beaudreau, Tommy P <tommy_beaudreau@ios.doi.gov>; Kasper, Rebecca I <rebecca_kasper@ios.doi.gov>; Rezaeerod, Paniz <paniz_rezaeerod@ios.doi.gov>; Gray, Morgan <Leslie_Morgan_Gray@ios.doi.gov>
Subject: O&G report briefings/convos

Update on this front -

We told the SENR/HNR folks we'd do bipartisan briefings after the report came out. We're not getting urgent incoming on that but should go ahead and plan to do so. Let's do Steve for the HNR staff briefing and Laura for SENR. Paniz and Morgan can you work to find times that work and then take it to HNR/SENR respectively?

Majority approps interior subcoms for both House and Senate have asked for briefing – that is happening tomorrow with Laura. No request from the minority but if they make one we'll need to accommodate.

In addition, Sen. Whitehouse's staff reached out today: "We have some significant concerns and would like to discuss" so we'll need to do a staff convo there too – to avoid whack-a-mole we might want to consider do so under the auspices of the Senate climate working group where they could invite others. Steve going to look for your help on that one also.

Andrew G. Wallace
Director of the Office of Congressional and Legislative Affairs
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240
andrew_wallace@ios.doi.gov

From: Alspach, David D
To: Spencer, Scotti A
Cc: Sanchez, Alexandra L
Subject: Approval to share results from Energy Review Searches
Date: Monday, November 29, 2021 2:44:10 PM
Attachments: 2021-04-01_DI-4003_BOEM OSR_Batch2.pdf
2021-04-01_DI-4003_BOEM OSR_Batch1.pdf

Scotti,

Per our conversation, can you please share the PSTs from the attached 2 ARFs with Alex Sanchez in ASLM?

Thanks,

David D Alspach
Departmental Records Officer
Department of the Interior
Office of the Chief Information Officer
Office Phone: 202-219-8526
Mobile Phone: 202-304-2352

ENTERPRISE eARCHIVE SYSTEM (EES) AUDIT REQUEST

NOTICE: *The requesting employee submitting an audit request must have appropriate authorization from their supervisor prior to submitting a DI-4003. By signing this DI-4003, the requesting employee acknowledges the Rules of Behavior on page 6 of this form and understands his/her responsibilities. The requesting employee's signature is required on all DI-4003 forms. You may sign this form manually or digitally. Please review the Guide to the Discovery and Collection Process or Audit Gaps Dashboard for additional information.*

Section 1: Requesting Employee's Information	**required fields*
1. Requesting Employee's Full Name*: Allison Stork	2. Date Audit Request Needed By*: April 17, 2021
3. Requesting Employee's Organization Name*:	4. Bureau/Office*: Bureau of Ocean Energy Management/Office of Strategic Resources
5. Requesting Employee's Electronic Mail (E-mail) Address*: allison.stork@boem.gov	6. Requesting Employee's Telephone Number*: 703-787-1795
7. Requesting Employee's Signature*: ALLISON STORK Digitally signed by ALLISON STORK Date: 2021.04.01 10:31:08 -04'00'	8. Date*: 04/01/2021

Section 2: Audit Request Information **required fields*

IMPORTANT: *If you eliminate the use of variant names, limit highly complex terms/phrases, and provide full dates formatted mm/dd/yyyy, then processing your audit request will be more expedient, but there may be search gaps. You may refer to the Audit Gap Dashboard for additional information.*

9a. Type of Audit (select only one)*:
- ○ Administrative Record ○ Congressional Record ○ Litigation
- ○ Human Resources (including investigative case files)
- ○ FOIA (Non-Litigation)
- ○ Refining Audit Request Scope ◉ Other (proceed to 9b)

TYPE DESCRIPTIONS:

Administrative Record = Requests regarding administrative records. Approvals required by Office Director or Chief of Staff.

Congressional Record = Requests regarding Congressional matters. Approval required by Office of Executive Secretariat (OES).

Litigation = Requests regarding legal matters. Approval required by the litigation person listed in the Discovery and Collections Dashboard.

Human Resources or Investigative Case File = Requests relating to human resources matters or an investigation. Approval required by the human resources person listed in the Discovery and Collections Dashboard.

FOIA = Requests regarding the Freedom of Information Act. Approval required by Bureau/Office FOIA Officer.

Refining Audit Request Scope = If you have already submitted an approved DI-4003 but need to revise/change the data criteria by refining the search scope, please select this type and be sure to complete Questions 14a through 15b. If you have already submitted an approved DI-4003 and want to increase your search scope, a new DI-4003 must be completed.

Other = Requests for an audit, records, collection etc. Approval required by your respective Bureau Records Officer.

9b. If other is selected, please specify below.

Batch 2 Comments

10. Reference Name/FOIA Request Number/Litigation Case Number/Matter*:

Batch 2 Public Comments on O&G leasing program forum

11a. Date Criteria* (select only one): ◯ Sent Date Only ⦿ Received Date Only ◯ Both Sent Date and Received Date *Include start date and end date. Dates are based on sent and/or received date of e-mail. If you have multiple date ranges, you must submit a separate DI-4003 for each date range. Only one date range is allowed per DI-4003.* ***IMPORTANT:*** *Audit requests for non-e-mail material must be submitted to your records management office.*	
11b. Start Date (mm/dd/yyyy)*: 04/06/2021	11c. End Date (mm/dd/yyyy)*: 04/15/2021
12a. Repository Criteria (select only one)*: ⦿ Department-wide (proceed to Question 13) or ◯ Bureau/Office-Specific (proceed to 12b) ***NOTE:*** *Please also be aware that employees may have alternate e-mail addresses; for example, an employee on a detail assignment to a different bureau/office, plus bureaus/offices may have changed their organizational name or domains, such as Minerals Management Service is now Bureau of Ocean Energy Management and Bureau of Safety and Environmental Enforcement and this could affect an audit request.*	
12b. Bureau/Office Name(s) (Type each bureau/office in fields 12c through 12p): *(e.g., National Park Service)*	
12c.	12d.
12e.	12f.
12g.	12h.
12i.	12j.
12k.	12l.
12m.	12n.
12o.	12p.

13. Custodian E-mail Information (continue to Page 7, if you have more than five):

NOTE: *Legacy e-mails could be in different formats because of departmental domain changes; for example, John_Doe@domain.gov, jdoe@domain.gov, or john.doe@domain.gov. By selecting "Include Variant Names," your results will increase, but you must provide the e-mail box owner's variant names (i.e., LastName and FirstName).*

SPECIAL INSTRUCTIONS:

Please enter any information or notes that may be helpful in fulfilling your request; for example, I want e-mails from Jane.Doe@fws.gov to/from John_Smith@gmail.com or I want e-mails from/to the government between the other parties/e-mails listed. Government = Jane.Doe@fws.gov and Other = John_Smith@gmail.com and MaryJohnson@gmail.com.

I want all emails sent to the government email address listed below.

E-mail Address*	E-mail Information	Variant Names (if applicable)
13a. energyreview@ios.doi.gov	13a. ☑ Sender ☐ Recipient ☐ Include Variant Names	13a.
13b.	13b. ☐ Sender ☐ Recipient ☐ Include Variant Names	13b.
13c.	13c. ☐ Sender ☐ Recipient ☐ Include Variant Names	13c.
13d.	13d. ☐ Sender ☐ Recipient ☐ Include Variant Names	13d.
13e.	13e. ☐ Sender ☐ Recipient ☐ Include Variant Names	13e.

14a. Query Management (select all that apply): ☐ Refined Date Range ☐ Refined Bureau/Office ☐ Refined Custodian ☐ Refined Keywords (complete Question 14b, if needed)

NOTE: *Query Management is only applicable if you selected "Refining Audit Request Scope" for Question 9a - Type of Audit. If you did not select "Refining Audit Request Scope" you may skip Questions 14a through 15b.*

14b. Refinements against previously run audit request:

14c. Previous Audit Name:

15a. Search Criteria (select the all that apply)*: ☑ All ☑ Content ☑ Metadata (continue to Page 10, if more space is needed)

IMPORTANT: *All is default unless otherwise specified. Fields may vary based on document type. If multiple strings are needed, please make sure to specify AND or OR conditions between each keyword(s). It is not recommended to search without context of words. If your search is specialized or complex, please contact your eERDMS point of contact for details. Large collections (i.e., 10K+) will not be provided outside of EES.*

NOTE*: Boolean includes: "AND," "OR," "NOT"*
Look For includes: "All Words," "Any Words," "Exact Phrase"
Modifier includes: "Synonyms of," "Related To," "Sounds Like," "Word Begin With," "Word Ends With"

15b. Keywords:

Simple Example: Sample Case Name, State, Place, Key Phrase, Keyword

Complex Example: *(("Sample Case Name" OR "Highly Relevant Key Phrase" OR (("General Key Phrase" OR "General-Keyword") AND ("State" OR "Place" OR "Lastname"))) AND-NOT ("Key Phrase That Indicates An Email Should Clearly Be Excluded"))*

No additional refinements needed; I need ALL emails sent to this email address.

Section 3: Output Information	*required fields

16. Media Type (select only one)*: ○ Axcelerate 5 (AXC5**) (skip Question 17 and proceed to Section 5)
○ CD ROM only (maximum 650 MB per CD) ○ DVD (maximum 4 GB per DVD)
○ HDD (>50 GB) ○ Secured HDD (> 50 GB, PGP encryption NA)
○ FTP Account Name (if known):
⊙ Other (please specify): IT-approved thumb drives (64 GB each)
○ Use any of the appropriate media listed above (Default)

**Authorized users for the Advanced Early Case Assessment Tool (AXC5) are listed on the Discovery and Collections Dashboard.

IMPORTANT: *The U.S. Department of the Interior does not have external or portable hard drives for a media type. The employee is responsible for providing external or portable hard drives, if Other is selected and hard drives are specified.*

NOTE ON DATA ENCRYPTION: *In accordance with departmental policy, all content that is shipped is encrypted. Passwords will be communicated to the authorized audit employee only through e-mail or telephone. Passwords will not be left on the audit employee's voicemail.*

17. Result Type (select only one)*: ○ PST ○ HTML ○ MSG ○ EML ⊙ PDF Portfolio *(PDF Portfolio delays delivery of results)*

NOTE: *All results are encrypted unless shared within the U.S. Department of the Interior's network.*

PST = Personal Storage (Default Format). A personal folder in Microsoft Outlook. You must have Microsoft Outlook to open files.

HTML = Hyper Text Markup Language file format is used as the basis of a Web page; can be used interchangeably with HTM.

MSG =An Outlook Mail Message file extension; may be compatible with other programs using Microsoft's Messaging Applications Programming Interface (MAPI).

EML = A file extension for an e-mail message saved to a file in the MIME RFC 822 standard format by Microsoft Outlook Express.

PDF Portfolio = Multiple files assembled into an integrated PDF unit. The files can be in a wide range of file types created in different applications.

NOTICE: *Section 4 only needs to be completed if you require your audit results be shipped to you.*

Section 4: Shipping/Packaging Information		*required fields
18a. Bureau/Office or Company Name*: BOEM/OSR	18b. Recipient's Name* Allison Stork	18c. Recipient's Telephone Number*: 703-787-1795
18d. Address 1*: 45600 Woodland Rd	18e. Address 2: VAM-LD	18f. City, State, and ZIP Code*: Sterling, VA 20166

NOTE: *Default shipping method is Standard Mail, but you may provide us your FedEx or UPS account information below in order to use that delivery/shipping method. Additional recipients for same address may be listed in fields 18h through 18j (additional charges may apply).*

18g. Federal Express (FedEx) Account Number (if applicable):

18h. United Postal Service (UPS) Account Number (if applicable):

18i. Additional Recipient 1:	18i. Additional Recipient 2:	18i. Additional Recipient 3:

NOTICE: *Section 5 must have <u>all</u> representatives and signatures, which are dependent on your request type, in order to process this DI-4003 (see list below).* ***The requesting employee and approver(s) may <u>not</u> be the <u>same</u> person.*** *You may sign this form manually or digitally. Please reference the [Discovery and Collections Dashboard] for specific information on who you should obtain signatures from at the Department and bureau/office.*

If you selected…

- *Administrative Record, then the Office Director or Chief of Staff signature is required*
- *Congressional Record, then the Office of Executive Secretariat (OES) signature is required.*
- *Litigation, then the Legal Approver signature is required*
- *Human Resources (including investigative case files), then the Human Resources Approver signature is required*
- *FOIA Non-Litigation, then the Bureau/Office FOIA Officer signature is required.*
- *Refining Audit Request Scope, then no additional signatures are required because this is a revise/change the data criteria to refine the search scope on an <u>already approved</u> DI-4003.*
- *Other, then the Records Officer signature is required*

Section 5: Approvals		**required fields*
Office Director's or Chief of Staff's Full Name:	Office Director's or Chief of Staff's Signature (if applicable):	Date:
Office of Executive Secretariat Representative's Full Name:	Office of Executive Secretariat Representative's Signature (if applicable):	Date:
Legal Approver's Full Name:	Legal Approver's Signature (if applicable):	Date:
Human Resources Approver's Full Name:	Human Resources Approver's Signature (if applicable):	Date:
Bureau/Office FOIA Officer's Full Name:	Bureau/Office FOIA Officer's Signature (if applicable):	Date:
Bureau Records Officer's Full Name: Steven Welch	Bureau Records Officer's Signature (if applicable): STEVEN WELCH Digitally signed by STEVEN WELCH Date: 2021.04.01 11:14:58 -04'00'	Date: 4/1/2021

INSTRUCTIONS ON SUBMITTING DI-4003 FOR PROCESSING AND WHAT TO EXPECT NEXT

1. After you have completed the DI-4003 form, please review it one final time prior to submission to ensure accuracy because an incomplete form will cause delays in processing your audit request.
2. Submit completed DI-4003 form to eerdms_ediscovery@ios.doi.gov
3. All DI-4003's MUST be pre-approved by the appropriate office. The Discovery and Collection Team will not accept or process unapproved DI-4003's and cannot obtain approvals for you. <u>The employee has the sole responsibility of obtaining ALL approvals and submitting them with the DI-4003</u>. No exceptions.
4. Once a DI-4003 is submitted, it cannot be altered by the eERDMS Discovery and Collections Team; however, you may revise a DI-4003 by submitting a new DI-4003 with Questions 14a through 15b completed.
5. Please plan accordingly because most DI-4003's cannot be quickly processed. Audit requests take time to run, process, and compile for delivery. **As a direct result of the volume of audit requests received, a <u>minimum</u> of five (5) business days turnaround can be expected once the collection has <u>started</u>, not when the DI-4003 is <u>received</u>**.
6. Audit requests will only be delivered to the requesting employee in Section 1. The recipient must be a U.S. Department of the Interior employee or approved Federal agency contact.
7. Please visit the eERDMS Discovery and Collections Dashboard to track the status of your audit request(s)

RULES OF BEHAVIOR FOR THE EMAIL ENTERPRISE RECORDS AND DOCUMENT MANAGEMENT SYSTEM (EERDMS)

As a U.S. Department of the Interior (DOI) computer network user, you must understand and agree to these rules of behavior prior to being granted access to the eMail Enterprise Records and Document Management System (eERDMS). The eERDMS provides you access to departmental information that may be subject to, including but not limited to: the Privacy Act, the Federal Records Act, and court ordered litigation holds. Access to eERDMS may include managing, uploading, downloading, transferring, collecting, searching, distributing, creating content, and/or printing.

You are accountable for your actions and are responsible for the ensuring the security of the eERDMS and the information it contains. Upon being granted access to eERDMS information, you shall be held responsible for any damages caused to the U.S. Department of the Interior and eERDMS information either through your negligence or willful act. Failure to follow these rules may result in legal and/or disciplinary action up to and including termination of employment. These rules of behavior apply to all eERDMS users. Your actions are tracked in the eERDMS auditing system.

The required annual Federal Information Systems Security Awareness + Privacy and Records Management (FISSA+ Privacy and RM) training provides additional background to fully understand these rules, as well as your responsibilities.

As a DOI eERDMS system user, I will:

1. Successfully complete the initial and annual FISSA+ Privacy and RM training before accessing the eERDMS.
2. Handle and maintain all information and system outputs in accordance with the provisions of the Privacy Act, the Federal Records Act, plus all other applicable laws and regulations; in addition, all Federal and departmental policies for safeguarding Personally Identifiable Information, information classifications, and records management requirements.
3. Refrain from viewing or collecting any information beyond the scope of my authorization or need to know.
4. Ensure the security of eERDMS information.
5. Not share passwords and/or my DOI Access card Personal Identification Number for eERDMS.
6. Not use eERDMS information for any activities that are illegal, inappropriate, and/or beyond the approved scope/reason for which I obtained the information.
7. Not attempt to connect other DOI personnel to the eERDMS system without appropriate authorization.
8. Not post, export, transfer, duplicate, or share eERDMS information without prior appropriate authorization.
9. Not attempt to alter and/or disable the eERDMS, configurations, and security settings without prior appropriate authorization.
10. Not attempt to delete or alter any information not contained within your individual workspace.

Immediately report suspect computer security incidents, privacy incidents, loss or destruction of Federal records, equipment, keys and/or DOI Access card by following my Department, Bureau, and/or Office incident response procedures.

Custodian E-mail Information (send a Microsoft Excel/Word file, if more custodian e-mails are needed than space permits).

E-mail Address*	E-mail Information	Variant Names (if applicable)
13f.	13f. ☐Sender ☐Recipient ☐Include Variant Names	13f.
13g.	13g. ☐ Sender ☐Recipient ☐Include Variant Names	13g.
13h.	13h. ☐Sender ☐Recipient ☐Include Variant Names	13h.
13i.	13i. ☐Sender ☐Recipient ☐Include Variant Names	13i.
13j.	13j. ☐Sender ☐Recipient ☐Include Variant Names	13j.
13k.	13k. ☐Sender ☐Recipient ☐Include Variant Names	13k.
13l.	13l. ☐Sender ☐Recipient ☐Include Variant Names	13l.
13m.	13m. ☐ Sender ☐Recipient ☐Include Variant Names	13m.
13n.	13n. ☐ Sender ☐Recipient ☐Include Variant Names	13n.
13o.	13o. ☐ Sender ☐Recipient ☐Include Variant Names	13o.
13p.	13p. ☐ Sender ☐Recipient ☐Include Variant Names	13p.
13q.	13q. ☐ Sender ☐Recipient ☐Include Variant Names	13q.
13r.	13r. ☐Sender ☐Recipient ☐Include Variant Names	13r.
13s.	13s. ☐ Sender ☐Recipient ☐Include Variant Names	13s.
13t.	13t. ☐Sender ☐Recipient ☐Include Variant Names	13t.
13u.	13u. ☐Sender ☐Recipient ☐Include Variant Names	13u.
13v.	13v. ☐Sender ☐Recipient ☐Include Variant Names	13v.
13w.	13w. ☐ Sender ☐Recipient ☐Include Variant Names	13w.

E-mail Address*	E-mail Information	Variant Names (if applicable)
13x.	13x. ☐ Sender ☐ Recipient ☐ Include Variant Names	13x.
13y.	13y. ☐ Sender ☐ Recipient ☐ Include Variant Names	13y.
13z.	13z. ☐ Sender ☐ Recipient ☐ Include Variant Names	13z.
13aa.	13aa. ☐ Sender ☐ Recipient ☐ Include Variant Names	13aa.
13bb.	13bb. ☐ Sender ☐ Recipient ☐ Include Variant Names	13bb.
13cc.	13cc. ☐ Sender ☐ Recipient ☐ Include Variant Names	13cc.
13dd.	13dd. ☐ Sender ☐ Recipient ☐ Include Variant Names	13dd.
13ee.	13ee. ☐ Sender ☐ Recipient ☐ Include Variant Names	13ee.
13ff.	13ff. ☐ Sender ☐ Recipient ☐ Include Variant Names	13ff.
13gg.	13gg. ☐ Sender ☐ Recipient ☐ Include Variant Names	13gg.
13hh.	13hh. ☐ Sender ☐ Recipient ☐ Include Variant Names	13hh.
13ii.	13ii. ☐ Sender ☐ Recipient ☐ Include Variant Names	13ii.
13jj.	13jj. ☐ Sender ☐ Recipient ☐ Include Variant Names	13jj.
13kk.	13kk. ☐ Sender ☐ Recipient ☐ Include Variant Names	13kk.
13ll.	13ll. ☐ Sender ☐ Recipient ☐ Include Variant Names	13ll.
13mm.	13mm. ☐ Sender ☐ Recipient ☐ Include Variant Names	13mm.
13nn.	13nn. ☐ Sender ☐ Recipient ☐ Include Variant Names	13nn.
13oo.	13oo. ☐ Sender ☐ Recipient ☐ Include Variant Names	13oo.

E-mail Address*	E-mail Information	Variant Names (if applicable)
13pp.	13pp. ☐Sender ☐Recipient ☐Include Variant Names	13pp.
13qq.	13qq. ☐Sender ☐Recipient ☐Include Variant Names	13qq.
13rr.	13rr. ☐Sender ☐Recipient ☐Include Variant Names	13rr.
13ss.	13ss. ☐Sender ☐Recipient ☐Include Variant Names	13ss.
13tt.	13tt. ☐Sender ☐Recipient ☐Include Variant Names	13tt.
13uu.	13uu. ☐Sender ☐Recipient ☐Include Variant Names	13uu.
13vv.	13vv. ☐Sender ☐Recipient ☐Include Variant Names	13vv.
13ww.	13ww. ☐Sender ☐Recipient ☐Include Variant Names	13ww.
13xx.	13xx. ☐Sender ☐Recipient ☐Include Variant Names	13xx.
13yy.	13yy. ☐Sender ☐Recipient ☐Include Variant Names	13yy.
13zz.	13zz. ☐Sender ☐Recipient ☐Include Variant Names	13zz.
13az.	13az. ☐Sender ☐Recipient ☐Include Variant Names	13az.
13ay.	13ay. ☐Sender ☐Recipient ☐Include Variant Names	13ay.
13ax.	13ax. ☐Sender ☐Recipient ☐Include Variant Names	13ax.
13aw.	13aw. ☐Sender ☐Recipient ☐Include Variant Names	13aw.
13av.	13av. ☐Sender ☐Recipient ☐Include Variant Names	13av.
13au.	13au. ☐Sender ☐Recipient ☐Include Variant Names	13au.
13at.	13at. ☐Sender ☐Recipient ☐Include Variant Names	13at.

Additional Search Criteria – Keywords

Additional Search Criteria – Keywords (continued)

DI-4003 (08/2019)
U.S. Department of the Interior

ENTERPRISE eARCHIVE SYSTEM (EES) AUDIT REQUEST

NOTICE: *The requesting employee submitting an audit request must have appropriate authorization from their supervisor prior to submitting a DI-4003. By signing this DI-4003, the requesting employee acknowledges the Rules of Behavior on page 6 of this form and understands his/her responsibilities. The requesting employee's signature is required on all DI-4003 forms. You may sign this form manually or digitally. Please review the Guide to the Discovery and Collection Process or Audit Gaps Dashboard for additional information.*

Section 1: Requesting Employee's Information **required fields*

1. Requesting Employee's Full Name*: Allison Stork	2. Date Audit Request Needed By*: April 7, 2021
3. Requesting Employee's Organization Name*:	4. Bureau/Office*: Bureau of Ocean Energy Management/Office of Strategic Resources
5. Requesting Employee's Electronic Mail (E-mail) Address*: allison.stork@boem.gov	6. Requesting Employee's Telephone Number*: 703-787-1795
7. Requesting Employee's Signature*: ALLISON STORK Digitally signed by ALLISON STORK Date: 2021.04.01 10:31:08 -04'00'	8. Date*: 04/01/2021

Section 2: Audit Request Information **required fields*

IMPORTANT: *If you eliminate the use of variant names, limit highly complex terms/phrases, and provide full dates formatted mm/dd/yyyy, then processing your audit request will be more expedient, but there may be search gaps. You may refer to the Audit Gap Dashboard for additional information.*

9a. Type of Audit (select only one)*: ○ Administrative Record ○ Congressional Record ○ Litigation
○ Human Resources (including investigative case files)
○ FOIA (Non-Litigation)
○ Refining Audit Request Scope ⦿ Other (proceed to 9b)

TYPE DESCRIPTIONS:

Administrative Record = Requests regarding administrative records. Approvals required by Office Director or Chief of Staff.

Congressional Record = Requests regarding Congressional matters. Approval required by Office of Executive Secretariat (OES).

Litigation = Requests regarding legal matters. Approval required by the litigation person listed in the Discovery and Collections Dashboard.

Human Resources or Investigative Case File = Requests relating to human resources matters or an investigation. Approval required by the human resources person listed in the Discovery and Collections Dashboard.

FOIA = Requests regarding the Freedom of Information Act. Approval required by Bureau/Office FOIA Officer.

Refining Audit Request Scope = If you have already submitted an approved DI-4003 but need to revise/change the data criteria by refining the search scope, please select this type and be sure to complete Questions 14a through 15b. If you have already submitted an approved DI-4003 and want to increase your search scope, a new DI-4003 must be completed.

Other = Requests for an audit, records, collection etc. Approval required by your respective Bureau Records Officer.

9b. If other is selected, please specify below.

Batch 1 Comments

10. Reference Name/FOIA Request Number/Litigation Case Number/Matter*:

Batch 1 Public Comments on O&G leasing program forum

11a. Date Criteria* (select only one): ◯ Sent Date Only ⦿ Received Date Only ◯ Both Sent Date and Received Date

Include start date and end date. Dates are based on sent and/or received date of e-mail. If you have multiple date ranges, you must submit a separate DI-4003 for each date range. Only one date range is allowed per DI-4003.

IMPORTANT: *Audit requests for non-e-mail material must be submitted to your records management office.*

11b. Start Date (mm/dd/yyyy)*: 03/25/2021	11c. End Date (mm/dd/yyyy)*: 04/05/2021

12a. Repository Criteria (select only one)*: ⦿ Department-wide (proceed to Question 13) or
◯ Bureau/Office-Specific (proceed to 12b)

NOTE: *Please also be aware that employees may have alternate e-mail addresses; for example, an employee on a detail assignment to a different bureau/office, plus bureaus/offices may have changed their organizational name or domains, such as Minerals Management Service is now Bureau of Ocean Energy Management and Bureau of Safety and Environmental Enforcement and this could affect an audit request.*

12b. Bureau/Office Name(s) (Type each bureau/office in fields 12c through 12p):
(e.g., National Park Service)

12c.	12d.
12e.	12f.
12g.	12h.
12i.	12j.
12k.	12l.
12m.	12n.
12o.	12p.

13. Custodian E-mail Information (continue to Page 7, if you have more than five):

NOTE: *Legacy e-mails could be in different formats because of departmental domain changes; for example, John_Doe@domain.gov, jdoe@domain.gov, or john.doe@domain.gov. By selecting "Include Variant Names," your results will increase, but you must provide the e-mail box owner's variant names (i.e., LastName and FirstName).*

SPECIAL INSTRUCTIONS:

Please enter any information or notes that may be helpful in fulfilling your request; for example, I want e-mails from Jane.Doe@fws.gov to/from John_Smith@gmail.com or I want e-mails from/to the government between the other parties/e-mails listed. Government = Jane.Doe@fws.gov and Other = John_Smith@gmail.com and MaryJohnson@gmail.com.

I want all emails sent to the government email address listed below.

E-mail Address*	E-mail Information	Variant Names (if applicable)
13a. energyreview@ios.doi.gov	13a. ☑ Sender ☐ Recipient ☐ Include Variant Names	13a.
13b.	13b. ☐ Sender ☐ Recipient ☐ Include Variant Names	13b.
13c.	13c. ☐ Sender ☐ Recipient ☐ Include Variant Names	13c.
13d.	13d. ☐ Sender ☐ Recipient ☐ Include Variant Names	13d.
13e.	13e. ☐ Sender ☐ Recipient ☐ Include Variant Names	13e.

14a. Query Management (select all that apply): ☐ Refined Date Range ☐ Refined Bureau/Office ☐ Refined Custodian ☐ Refined Keywords (complete Question 14b, if needed)

NOTE: *Query Management is only applicable if you selected "Refining Audit Request Scope" for Question 9a - Type of Audit. If you did not select "Refining Audit Request Scope" you may skip Questions 14a through 15b.*

14b. Refinements against previously run audit request:

14c. Previous Audit Name:

15a. Search Criteria (select the all that apply)*: ☑ All ☑ Content ☑ Metadata (continue to Page 10, if more space is needed)

IMPORTANT: *All is default unless otherwise specified. Fields may vary based on document type. If multiple strings are needed, please make sure to specify AND or OR conditions between each keyword(s). It is not recommended to search without context of words. If your search is specialized or complex, please contact your eERDMS point of contact for details. Large collections (i.e., 10K+) will not be provided outside of EES.*

NOTE*: Boolean includes: "AND," "OR," "NOT"*
Look For includes: "All Words," "Any Words," "Exact Phrase"
Modifier includes: "Synonyms of," "Related To," "Sounds Like," "Word Begin With," "Word Ends With"

15b. Keywords:

Simple Example: Sample Case Name, State, Place, Key Phrase, Keyword

Complex Example: *(("Sample Case Name" OR "Highly Relevant Key Phrase" OR (("General Key Phrase" OR "General-Keyword") AND ("State" OR "Place" OR "Lastname"))) AND-NOT ("Key Phrase That Indicates An Email Should Clearly Be Excluded"))*

No additional refinements needed; I need ALL emails sent to this email address.

Section 3: Output Information	**required fields*

16. Media Type (select only one)*: ○ Axcelerate 5 (AXC5**) (skip Question 17 and proceed to Section 5)
○ CD ROM only (maximum 650 MB per CD) ○ DVD (maximum 4 GB per DVD)
○ HDD (>50 GB) ○ Secured HDD (> 50 GB, PGP encryption NA)
○ FTP Account Name (if known):
⊙ Other (please specify): IT-approved thumb drives (64 GB each)
○ Use any of the appropriate media listed above (Default)

**Authorized users for the Advanced Early Case Assessment Tool (AXC5) are listed on the Discovery and Collections Dashboard.

IMPORTANT: *The U.S. Department of the Interior does not have external or portable hard drives for a media type. The employee is responsible for providing external or portable hard drives, if Other is selected and hard drives are specified.*

NOTE ON DATA ENCRYPTION: *In accordance with departmental policy, all content that is shipped is encrypted. Passwords will be communicated to the authorized audit employee only through e-mail or telephone. Passwords will not be left on the audit employee's voicemail.*

17. Result Type (select only one)*: ○ PST ○ HTML ○ MSG ○ EML ⊙ PDF Portfolio (*PDF Portfolio delays delivery of results*)

NOTE: *All results are encrypted unless shared within the U.S. Department of the Interior's network.*

PST = Personal Storage (Default Format). A personal folder in Microsoft Outlook. You must have Microsoft Outlook to open files.

HTML = Hyper Text Markup Language file format is used as the basis of a Web page; can be used interchangeably with HTM.

MSG =An Outlook Mail Message file extension; may be compatible with other programs using Microsoft's Messaging Applications Programming Interface (MAPI).

EML = A file extension for an e-mail message saved to a file in the MIME RFC 822 standard format by Microsoft Outlook Express.

PDF Portfolio = Multiple files assembled into an integrated PDF unit. The files can be in a wide range of file types created in different applications.

NOTICE: *Section 4 only needs to be completed if you require your audit results be shipped to you.*

Section 4: Shipping/Packaging Information		**required fields*
18a. Bureau/Office or Company Name*: BOEM/OSR	18b. Recipient's Name* Allison Stork	18c. Recipient's Telephone Number*: 703-787-1795
18d. Address 1*: 45600 Woodland Rd	18e. Address 2: VAM-LD	18f. City, State, and ZIP Code*: Sterling, VA 20166

NOTE: *Default shipping method is Standard Mail, but you may provide us your FedEx or UPS account information below in order to use that delivery/shipping method. Additional recipients for same address may be listed in fields 18h through 18j (additional charges may apply).*

18g. Federal Express (FedEx) Account Number (if applicable):

18h. United Postal Service (UPS) Account Number (if applicable):

18i. Additional Recipient 1:	18i. Additional Recipient 2:	18i. Additional Recipient 3:

NOTICE: *Section 5 must have* *__all__* *representatives and signatures, which are dependent on your request type, in order to process this DI-4003 (see list below).* ***The requesting employee and approver(s) may __not__ be the __same__ person.*** *You may sign this form manually or digitally. Please reference the [Discovery and Collections Dashboard] for specific information on who you should obtain signatures from at the Department and bureau/office.*

If you selected…

- *Administrative Record, then the Office Director or Chief of Staff signature is required*
- *Congressional Record, then the Office of Executive Secretariat (OES) signature is required.*
- *Litigation, then the Legal Approver signature is required*
- *Human Resources (including investigative case files), then the Human Resources Approver signature is required*
- *FOIA Non-Litigation, then the Bureau/Office FOIA Officer signature is required.*
- *Refining Audit Request Scope, then no additional signatures are required because this is a revise/change the data criteria to refine the search scope on an* *__already approved__* *DI-4003.*
- *Other, then the Records Officer signature is required*

Section 5: Approvals		**required fields*
Office Director's or Chief of Staff's Full Name:	Office Director's or Chief of Staff's Signature (if applicable):	Date:
Office of Executive Secretariat Representative's Full Name:	Office of Executive Secretariat Representative's Signature (if applicable):	Date:
Legal Approver's Full Name:	Legal Approver's Signature (if applicable):	Date:
Human Resources Approver's Full Name:	Human Resources Approver's Signature (if applicable):	Date:
Bureau/Office FOIA Officer's Full Name:	Bureau/Office FOIA Officer's Signature (if applicable):	Date:
Bureau Records Officer's Full Name: Steven Welch	Bureau Records Officer's Signature (if applicable): STEVEN WELCH Digitally signed by STEVEN WELCH Date: 2021.04.01 11:12:05 -04'00'	Date: 4/1/2021

INSTRUCTIONS ON SUBMITTING DI-4003 FOR PROCESSING AND WHAT TO EXPECT NEXT

1. After you have completed the DI-4003 form, please review it one final time prior to submission to ensure accuracy because an incomplete form will cause delays in processing your audit request.
2. Submit completed DI-4003 form to eerdms_ediscovery@ios.doi.gov
3. All DI-4003's MUST be pre-approved by the appropriate office. The Discovery and Collection Team will not accept or process unapproved DI-4003's and cannot obtain approvals for you. <u>The employee has the sole responsibility of obtaining ALL approvals and submitting them with the DI-4003</u>. No exceptions.
4. Once a DI-4003 is submitted, it cannot be altered by the eERDMS Discovery and Collections Team; however, you may revise a DI-4003 by submitting a new DI-4003 with Questions 14a through 15b completed.
5. Please plan accordingly because most DI-4003's cannot be quickly processed. Audit requests take time to run, process, and compile for delivery. **As a direct result of the volume of audit requests received, a <u>minimum</u> of five (5) business days turnaround can be expected once the collection has <u>started</u>, not when the DI-4003 is <u>received</u>**.
6. Audit requests will only be delivered to the requesting employee in Section 1. The recipient must be a U.S. Department of the Interior employee or approved Federal agency contact.
7. Please visit the eERDMS Discovery and Collections Dashboard to track the status of your audit request(s)

RULES OF BEHAVIOR FOR THE EMAIL ENTERPRISE RECORDS AND DOCUMENT MANAGEMENT SYSTEM (EERDMS)

As a U.S. Department of the Interior (DOI) computer network user, you must understand and agree to these rules of behavior prior to being granted access to the eMail Enterprise Records and Document Management System (eERDMS). The eERDMS provides you access to departmental information that may be subject to, including but not limited to: the Privacy Act, the Federal Records Act, and court ordered litigation holds. Access to eERDMS may include managing, uploading, downloading, transferring, collecting, searching, distributing, creating content, and/or printing.

You are accountable for your actions and are responsible for the ensuring the security of the eERDMS and the information it contains. Upon being granted access to eERDMS information, you shall be held responsible for any damages caused to the U.S. Department of the Interior and eERDMS information either through your negligence or willful act. Failure to follow these rules may result in legal and/or disciplinary action up to and including termination of employment. These rules of behavior apply to all eERDMS users. Your actions are tracked in the eERDMS auditing system.

The required annual Federal Information Systems Security Awareness + Privacy and Records Management (FISSA+ Privacy and RM) training provides additional background to fully understand these rules, as well as your responsibilities.

As a DOI eERDMS system user, I will:

1. Successfully complete the initial and annual FISSA+ Privacy and RM training before accessing the eERDMS.
2. Handle and maintain all information and system outputs in accordance with the provisions of the Privacy Act, the Federal Records Act, plus all other applicable laws and regulations; in addition, all Federal and departmental policies for safeguarding Personally Identifiable Information, information classifications, and records management requirements.
3. Refrain from viewing or collecting any information beyond the scope of my authorization or need to know.
4. Ensure the security of eERDMS information.
5. Not share passwords and/or my DOI Access card Personal Identification Number for eERDMS.
6. Not use eERDMS information for any activities that are illegal, inappropriate, and/or beyond the approved scope/reason for which I obtained the information.
7. Not attempt to connect other DOI personnel to the eERDMS system without appropriate authorization.
8. Not post, export, transfer, duplicate, or share eERDMS information without prior appropriate authorization.
9. Not attempt to alter and/or disable the eERDMS, configurations, and security settings without prior appropriate authorization.
10. Not attempt to delete or alter any information not contained within your individual workspace.

Immediately report suspect computer security incidents, privacy incidents, loss or destruction of Federal records, equipment, keys and/or DOI Access card by following my Department, Bureau, and/or Office incident response procedures.

Custodian E-mail Information (send a Microsoft Excel/Word file, if more custodian e-mails are needed than space permits).

E-mail Address*	E-mail Information	Variant Names (if applicable)
13f.	13f. ☐Sender ☐Recipient ☐Include Variant Names	13f.
13g.	13g. ☐ Sender ☐Recipient ☐Include Variant Names	13g.
13h.	13h. ☐Sender ☐ Recipient ☐Include Variant Names	13h.
13i.	13i. ☐Sender ☐Recipient ☐Include Variant Names	13i.
13j.	13j. ☐Sender ☐Recipient ☐Include Variant Names	13j.
13k.	13k. ☐Sender ☐Recipient ☐Include Variant Names	13k.
13l.	13l. ☐Sender ☐Recipient ☐Include Variant Names	13l.
13m.	13m. ☐ Sender ☐Recipient ☐Include Variant Names	13m.
13n.	13n. ☐ Sender ☐Recipient ☐Include Variant Names	13n.
13o.	13o. ☐ Sender ☐Recipient ☐Include Variant Names	13o.
13p.	13p. ☐ Sender ☐Recipient ☐Include Variant Names	13p.
13q.	13q. ☐ Sender ☐Recipient ☐Include Variant Names	13q.
13r.	13r. ☐Sender ☐Recipient ☐Include Variant Names	13r.
13s.	13s. ☐ Sender ☐Recipient ☐Include Variant Names	13s.
13t.	13t. ☐Sender ☐Recipient ☐Include Variant Names	13t.
13u.	13u. ☐Sender ☐Recipient ☐Include Variant Names	13u.
13v.	13v. ☐Sender ☐Recipient ☐Include Variant Names	13v.
13w.	13w. ☐ Sender ☐Recipient ☐Include Variant Names	13w.

E-mail Address*	E-mail Information	Variant Names (if applicable)
13x.	13x. ☐ Sender ☐ Recipient ☐ Include Variant Names	13x.
13y.	13y. ☐ Sender ☐ Recipient ☐ Include Variant Names	13y.
13z.	13z. ☐ Sender ☐ Recipient ☐ Include Variant Names	13z.
13aa.	13aa. ☐ Sender ☐ Recipient ☐ Include Variant Names	13aa.
13bb.	13bb. ☐ Sender ☐ Recipient ☐ Include Variant Names	13bb.
13cc.	13cc. ☐ Sender ☐ Recipient ☐ Include Variant Names	13cc.
13dd.	13dd. ☐ Sender ☐ Recipient ☐ Include Variant Names	13dd.
13ee.	13ee. ☐ Sender ☐ Recipient ☐ Include Variant Names	13ee.
13ff.	13ff. ☐ Sender ☐ Recipient ☐ Include Variant Names	13ff.
13gg.	13gg. ☐ Sender ☐ Recipient ☐ Include Variant Names	13gg.
13hh.	13hh. ☐ Sender ☐ Recipient ☐ Include Variant Names	13hh.
13ii.	13ii. ☐ Sender ☐ Recipient ☐ Include Variant Names	13ii.
13jj.	13jj. ☐ Sender ☐ Recipient ☐ Include Variant Names	13jj.
13kk.	13kk. ☐ Sender ☐ Recipient ☐ Include Variant Names	13kk.
13ll.	13ll. ☐ Sender ☐ Recipient ☐ Include Variant Names	13ll.
13mm.	13mm. ☐ Sender ☐ Recipient ☐ Include Variant Names	13mm.
13nn.	13nn. ☐ Sender ☐ Recipient ☐ Include Variant Names	13nn.
13oo.	13oo. ☐ Sender ☐ Recipient ☐ Include Variant Names	13oo.

E-mail Address*	E-mail Information	Variant Names (if applicable)
13pp.	13pp. ☐Sender ☐Recipient ☐Include Variant Names	13pp.
13qq.	13qq. ☐Sender ☐Recipient ☐Include Variant Names	13qq.
13rr.	13rr. ☐Sender ☐Recipient ☐Include Variant Names	13rr.
13ss.	13ss. ☐Sender ☐Recipient ☐Include Variant Names	13ss.
13tt.	13tt. ☐Sender ☐Recipient ☐Include Variant Names	13tt.
13uu.	13uu. ☐Sender ☐Recipient ☐Include Variant Names	13uu.
13vv.	13vv. ☐Sender ☐Recipient ☐Include Variant Names	13vv.
13ww.	13ww. ☐Sender ☐Recipient ☐Include Variant Names	13ww.
13xx.	13xx. ☐Sender ☐Recipient ☐Include Variant Names	13xx.
13yy.	13yy. ☐Sender ☐Recipient ☐Include Variant Names	13yy.
13zz.	13zz. ☐Sender ☐Recipient ☐Include Variant Names	13zz.
13az.	13az. ☐Sender ☐Recipient ☐Include Variant Names	13az.
13ay.	13ay. ☐Sender ☐Recipient ☐Include Variant Names	13ay.
13ax.	13ax. ☐Sender ☐Recipient ☐Include Variant Names	13ax.
13aw.	13aw. ☐Sender ☐Recipient ☐Include Variant Names	13aw.
13av.	13av. ☐Sender ☐Recipient ☐Include Variant Names	13av.
13au.	13au. ☐Sender ☐Recipient ☐Include Variant Names	13au.
13at.	13at. ☐Sender ☐Recipient ☐Include Variant Names	13at.

Additional Search Criteria – Keywords

Additional Search Criteria – Keywords (continued)

From:	Irish, Tony C
To:	Sanchez, Alexandra L
Subject:	Re: Asks for comments
Date:	Friday, November 26, 2021 12:21:27 PM

Great, thank you very much! I hope you had a happy Thanksgiving!

Tony Irish
Assistant Solicitor - General Legal Services
Division of General Law
P: 202-208-5065
C: 202-809-4796

From: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Sent: Friday, November 26, 2021 12:15 PM
To: Irish, Tony C <Tony.Irish@sol.doi.gov>
Subject: Asks for comments

Hi Tony,
Here's what I was able to find. Let me know if you need anything else.
Thanks,
Alex

Alexandra Sanchez (she/her)
Special Assistant
Office of the Assistant Secretary
Land and Minerals Management
U.S. Department of the Interior

1. Interior Department Outlines Next Steps in Fossil Fuels Program Review | U.S. Department of the Interior (doi.gov) Members of the public will be able to offer written comments to inform the interim report. Details on how to view the forum or submit comments will be forthcoming.

2. Interior Department Announces Details for Public Forum on Federal Oil and Gas Program | U.S. Department of the Interior (doi.gov) Members of the public can submit additional information through April 15 to inform Interior's interim report at energyreview@ios.doi.gov.

3. Secretary Haaland Delivers Remarks at Interior's Public Forum on the Federal Oil and Gas Program | U.S. Department of the Interior (doi.gov) Members of the public can submit additional information through April 15 to inform Interior's interim report at energyreview@ios.doi.gov.

4. Interior Department's Virtual Forum Features Robust Discussion on Oil and Gas Program | U.S. Department of the Interior (doi.gov) Members of the public can submit additional information through April 15 to inform Interior's interim report

at energyreview@ios.doi.gov.

5. Interior's Public Forum on Federal Oil & Gas Program - YouTube At 9:45: LLD: We have announced the opportunity for any interested members of the public or stakeholder communities – and we hope there will be many – to provide written input to the Department through April 15th. Feedback from the public is critical to the success of this review and we encourage members of the public to submit substantive ideas to address the issues we are facing @ energyreview@ios.doi.gov.I do want to say a further word about the feedback you may decide to provide. We don't need volume – we really want substantive and innovative thinking on the issues we are talking about today, and your considered recommendations. At 34 minutes, Amanda Lefton – asks for submission of additional information. No mention of it being made public.

6. Full Committee Hearing to Consider Pending Nominations - U.S. Senate Committee o... At 1:31 – LDD: "We do intend to make comments public."

From:	Barnett, Eve S
To:	Heard, Preston S; Sanchez, Alexandra L
Subject:	Re: 508 compliance - Q
Date:	Wednesday, November 24, 2021 4:34:23 PM
Attachments:	DOI Oil and Gas Report 11_24_21.docx

Hi Preston,

Thanks so much for calling this to our attention. Please find the corrected version attached and let us know if anything else is needed.

Thank you again and all the best,
Eve

Eve S. Barnett
Presidential Management Fellow
Office of the Secretary, U.S. Department of the Interior
202-255-8874
(she/her)

From: Heard, Preston S <preston_heard@ios.doi.gov>
Sent: Wednesday, November 24, 2021 3:05 PM
To: Barnett, Eve S <Eve_Barnett@ios.doi.gov>; Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Subject: RE: 508 compliance - Q

Eve,

This is the document that Laura previously sent. Please fix the 5 links to the DOI OIG reports in Footnotes 18 and 19 and return.

Thank you.

Preston

From: Heard, Preston S
Sent: Wednesday, November 24, 2021 2:31 PM
To: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>; Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>; Barnett, Eve S <Eve_Barnett@ios.doi.gov>
Cc: Cardinale, Richard <Richard_Cardinale@ios.doi.gov>; Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Subject: RE: 508 compliance - Q

Alex: It is all the DOI OIG links in Footnotes 18 and 19.

Eve: I can give you a call.

From: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Sent: Wednesday, November 24, 2021 2:29 PM
To: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>; Heard, Preston S <preston_heard@ios.doi.gov>; Barnett, Eve S <Eve_Barnett@ios.doi.gov>
Cc: Cardinale, Richard <Richard_Cardinale@ios.doi.gov>; Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Subject: Re: 508 compliance - Q

Happy to help - let me know which links and I can attempt to figure them out!

From: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>
Sent: Wednesday, November 24, 2021 12:22:34 PM
To: Heard, Preston S <preston_heard@ios.doi.gov>; Barnett, Eve S <Eve_Barnett@ios.doi.gov>; Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Cc: Cardinale, Richard <Richard_Cardinale@ios.doi.gov>; Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Subject: Re: 508 compliance - Q

Preston,
I've added Eve Barnett, who while not originally responsible has been helping out a lot with issues like this, and Alex Sanchez, who has been involved since the beginning. Eve and Alex - are you able to jump in? We can always come up with a different solution if we need to.

Thank you,
Laura

Get Outlook for iOS

From: Heard, Preston S <preston_heard@ios.doi.gov>
Sent: Wednesday, November 24, 2021 2:18 PM
To: Daniel-Davis, Laura E
Cc: Cardinale, Richard; Taylor, Rachael S
Subject: RE: 508 compliance - Q

Laura,

In attempting to make this report 508-compliant, we have come across "dead links" in the Endnotes section for all of the DOI OIG reports. When we place the DOI OIG URLs in a web browser, the web page states "Page not found." Can you identify the individual responsible for putting together this report? It would be very helpful to speak with them.

Preston

From: Heard, Preston S
Sent: Wednesday, November 24, 2021 12:11 PM
To: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>; Cardinale, Richard <Richard_Cardinale@ios.doi.gov>; Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Subject: RE: 508 compliance - Q

Thank you, Laura.

From: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>
Sent: Wednesday, November 24, 2021 11:58 AM
To: Cardinale, Richard <Richard_Cardinale@ios.doi.gov>; Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Cc: Heard, Preston S <preston_heard@ios.doi.gov>
Subject: Re: 508 compliance - Q

Here you go! Thank you so much. Let me/us know if you have any questions.

From: Cardinale, Richard <Richard_Cardinale@ios.doi.gov>
Sent: Wednesday, November 24, 2021 8:50 AM
To: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>; Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Cc: Heard, Preston S <preston_heard@ios.doi.gov>
Subject: Re: 508 compliance - Q

Thanks. Standing by...

Get Outlook for iOS

From: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>
Sent: Wednesday, November 24, 2021 8:49:35 AM
To: Cardinale, Richard <Richard_Cardinale@ios.doi.gov>; Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Cc: Heard, Preston S <preston_heard@ios.doi.gov>
Subject: Re: 508 compliance - Q

Rich,
The report has a couple charts, but that's it for graphics. It's already cleared everyone, although I may get a few more nits in the next hour-ish to incorporate. Should be able to get it to you NLT noon today, and we'd plan to release/post likely mid-morning on Friday.
Laura

From: Cardinale, Richard <Richard_Cardinale@ios.doi.gov>

Sent: Wednesday, November 24, 2021 8:42 AM
To: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>; Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Cc: Heard, Preston S <preston_heard@ios.doi.gov>
Subject: Re: 508 compliance - Q

Thanks, Laura. Does it contain graphics? Preston and I have spoken and we are poised and ready. Really appreciate getting it NTL Noon so that we can we get started promptly. Also, will it contain a transmittal letter from the Secretary and will we need to clear the report with Bob and other senior leaders?

Rich

Get Outlook for iOS

From: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>
Sent: Wednesday, November 24, 2021 8:30:57 AM
To: Cardinale, Richard <Richard_Cardinale@ios.doi.gov>; Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Subject: Re: 508 compliance - Q

It is about 20 pages, including endnotes.

Get Outlook for iOS

From: Cardinale, Richard <Richard_Cardinale@ios.doi.gov>
Sent: Wednesday, November 24, 2021 8:05:43 AM
To: Taylor, Rachael S <rachael_taylor@ios.doi.gov>; Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>
Subject: Re: 508 compliance - Q

Good Morning. Happy to help if we have someone who is available. How long is the report?

Get Outlook for iOS

From: Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Sent: Wednesday, November 24, 2021 7:47:44 AM
To: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>; Cardinale, Richard <Richard_Cardinale@ios.doi.gov>
Subject: RE: 508 compliance - Q

Rich - Let me add my profuse thanks in advance for your help – and your team's help – with this late-breaking task.

From: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>
Sent: Wednesday, November 24, 2021 7:46 AM

To: Cardinale, Richard <Richard_Cardinale@ios.doi.gov>
Cc: Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Subject: 508 compliance - Q

Rich - we are finally ready to release and post the oil and gas report, directed by EO 14008, on Friday. Would your team be able to assist with making it 508 compliant? I expect we will have the final version by mid-day today. Sorry to have this develop the day before Thanksgiving! And please let me know.

Thank you,
Laura

REPORT ON THE FEDERAL OIL AND GAS LEASING PROGRAM

Prepared in response to Executive Order 14008

U.S. Department of the Interior

November 2021

I. INTRODUCTION

This report responds to Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad,* which directed the Department of the Interior (DOI) to conduct a review of Federal oil and gas leasing and permitting practices.[1] This report considers both onshore and offshore oil and gas leasing programs in light of the Secretary of the Interior's broad stewardship responsibilities over public lands and Federal offshore waters.

The review found a Federal oil and gas program that fails to provide a fair return to taxpayers, even before factoring in the resulting climate-related costs that must be borne by taxpayers; inadequately accounts for environmental harms to lands, waters, and other resources; fosters speculation by oil and gas companies to the detriment of competition and American consumers; extends leasing into low potential lands that may have competing higher value uses; and leaves communities out of important conversations about how they want their public lands and waters managed.

The fiscal components of the onshore Federal oil and gas program are particularly outdated, with royalty rates that have not been raised for 100 years. States with leading oil and gas production apply royalty rates on State lands that are significantly higher than those assessed on Federal lands. The Texas royalty rate, for example, can be double the Federal rate. Likewise, bonding levels have not been raised for 50 years. Federal minimum bids and rents have been the same for over 30 years. These antiquated approaches hurt not only the Federal taxpayer but also State budgets because States receive a significant share of Federal oil and gas revenues.

For decades, the Government Accountability Office (GAO) and DOI's Office of Inspector General (OIG) have sounded the alarm bell on the Federal oil and gas program. The GAO, a non-partisan independent agency that works for Congress, has consistently called for Congress and the Executive Branch to reform oil and gas leasing on Federal lands. The OIG, which provides independent oversight of DOI, has regularly highlighted energy management in its annual reports on major management and performance challenges,[2] saying, "many of DOI's energy programs are vulnerable to waste, fraud, and mismanagement, which can jeopardize public safety and environmental integrity and increase the financial burden on the American public."[3]

To inform this report, DOI reviewed studies, some going back decades, of the Federal oil and gas program's deficiencies, including from GAO and OIG. The DOI also conducted formal Tribal consultations; held a forum with expert panelists; reviewed public feedback; and met with States, members of Congress, and representatives from the oil and gas industry, labor organizations, conservation organizations, Indigenous organizations, environmental justice organizations, and academics. Issues were identified across all steps of Federal oil and gas development, from land use planning to decommissioning.

This review and outreach reconfirmed well-documented and long reported deficiencies in the Federal oil and gas program that support this report's findings and recommendations related to fiscal terms and bonding. This report identifies a number of recommendations that begin to modernize Federal land management. The reforms serve three main programmatic goals:

- Providing a fair return to the American public and States from Federal management of public lands and waters, including for development of energy resources;
- Designing more responsible leasing and development processes that prioritize areas that are most suitable for development and ensure lessees and operators have the financial and technical capacity to comply with all applicable laws and regulations; and
- Creating a more transparent, inclusive, and just approach to leasing and permitting that provides meaningful opportunity for public engagement and Tribal consultation.

These recommendations represent an overdue reform agenda, which is urgent even as the Interior Department begins to take into account new stressors and new opportunities for our public lands and waters, including addressing biodiversity loss, tackling climate change, and deploying new technology ranging from harnessing offshore wind in public waters, to sequestering carbon on public lands. Accordingly, this report focuses primarily on necessary reforms to the fiscal terms, leasing process, and remediation requirements related to deficiencies with the Federal oil and gas program, which are well documented as detailed below.

As the Department considers how to best implement the recommendations contained in this report,[4] the Administration will continue to work closely with Congress, State, Tribal and local officials, industry, labor organizations, environmental justice communities, and stakeholders to ensure that proper consideration is given to creating jobs, harnessing American ingenuity, and building a brighter, more sustainable future.

Overview: The Federal Oil and Gas Program

Onshore

The Bureau of Land Management (BLM) oversees 245 million acres of Federal public lands, including lands that are managed for outdoor recreation; development of oil, gas, coal, and renewable energy resources; grazing and timber production; safeguarding treasured cultural heritage and sacred sites; and supporting wildlife habitat and ecosystem functions.

In 1976, the Federal Land Policy and Management Act (FLPMA) established particular land and resource management authorities for BLM, bringing to the forefront multiple-use, sustained yield, and environmental protection as the guiding principles for public land management.[5] The FLPMA directs BLM to manage some areas for conservation to consider the best use of public lands in a broader context than economic return, and to take action necessary to prevent unnecessary or undue degradation of the lands. One of the many uses that BLM oversees is the management of energy and mineral resource development on approximately 245 million acres of Federal onshore lands and 700 million acres of subsurface Federal minerals, which is guided by the Mineral Leasing Act.[6]

Federal onshore oil and gas production accounts for approximately seven percent of domestically produced oil and eight percent of domestically produced natural gas. The BLM currently manages 37,496 Federal oil and gas leases covering 26.6 million acres with nearly 96,100 wells.[7] Of the more than 26 million onshore acres under lease today to the oil and gas industry, nearly 13.9 million (or 53 percent) of those acres are non-producing.[8]

The oil and gas industry has a substantial number of unused permits to drill onshore. As of September 30, 2021, the oil and gas industry holds more than 9,600 approved permits that are available to drill. In fiscal year (FY) 2021, BLM approved more than 5,000 drilling permits, and more than 4,400 are still being processed.[9] Industry suggests that the significant surplus of leases and permits is necessary for a successful business model, but this speculative approach contributes to unbalanced land management. When land is under contract for potential oil and gas activity, the shared public lands cannot be managed for other purposes, such as conservation or recreation.

Offshore

The Bureau of Ocean Energy Management (BOEM) and Bureau of Safety and Environmental Enforcement (BSEE) work to ensure the development of energy and mineral resources on the U.S. Outer Continental Shelf (OCS) is done in a safe and environmentally and economically responsible way. The OCS is comprised of submerged lands generally starting three nautical miles offshore the United States[10]—totaling nearly 2.3 billion acres in the Pacific, Atlantic, Gulf of Mexico and offshore Alaska and Hawaii. These offshore areas also have shared uses, such as supporting marine wildlife habitat, coastal tourism, subsistence uses, recreational and commercial fishing, and national defense activities.

The Outer Continental Shelf Lands Act (OCSLA) explains that the OCS is a "vital natural resource reserve held by the Federal Government for the public,"[11] and establishes policies and procedures to develop and manage OCS oil and gas resources, achieve national economic and energy policy goals, enhance national security, and reduce dependence on foreign sources of energy.[12] In recognition of the significant impacts on coastal and non-coastal areas that exploration, development, and production of OCS resources can have, OCSLA requires that development be conducted in a safe manner and subject to environmental safeguards. Amendments made to OCSLA in 1978 established the policy that oil and natural gas resources on the OCS should be preserved, protected, and developed in a manner that is consistent with the need to meet the nation's energy needs; balance development with protection of the human, marine, and coastal environments; and ensure a fair and equitable return on resources through a competitive leasing process.

In FY 2020, the OCS produced approximately 642 million barrels of oil and 910 million cubic feet of gas, accounting for 16 percent of all oil production and 3 percent of natural gas production in the United States.[13] Most of this production is in the Gulf of Mexico, where the amount of acreage under lease has declined by more than two-thirds over the last 10 years.[14] This decline is mostly driven by market conditions and changes in companies' strategic approach to leasing. Of the more than 12 million acres under lease, about 45 percent is either producing oil and gas or is subject to approved exploration or development plans, which are preliminary steps leading to production. The 55 percent of the leased acreage that is non-producing may be in an earlier stage of the development process, or being held for speculative reasons, indicating a sufficient inventory of leased acreage to sustain development for years to come.

The Need for Reform

In recent decades, the nation's energy needs and the mix of resources available on domestic and global energy markets have materially changed, while the statutes and policies underpinning the nation's oil and gas program have remained largely static. Utility-scale renewable energy production has emerged as a viable source of energy that can be generated on public lands and in offshore waters. The direct and indirect impacts associated with oil and gas development on our nation's land, water, wildlife, and the health and security of communities—particularly communities of color, who bear a disproportionate burden of pollution—merit a fundamental rebalancing of the Federal oil and gas program.

The Federal oil and gas program has been identified on GAO's "High Risk List" for more than a decade, which notes programs and operations that are "vulnerable to waste, fraud, abuse, or mismanagement, or in need of transformation."[15] As far back as 1989, GAO noted that BLM "is not exercising balanced stewardship over the public lands."[16] In 1990, GAO observed that BLM would approve "some drilling permits without first completing the environmental studies."[17] This Administration has taken action to stop that practice. Indeed, GAO has issued frequent reports outlining serious concerns with the onshore oil and gas leasing program. In just the last three years, GAO has highlighted deficiencies with noncompetitive leasing (GAO-21-138), royalty relief policies (GAO-21-169T), data collection (GAO-21-209), ensuring a fair return (GAO-19-718T), and bonding and reclamation practices (GAO-19-615). Offshore, GAO has raised recent concerns about decommissioning liabilities (GAO-16-40), safety and environmental oversight (GAO-17-293), fiscal returns from the leasing program (GAO-19-531), and pipeline safety and decommissioning (GAO-21-293).

Internally, OIG has regularly highlighted energy management in its annual reports of "Major Management and Performance Challenges facing the U.S. Department of the Interior," stating, "many of DOI's energy programs are vulnerable to waste, fraud, and mismanagement, which can jeopardize public safety and environmental integrity and increase the financial burden on the American public."[18] In recent years, OIG has identified specific concerns with the collection, verification, and distribution of energy resource revenues; issues arising from aging onshore and offshore infrastructure; oversight and management of oil and gas production; and offshore environmental compliance and enforcement, among other issues.[19]

Members of Congress from both sides of the aisle have also introduced various bills in recent years to reform and reimagine the Federal leasing programs. The bills include proposals to raise royalty rates to provide a fair return to taxpayers; address bonding deficiencies to ensure that companies properly restore public lands following extractive activities; support non-extractive uses of public lands and waters; restore community input in leasing decisions; and set emissions reductions strategies, among other reforms.

II. RECOMMENDATIONS

What follows is a high-level blueprint to begin to modernize the onshore and offshore oil and gas leasing programs in order to better restore balance and transparency to public land and ocean management and deliver a fair and equitable return to American taxpayers.[20]

Providing a Fair Return to American Taxpayers and States

Onshore

Adjusting and modernizing the fiscal terms used in the Federal onshore oil and gas program increases returns to the public and disincentivizes speculators or less responsible actors. The GAO has reported extensively that taxpayers have not received a fair rate of return due to outdated fiscal terms.[21] For example, Federal onshore oil and gas royalty rates are consistently lower than on State-issued leases and Federal offshore leases (see Tables 1 and 2); in fact, onshore royalty rates have never been raised. Likewise, bonding levels have not been raised for 60 years, and minimum bids and rents have been the same for over 30 years. If a lease is not sold competitively at auction, for two years it can be sold non-competitively for a modest administrative fee, with no bonus bid required. These noncompetitive leases are frequently less diligently developed as competitively issued leases. From 2013 to 2019, average revenues from competitive leases were nearly three times greater than revenues from noncompetitive leases.[22]

Such low prices for leases, coupled with generous 10-year lease initial terms that are frequently extended, encourage speculators to purchase leases with the intent of waiting for increases in resource prices, adding assets to their balance sheets, or even reselling leases at a profit rather than attempting to produce oil or gas. In one particularly egregious recent case, an individual purchased nearly 300 oil and gas leases and resold many of them almost immediately for up to 13 times the original purchase price.[23] Speculators, not taxpayers, receive the profits from these resales. Because information on lease resales is not easily accessible, local communities are often in the dark when it comes to who has the right to develop oil and gas nearby.

The BLM should improve the return to taxpayers and create an oil and gas program that is more consistent with BLM's multiple-use and sustained yield mandates. Consideration should be given to raising royalty rates and, to the extent allowed by statute, to increasing the current minimum levels for bids, rents, royalties, and bonds. Congressional passage of pending bipartisan legislation could further modernize fiscal terms. States will also benefit from a modernized fiscal system since they receive 49 percent of all oil and gas revenues generated from public lands within their borders.[24] Onshore revenues also fund water reclamation projects throughout the West through contributions to the Reclamation Fund, and may also contribute to the National Parks and Public Land Legacy Restoration Fund.

Royalties

The Mineral Leasing Act was passed in 1920 and set royalties at a minimum of 12.5 percent for oil and gas produced from public lands. Today, 100 years later, leases are still being sold using these low rates, which are out of step with modern times. Numerous public reports provide support for raising royalty rates for leasing on public lands, and nearly all State and private lands require that operators pay a royalty rate higher than 12.5 percent.[25] In June 2017, GAO reported that studies showed that raising Federal royalty rates for onshore oil and gas could "decrease production on federal lands by a small amount or not at all but could increase overall federal revenue."[26]

Table 1: Oil and Gas Royalty Rates across Federal Public, Private, and State Lands[27]

Leasing Jurisdiction	Oil & Gas Royalty Rate
California	Negotiated lease-by-lease, but generally no less than 16.67 percent
Colorado	20 percent
Montana	16.67 percent
New Mexico	18.75-20 percent
North Dakota	16.67 or 18.75 percent depending on the county
Oklahoma	18.75 percent
Texas	20-25 percent
Utah	16.67 percent
Wyoming	16.67 percent
Private Lands	Generally, 12.5-25 percent
Federal Lands	12.5 percent, sometimes less

This table shows the oil and gas royalty rate based on jurisdiction.

Taxpayers for Common Sense released a report last year stating that the Federal Government "lost up to $12.4 billion in revenue from oil and gas drilling on federal lands from 2010 through 2019" because Federal royalty rates are too low.[28] Additionally, the same report found little evidence supporting claims that increasing the Federal onshore royalty rate would drive developers away and reduce overall revenues. This finding aligns with the results seen in Colorado and Texas, where there was no significant effect on production from State lands after State royalty rates were raised.[29]

The BLM should begin to adjust royalties for competitive leases offered in individual lease sales and initiate a rulemaking to establish a higher minimum royalty for onshore oil and gas leases. The BLM also should consider limiting discretionary royalty relief, which it has provided extensively to lessees in the recent past, while it updates its current royalty relief guidance and reassesses the economic assumptions used during royalty relief application evaluations.

Bonus Bids

A bonus bid is the price paid at a lease sale for an oil and gas lease. The minimum bonus bid is set at $2 per acre—an amount that has not been changed since 1987.[30] If an area offered for lease does not receive a bid during the lease sale, the bonus bid is waived, and the area can be acquired during the next two years by the first party that pays a nominal application fee.

The GAO found that leases purchased with a higher bonus bid of more than $100 per acre are over 20 times more likely to be developed in their first lease term than leases purchased with the minimum bid of $2 per acre.[31] The BLM should initiate rulemaking to increase the minimum bid to discourage speculators and to provide a better return to the taxpayer.

Rental Rates
Companies pay rent until the lease is in production, and then they pay royalties on the oil and gas produced. The rental rates, which have not changed since 1987, are $1.50 per acre per year for the first five years, then $2 per acre per year for the next five years, at which point a non-producing lease would expire. The lease is automatically extended as long as production continues.

A GAO report from 2009 concluded that:

> Interior does less to encourage development of federal oil and gas leases than some state and private landowners. Interior officials cited one lease provision that may encourage development—escalating rental rates. … Compared to Interior, the eight states we reviewed undertook more efforts to encourage development on their oil and gas leases, using increasing rental rates as well as shorter lease terms and escalating royalty rates. Some states also do more than Interior to structure leases to reflect the likelihood of oil and gas production, which may encourage faster development.[32]

The BLM should initiate a rulemaking in order to increase rental rates for future lease sales.

Bonding
Current regulations require financial assurance from all lessees to ensure compliance with lease terms and requirements, which is generally provided in the form of a lease surety bond. A lease surety bond remains in place until all lease obligations have been met, including decommissioning, which can extend beyond the expiration of the lease. A surety bond can be issued as a lease-specific bond, a statewide bond, or a nationwide bond, and additional bonds may be necessary to ensure compliance with lease obligations and regulations.

Insufficient bonding levels provide an inadequate incentive for companies to meet their reclamation obligations and increase the risk that taxpayers will be required to cover the cost of reclaiming wells in the event that the operator refuses to do so or declares bankruptcy. According to a 2019 GAO report:

> … weaknesses with bonds for coal mining and for oil and gas development pose a financial risk to the federal government as laws, regulations, or agency practices have not been adjusted to reflect current economic circumstances. We have also reported that BLM has no mechanism to pay for reclaiming well sites that operators have not reclaimed.[33]

The risks associated with low bonding rates have become more apparent in light of the recent increase in bankruptcies. Company liquidations often result in wells becoming orphaned, which then fall to the Federal Government or States to address, while some companies have used Chapter 11 restructuring to get out of reclamation obligations.[34]

According to the same 2019 GAO report, oil and gas lease bonds do not provide sufficient financial assurance because, among other things, most individual, statewide, and nationwide lease bonds are set at regulatory minimum values that have not been adjusted for inflation since the 1950s and 1960s.[35] These minimum bond amounts and the year calculated are: individual lease, $10,000—1960; statewide, $25,000—1951; nationwide, $150,000—1951.[36] The National Petroleum Reserve—Alaska bonds were set in 1981; an individual lease is $100,000, and a reserve-wide bond is $300,000.[37] While individual States have bonding levels that are often too low to fully reclaim modern horizontally-drilled wells, most States require significantly higher bonds than the Federal Government, often with bonding requirements that adjust based on the depth and number of wells covered.[38]

The BLM should increase minimum bond amounts and set the appropriate levels taking into consideration changes in technology, the complexity and depth of modern wells, inflation, and the risk of abandonment. While such regulations are being developed, BLM should adjust bonds for individual, high risk leases through adequacy reviews and when leases are reinstated or applications for permits to drill are extended.

Offshore

Royalties and Royalty Relief

The BOEM evaluates lease terms on a sale-by-sale basis to ensure they are consistent with current market or resource conditions. The OCSLA sets the minimum offshore royalty rate at 12.5 percent and directs that leasing be conducted in a way that ensures the government receives fair market value (FMV). OCSLA also directs that management of the OCS be conducted in a way that considers economic, social, and environmental values, and protects the human, marine, and coastal environments.

A 2019 GAO report that assessed BOEM's process to evaluate whether it was receiving FMV for offshore leases recommended that BOEM take steps to reform its methodology to ensure that it was capturing the full value of the lease tracts it was offering.[39] The BOEM is in the process of responding to several of GAO's recommendations concerning oil and gas valuation procedures.

Table 2: Offshore Oil and Gas Royalty Rates (BOEM)

Water Depth (meters)	**Royalty Rate**			
	Prior to 2007[40]	**2007**	**2008-March 2017**	**August 2017-2020 (Sale 256)**
0 to < 200m	16.67%	16.67%	18.75%	12.5%
200 to < 400m	16.67%	16.67%	18.75%	18.75%
400m+	12.5%	16.67%	18.75%	18.75%

This table shows the royalty rate based on water depth. Fiscal terms are evaluated and set on a sale-by-sale basis. Date ranges indicate the years in which sales were held using those terms.

Revenues from lease sales, royalties on production, and rental fees are distributed to the U.S. Treasury, several coastal States through OCSLA section 8(g) and the Gulf of Mexico Energy Security Act, the Historic Preservation Fund, the Land and Water Conservation Fund, and Legacy Restoration Fund.[41]

As with BLM, BOEM and BSEE will be continuing to study the most appropriate method for revising royalty rates and other fiscal terms to monetarily account for the costs of carbon dioxide, methane, and nitrous oxide.

Also similar to BLM, BOEM and BSEE have the authority to provide discretionary royalty relief depending on economic circumstances, and those agencies likewise will be reevaluating existing royalty relief guidance and the economic assumptions used to evaluate royalty relief applications,[42] insofar as royalty relief can have the effect of subsidizing uneconomic production at taxpayers' expense. The BSEE recently determined, for example, that the April 2020 Special Case Royalty Relief guidance neither formalized application and evaluation procedures nor provided adequate training to implement them, and BSEE has discontinued this specific royalty relief option.

Financial Assurances

Financial assurance requirements for operators offshore are similar to those onshore: all lessees must provide a general lease surety bond, which covers all terms and conditions of a lease and remains in place until all lease obligations have been met, including decommissioning, which can extend beyond the expiration of the lease. A surety bond can be issued as a lease-specific bond or as an area-wide bond that guarantees obligations on all leases held by a lessee within a specified area. Additional bonds may be necessary to ensure compliance with lease obligations and regulations.

Table 3. Bonding Amounts for Offshore Oil and Gas Activity[43]

Lease Activity	**Lease-Specific Bond Amount**	**Area-Wide Bond Amounts**
No approved operational activity	$50,000	$300,000
Exploration Plan	$200,000	$1,000,000
Development Production Plan	$500,000	$3,000,000
Pipeline Right of Way (ROW)	N/A	$300,000

This table shows the amounts for lease-specific and area-wide bonds.

Lessees, owners of operating rights, and ROW holders are jointly and severally responsible for decommissioning obligations and are required to perform this duty in a timely manner, consistent with regulations and guidance.

Recent bankruptcies have in some cases resulted in companies being unable to cover their decommissioning liabilities, leading to orphaned wells and idle infrastructure. The BSEE estimates that the liability for currently orphaned infrastructure on the OCS is approximately $65 million, with the potential to increase if more companies go bankrupt and create additional orphaned infrastructure. The GAO recently found that there were approximately $2.3 billion in decommissioning liabilities on the OCS that were not covered by bonds, and roughly $33 billion in liabilities had bonds waived because the financial condition of the leaseholder was considered strong enough.[44] The current regulatory structure governing financial assurances does not have the appropriate checks to intervene in advance of bankruptcies to require additional financial assurances. Financial assurance coverage should be strengthened to protect the Federal Government and taxpayers and to ensure that companies are financially able to meet their lease and decommissioning obligations.

In 2020, BOEM and BSEE published a notice of proposed rulemaking to address this issue.[45] The agencies will carefully consider comments received on both the proposed rule and this review to inform their approach for improving financial assurance requirements to better manage the risks associated with industry activities on the OCS.

Fitness to Operate
Offshore leases are significantly more expensive to acquire than onshore leases, which, among other reasons, results in less of a role for speculators in the leasing process. However, companies with poor environmental, safety, or reclamation histories are still allowed to bid for leases or acquire them from other companies. The BOEM plans to develop a "Fitness to Operate" standard for companies seeking to be designated as oil and gas operators and evaluate how to apply such a standard to potential new lessees or current lessees seeking to gain additional properties.
The Fitness to Operate standard will establish criteria that companies would need to meet in order to operate on the U.S. OCS. Requiring companies to meet minimal fitness to operate standards will ensure companies can meet their safety, environmental, and financial responsibilities.

Designing More Responsible Processes

<u>*Onshore*</u>

Through the land use planning process, BLM determines what lands may be available for oil and gas leasing, what lease stipulations will be applied to protect other resources and values, and what "conditions of approval" may be necessary on permits to drill for additional protection. The land use planning process requires extensive collaboration with Tribal, State, and local governments and the public regarding how Federal lands will be used and minerals will be extracted at specific locations.

As an overarching policy, BLM should ensure that oil and gas is not prioritized over other land uses, consistent with BLM's mandate of multiple-use and sustained yield. The BLM should carefully consider what lands make the most sense to lease in terms of expected yields of oil and gas, prospects of earning a fair return for U.S. taxpayers, and conflicts with other uses, such as outdoor recreation and wildlife habitat. The BLM should always ensure it is considering the views of local communities, Tribes, businesses, State and local governments, and other stakeholders.

Low Potential Lands
Common practice in BLM land use planning has been to leave the majority of Federal lands open for leasing and allow industry to drive decisions on what areas will be nominated for oil and gas

leasing. Since there is no cost to nominate parcels of land for leasing, there is little disincentive for companies to identify large amounts of acreage regardless of the resource potential of that land or how seriously the nominator is considering bidding for the nominated parcels. The burden and expense then fall on BLM to process those parcels, triggering the dedication of BLM staff resources to analyze marginal lands that companies may not be interested in bidding on and that may never be leased, much less developed. At the same time, sales of large amounts of low-potential land often ignite local community concerns (particularly since low-potential lands are more likely to be in areas that are not accustomed to local oil and gas development) and result in protests that are time-consuming and resource-intensive to adjudicate.

The BLM should evaluate operational adjustments to its leasing program that will avoid nomination or leasing of low potential lands and instead focus on areas that have moderate or high potential for oil and gas resources and which are in proximity to existing oil and gas infrastructure.

Bidding Requirements

The current leasing process does not thoroughly screen buyers, which creates the potential for widespread speculative leasing, unqualified buyers, and large numbers of leases that may be issued noncompetitively. Indeed, speculative leasing has been observed in the leasing program as far back as 1980, when GAO wrote, "We found much inactive land being held by individuals who were not affiliated with oil companies and were, therefore, presumably speculators."[46]

Unlike the offshore or coal leasing programs, the onshore oil and gas program does not pre-clear bidders based on their ability to responsibly and diligently pursue development. Combined with artificially low minimum bids and rental rates, the system is easily taken advantage of by speculators seeking to re-sell leases at higher prices later, and it allows bidders to shield the identity of companies purchasing leases, leaving communities in the dark as to who is seeking to develop oil and gas on nearby public lands.

The BLM should consider reforms that ensure that bidders—and any subsequent proposed leaseholders or operators—are publicly identified and financially and technically qualified to develop leases.

Offshore

For future National OCS Oil and Gas Leasing Programs, BOEM should consider advancing alternatives to the practice of area-wide leasing, under which the entire planning area is offered with few exclusions for a lease sale. Area-wide leasing is not required under OCSLA; it was first implemented by Interior Secretary James Watt in 1982 and has since been applied during the majority of OCS lease sales. An early assessment of the practice by GAO in 1985 found that the first 10 area-wide lease sales resulted in an estimated loss of $7 billion to the Federal Government,[47] and a review of the process published in 2006 found that area-wide leasing significantly reduced the amount of competition and the value of bids for each lease tract.[48] Moving to a leasing model where smaller areas are offered according to a number of criteria—including environmental protection, subsistence use needs, resource potential and financial considerations—will help ensure that American taxpayers are receiving a fair return for offshore oil and gas resources.

Creating a More Inclusive and Just Approach to Managing Public Lands and Waters

The stewardship mission of DOI mandates processes for outreach and receipt of public input, including from communities that may be most affected by DOI activities. These processes have not always been adequate, fair, or equitable, which thus perpetuates environmental injustice. Practices such as allowing anonymous lease nominations and recent efforts to restrict or eliminate public notice and comment periods can leave local community voices—including, in particular, Tribal voices—out of leasing and permitting processes. The DOI should undertake meaningful Tribal consultations and solicit public input more generally regarding its leasing and permitting processes.

III. CONCLUSION

Modernization of the Federal oil and gas program has been delayed for decades to the detriment of the American public, their public lands and waters, the environment, wildlife, and more. In its current form, the program falls short of serving the public interest in a number of important respects. It provides insufficient opportunities for public input, shortchanges taxpayers and States, and tilts toward opening up low potential lands without adequately considering competing multiple-use opportunities.

This report lays out actions that the Administration is considering taking, consistent with legal authorities and the Executive Branch's broad discretion, to provide a fair return to taxpayers and to steward shared resources. It also encourages Congress to act on pending legislation to provide fundamental reforms to the onshore and offshore oil and gas programs.

The DOI will continue to seek out honest and pragmatic paths forward—in concert with communities; Federal, State, local, and Tribal leaders; businesses and labor; and other stakeholders—to bring a common purpose to the management of America's public lands and waters, and the value they hold.

IV. ENDNOTES

[1] Exec. Order No. 14,008, 86 Fed. Reg. 7,619 (Jan. 27, 2021).
[2] U.S. Department of the Interior Office of Inspector General, "Inspector General's Statement Summarizing the Major Management and Performance Challenges Facing the U.S. Department of the Interior for Fiscal Year 2019," November 2019, available at https://www.doioig.gov/reports/other/inspector-generals-statement-summarizing-major-management-and-performance-0; U.S. Department of the Interior Office of Inspector General, "Inspector General's Statement Summarizing the Major Management and Performance Challenges Facing the U.S. Department of the Interior for Fiscal Year 2018, November 2018, available at https://www.doioig.gov/reports/other/inspector-generals-statement-summarizing-major-management-and-performance-1; U.S. Department of the Interior Office of Inspector General, "Inspector General's Statement Summarizing the Major Management and Performance Challenges Facing the U.S. Department of the Interior," November 2017, available at https://www.doioig.gov/reports/other/inspector-generals-statement-summarizing-major-management-and-performance-2; U.S. Department of the Interior Office of Inspector General, "Inspector General's Statement Summarizing the Major Management and Performance Challenges Facing the U.S. Department of the Interior," November 2016, available at https://www.doioig.gov/reports/other/inspector-generals-statement-summarizing-major-management-and-performance-3.
[3] U.S. Department of the Interior Office of Inspector General, "Inspector General's Statement Summarizing the Major Management And Performance Challenges Facing The U.S. Department Of The Interior," November 2015, available at https://www.doioig.gov/reports/other/inspector-generals-statement-summarizing-major-management-and-performance-4.
[4] This report includes only suggestions as to future Departmental actions, which will be promulgated, if at all, in compliance with the Administrative Procedure Act and other applicable law. This report is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officer or employees, or any other person.
[5] 43 U.S.C. § 1701.
[6] 30 U.S.C. § 181.
[7] Bureau of Land Management, *Oil and Gas Statistics*, available at https://www.blm.gov/programs-energy-and-minerals-oil-and-gas-oil-and-gas-statistics.
[8] Ibid.
[9] Bureau of Land Management, *APD Status Report September 2021*, available at https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/operations-and-production/permitting/applications-permits-drill.
[10] The OCS begins nine nautical miles off the Gulf of Mexico coasts of Florida and Texas.
[11] 43 U.S.C. § 1332(3).
[12] 43 U.S.C. §§ 1331-1356.
[13] U.S. Department of the Interior, "Natural Resources Revenue Data," available at https://revenuedata.doi.gov/; U.S. Energy Information Administration, "Crude Oil Production,"

available at https://www.eia.gov/dnav/pet/pet_crd_crpdn_adc_mbbl_a.htm; U.S. Energy Information Administration, "Natural Gas Gross Withdrawals and Production," Marketed Production data series, available at https://www.eia.gov/dnav/ng/ng_prod_sum_a_EPG0_VGM_mmcf_m.htm.

[14] Bureau of Ocean Energy Management, "Combined Leasing Report July 1, 2021" and "Combined Leasing Report As of February 3, 2011," available at https://www.boem.gov/oil-gas-energy/leasing/combined-leasing-status-report.

[15] U.S. Government Accountability Office, "OFFSHORE OIL AND GAS: Opportunities Exist to Better Ensure a Fair Return on Federal Resources," September 2019, available at https://www.gao.gov/assets/gao-19-531.pdf; High Risk List," U.S. Gov't Accountability Office, https://www.gao.gov/high-risk-list.

[16] U.S. General Accounting Office, Change in Approach Needed to Improve the Bureau of Land Management's Oversight of Public Lands 1 (1989).

[17] U.S. General Accounting Office, "FEDERAL LAND MANAGEMENT: Better Oil and Gas Information Needed to Support Land Use Decisions," June 1990, available at http://archive.gao.gov/d24t8/141709.pdf.

[18] U.S. Department of the Interior Office of Inspector General, "Inspector General's Statement Summarizing the Major Management And Performance Challenges Facing The U.S. Department Of The Interior," November 2015, available at https://www.doioig.gov/reports/other/inspector-generals-statement-summarizing-major-management-and-performance-4.

[19] U.S. Department of the Interior Office of Inspector General, "Inspector General's Statement Summarizing the Major Management and Performance Challenges Facing the U.S. Department of the Interior for Fiscal Year 2019," November 2019, available at https://www.doioig.gov/reports/other/inspector-generals-statement-summarizing-major-management-and-performance-0; U.S. Department of the Interior Office of Inspector General, "Inspector General's Statement Summarizing the Major Management and Performance Challenges Facing the U.S. Department of the Interior for Fiscal Year 2018, November 2018, available at https://www.doioig.gov/reports/other/inspector-generals-statement-summarizing-major-management-and-performance-1; U.S. Department of the Interior Office of Inspector General, "Inspector General's Statement Summarizing the Major Management and Performance Challenges Facing the U.S. Department of the Interior," November 2017, available at https://www.doioig.gov/reports/other/inspector-generals-statement-summarizing-major-management-and-performance-2; U.S. Department of the Interior Office of Inspector General, "Inspector General's Statement Summarizing the Major Management and Performance Challenges Facing the U.S. Department of the Interior," November 2016, available at https://www.doioig.gov/reports/other/inspector-generals-statement-summarizing-major-management-and-performance-3.

[20] This report focuses on reforms to the oil and gas leasing program, but DOI will also be conducting similar analyses and reviews on the Federal coal program to identify reforms in that

program as well, including exploring ways that the costs of climate change are appropriately reflected in coal leasing terms.

[21] U.S. Government Accountability Office, "OFFSHORE OIL AND GAS: Opportunities Exist to Better Ensure a Fair Return on Federal Resources," September 2019, available at https://www.gao.gov/assets/gao-19-531.pdf.

[22] U.S. Government Accountability Office, "OIL AND GAS: Onshore Competitive and Noncompetitive Lease Revenues," November 2020, available at https://www.gao.gov/assets/gao-21-138-highlights.pdf.

[23] N. Groom, "How a Burmese immigrant profited by flipping cheap oil leases from Trump auctions," *Reuters,* March 2021, available at https://www.reuters.com/article/us-usa-drilling-myanmar-insight/how-a-burmese-immigrant-profited-by-flipping-cheap-oil-leases-from-trump-auctions-idUSKBN2BE1C5.

[24] 30 U.S.C. § 191.

[25] Taxpayers for Common Sense, "Royally Losing: Higher Royalties on State and Offshore Oil and Gas Production Reap Billions More than Drilling on Federal Lands," February 2020, available at https://www.taxpayer.net/wp-content/uploads/2020/02/TCS-Royally-Losing-2020.pdf.

[26] U.S. Government Accountability Office, "OIL, GAS, AND COAL ROYALTIES: Raising Federal Rates Could Decrease Production on Federal Lands but Increase Federal Revenue," June 2017, available at https://www.gao.gov/assets/gao-17-540.pdf.

[27] Taxpayers for Common Sense, "Royally Losing: Higher Royalties on State and Offshore Oil and Gas Production Reap Billions More than Drilling on Federal Lands," February 2020, available at https://www.taxpayer.net/wp-content/uploads/2020/02/TCS-Royally-Losing-2020.pdf.

[28] Ibid.

[29] Taxpayers for Common Sense, "Royally Losing: Higher Royalties on State and Offshore Oil and Gas Production Reap Billions More than Drilling on Federal Lands," February 2020, available at https://www.taxpayer.net/wp-content/uploads/2020/02/TCS-Royally-Losing-2020.pdf; U.S. Government Accountability Office, "OIL, GAS, AND COAL ROYALTIES: Raising Federal Rates Could Decrease Production on Federal Lands but Increase Federal Revenue," June 2017, available at https://www.gao.gov/assets/gao-17-540.pdf.

[30] 30 U.S.C. § 226(b)(1)(B); 43 C.F.R. § 3120.1-2.

[31] U.S. Government Accountability Office, "OIL AND GAS: Onshore Competitive and Non-Competitive Lease Revenues," November 2020, available at https://www.gao.gov/assets/gao-21-138.pdf.

[32] U.S. Government Accountability Office, "OIL AND GAS LEASING: Federal Oil and Gas Resource Management and Revenue Collection in Need of Comprehensive Reassessment," March 2009, available at https://www.gao.gov/assets/gao-09

[33] U.S. Government Accountability Officer, "FEDERAL ENERGY DEVELOPMENT: Challenges to Ensuring a Fair Return for Federal Energy Resources," September 2019, available at https://www.gao.gov/assets/gao-19-718t.pdf.

[34] N. Sadasivam, "How bankruptcy lets oil and gas companies evade cleanup rules," *Grist*, June 2021, available at https://grist.org/accountability/oil-gas-bankruptcy-fieldwood-energy-petroshare/.
[35] U.S. Government Accountability Office, "FEDERAL ENERGY DEVELOPMENT: Challenges to Ensuring a Fair Return for Federal Energy Resources," September 2019, available at https://www.gao.gov/assets/gao-19-718t.pdf.
[36] 43 C.F.R. §§ 3104.2, 3104.3
[37] 43 C.F.R. § 3134.1.
[38] Western Organization of Resource Councils, "BLM Oil and Gas Bonding Rules Leave Lands a Mess and Taxpayers Responsible," April 2020, available at http://www.worc.org/publication/8671/.
[39] U.S. Government Accountability Office, "OFFSHORE OIL AND GAS: Opportunities Exist to Better Ensure a Fair Return on Federal Resources," September 2019, available at https://www.gao.gov/assets/gao-19-531.pdf.
[40] Predominant royalty rates, particularly in the decades immediately preceding 2006. But not all lease sales, particularly older ones, had these exact royalty rates.
[41] U.S. Department of the Interior, "Natural Resources Revenue Data," available at https://revenuedata.doi.gov/.
[42] Congressional Research Service, "Offshore Royalty Relief: Status During the COVID-19 Pandemic," May 2020, available at https://crsreports.congress.gov/product/pdf/IN/IN11380.
[43] 30 C.F.R. §§ 556.900, 556.901.
[44] U.S. Government Accountability Office, "Offshore Oil and Gas Resources: Actions Needed to Better Protect Against Billions of Dollars in Federal Exposure to Decommissioning Liabilities," December 2015, available at https://www.gao.gov/products/gao-16-40.
[45] 85 Fed. Reg. 65,904 (Oct. 16, 2020).
[46] U.S. General Accounting Office, "Impact of Making The Onshore Oil And Gas Leasing System More Competitive," March 1980, available at https://www.gao.gov/assets/emd-80-60.pdf.
[47] U.S. General Accounting Office, Early Assessment of Interior's Area-Wide Program for Leasing Offshore Lands (1985).
[48] J. Boué and others, "A Question of Rigs, of Rules, or of Rigging the Rules?: Upstream Profits and Taxes in US Gulf Offshore Oil and Gas, *Oxford University Press,* 2006.

From:	Heard, Preston S
To:	Barnett, Eve S; Sanchez, Alexandra L
Subject:	RE: 508 compliance - Q
Date:	Wednesday, November 24, 2021 3:06:20 PM
Attachments:	DOI Oil and Gas Report 11 24 21.docx

Eve,

This is the document that Laura previously sent. Please fix the 5 links to the DOI OIG reports in Footnotes 18 and 19 and return.

Thank you.

Preston

From: Heard, Preston S
Sent: Wednesday, November 24, 2021 2:31 PM
To: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>; Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>; Barnett, Eve S <Eve_Barnett@ios.doi.gov>
Cc: Cardinale, Richard <Richard_Cardinale@ios.doi.gov>; Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Subject: RE: 508 compliance - Q

Alex: It is all the DOI OIG links in Footnotes 18 and 19.

Eve: I can give you a call.

From: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Sent: Wednesday, November 24, 2021 2:29 PM
To: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>; Heard, Preston S <preston_heard@ios.doi.gov>; Barnett, Eve S <Eve_Barnett@ios.doi.gov>
Cc: Cardinale, Richard <Richard_Cardinale@ios.doi.gov>; Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Subject: Re: 508 compliance - Q

Happy to help - let me know which links and I can attempt to figure them out!

From: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>
Sent: Wednesday, November 24, 2021 12:22:34 PM
To: Heard, Preston S <preston_heard@ios.doi.gov>; Barnett, Eve S <Eve_Barnett@ios.doi.gov>; Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Cc: Cardinale, Richard <Richard_Cardinale@ios.doi.gov>; Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Subject: Re: 508 compliance - Q

Preston,
I've added Eve Barnett, who while not originally responsible has been helping out a lot with issues

like this, and Alex Sanchez, who has been involved since the beginning. Eve and Alex - are you able to jump in? We can always come up with a different solution if we need to.

Thank you,
Laura

Get [Outlook for iOS](https://aka.ms/o0ukef)

From: Heard, Preston S <preston_heard@ios.doi.gov>
Sent: Wednesday, November 24, 2021 2:18 PM
To: Daniel-Davis, Laura E
Cc: Cardinale, Richard; Taylor, Rachael S
Subject: RE: 508 compliance - Q

Laura,

In attempting to make this report 508-compliant, we have come across "dead links" in the Endnotes section for all of the DOI OIG reports. When we place the DOI OIG URLs in a web browser, the web page states "Page not found." Can you identify the individual responsible for putting together this report? It would be very helpful to speak with them.

Preston

From: Heard, Preston S
Sent: Wednesday, November 24, 2021 12:11 PM
To: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>; Cardinale, Richard <Richard_Cardinale@ios.doi.gov>; Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Subject: RE: 508 compliance - Q

Thank you, Laura.

From: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>
Sent: Wednesday, November 24, 2021 11:58 AM
To: Cardinale, Richard <Richard_Cardinale@ios.doi.gov>; Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Cc: Heard, Preston S <preston_heard@ios.doi.gov>
Subject: Re: 508 compliance - Q

Here you go! Thank you so much. Let me/us know if you have any questions.

From: Cardinale, Richard <Richard_Cardinale@ios.doi.gov>
Sent: Wednesday, November 24, 2021 8:50 AM
To: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>; Taylor, Rachael S <rachael_taylor@ios.doi.gov>

Cc: Heard, Preston S <preston_heard@ios.doi.gov>
Subject: Re: 508 compliance - Q

Thanks. Standing by...

Get Outlook for iOS

From: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>
Sent: Wednesday, November 24, 2021 8:49:35 AM
To: Cardinale, Richard <Richard_Cardinale@ios.doi.gov>; Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Cc: Heard, Preston S <preston_heard@ios.doi.gov>
Subject: Re: 508 compliance - Q

Rich,
The report has a couple charts, but that's it for graphics. It's already cleared everyone, although I may get a few more nits in the next hour-ish to incorporate. Should be able to get it to you NLT noon today, and we'd plan to release/post likely mid-morning on Friday.
Laura

From: Cardinale, Richard <Richard_Cardinale@ios.doi.gov>
Sent: Wednesday, November 24, 2021 8:42 AM
To: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>; Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Cc: Heard, Preston S <preston_heard@ios.doi.gov>
Subject: Re: 508 compliance - Q

Thanks, Laura. Does it contain graphics? Preston and I have spoken and we are poised and ready. Really appreciate getting it NTL Noon so that we can we get started promptly. Also, will it contain a transmittal letter from the Secretary and will we need to clear the report with Bob and other senior leaders?

Rich

Get Outlook for iOS

From: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>
Sent: Wednesday, November 24, 2021 8:30:57 AM
To: Cardinale, Richard <Richard_Cardinale@ios.doi.gov>; Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Subject: Re: 508 compliance - Q

It is about 20 pages, including endnotes.

Get Outlook for iOS

From: Cardinale, Richard <Richard_Cardinale@ios.doi.gov>
Sent: Wednesday, November 24, 2021 8:05:43 AM
To: Taylor, Rachael S <rachael_taylor@ios.doi.gov>; Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>
Subject: Re: 508 compliance - Q

Good Morning. Happy to help if we have someone who is available. How long is the report?

Get Outlook for iOS

From: Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Sent: Wednesday, November 24, 2021 7:47:44 AM
To: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>; Cardinale, Richard <Richard_Cardinale@ios.doi.gov>
Subject: RE: 508 compliance - Q

Rich - Let me add my profuse thanks in advance for your help – and your team's help – with this late-breaking task.

From: Daniel-Davis, Laura E <laura_daniel-davis@ios.doi.gov>
Sent: Wednesday, November 24, 2021 7:46 AM
To: Cardinale, Richard <Richard_Cardinale@ios.doi.gov>
Cc: Taylor, Rachael S <rachael_taylor@ios.doi.gov>
Subject: 508 compliance - Q

Rich - we are finally ready to release and post the oil and gas report, directed by EO 14008, on Friday. Would your team be able to assist with making it 508 compliant? I expect we will have the final version by mid-day today. Sorry to have this develop the day before Thanksgiving! And please let me know.

Thank you,
Laura

REPORT ON THE FEDERAL OIL AND GAS LEASING PROGRAM

Prepared in response to Executive Order 14008

U.S. Department of the Interior

November 2021

I. INTRODUCTION

This report responds to Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad,* which directed the Department of the Interior (DOI) to conduct a review of Federal oil and gas leasing and permitting practices.[1] This report considers both onshore and offshore oil and gas leasing programs in light of the Secretary of the Interior's broad stewardship responsibilities over public lands and Federal offshore waters.

The review found a Federal oil and gas program that fails to provide a fair return to taxpayers, even before factoring in the resulting climate-related costs that must be borne by taxpayers; inadequately accounts for environmental harms to lands, waters, and other resources; fosters speculation by oil and gas companies to the detriment of competition and American consumers; extends leasing into low potential lands that may have competing higher value uses; and leaves communities out of important conversations about how they want their public lands and waters managed.

The fiscal components of the onshore Federal oil and gas program are particularly outdated, with royalty rates that have not been raised for 100 years. States with leading oil and gas production apply royalty rates on State lands that are significantly higher than those assessed on Federal lands. The Texas royalty rate, for example, can be double the Federal rate. Likewise, bonding levels have not been raised for 50 years. Federal minimum bids and rents have been the same for over 30 years. These antiquated approaches hurt not only the Federal taxpayer but also State budgets because States receive a significant share of Federal oil and gas revenues.

For decades, the Government Accountability Office (GAO) and DOI's Office of Inspector General (OIG) have sounded the alarm bell on the Federal oil and gas program. The GAO, a non-partisan independent agency that works for Congress, has consistently called for Congress and the Executive Branch to reform oil and gas leasing on Federal lands. The OIG, which provides independent oversight of DOI, has regularly highlighted energy management in its annual reports on major management and performance challenges,[2] saying, "many of DOI's energy programs are vulnerable to waste, fraud, and mismanagement, which can jeopardize public safety and environmental integrity and increase the financial burden on the American public."[3]

To inform this report, DOI reviewed studies, some going back decades, of the Federal oil and gas program's deficiencies, including from GAO and OIG. The DOI also conducted formal Tribal consultations; held a forum with expert panelists; reviewed public feedback; and met with States, members of Congress, and representatives from the oil and gas industry, labor organizations, conservation organizations, Indigenous organizations, environmental justice organizations, and academics. Issues were identified across all steps of Federal oil and gas development, from land use planning to decommissioning.

This review and outreach reconfirmed well-documented and long reported deficiencies in the Federal oil and gas program that support this report's findings and recommendations related to fiscal terms and bonding. This report identifies a number of recommendations that begin to modernize Federal land management. The reforms serve three main programmatic goals:

- Providing a fair return to the American public and States from Federal management of public lands and waters, including for development of energy resources;
- Designing more responsible leasing and development processes that prioritize areas that are most suitable for development and ensure lessees and operators have the financial and technical capacity to comply with all applicable laws and regulations; and
- Creating a more transparent, inclusive, and just approach to leasing and permitting that provides meaningful opportunity for public engagement and Tribal consultation.

These recommendations represent an overdue reform agenda, which is urgent even as the Interior Department begins to take into account new stressors and new opportunities for our public lands and waters, including addressing biodiversity loss, tackling climate change, and deploying new technology ranging from harnessing offshore wind in public waters, to sequestering carbon on public lands. Accordingly, this report focuses primarily on necessary reforms to the fiscal terms, leasing process, and remediation requirements related to deficiencies with the Federal oil and gas program, which are well documented as detailed below.

As the Department considers how to best implement the recommendations contained in this report,[4] the Administration will continue to work closely with Congress, State, Tribal and local officials, industry, labor organizations, environmental justice communities, and stakeholders to ensure that proper consideration is given to creating jobs, harnessing American ingenuity, and building a brighter, more sustainable future.

Overview: The Federal Oil and Gas Program

Onshore

The Bureau of Land Management (BLM) oversees 245 million acres of Federal public lands, including lands that are managed for outdoor recreation; development of oil, gas, coal, and renewable energy resources; grazing and timber production; safeguarding treasured cultural heritage and sacred sites; and supporting wildlife habitat and ecosystem functions.

In 1976, the Federal Land Policy and Management Act (FLPMA) established particular land and resource management authorities for BLM, bringing to the forefront multiple-use, sustained yield, and environmental protection as the guiding principles for public land management.[5] The FLPMA directs BLM to manage some areas for conservation to consider the best use of public lands in a broader context than economic return, and to take action necessary to prevent unnecessary or undue degradation of the lands. One of the many uses that BLM oversees is the management of energy and mineral resource development on approximately 245 million acres of Federal onshore lands and 700 million acres of subsurface Federal minerals, which is guided by the Mineral Leasing Act.[6]

Federal onshore oil and gas production accounts for approximately seven percent of domestically produced oil and eight percent of domestically produced natural gas. The BLM currently manages 37,496 Federal oil and gas leases covering 26.6 million acres with nearly 96,100 wells.[7] Of the more than 26 million onshore acres under lease today to the oil and gas industry, nearly 13.9 million (or 53 percent) of those acres are non-producing.[8]

The oil and gas industry has a substantial number of unused permits to drill onshore. As of September 30, 2021, the oil and gas industry holds more than 9,600 approved permits that are available to drill. In fiscal year (FY) 2021, BLM approved more than 5,000 drilling permits, and more than 4,400 are still being processed.[9] Industry suggests that the significant surplus of leases and permits is necessary for a successful business model, but this speculative approach contributes to unbalanced land management. When land is under contract for potential oil and gas activity, the shared public lands cannot be managed for other purposes, such as conservation or recreation.

Offshore

The Bureau of Ocean Energy Management (BOEM) and Bureau of Safety and Environmental Enforcement (BSEE) work to ensure the development of energy and mineral resources on the U.S. Outer Continental Shelf (OCS) is done in a safe and environmentally and economically responsible way. The OCS is comprised of submerged lands generally starting three nautical miles offshore the United States[10]—totaling nearly 2.3 billion acres in the Pacific, Atlantic, Gulf of Mexico and offshore Alaska and Hawaii. These offshore areas also have shared uses, such as supporting marine wildlife habitat, coastal tourism, subsistence uses, recreational and commercial fishing, and national defense activities.

The Outer Continental Shelf Lands Act (OCSLA) explains that the OCS is a "vital natural resource reserve held by the Federal Government for the public,"[11] and establishes policies and procedures to develop and manage OCS oil and gas resources, achieve national economic and energy policy goals, enhance national security, and reduce dependence on foreign sources of energy.[12] In recognition of the significant impacts on coastal and non-coastal areas that exploration, development, and production of OCS resources can have, OCSLA requires that development be conducted in a safe manner and subject to environmental safeguards. Amendments made to OCSLA in 1978 established the policy that oil and natural gas resources on the OCS should be preserved, protected, and developed in a manner that is consistent with the need to meet the nation's energy needs; balance development with protection of the human, marine, and coastal environments; and ensure a fair and equitable return on resources through a competitive leasing process.

In FY 2020, the OCS produced approximately 642 million barrels of oil and 910 million cubic feet of gas, accounting for 16 percent of all oil production and 3 percent of natural gas production in the United States.[13] Most of this production is in the Gulf of Mexico, where the amount of acreage under lease has declined by more than two-thirds over the last 10 years.[14] This decline is mostly driven by market conditions and changes in companies' strategic approach to leasing. Of the more than 12 million acres under lease, about 45 percent is either producing oil and gas or is subject to approved exploration or development plans, which are preliminary steps leading to production. The 55 percent of the leased acreage that is non-producing may be in an earlier stage of the development process, or being held for speculative reasons, indicating a sufficient inventory of leased acreage to sustain development for years to come.

The Need for Reform

In recent decades, the nation's energy needs and the mix of resources available on domestic and global energy markets have materially changed, while the statutes and policies underpinning the nation's oil and gas program have remained largely static. Utility-scale renewable energy production has emerged as a viable source of energy that can be generated on public lands and in offshore waters. The direct and indirect impacts associated with oil and gas development on our nation's land, water, wildlife, and the health and security of communities—particularly communities of color, who bear a disproportionate burden of pollution—merit a fundamental rebalancing of the Federal oil and gas program.

The Federal oil and gas program has been identified on GAO's "High Risk List" for more than a decade, which notes programs and operations that are "vulnerable to waste, fraud, abuse, or mismanagement, or in need of transformation."[15] As far back as 1989, GAO noted that BLM "is not exercising balanced stewardship over the public lands."[16] In 1990, GAO observed that BLM would approve "some drilling permits without first completing the environmental studies."[17] This Administration has taken action to stop that practice. Indeed, GAO has issued frequent reports outlining serious concerns with the onshore oil and gas leasing program. In just the last three years, GAO has highlighted deficiencies with noncompetitive leasing (GAO-21-138), royalty relief policies (GAO-21-169T), data collection (GAO-21-209), ensuring a fair return (GAO-19-718T), and bonding and reclamation practices (GAO-19-615). Offshore, GAO has raised recent concerns about decommissioning liabilities (GAO-16-40), safety and environmental oversight (GAO-17-293), fiscal returns from the leasing program (GAO-19-531), and pipeline safety and decommissioning (GAO-21-293).

Internally, OIG has regularly highlighted energy management in its annual reports of "Major Management and Performance Challenges facing the U.S. Department of the Interior," stating, "many of DOI's energy programs are vulnerable to waste, fraud, and mismanagement, which can jeopardize public safety and environmental integrity and increase the financial burden on the American public."[18] In recent years, OIG has identified specific concerns with the collection, verification, and distribution of energy resource revenues; issues arising from aging onshore and offshore infrastructure; oversight and management of oil and gas production; and offshore environmental compliance and enforcement, among other issues.[19]

Members of Congress from both sides of the aisle have also introduced various bills in recent years to reform and reimagine the Federal leasing programs. The bills include proposals to raise royalty rates to provide a fair return to taxpayers; address bonding deficiencies to ensure that companies properly restore public lands following extractive activities; support non-extractive uses of public lands and waters; restore community input in leasing decisions; and set emissions reductions strategies, among other reforms.

II. RECOMMENDATIONS

What follows is a high-level blueprint to begin to modernize the onshore and offshore oil and gas leasing programs in order to better restore balance and transparency to public land and ocean management and deliver a fair and equitable return to American taxpayers.[20]

Providing a Fair Return to American Taxpayers and States

Onshore

Adjusting and modernizing the fiscal terms used in the Federal onshore oil and gas program increases returns to the public and disincentivizes speculators or less responsible actors. The GAO has reported extensively that taxpayers have not received a fair rate of return due to outdated fiscal terms.[21] For example, Federal onshore oil and gas royalty rates are consistently lower than on State-issued leases and Federal offshore leases (see Tables 1 and 2); in fact, onshore royalty rates have never been raised. Likewise, bonding levels have not been raised for 60 years, and minimum bids and rents have been the same for over 30 years. If a lease is not sold competitively at auction, for two years it can be sold non-competitively for a modest administrative fee, with no bonus bid required. These noncompetitive leases are frequently less diligently developed as competitively issued leases. From 2013 to 2019, average revenues from competitive leases were nearly three times greater than revenues from noncompetitive leases.[22]

Such low prices for leases, coupled with generous 10-year lease initial terms that are frequently extended, encourage speculators to purchase leases with the intent of waiting for increases in resource prices, adding assets to their balance sheets, or even reselling leases at a profit rather than attempting to produce oil or gas. In one particularly egregious recent case, an individual purchased nearly 300 oil and gas leases and resold many of them almost immediately for up to 13 times the original purchase price.[23] Speculators, not taxpayers, receive the profits from these resales. Because information on lease resales is not easily accessible, local communities are often in the dark when it comes to who has the right to develop oil and gas nearby.

The BLM should improve the return to taxpayers and create an oil and gas program that is more consistent with BLM's multiple-use and sustained yield mandates. Consideration should be given to raising royalty rates and, to the extent allowed by statute, to increasing the current minimum levels for bids, rents, royalties, and bonds. Congressional passage of pending bipartisan legislation could further modernize fiscal terms. States will also benefit from a modernized fiscal system since they receive 49 percent of all oil and gas revenues generated from public lands within their borders.[24] Onshore revenues also fund water reclamation projects throughout the West through contributions to the Reclamation Fund, and may also contribute to the National Parks and Public Land Legacy Restoration Fund.

Royalties

The Mineral Leasing Act was passed in 1920 and set royalties at a minimum of 12.5 percent for oil and gas produced from public lands. Today, 100 years later, leases are still being sold using these low rates, which are out of step with modern times. Numerous public reports provide support for raising royalty rates for leasing on public lands, and nearly all State and private lands require that operators pay a royalty rate higher than 12.5 percent.[25] In June 2017, GAO reported that studies showed that raising Federal royalty rates for onshore oil and gas could "decrease production on federal lands by a small amount or not at all but could increase overall federal revenue."[26]

Table 1: Oil and Gas Royalty Rates across Federal Public, Private, and State Lands[27]

Leasing Jurisdiction	Oil & Gas Royalty Rate
California	Negotiated lease-by-lease, but generally no less than 16.67 percent
Colorado	20 percent

Montana	16.67 percent
New Mexico	18.75-20 percent
North Dakota	16.67 or 18.75 percent depending on the county
Oklahoma	18.75 percent
Texas	20-25 percent
Utah	16.67 percent
Wyoming	16.67 percent
Private Lands	Generally, 12.5-25 percent
Federal Lands	12.5 percent, sometimes less

This table shows the oil and gas royalty rate based on jurisdiction.

Taxpayers for Common Sense released a report last year stating that the Federal Government "lost up to $12.4 billion in revenue from oil and gas drilling on federal lands from 2010 through 2019" because Federal royalty rates are too low.[28] Additionally, the same report found little evidence supporting claims that increasing the Federal onshore royalty rate would drive developers away and reduce overall revenues. This finding aligns with the results seen in Colorado and Texas, where there was no significant effect on production from State lands after State royalty rates were raised.[29]

The BLM should begin to adjust royalties for competitive leases offered in individual lease sales and initiate a rulemaking to establish a higher minimum royalty for onshore oil and gas leases. The BLM also should consider limiting discretionary royalty relief, which it has provided extensively to lessees in the recent past, while it updates its current royalty relief guidance and reassesses the economic assumptions used during royalty relief application evaluations.

Bonus Bids

A bonus bid is the price paid at a lease sale for an oil and gas lease. The minimum bonus bid is set at $2 per acre—an amount that has not been changed since 1987.[30] If an area offered for lease does not receive a bid during the lease sale, the bonus bid is waived, and the area can be acquired during the next two years by the first party that pays a nominal application fee.

The GAO found that leases purchased with a higher bonus bid of more than $100 per acre are over 20 times more likely to be developed in their first lease term than leases purchased with the minimum bid of $2 per acre.[31] The BLM should initiate rulemaking to increase the minimum bid to discourage speculators and to provide a better return to the taxpayer.

Rental Rates

Companies pay rent until the lease is in production, and then they pay royalties on the oil and gas produced. The rental rates, which have not changed since 1987, are $1.50 per acre per year for the first five years, then $2 per acre per year for the next five years, at which point a non-producing lease would expire. The lease is automatically extended as long as production continues.

A GAO report from 2009 concluded that:

> Interior does less to encourage development of federal oil and gas leases than some state and private landowners. Interior officials cited one lease provision that may encourage development—escalating rental rates. … Compared to Interior, the eight states we reviewed undertook more efforts to encourage development on their oil and gas leases, using increasing rental rates as well as shorter lease terms and escalating royalty rates. Some states also do more than Interior to structure leases to reflect the likelihood of oil and gas production, which may encourage faster development.[32]

The BLM should initiate a rulemaking in order to increase rental rates for future lease sales.

Bonding

Current regulations require financial assurance from all lessees to ensure compliance with lease terms and requirements, which is generally provided in the form of a lease surety bond. A lease surety bond remains in place until all lease obligations have been met, including decommissioning, which can extend beyond the expiration of the lease. A surety bond can be issued as a lease-specific bond, a statewide bond, or a nationwide bond, and additional bonds may be necessary to ensure compliance with lease obligations and regulations.

Insufficient bonding levels provide an inadequate incentive for companies to meet their reclamation obligations and increase the risk that taxpayers will be required to cover the cost of reclaiming wells in the event that the operator refuses to do so or declares bankruptcy. According to a 2019 GAO report:

> … weaknesses with bonds for coal mining and for oil and gas development pose a financial risk to the federal government as laws, regulations, or agency practices have not been adjusted to reflect current economic circumstances. We have also reported that BLM has no mechanism to pay for reclaiming well sites that operators have not reclaimed.[33]

The risks associated with low bonding rates have become more apparent in light of the recent increase in bankruptcies. Company liquidations often result in wells becoming orphaned, which then fall to the Federal Government or States to address, while some companies have used Chapter 11 restructuring to get out of reclamation obligations.[34]

According to the same 2019 GAO report, oil and gas lease bonds do not provide sufficient financial assurance because, among other things, most individual, statewide, and nationwide lease bonds are set at regulatory minimum values that have not been adjusted for inflation since the 1950s and 1960s.[35] These minimum bond amounts and the year calculated are: individual lease, $10,000—1960; statewide, $25,000—1951; nationwide, $150,000—1951.[36] The National Petroleum Reserve—Alaska bonds were set in 1981; an individual lease is $100,000, and a reserve-wide bond is $300,000.[37] While individual States have bonding levels that are often too low to fully reclaim modern horizontally-drilled wells, most States require significantly higher bonds than the Federal Government, often with bonding requirements that adjust based on the depth and number of wells covered.[38]

The BLM should increase minimum bond amounts and set the appropriate levels taking into consideration changes in technology, the complexity and depth of modern wells, inflation, and the risk of abandonment. While such regulations are being developed, BLM should adjust bonds for individual, high risk leases through adequacy reviews and when leases are reinstated or applications for permits to drill are extended.

Offshore

Royalties and Royalty Relief

The BOEM evaluates lease terms on a sale-by-sale basis to ensure they are consistent with current market or resource conditions. The OCSLA sets the minimum offshore royalty rate at 12.5 percent and directs that leasing be conducted in a way that ensures the government receives fair market value (FMV). OCSLA also directs that management of the OCS be conducted in a way that considers economic, social, and environmental values, and protects the human, marine, and coastal environments.

A 2019 GAO report that assessed BOEM's process to evaluate whether it was receiving FMV for offshore leases recommended that BOEM take steps to reform its methodology to ensure that it was capturing the full value of the lease tracts it was offering.[39] The BOEM is in the process of responding to several of GAO's recommendations concerning oil and gas valuation procedures.

Table 2: Offshore Oil and Gas Royalty Rates (BOEM)

Water Depth (meters)	**Royalty Rate**			
	Prior to 2007[40]	**2007**	**2008-March 2017**	**August 2017-2020 (Sale 256)**
0 to < 200m	16.67%	16.67%	18.75%	12.5%
200 to < 400m	16.67%	16.67%	18.75%	18.75%
400m+	12.5%	16.67%	18.75%	18.75%

This table shows the royalty rate based on water depth. Fiscal terms are evaluated and set on a sale-by-sale basis. Date ranges indicate the years in which sales were held using those terms.

Revenues from lease sales, royalties on production, and rental fees are distributed to the U.S. Treasury, several coastal States through OCSLA section 8(g) and the Gulf of Mexico Energy Security Act, the Historic Preservation Fund, the Land and Water Conservation Fund, and Legacy Restoration Fund.[41]

As with BLM, BOEM and BSEE will be continuing to study the most appropriate method for revising royalty rates and other fiscal terms to monetarily account for the costs of carbon dioxide, methane, and nitrous oxide.

Also similar to BLM, BOEM and BSEE have the authority to provide discretionary royalty relief depending on economic circumstances, and those agencies likewise will be reevaluating existing royalty relief guidance and the economic assumptions used to evaluate royalty relief applications,[42] insofar as royalty relief can have the effect of subsidizing uneconomic production at taxpayers' expense. The BSEE recently determined, for example, that the April 2020 Special Case Royalty Relief guidance neither formalized application and evaluation procedures nor provided adequate training to implement them, and BSEE has discontinued this specific royalty relief option.

Financial Assurances

Financial assurance requirements for operators offshore are similar to those onshore: all lessees must provide a general lease surety bond, which covers all terms and conditions of a lease and remains in place until all lease obligations have been met, including decommissioning, which can extend beyond the expiration of the lease. A surety bond can be issued as a lease-specific bond or as an area-wide bond that guarantees obligations on all leases held by a lessee within a specified area. Additional bonds may be necessary to ensure compliance with lease obligations and regulations.

Table 3. Bonding Amounts for Offshore Oil and Gas Activity[43]

Lease Activity	Lease-Specific Bond Amount	Area-Wide Bond Amounts
No approved operational activity	$50,000	$300,000
Exploration Plan	$200,000	$1,000,000
Development Production Plan	$500,000	$3,000,000
Pipeline Right of Way (ROW)	N/A	$300,000

This table shows the amounts for lease-specific and area-wide bonds.

Lessees, owners of operating rights, and ROW holders are jointly and severally responsible for decommissioning obligations and are required to perform this duty in a timely manner, consistent with regulations and guidance.

Recent bankruptcies have in some cases resulted in companies being unable to cover their decommissioning liabilities, leading to orphaned wells and idle infrastructure. The BSEE estimates that the liability for currently orphaned infrastructure on the OCS is approximately $65 million, with the potential to increase if more companies go bankrupt and create additional orphaned infrastructure. The GAO recently found that there were approximately $2.3 billion in decommissioning liabilities on the OCS that were not covered by bonds, and roughly $33 billion in liabilities had bonds waived because the financial condition of the leaseholder was considered strong enough.[44] The current regulatory structure governing financial assurances does not have the appropriate checks to intervene in advance of bankruptcies to require additional financial assurances. Financial assurance coverage should be strengthened to protect the Federal Government and taxpayers and to ensure that companies are financially able to meet their lease and decommissioning obligations.

In 2020, BOEM and BSEE published a notice of proposed rulemaking to address this issue.[45] The agencies will carefully consider comments received on both the proposed rule and this review to inform their approach for improving financial assurance requirements to better manage the risks associated with industry activities on the OCS.

Fitness to Operate
Offshore leases are significantly more expensive to acquire than onshore leases, which, among other reasons, results in less of a role for speculators in the leasing process. However, companies with poor environmental, safety, or reclamation histories are still allowed to bid for leases or acquire them from other companies. The BOEM plans to develop a "Fitness to Operate" standard for companies seeking to be designated as oil and gas operators and evaluate how to apply such a standard to potential new lessees or current lessees seeking to gain additional properties.
The Fitness to Operate standard will establish criteria that companies would need to meet in order to operate on the U.S. OCS. Requiring companies to meet minimal fitness to operate standards will ensure companies can meet their safety, environmental, and financial responsibilities.

Designing More Responsible Processes

Onshore

Through the land use planning process, BLM determines what lands may be available for oil and gas leasing, what lease stipulations will be applied to protect other resources and values, and what "conditions of approval" may be necessary on permits to drill for additional protection. The land use planning process requires extensive collaboration with Tribal, State, and local governments and the public regarding how Federal lands will be used and minerals will be extracted at specific locations.

As an overarching policy, BLM should ensure that oil and gas is not prioritized over other land uses, consistent with BLM's mandate of multiple-use and sustained yield. The BLM should carefully consider what lands make the most sense to lease in terms of expected yields of oil and gas, prospects of earning a fair return for U.S. taxpayers, and conflicts with other uses, such as outdoor recreation and wildlife habitat. The BLM should always ensure it is considering the views of local communities, Tribes, businesses, State and local governments, and other stakeholders.

Low Potential Lands
Common practice in BLM land use planning has been to leave the majority of Federal lands open for leasing and allow industry to drive decisions on what areas will be nominated for oil and gas leasing. Since there is no cost to nominate parcels of land for leasing, there is little disincentive for companies to identify large amounts of acreage regardless of the resource potential of that land or how seriously the nominator is considering bidding for the nominated parcels. The burden and expense then fall on BLM to process those parcels, triggering the dedication of BLM staff resources to analyze marginal lands that companies may not be interested in bidding on and

that may never be leased, much less developed. At the same time, sales of large amounts of low-potential land often ignite local community concerns (particularly since low-potential lands are more likely to be in areas that are not accustomed to local oil and gas development) and result in protests that are time-consuming and resource-intensive to adjudicate.

The BLM should evaluate operational adjustments to its leasing program that will avoid nomination or leasing of low potential lands and instead focus on areas that have moderate or high potential for oil and gas resources and which are in proximity to existing oil and gas infrastructure.

Bidding Requirements

The current leasing process does not thoroughly screen buyers, which creates the potential for widespread speculative leasing, unqualified buyers, and large numbers of leases that may be issued noncompetitively. Indeed, speculative leasing has been observed in the leasing program as far back as 1980, when GAO wrote, "We found much inactive land being held by individuals who were not affiliated with oil companies and were, therefore, presumably speculators."[46]

Unlike the offshore or coal leasing programs, the onshore oil and gas program does not pre-clear bidders based on their ability to responsibly and diligently pursue development. Combined with artificially low minimum bids and rental rates, the system is easily taken advantage of by speculators seeking to re-sell leases at higher prices later, and it allows bidders to shield the identity of companies purchasing leases, leaving communities in the dark as to who is seeking to develop oil and gas on nearby public lands.

The BLM should consider reforms that ensure that bidders—and any subsequent proposed leaseholders or operators—are publicly identified and financially and technically qualified to develop leases.

Offshore

For future National OCS Oil and Gas Leasing Programs, BOEM should consider advancing alternatives to the practice of area-wide leasing, under which the entire planning area is offered with few exclusions for a lease sale. Area-wide leasing is not required under OCSLA; it was first implemented by Interior Secretary James Watt in 1982 and has since been applied during the majority of OCS lease sales. An early assessment of the practice by GAO in 1985 found that the first 10 area-wide lease sales resulted in an estimated loss of $7 billion to the Federal Government,[47] and a review of the process published in 2006 found that area-wide leasing significantly reduced the amount of competition and the value of bids for each lease tract.[48] Moving to a leasing model where smaller areas are offered according to a number of criteria—including environmental protection, subsistence use needs, resource potential and financial considerations—will help ensure that American taxpayers are receiving a fair return for offshore oil and gas resources.

Creating a More Inclusive and Just Approach to Managing Public Lands and Waters

The stewardship mission of DOI mandates processes for outreach and receipt of public input, including from communities that may be most affected by DOI activities. These processes have not always been adequate, fair, or equitable, which thus perpetuates environmental injustice.

Practices such as allowing anonymous lease nominations and recent efforts to restrict or eliminate public notice and comment periods can leave local community voices—including, in particular, Tribal voices—out of leasing and permitting processes. The DOI should undertake meaningful Tribal consultations and solicit public input more generally regarding its leasing and permitting processes.

III. CONCLUSION

Modernization of the Federal oil and gas program has been delayed for decades to the detriment of the American public, their public lands and waters, the environment, wildlife, and more. In its current form, the program falls short of serving the public interest in a number of important respects. It provides insufficient opportunities for public input, shortchanges taxpayers and States, and tilts toward opening up low potential lands without adequately considering competing multiple-use opportunities.

This report lays out actions that the Administration is considering taking, consistent with legal authorities and the Executive Branch's broad discretion, to provide a fair return to taxpayers and to steward shared resources. It also encourages Congress to act on pending legislation to provide fundamental reforms to the onshore and offshore oil and gas programs.

The DOI will continue to seek out honest and pragmatic paths forward—in concert with communities; Federal, State, local, and Tribal leaders; businesses and labor; and other stakeholders—to bring a common purpose to the management of America's public lands and waters, and the value they hold.

IV. ENDNOTES

[1] Exec. Order No. 14,008, 86 Fed. Reg. 7,619 (Jan. 27, 2021).
[2] *See* U.S. Dep't of the Interior Office of Inspector General, Inspector General's Statement Summarizing the Major Management and Performance Challenges Facing the U.S. Department of the Interior, FY 2020 (2020); U.S. Dep't of the Interior Office of Inspector General, Inspector General's Statement Summarizing the Major Management and Performance Challenges Facing the U.S. Department of the Interior for Fiscal Year 2019 (2019); U.S. Dep't of the Interior Office of Inspector General, Inspector General's Statement Summarizing the Major Management and Performance Challenges Facing the U.S. Department of the Interior for Fiscal Year 2018 (2018); U.S. Department of the Interior Office of Inspector General, Inspector General's Statement Summarizing the Major Management and Performance Challenges Facing the U.S. Department of the Interior (2017).
[3] U.S. Dep't of the Interior Office of Inspector General, Inspector General's Statement Summarizing the Major Management and Performance Challenges Facing the U.S. Department of the Interior (2015).
[4] This report includes only suggestions as to future Departmental actions, which will be promulgated, if at all, in compliance with the Administrative Procedure Act and other applicable law. This report is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officer or employees, or any other person.
[5] 43 U.S.C. § 1701.
[6] 30 U.S.C. § 181.
[7] Bureau of Land Management, *Oil and Gas Statistics*, available at https://www.blm.gov/programs-energy-and-minerals-oil-and-gas-oil-and-gas-statistics.
[8] Ibid.
[9] Bureau of Land Management, *APD Status Report June 2021*, available at https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/operations-and-production/permitting/applications-permits-drill.
[10] The OCS begins nine nautical miles off the Gulf of Mexico coasts of Florida and Texas.
[11] 43 U.S.C. § 1332(3).
[12] 43 U.S.C. §§ 1331-1356.
[13] U.S. Department of the Interior, "Natural Resources Revenue Data," available at https://revenuedata.doi.gov/; U.S. Energy Information Administration, "Crude Oil Production," available at https://www.eia.gov/dnav/pet/pet_crd_crpdn_adc_mbbl_a.htm; U.S. Energy Information Administration, "Natural Gas Gross Withdrawals and Production," Marketed Production data series, available at https://www.eia.gov/dnav/ng/ng_prod_sum_a_EPG0_VGM_mmcf_m.htm.
[14] Bureau of Ocean Energy Management, "Combined Leasing Report July 1, 2021" and "Combined Leasing Report As of February 3, 2011," available at https://www.boem.gov/oil-gas-energy/leasing/combined-leasing-status-report.

[15] U.S. Government Accountability Office, "OFFSHORE OIL AND GAS: Opportunities Exist to Better Ensure a Fair Return on Federal Resources," (2019); High Risk List," U.S. Gov't Accountability Office, https://www.gao.gov/high-risk-list.

[16] U.S. General Accounting Office, Change in Approach Needed to Improve the Bureau of Land Management's Oversight of Public Lands 1 (1989).

[17] U.S. General Accounting Office, "FEDERAL LAND MANAGEMENT: Better Oil and Gas Information Needed to Support Land Use Decisions," June 1990, available at http://archive.gao.gov/d24t8/141709.pdf.

[18] U.S. Department of the Interior Office of Inspector General, "Inspector General's Statement Summarizing the Major Management And Performance Challenges Facing The U.S. Department Of The Interior," November 2015, available at https://www.doioig.gov/sites/doioig.gov/files/2015ER068Public.pdf.

[19] U.S. Department of the Interior Office of Inspector General, "Inspector General's Statement Summarizing the Major Management and Performance Challenges Facing the U.S. Department of the Interior for Fiscal Year 2019," November 2019, available at https://www.doioig.gov/sites/doioig.gov/files/FinalReport_TopManagementChallengesFY19_111519.pdf; U.S. Department of the Interior Office of Inspector General, "Inspector General's Statement Summarizing the Major Management and Performance Challenges Facing the U.S. Department of the Interior for Fiscal Year 2018, November 2018, available at https://www.doioig.gov/sites/doioig.gov/files/FY2018_MajorMgmtandPerformanceChallengesFacingDOI_110718.pdf; U.S. Department of the Interior Office of Inspector General, "Inspector General's Statement Summarizing the Major Management and Performance Challenges Facing the U.S. Department of the Interior," November 2017, available at https://www.doioig.gov/sites/doioig.gov/files/FY2017_MajorMgmtandPerformanceChallengesFacingDOI_110217.pdf; U.S. Department of the Interior Office of Inspector General, "Inspector General's Statement Summarizing the Major Management and Performance Challenges Facing the U.S. Department of the Interior," November 2016, available at https://www.doioig.gov/sites/doioig.gov/files/2016ER049Public.pdf.

[20] This report focuses on reforms to the oil and gas leasing program, but DOI will also be conducting similar analyses and reviews on the Federal coal program to identify reforms in that program as well, including exploring ways that the costs of climate change are appropriately reflected in coal leasing terms.

[21] U.S. Government Accountability Office, "OFFSHORE OIL AND GAS: Opportunities Exist to Better Ensure a Fair Return on Federal Resources," September 2019, available at https://www.gao.gov/assets/gao-19-531.pdf.

[22] U.S. Government Accountability Office, "OIL AND GAS: Onshore Competitive and Noncompetitive Lease Revenues," November 2020, available at https://www.gao.gov/assets/gao-21-138-highlights.pdf.

[23] N. Groom, "How a Burmese immigrant profited by flipping cheap oil leases from Trump auctions," *Reuters,* March2021, available at https://www.reuters.com/article/us-usa-drilling-

myanmar-insight/how-a-burmese-immigrant-profited-by-flipping-cheap-oil-leases-from-trump-auctions-idUSKBN2BE1C5.

[24] 30 U.S.C. § 191.

[25] Taxpayers for Common Sense, "Royally Losing: Higher Royalties on State and Offshore Oil and Gas Production Reap Billions More than Drilling on Federal Lands," February 2020, available at https://www.taxpayer.net/wp-content/uploads/2020/02/TCS-Royally-Losing-2020.pdf.

[26] U.S. Government Accountability Office, "OIL, GAS, AND COAL ROYALTIES: Raising Federal Rates Could Decrease Production on Federal Lands but Increase Federal Revenue," June 2017, available at https://www.gao.gov/assets/gao-17-540.pdf.

[27] Taxpayers for Common Sense, "Royally Losing: Higher Royalties on State and Offshore Oil and Gas Production Reap Billions More than Drilling on Federal Lands," February 2020, available at https://www.taxpayer.net/wp-content/uploads/2020/02/TCS-Royally-Losing-2020.pdf.

[28] Ibid.

[29] Taxpayers for Common Sense, "Royally Losing: Higher Royalties on State and Offshore Oil and Gas Production Reap Billions More than Drilling on Federal Lands," February 2020, available at https://www.taxpayer.net/wp-content/uploads/2020/02/TCS-Royally-Losing-2020.pdf; U.S. Government Accountability Office, "OIL, GAS, AND COAL ROYALTIES: Raising Federal Rates Could Decrease Production on Federal Lands but Increase Federal Revenue," June 2017, available at https://www.gao.gov/assets/gao-17-540.pdf.

[30] 30 U.S.C. § 226(b)(1)(B); 43 C.F.R. § 3120.1-2.

[31] U.S. Government Accountability Office, "OIL AND GAS: Onshore Competitive and Non-Competitive Lease Revenues," November 2020, available at https://www.gao.gov/assets/gao-21-138.pdf.

[32] U.S. Government Accountability Office, "OIL AND GAS LEASING: Federal Oil and Gas Resource Management and Revenue Collection in Need of Comprehensive Reassessment," March 2009, available at https://www.gao.gov/assets/gao-09

[33] U.S. Government Accountability Officer, "FEDERAL ENERGY DEVELOPMENT: Challenges to Ensuring a Fair Return for Federal Energy Resources," September 2019, available at https://www.gao.gov/assets/gao-19-718t.pdf.

[34] N. Sadasivam, "How bankruptcy lets oil and gas companies evade cleanup rules,*" Grist*, June 2021, available at https://grist.org/accountability/oil-gas-bankruptcy-fieldwood-energy-petroshare/.

[35] U.S. Government Accountability Office, "FEDERAL ENERGY DEVELOPMENT: Challenges to Ensuring a Fair Return for Federal Energy Resources," September 2019, available at https://www.gao.gov/assets/gao-19-718t.pdf.

[36] 43 C.F.R. §§ 3104.2, 3104.3

[37] 43 C.F.R. § 3134.1.

[38] Western Organization of Resource Councils, "BLM Oil and Gas Bonding Rules Leave Lands a Mess and Taxpayers Responsible," April 2020, available at http://www.worc.org/publication/8671/.
[39] U.S. Government Accountability Office, "OFFSHORE OIL AND GAS: Opportunities Exist to Better Ensure a Fair Return on Federal Resources," September 2019, available at https://www.gao.gov/assets/gao-19-531.pdf.
[40] Predominant royalty rates, particularly in the decades immediately preceding 2006. But not all lease sales, particularly older ones, had these exact royalty rates.
[41] U.S. Department of the Interior, "Natural Resources Revenue Data," available at https://revenuedata.doi.gov/.
[42] Congressional Research Service, "Offshore Royalty Relief: Status During the COVID-19 Pandemic," May 2020, available at https://crsreports.congress.gov/product/pdf/IN/IN11380.
[43] 30 C.F.R. §§ 556.900, 556.901.
[44] U.S. Government Accountability Office, "Offshore Oil and Gas Resources: Actions Needed to Better Protect Against Billions of Dollars in Federal Exposure to Decommissioning Liabilities," December 2015, available at https://www.gao.gov/products/gao-16-40.
[45] 85 Fed. Reg. 65,904 (Oct. 16, 2020).
[46] U.S. General Accounting Office, "Impact of Making The Onshore Oil And Gas Leasing System More Competitive," March 1980, available at https://www.gao.gov/assets/emd-80-60.pdf.
[47] U.S. General Accounting Office, Early Assessment of Interior's Area-Wide Program for Leasing Offshore Lands (1985).
[48] J. Boué and others, "A Question of Rigs, of Rules, or of Rigging the Rules?: Upstream Profits and Taxes in US Gulf Offshore Oil and Gas, *Oxford University Press,* 2006.

From:	Barnett, Eve S
To:	Sanchez, Alexandra L
Subject:	Are these working for you?
Date:	Wednesday, November 24, 2021 2:57:00 PM

2015: https://www.doioig.gov/reports/other/inspector-generals-statement-summarizing-major-management-and-performance-4

2016:
https://www.doioig.gov/reports/other/inspector-generals-statement-summarizing-major-management-and-performance-3

2017:
https://www.doioig.gov/reports/other/inspector-generals-statement-summarizing-major-management-and-performance-2

2018:
https://www.doioig.gov/reports/other/inspector-generals-statement-summarizing-major-management-and-performance-1

2019:
https://www.doioig.gov/reports/other/inspector-generals-statement-summarizing-major-management-and-performance-0

—
Eve S. Barnett
Presidential Management Fellow
Office of the Secretary, U.S. Department of the Interior
202-255-8874
(she/her)

From: Feldgus, Steven H
To: Sanchez, Alexandra L
Subject: Feldgus, Steven H replied to a comment in "DRAFT Oil and Gas Report 8-5-21 - formatted sanchez comments for review"
Date: Thursday, October 21, 2021 2:22:16 PM
Attachments: 23230072-b42a-4d02-8045-d1372018af35
52e2fc6a-7947-4bfd-9b50-e1f814dd0b88
729de4c5-13e4-48e6-828b-032322f5d042
297a1d6d-6889-47e1-9727-1d4b7b47a4c3
80d07b43-8d66-447a-a185-ea160b9129e2

DRAFT Oil and Gas Report 8-5-21 - formatted sanchez comments for review.docx

You left a comment

FH Feldgus, Steven H replied

Go to comment

Why am I receiving this notification from Office?

From: Feldgus, Steven H
To: Sanchez, Alexandra L
Subject: Feldgus, Steven H replied to a comment in "DRAFT Oil and Gas Report 8-5-21 - formatted sanchez comments for review"
Date: Thursday, October 21, 2021 2:22:08 PM
Attachments: 74a8d1e2-24db-4752-94fc-83f129ca9bc8
a6a13f97-4539-4ce4-a6c5-f9f574b7e6a4
9a9db85b-672c-4680-90d9-a7ca1380d78f
c2888725-87eb-4573-9733-3cc6e9aacf3f
4761b491-e27a-4b67-b587-6fc7599f169b

DRAFT Oil and Gas Report 8-5-21 - formatted sanchez comments for review.docx

You left a comment

FH Feldgus, Steven H replied

Go to comment

From:	Feldgus, Steven H
To:	Sanchez, Alexandra L
Subject:	Feldgus, Steven H replied to a comment in "DRAFT Oil and Gas Report 8-5-21 - formatted sanchez comments for review"
Date:	Thursday, October 21, 2021 2:21:10 PM
Attachments:	8e2e58dc-7b67-4ba1-9d9e-6a24d9123bc7 65793473-1c6a-4d12-98f0-347fc2bdac79 eabae6a8-fb9c-4004-a494-590798230d12 7d4f7fac-ff2e-40bd-9720-1aa33d8d4c8b eed7cf0d-405e-4f4d-8807-b66117e2f27d 2f702312-8000-4e35-a92e-bc4a4429c89d ae563fac-3742-4338-bb1d-2e3e3b20bdc2 70a36fea-1c93-4e42-8f22-485b7694069f 35142669-04d6-4c07-bc8e-cc46a88a90c2 bc204f65-7ad4-48f9-994a-83260ca90f7c 1d4a7aa5-7996-4f34-8d5e-96ad31805f1e 7a42b807-c5f6-4889-beb4-04f33dd429db 22d9b3a0-9b75-4d3e-997b-1179da008892 7f944173-4f66-4670-bb6c-5187e68fb23f 722ce375-1176-434e-b7dc-d8c5d0afc0b7 dc22d99e-860a-40a8-ba24-e9e1d6233d48 fcd780c1-24a6-443f-a4c0-c7a7528f2de0 eba12017-7ac4-4e31-b93b-cb5181212e8a 711d7436-3509-492c-b6e9-3789949253f4

DRAFT Oil and Gas Report 8-5-21 - formatted sanchez comments for review.docx

You left a comment

FH Feldgus, Steven H replied

Go to comment

You left a comment

FH Feldgus, Steven H replied

Go to comment

You left a comment

Feldgus, Steven H replied

Go to comment

You left a comment

Feldgus, Steven H replied

Go to comment

You left a comment

Feldgus, Steven H replied

Go to comment

You left a comment

Feldgus, Steven H replied

Go to comment

You left a comment

Feldgus, Steven H replied

Go to comment

You left a comment

Feldgus, Steven H replied

Go to comment

Why am I receiving this notification from Office?

From: Feldgus, Steven H
To: Sanchez, Alexandra L
Subject: Feldgus, Steven H replied to a comment in "DRAFT Oil and Gas Report 8-5-21 - formatted sanchez comments for review"
Date: Thursday, October 21, 2021 1:56:59 PM
Attachments: d0acf83d-6338-4f73-8e33-89b5b80633f5
ee456953-99f2-4c82-8324-d5bc7abe60b7
4b4c8c15-dd55-468a-a7b3-dd42286719a9
195b7c2a-c442-4f3d-91f6-c18e74c633f4
4bddf0d6-b5d1-44ab-8088-7e33ed9cd824

DRAFT Oil and Gas Report 8-5-21 - formatted sanchez comments for review.docx

You left a comment

FH Feldgus, Steven H replied

Go to comment

Why am I receiving this notification from Office?

From: Feldgus, Steven H
To: Sanchez, Alexandra L
Subject: Feldgus, Steven H replied to a comment in "DRAFT Oil and Gas Report 8-5-21 - formatted sanchez comments for review"
Date: Thursday, October 21, 2021 1:32:10 PM
Attachments: 6694d80f-c5e2-4ffe-9af9-75caa8889bde
aecb1a16-84e2-4c3c-bd50-f3b388e1d0e2
4fecd764-d086-4277-ba32-fff4ee927408
ce7eacff-7ce1-45c4-bf82-3cf80407b9c8
2214dad0-4f1c-4c25-80b6-01433c1c66b8
a6cd60bf-b3f2-4f29-bd71-3d4713a185fa
a76e8add-1b33-48e5-a459-0b47b6db2d64
03c8ebd9-3137-4261-9b26-bc821a3ad6eb
3533018d-585b-41e4-80cf-5ca5bf4b54be
f0e711fb-4c03-4928-ae81-0e02e7c3abaf
1364732d-6eb1-43f1-9eca-0f2f0c0222aa
cc3bba41-568b-43be-92a5-bcedce3df731
b4df0bde-6cd0-4005-9850-eb36c3697bab
d81f6be6-6744-4efc-b1d3-352697241c2c

DRAFT Oil and Gas Report 8-5-21 - formatted sanchez comments for review.docx

You left a comment

FH Feldgus, Steven H replied

Go to comment

You left a comment

FH Feldgus, Steven H replied

Go to comment

You left a comment

FH Feldgus, Steven H replied

Go to comment

You left a comment

You left a comment

Feldgus, Steven H replied

Go to comment

You left a comment

Feldgus, Steven H replied

Go to comment

Why am I receiving this notification from Office?

From: Feldgus, Steven H
To: Sanchez, Alexandra L
Subject: Feldgus, Steven H replied to a comment in "DRAFT Oil and Gas Report 8-5-21 - formatted sanchez comments for review"
Date: Thursday, October 21, 2021 12:56:25 PM
Attachments: fafdf7c5-cf0d-441f-8247-9659adb9e037
267026c1-958a-414d-8c0c-79aeb666db11
42cdd218-b020-4e86-a992-598bab0c42fd
e1b920de-ba74-4ae5-9558-4593a21ee1ba
c3794321-e9c7-405f-a710-11ff73723b5b

DRAFT Oil and Gas Report 8-5-21 - formatted sanchez comments for review.docx

You left a comment

FH Feldgus, Steven H replied

Go to comment

Why am I receiving this notification from Office?

From: Feldgus, Steven H
To: Sanchez, Alexandra L
Subject: Feldgus, Steven H replied to a comment in "DRAFT Oil and Gas Report 8-5-21 - formatted sanchez comments for review"
Date: Thursday, October 21, 2021 12:56:23 PM
Attachments: 2c469a98-fad6-4957-9d1d-f45b1dd2b826
d94af80a-7a05-4f66-9e9f-8ae9392c4631
c04950b6-3b51-4370-b8bc-a66b74e3bdf6
e5e61f2d-49d5-48f6-8cde-e05ce52367d0
23b12462-b72a-4e8e-a5d4-96616647d237

DRAFT Oil and Gas Report 8-5-21 - formatted sanchez comments for review.docx

You left a comment

FH Feldgus, Steven H replied

Go to comment

Why am I receiving this notification from Office?

From:	Klaja, John M
To:	Sanchez, Alexandra L
Subject:	Re: Draft report
Date:	Friday, October 8, 2021 4:01:08 PM

I will. IMAGINE… I just found out this morning that we have a holiday on Monday. Very excited.

John Klaja
Visual Information Specialist
U.S. Department of the Interior
Office of Facilities and Administrative Services (OFAS)
Creative Communication Services
1849 C Street, NW MS 1647
Washington, DC 20240
Office: 202-208-6246
Mobile: 202-603-2694
John_Klaja@ios.doi.gov

For more information visit our website at: http://www.doi.gov/ofas
Graphics mailbox ofas_creative_services@ios.doi.gov

From: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Date: Friday, October 8, 2021 at 3:58 PM
To: Klaja, John M <john_klaja@ios.doi.gov>
Subject: RE: Draft report

You too, John. And I hope you get to enjoy the long weekend!

From: Klaja, John M <john_klaja@ios.doi.gov>
Sent: Friday, October 8, 2021 3:52 PM
To: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Subject: Re: Draft report

Thanks for the update Alexandra, and your kind words.

It was a pleasure working with you and your team and we look forward to collaborating with you on future projects.

Be well,

John

John Klaja
Visual Information Specialist
U.S. Department of the Interior
Office of Facilities and Administrative Services (OFAS)
Creative Communication Services

1849 C Street, NW MS 1647
Washington, DC 20240
Office: 202-208-6246
Mobile: 202-603-2694
John_Klaja@ios.doi.gov

For more information visit our website at: http://www.doi.gov/ofas
Graphics mailbox ofas_creative_services@ios.doi.gov

From: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Date: Friday, October 8, 2021 at 3:48 PM
To: Klaja, John M <john_klaja@ios.doi.gov>
Subject: RE: Draft report

Hi John! Happy Friday!
The report has still not been released and we won't be needing graphics/layout assistance. Things just went down a different path than originally planned.
Thanks again for all your thoughtfulness and creativity earlier this year. I hope to work with you on something else soon though!
Best,
Alex

From: Klaja, John M <john_klaja@ios.doi.gov>
Sent: Friday, October 8, 2021 3:32 PM
To: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Subject: Re: Draft report

Happy Friday Alexandra,

I'm following up to see where this project stands. Hope we didn't drop the ball on our end.

Was it completed and presented? Are you still in need of any assistance with graphics?

Please let me know.

Thank you,

John

John Klaja
Visual Information Specialist
U.S. Department of the Interior
Office of Facilities and Administrative Services (OFAS)
Creative Communication Services
1849 C Street, NW MS 1647
Washington, DC 20240
Office: 202-208-6246

Mobile: 202-603-2694
John_Klaja@ios.doi.gov

For more information visit our website at: http://www.doi.gov/ofas
Graphics mailbox ofas_creative_services@ios.doi.gov

From: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Date: Tuesday, August 17, 2021 at 10:48 AM
To: Klaja, John M <john_klaja@ios.doi.gov>
Cc: Ravas, Theodore J <theodore_ravas@ios.doi.gov>
Subject: RE: Draft report

Hi John and TJ!
At this point, we have decided to just format the report internally.
Thank you so much for your efforts and expertise.
In the meantime on the infographics, can you send us some options? I don't know that we have a preference on style.
Thanks,
Alex

From: Klaja, John M <john_klaja@ios.doi.gov>
Sent: Tuesday, August 17, 2021 7:20 AM
To: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Cc: Ravas, Theodore J <theodore_ravas@ios.doi.gov>
Subject: Re: Draft report

Hi Alexandra,

TJ asked me to check on the status of the **Interim Report on the Federal Oil & Gas Leasing and Permitting Programs.** He is currently out on [redacted] (b) (6) Leave but checks in daily.

Is this report still going to be produced? Please see my email below regarding preferred style for the callout boxes and Infographics. If you could please provide an example or graphic style that you have seen or prefer, that would be great. Happy to hop on a Teams call if that is more helpful.

Thank you,
John

John Klaja
Visual Information Specialist
U.S. Department of the Interior
Office of Facilities and Administrative Services (OFAS)
Creative Communication Services
1849 C Street, NW MS 1647
Washington, DC 20240

Office: 202-208-6246
Mobile: 202-603-2694
John_Klaja@ios.doi.gov

For more information visit our website at: http://www.doi.gov/ofas
Graphics mailbox ofas_creative_services@ios.doi.gov

From: Klaja, John M <john_klaja@ios.doi.gov>
Date: Thursday, July 22, 2021 at 1:19 PM
To: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Subject: Re: Draft report

Hi Alexandra,

Here we go. Cover Comps are attached.

I have not worked on the Infographics or charts, but I've got some free time in the next few days so I can devote it to those.

Do you have a certain style that you have seen and liked for those graphics??? Such as large numbers, icon graphics, etc.???

Please let me know. That would be helpful.

Thank you,

John

John Klaja
Visual Information Specialist
U.S. Department of the Interior
Office of Facilities and Administrative Services (OFAS)
Creative Communication Services
1849 C Street, NW MS 1647
Washington, DC 20240
Office: 202-208-6246
Mobile: 202-603-2694
John_Klaja@ios.doi.gov

For more information visit our website at: http://www.doi.gov/ofas
Graphics mailbox ofas_creative_services@ios.doi.gov

From: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Date: Thursday, July 22, 2021 at 12:56 PM
To: Klaja, John M <john_klaja@ios.doi.gov>
Subject: RE: Draft report

Hi John, was wondering if you could send just the covers again and also if you had time to work on that list of infographics we sent a while back?
Happy to chat later, too.
Thanks!
Alex

From: Klaja, John M <john_klaja@ios.doi.gov>
Sent: Friday, July 16, 2021 9:05 AM
To: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>; Ravas, Theodore J <theodore_ravas@ios.doi.gov>
Subject: Re: Draft report

Thanks for the update Alexandra.

Be well.

John

John Klaja
Visual Information Specialist
U.S. Department of the Interior
Office of Facilities and Administrative Services (OFAS)
Creative Communication Services
1849 C Street, NW MS 1647
Washington, DC 20240
Office: 202-208-6246
Mobile: 202-603-2694
John_Klaja@ios.doi.gov

For more information visit our website at: http://www.doi.gov/ofas
Graphics mailbox ofas_creative_services@ios.doi.gov

From: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Date: Thursday, July 15, 2021 at 5:18 PM
To: Klaja, John M <john_klaja@ios.doi.gov>, Ravas, Theodore J <theodore_ravas@ios.doi.gov>
Subject: RE: Draft report

Hi John, at this point we are still holding. Thank you for the patience!
Will keep you posted.
Alex

From: Klaja, John M <john_klaja@ios.doi.gov>
Sent: Thursday, July 8, 2021 7:46 PM
To: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>; Ravas, Theodore J <theodore_ravas@ios.doi.gov>
Subject: Re: Draft report

Hello Alexandra,

Just following up on the status of the final text for the Summer 2021 Interim Oil and Gas Report.

Attached please find two sample text spread layouts for your review.

Please let us know which you prefer and when we may expect to receive the final text.

I'm out on leave this Friday but am back in the office on Monday. Look forward to hearing from you.

Thank you,

John

John Klaja
Visual Information Specialist
U.S. Department of the Interior
Office of Facilities and Administrative Services (OFAS)
Creative Communication Services
1849 C Street, NW MS 1647
Washington, DC 20240
Office: 202-208-6246
Mobile: 202-603-2694
John_Klaja@ios.doi.gov

For more information visit our website at: http://www.doi.gov/ofas
Graphics mailbox ofas_creative_services@ios.doi.gov

From: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Date: Tuesday, June 8, 2021 at 4:20 PM
To: Klaja, John M <john_klaja@ios.doi.gov>, Ravas, Theodore J <theodore_ravas@ios.doi.gov>
Subject: RE: Draft report

From: Klaja, John M <john_klaja@ios.doi.gov>
Sent: Tuesday, June 8, 2021 2:20 PM
To: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>; Ravas, Theodore J <theodore_ravas@ios.doi.gov>
Subject: Re: Draft report

100% understood Alexandra.

Thank you,

John

John Klaja
Visual Information Specialist
U.S. Department of the Interior
Office of Facilities and Administrative Services (OFAS)
Creative Communication Services
1849 C Street, NW MS 1647
Washington, DC 20240
Office: 202-208-6246
Mobile: 202-603-2694
John_Klaja@ios.doi.gov

For more information visit our website at: http://www.doi.gov/ofas
Graphics mailbox ofas_creative_services@ios.doi.gov

From: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Date: Tuesday, June 8, 2021 at 4:18 PM
To: Klaja, John M <john_klaja@ios.doi.gov>, Ravas, Theodore J <theodore_ravas@ios.doi.gov>
Subject: RE: Draft report

Thank you, and no internal sharing within the bureaus either, this is very close hold! (Sorry just have to say it!)
Thanks again!
Alex

From: Klaja, John M <john_klaja@ios.doi.gov>
Sent: Tuesday, June 8, 2021 2:08 PM
To: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>; Ravas, Theodore J <theodore_ravas@ios.doi.gov>
Subject: Re: Draft report

Thanks Alexandra.

We'll get started on a sample text spread and a style for the callout boxes and the few infographics. We will wait on the final text version to layout the entire report. Understood about this being confidential and not to share it on the facebooks or the twitters. For our eyes only.

John

John Klaja
Visual Information Specialist
U.S. Department of the Interior
Office of Facilities and Administrative Services (OFAS)
Creative Communication Services
1849 C Street, NW MS 1647
Washington, DC 20240
Office: 202-208-6246

Mobile: 202-603-2694
John_Klaja@ios.doi.gov

For more information visit our website at: http://www.doi.gov/ofas
Graphics mailbox ofas_creative_services@ios.doi.gov

From: Sanchez, Alexandra L <alexandra_sanchez@ios.doi.gov>
Date: Tuesday, June 8, 2021 at 3:55 PM
To: Klaja, John M <john_klaja@ios.doi.gov>, Ravas, Theodore J <theodore_ravas@ios.doi.gov>
Subject: Draft report

Hi John and TJ – attached is a draft of the report.
It still has another round of reviews, but I wanted you to get a look at it to start your process.
Again, this is draft, confidential, deliberative, pre-decisional and NOT to be shared. I do not know how many edits will happen in this next round, and will be in touch when I know more.
Thank you for your help and patience on this – please let me know if you have any questions.
Alex

Alexandra Sanchez (she/her)
Special Assistant
Office of the Assistant Secretary
Land and Minerals Management
U.S. Department of the Interior

From: Culver, Nada L
To: Daniel-Davis, Laura E
Cc: Feldgus, Steven H; Sanchez, Alexandra L
Subject: FW: Final oil and gas scoping news release template
Date: Tuesday, August 31, 2021 10:09:03 AM
Attachments: BLM 2021 oil and gas scoping news release template FINAL.docx
image001.png
image002.png
image003.png
image004.png
image005.png
image007.png

Nada Wolff Culver
Deputy Director, Policy and Programs
Bureau of Land Management
nculver@blm.gov
202-255-6979

From: Sharpe, Alyse N <asharpe@blm.gov>
Sent: Friday, August 27, 2021 10:43 AM
To: Culver, Nada L <nculver@blm.gov>; Nedd, Michael D <mnedd@blm.gov>
Cc: Krauss, Jeff <JKrauss@blm.gov>; Buffington, Matthew C <mbuffington@blm.gov>
Subject: Final oil and gas scoping news release template

Hi Nada and Mike,

Attached is the final news release template for oil and gas scoping that has been cleared by DOI. Please let me know if you would like us to distribute to the public affairs chiefs this afternoon.

Thanks!

--Alyse

Alyse Sharpe
Branch Chief of Public Affairs
Headquarters | Bureau of Land Management
m: 385-386-2768
a: Salt Lake City, Utah
w: www.blm.gov e: asharpe@blm.gov

U.S. Department of the Interior
Bureau of Land Management

News Release

FOR IMMEDIATE RELEASE
Contact:
Date: Aug. XX, 2021

The Bureau of Land Management [State Office] seeks public input on proposals for upcoming competitive oil and gas lease sale

DATELINE – In compliance with a recent district court decision (*Louisiana v Biden*), the Bureau of Land Management (BLM) is asking for public feedback on parcels that were previously under consideration for competitive auction at the deferred 2021 (b) (5) [redacted] Quarter 2 lease sales. To the extent parcels had already been deferred from those sales through analysis completed by the prior administration, those parcels will not be reevaluated.

Following a 30-day scoping period and taking into account comments received, the BLM will undertake environmental reviews of parcels for potential leasing and provide an opportunity for public comment in accordance with Instruction Memorandum 2021-027. Following this review, available parcels will be identified, along with applicable stipulations, for public comment. The BLM [State Office] anticipates publishing a Notice of Competitive Lease Sale later this year.

Maps, parcel lists, proposed lease stipulations, and instructions for submitting comments are available online at the BLM ePlanning website at LINK. The scoping period will end on DATE.

Before including your address, phone number, e-mail address or other personal identifying information in your comment, be advised that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comment to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so.

In complying with the June 15, 2021 court order, the Department of the Interior will continue to exercise the authority and discretion provided under law to conduct leasing in a manner that fulfills Interior's legal responsibilities. In addition, the BLM will proceed with oil and gas leasing in compliance with agency policy in Instruction Memorandum 2021-027 and all applicable laws and regulations.

The Department of the Interior will continue to review the BLM's oil and gas leasing program, including completing a report, as part of analyzing changes needed to meet the President's targets of cutting greenhouse gas emissions in half by 2030 and achieving net zero greenhouse gas emissions by 2050.

–BLM–

This year, we invite everyone to reimagine your public lands as we celebrate 75 years of the BLM's stewardship and service to the American people. The BLM manages approximately 245 million acres of public land located primarily in 12 Western states, including Alaska. The BLM also administers 700 million acres of sub-surface mineral estate throughout the nation. The agency's mission is to sustain the health, diversity, and productivity of America's public lands for the use and enjoyment of present and future generations.

From:	Culver, Nada L
To:	Daniel-Davis, Laura E; Feldgus, Steven H; Sanchez, Alexandra L; Lefton, Amanda B; Knodel, Marissa S; Jackson, Danna R; Diera, Alexx A
Subject:	FW: Interior Resumes Oil and Gas Lease Sales - Newsclips
Date:	Wednesday, August 25, 2021 4:58:38 PM

In case you wanted to see the broader clips so far – not a lot.

Nada Wolff Culver
Deputy Director, Policy and Programs
Bureau of Land Management
nculver@blm.gov
202-255-6979

From: Krauss, Jeff <JKrauss@blm.gov>
Sent: Wednesday, August 25, 2021 10:07 AM
To: Culver, Nada L <nculver@blm.gov>; Nedd, Michael D <mnedd@blm.gov>; Lawyer, Mark G <mlawyer@blm.gov>; Austin Johnson, Alicia M <aaustinjohnson@blm.gov>; Buffington, Matthew C <mbuffington@blm.gov>; Sharpe, Alyse N <asharpe@blm.gov>; Douglas, Nicholas E <ndouglas@blm.gov>; Frost, Troy A <tfrost@blm.gov>
Subject: Interior Resumes Oil and Gas Lease Sales - Newsclips

Interior Resumes Oil and Gas Lease Sales
Newsclips

E&E Energy Wire
https://www.eenews.net/articles/interior-announces-first-oil-drilling-sales-of-the-biden-era/
Interior announces first oil drilling sales of the Biden era
By Heather Richards | 08/25/2021 06:13 AM EST

The Biden administration announced yesterday it will hold its first ever oil and gas lease sales this year, even as it continues to fight in court for its authority to suspend auctioning drilling rights to vast stores of fossil fuels on federal lands and waters.

The Department of Justice laid out its plan to hold lease sales in a brief filed last night in the U.S. District Court for the Western District of Louisiana, where Judge Terry Doughty had ordered the Biden administration to show it was complying with a June ruling requiring the federal leasing program to resume.

The announcement is the latest move in a fraught battle between the White House, Republican states and oil interests over the future of the federal oil and gas program overseen by the Interior Department.

“Interior immediately stated its intention to ‘comply with the decision.’ And complying with that decision is precisely what Interior has done," wrote Todd Kim, assistant attorney general for DOJ's Environment and Natural Resources Division, in the brief yesterday.

President Biden froze new oil and gas lease sales shortly after taking office as he ordered a review of the program and its climate impacts. The move prompted fierce opposition from Republican lawmakers, who said it would thin revenues and threaten industry jobs. A group of 13 red states filed suit to undo Biden's freeze.

The Biden administration is appealing the June preliminary injunction from Doughty and maintains that the oil and gas leasing program is riddled with flaws (Energywire, Aug. 17).

In a statement last night, Interior said it "will continue to exercise the authority and discretion provided under law to conduct leasing in a manner that fulfills Interior's legal responsibilities, including to take into account the programs' documented deficiencies."

The agency said it would first move forward with a lease sale in the Gulf of Mexico, the largest offshore producing region in the country.

Interior said it will issue a record of decision for a sale in the Gulf by the end of the month, with a sale notice likely coming out in September. It will also begin consideration of quarterly lease sales, and weigh restrictions for lands proposed by industry, in the western United States, with sale notices coming out later this year.

Interior also announced it will begin a draft environmental review this fall for an auction to be held in Alaska's Cook Inlet.

Despite Interior's appeal, momentum appears to be building in favor of the Republican-led states in the Louisiana case. A federal magistrate recommended Monday that the red-state lawsuit against the Biden administration be allowed to advance — a positive signal to those opposed to Biden's efforts to halt oil and gas leasing. The administration had asked the court to reject the lawsuit.

"We find that plaintiffs have sufficiently alleged facts demonstrating that the President acted in excess of his statutory or constitutional authority," Magistrate Judge Kathleen Kay wrote Monday, adding they were entitled to a "judicial review" of the president's actions.

She also said the challengers had shown a negative economic impact from the federal leasing pause. Parties to the lawsuit have two weeks to file objections before Doughty takes over to make a final decision on the Biden administration's appeal.

A 'modest' future?

The court case in Louisiana — as well as a lawsuit against the Biden administration brought by the Western Energy Alliance in Wyoming, and a third filed by a dozen energy trade groups led by the American Petroleum Institute — may provide some legal boundaries for what the Biden administration can do to curb federal drilling. Experts have pointed out that there are separate federal laws in place for both offshore and onshore oil and gas leasing.

But several industry groups voiced skepticism of Interior's announcement yesterday.

Kathleen Sgamma, director of the Western Energy Alliance, characterized the move as "stalling tactics," and urged the Biden administration to swiftly conduct new lease sales.

"The brief filed today with the court appears to show progress, but the slow walk indicates one step forward and three steps back," she said.

Michael Zehr, federal affairs adviser for the Consumer Energy Alliance, echoed Sgamma's concerns.

"While we are glad that the Biden Administration has announced a resumption of offshore lease sales as it is legally obligated to do, the delay has been far too long and there are too many questions unanswered by today's announcement," he said. "It also creates unnecessary confusion, inconsistency and uncertainty for America's energy producers."

Environmental groups have criticized the Biden administration for acquiescing to the court order, arguing that the federal oil program must contend with the threat of climate change.

"The law is clear. Interior Secretary [Deb] Haaland has broad discretion to determine which lands — if any — are available for oil and gas leasing," said Center for Western Priorities Policy Director Jesse Prentice-Dunn in a statement yesterday.

"Given the urgency of the climate crisis, and the well-documented shortcomings of the leasing system, she must ensure that any public land leases that are put up for auction fully account for the costs that our children and grandchildren will have to pay."

Prentice-Dunn also called for the release of an interim report on reforming the federal oil and gas program. The Biden administration promised that the report would be ready in early summer but has withheld it for several weeks.

But while the climate impact of the federal oil program is at the heart of the court case, some have questioned how far the Biden White House will go in a politically bruising battle over the leasing stage of the national oil and gas program.

“A modest leasing program is not the real problem,” said Mark Squillace, a professor at the University of Colorado, Boulder, Law School, who served as special assistant to the solicitor at Interior during the Clinton administration. “Interior could offer a limited number of lease tracts, focusing on areas where significant development already exists and where environmental conflicts can be minimized, without exacerbating climate change in any significant way.”

He said: “Frankly, this is what they should have been doing all along.”

Reuters
https://www.reuters.com/business/energy/us-says-taking-steps-restart-oil-gas-leasing-2021-08-25/
U.S. to restart oil leasing with offshore auction this year
By Nichola Groom

Aug 24 (Reuters) - The Biden administration said on Tuesday it would take steps to restart the federal oil and gas leasing program in the next week and plans to hold a Gulf of Mexico auction as soon as October, court papers showed.

The move comes two months after the U.S Interior Department first said it would comply with a June 15 federal judge's order blocking its months-long pause in oil and gas leasing on federal lands and waters.

That order was a blow to a key White House effort to address climate change by reining in fossil fuel extraction.

U.S. President Joe Biden paused the oil and gas leasing program in January, pending an analysis of its impacts on the environment and value to taxpayers. Interior said in a statement that it is still conducting that review.

The filing to a Louisiana federal district court on Tuesday was in response to a motion by the state of Louisiana and 12 other states from earlier this month that sought to compel Interior to restart the leasing program and to show why it should not be held in contempt for failing to comply with the order issued weeks earlier.

Interior has "expended significant agency resources, including many hundreds of employee-hours, preparing to hold oil and gas lease sales," the brief said.

The agency will take procedural steps by the end of this month to prepare for a sale of oil leases in the Gulf of Mexico. The auction itself is expected in October or November.

Regarding onshore leasing, the Interior's Bureau of Land Management will post a list of parcels for potential sale within the next week, followed by a public comment period that will result in sale notices published in December, the court documents said.

An oil and gas industry group, the Western Energy Alliance, criticized the administration's plans, saying the sales that were put on hold had already undergone thorough analyses and were "ready to put on the calendar."

"The brief filed today with the court appears to show progress, but the slow walk indicates one step forward and three steps back," Alliance President Kathleen Sgamma said in a statement.

The Hill
https://thehill.com/policy/energy-environment/569256-interior-to-move-forward-with-lease-sales-after-pause
Interior to move forward with lease sales after pause
BY ZACK BUDRYK - 08/24/21 06:33 PM EDT

The Interior Department announced Tuesday evening it will resume sales of oil and gas leases after a court ordered a preliminary hold on the Biden administration's leading moratorium. While the administration appeals, Interior's Bureau of Ocean Management (BOEM) will submit a decision by the end of this month on a specific offshore lease sale that was canceled in February, several months before a court issued a hold on the leasing freeze, the department said.

The department projected the notice for Lease Sale 257 will be published at some point in September but noted that federal law requires the lease sale to take place at least 30 days after the publication of the sale notice.

The Bureau of Land Management, meanwhile, will post information on two land parcels for potential leasing after deferring the sales in the first two quarters of 2021. BLM will conduct environmental reviews for the parcels after a 30-day scoping period, according to the department.

"In complying with the district court's injunction, the Interior Department will continue to exercise the authority and discretion provided under law to conduct leasing in a manner that fulfills Interior's legal responsibilities, including to take into account the programs' documented deficiencies," the department said in a statement.

Overnight Energy: Interior moves ahead with drilling lease sales...
New home sales tick higher as prices hit record highs

The department also noted it will continue reviewing what it believes to be shortcomings of the existing leasing program. This includes identifying any changes that will be necessary to meet the administration's goal of halving greenhouse gas emissions by the end of the decade and achieving net zero emissions by 2050.

Two weeks ago, several Republican-led states submitted a court filing accusing the administration of violating the June injunction and asked the court to compel it to resume offshore drilling lease sales. Interior Secretary Deb Haaland has said the administration is cooperating with the order and cited logistical hurdles.

"We are complying with the court order right now. As we speak, the department is working. As I mentioned, there's a lot of work that goes into even having a lease sale and so they are complying with the court order," Haaland said in July testimony.

Bloomberg
https://www.bloomberg.com/news/articles/2021-08-24/interior-moves-to-hold-gulf-oil-lease-sale-after-judge-s-order
Interior Moves to Hold Gulf Oil Lease Sale After Judge's Order: The Biden administration moved yesterday to resume selling oil and gas drilling rights in the Gulf of Mexico and across the western U.S., after a judge ruled the president's pause on leasing was unlawful.

Center for Western Priorities
FOR IMMEDIATE RELEASE
Tuesday, August 24, 2021

STATEMENT on Interior Department timeline for resuming oil and gas lease sales
DENVER—The Interior Department told a federal judge this afternoon that it will soon begin the process of holding new onshore and offshore oil and gas lease sales, restarting the leasing process as early as next Tuesday. The timeline puts Interior on track to hold offshore lease auctions as early as October, and onshore auctions in early 2022.

The Center for Western Priorities released the following statement from Policy Director Jesse Prentice-Dunn:

"The law is clear. Interior Secretary Haaland has broad discretion to determine which lands—if any—are available for oil and gas leasing. Scientists are telling us this is exactly the wrong time to throw the doors open for more drilling on our public lands. Given the urgency of the climate crisis, and the well-documented shortcomings of the leasing system, she must ensure that any public land leases that are put up for auction fully account for the costs that our children and grandchildren will have to pay.

“This legal bind also underscores why the Biden administration must release its long-held report on the oil and gas leasing system. The administration and Congress must immediately get to work reforming a system that has shortchanged taxpayers, harmed communities, and warmed our climate. The clock is ticking, and America is almost out of time.”

Jeffrey Krauss
Deputy Assistant Director, Communications
HQ600
Bureau of Land Management
U.S. Department of the Interior
(202) 208-5259 w
(202) 329-2517 c