

**From:** "Kelly, Katherine P" <Kate\_Kelly@ios.doi.gov>

**To:** "Anderson, Robert T" <Robert.Anderson@sol.doi.gov>, "Klein, Elizabeth A" <Elizabeth\_Klein@ios.doi.gov>

**Cc:** "Daniel-Davis, Laura E" <laura\_daniel-davis@ios.doi.gov>, "Van Der Heide Escobar, Jennifer" <jennifer\_vanderheideescobar@ios.doi.gov>, "Taylor, Rachael S" <rachael\_taylor@ios.doi.gov>

**Subject:** frankenstein

**Date:** Mon, 15 Mar 2021 19:16:54 +0000

**Importance:** Normal

## Review/Revoke/Revise

- [illegible]

- o (b) (5)

- o

- o

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**From:** "Schwartz, Melissa A" <melissa\_schwartz@ios.doi.gov>

**To:** "Daniel-Davis, Laura E" <laura\_daniel-davis@ios.doi.gov>, "Lefton, Amanda B" <amanda\_lefton@ios.doi.gov>, "Alonso, Shantha R" <shantha\_alonso@ios.doi.gov>, "Anderson, Robert T" <robert\_anderson@ios.doi.gov>, "Gosar, Mili N" <mili\_gosar@ios.doi.gov>, "Kelly, Katherine P" <Kate\_Kelly@ios.doi.gov>, "Klein, Elizabeth A" <Elizabeth\_Klein@ios.doi.gov>, "Thompson, Margrette (Maggie) K" <margrette\_thompson@ios.doi.gov>, "Van Der Heide Escobar, Jennifer" <jennifer\_vanderheideescobar@ios.doi.gov>, "Wallace, Andrew G" <andrew\_wallace@ios.doi.gov>

**Subject:** FW: [EXTERNAL] Gulf of Mexico Leasing Program: Letter from 50+ Gulf Organizations

**Date:** Wed, 03 Mar 2021 18:41:17 +0000

**Importance:** Normal

**Attachments:** Letter\_from\_Gulf\_Advocates\_to\_Biden's\_Climate\_Taskforce\_and\_associated\_agencies.pdf

**Inline-Images:** ~WRD0001.jpg

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FYI – sending it to ASLM

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**From:** Russo, Jennifer R <jennifer\_russo@ios.doi.gov>

**Sent:** Wednesday, March 3, 2021 1:07 PM

**To:** Schwartz, Melissa A <melissa\_schwartz@ios.doi.gov>

**Cc:** Eisenman, Theresa M <theresa\_eisenman@ios.doi.gov>; Cherry, Tyler A <tyler\_cherry@ios.doi.gov>

**Subject:** FW: [EXTERNAL] Gulf of Mexico Leasing Program: Letter from 50+ Gulf Organizations

Hi Melissa – Please let me know how you would like to handle the response.

---

**From:** Marshall, Karla K <[Karla.Marshall@bsee.gov](mailto:Karla.Marshall@bsee.gov)>

**Sent:** Wednesday, March 3, 2021 10:49 AM

**To:** Gillette, Connie S <[Connie.Gillette@boem.gov](mailto:Connie.Gillette@boem.gov)>; Russo, Jennifer R <[jennifer\\_russo@ios.doi.gov](mailto:jennifer_russo@ios.doi.gov)>

**Cc:** Day, Sandy E <[sandy.day@bsee.gov](mailto:sandy.day@bsee.gov)>

**Subject:** FW: [EXTERNAL] Gulf of Mexico Leasing Program: Letter from 50+ Gulf Organizations

Good morning,

Sharing with you all in case you did not get contacted directly.

Jenn, will DOI take the lead on the response?

Karla

---

**From:** Dustin Renaud <[dustin@healthygulf.org](mailto:dustin@healthygulf.org)>

**Sent:** Wednesday, March 03, 2021 9:03 AM

**To:** Noem, Stacey L <[Stacey.Noem@bsee.gov](mailto:Stacey.Noem@bsee.gov)>; O'berry, Eugene M <[eugene.oberry@bsee.gov](mailto:eugene.oberry@bsee.gov)>; Marshall, Karla K <[Karla.Marshall@bsee.gov](mailto:Karla.Marshall@bsee.gov)>

**Subject:** [EXTERNAL] Gulf of Mexico Leasing Program: Letter from 50+ Gulf Organizations

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

Dear Acting Director of BSEE, Chief Stacey Noem, Mr. Mike O'Berry, and Karla Marshall,

I am writing on behalf of over 50 organizations working along the Gulf Coast who applaud the Biden administration pause on the federal leasing program in the Gulf of Mexico and a call to evaluate the structure and climate impacts of that leasing program. Attached you will find a letter that urges the [National Climate Task Force](#) and relative agencies to create a **“just transition plan for the Gulf of Mexico that centers on impacted Gulf communities and workers”** which considers the priorities of communities along the Gulf Coast who have long been impacted by heavy oil and gas production.

Thank you for your time, and please let me know if you have any follow up questions. We look forward to working with you to create a sustainable, just future for the Gulf Coast.

In solidarity,

--

## Dustin Renaud

Communications Director

504 525 1528 x214

228 209 2194 (Cell)

PO BOX 2245

New Orleans, LA 70176

**Protect What You Love**

P.S. If you have issues with the attached document, the letter from Gulf advocates can also be found [here](#).

3 March 2021

To President Biden, the Acting Secretary of the Department of Interior, the Environmental Protection Agency, Bureau of Ocean Energy Management, Bureau of Safety and Energy Enforcement, and the members of the National Climate Task Force,

We thank the Biden administration for taking historic action to address climate change and pause new oil and gas leasing in federal waters with the Executive Order on Tackling the Climate Crisis at Home and Abroad. This temporary pause while the administration conducts a comprehensive review of the federal oil and gas leasing program is a critical first step to protecting people and our planet from yet more harm caused by the program. We appreciate the Order's attention to job creation in the communities that have been most impacted by the fossil fuel industry. In that vein, we call on the National Climate Task Force to create a just transition plan for the Gulf of Mexico that centers on impacted Gulf communities and workers. We urge you to consider the following priorities in consultation with affected Gulf Coast communities.

1. Ensure the cancellation of the scheduled offshore lease sales and permanently protect all planning areas, including the Gulf of Mexico and Cook Inlet. For the sake of a stable climate, protection of vulnerable coastal communities, and the preservation of ecosystems on which humans are reliant, ending new federal fossil fuel leasing is essential. Please secure protections for the Gulf of Mexico and Alaska federal waters which are too often sacrifice zones for the industry. Royalty adjustments, which were mentioned as part of section 208 of the Executive Order<sup>1</sup>, will not sufficiently compensate these vulnerable communities for the climate disruption that is causing extreme weather, flooding, and food insecurity. We anticipate the upcoming lease sales will be canceled but eagerly await confirmation from the Department of the Interior. Fossil fuel exports and export infrastructure should also be paused and reviewed under the President's Executive Order, as they continue to hasten the climate crisis and as the cumulative impacts are felt in the Gulf communities.
2. Ensure restoration, resilience, and recovery of the Gulf of Mexico environment and coast and the communities in the Gulf South. We call on you to create a process for public engagement with impacted communities in the Gulf South, including frontline communities, environmental organizations, and fisherfolk who are at the heart of the Gulf economy.
  - Prioritize the restoration of coastal wetlands that provide shoreline protection from storms and have been destroyed by the oil industry; address the disproportionate burden of pollution that low-income and

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<sup>1</sup> <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>

communities of color experience; and revive healthy food and fisheries in the region.

- Consult impacted frontline and Indigenous communities on how restoration and recovery funds from the Deepwater Horizon BP Disaster are being spent, and develop robust ecological and environmental justice criteria through a public process for how the remaining funds are disbursed.
- Create a Gulf of Mexico Resources Advisory Council to advise resource management for the Gulf Coast and its waters, including representatives from non-governmental environmental groups, Indigenous, fishing, and environmental justice interests.
- This process should be centered on protecting Gulf coast communities through climate adaptation and restore ecosystems damaged by the oil and gas industry, including from the BP Disaster, ongoing contamination of the waters through the release of fracking effluent into waters, and the land subsidence that is further exacerbated by oil extraction.

3. While we fully support an end to new oil and gas leasing in all areas of the Outer Continental Shelf, we also call on the Administration to develop a plan that ensures good jobs, healthcare, housing, and food security for families either directly or indirectly, is dependent upon oil and gas development. Thousands of offshore and onshore oil workers in the Gulf have struggled since the rise of fracking, with the industry losing more than 14,000 jobs in the year before the pandemic began<sup>2</sup>. More than a hundred thousand more were laid off after the 2020 price crash, as oil and gas companies chose to pay dividends to investors and bonuses to executives<sup>3</sup>. These decisions only exacerbate the long-term decline in oil and gas demand, with major producers acknowledging that oil demand won't return to its 2019 peak. While the abandonment of workers by the industry is an urgent concern, ending sales of new offshore leases will not have a significant impact on employment within the industry--federal lands and waters comprise just 20% of total US oil and gas production, and less than 25% of the 12 million acres already leased for offshore oil and gas is actually developed<sup>4</sup>. We ask that the administration develop a just transition plan to ease the economic impact of the Gulf Coast that:

- Provides good jobs, healthcare, housing, and food security for families of oil industry workers
- Consults with impacted Gulf frontline communities, especially Black, Indigenous, Latinx, and People of Color, as well as fisherfolk and oil industry workers, and people who have suffered because of the BP oil

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<sup>2</sup> <https://www.reuters.com/article/us-usa-oiljobs-kemp/u-s-oil-and-gas-jobs-fall-as-drilling-declines-kemp-idUSKBN1WU1V4>

<sup>3</sup> <https://www.cnn.com/2020/10/08/business/oil-gas-jobs/index.html>

<sup>4</sup> <https://www.doi.gov/pressreleases/fact-sheet-president-biden-take-action-uphold-commitment-restore-balance-public-lands>

spill, as well as communities polluted by refineries and petrochemical plants;

- Compensates communities that will suffer a loss of tax revenue from a phase-out of fossil fuel and petrochemical industry operations; and
- Offers business development support to help the economy of the Gulf South that includes investing in local businesses, recruiting new industries, and investing in infrastructure.
- Employs the experienced offshore oil workers in efforts to cap, clean up, and remove abandoned or orphaned wells and pipelines in the Coastal Zone and OCS permanently. Orphaned wells leak greenhouse gases, while the old pipelines obstruct ecological restoration efforts. Utilizing the skills of our oil and gas workers as part of the restoration and ecological recovery of the Gulf of Mexico is consistent with the directive of the Executive Order.

4. Future proposals of the OCS program should

- Acknowledge that the actual energy needs of the nation require a phase-out of fossil fuels to prevent catastrophic climate change. Additionally, the industry is in decline as shown by the lack of industry enthusiasm when President Trump offered millions of acres of the Gulf for leasing and only a fraction of that was bid on. Moreover, the nation can and must shift to clean energy, and rapidly transition to electric vehicles as the Executive Order directs.
- Initiate a revision of the nationwide OCS Oil and Gas Leasing Program that recognizes the climate crisis and offers no additional offshore oil and gas lease sales, and creates a plan to retire existing wells.
- Develop and implement a plan that will phase out existing offshore oil and gas drilling in the Gulf of Mexico, Southern California, and Cook Inlet.
- Deny permits for fracking on existing offshore leases. Fracking increases the risk of oil spills, earthquakes, and deepens the climate crisis. Fracking effluent is toxic and contaminates the Gulf of Mexico.

5. Agencies and the office of the President of the United States need to work with Congress to make sure there are permanent protections in the Gulf, and in all federal waters.

- The Moratorium on the Eastern Gulf of Mexico Planning area should be made permanent.
- Statutes that allow for no new offshore leasing should be codified into the law through legislative changes.
- Funding must be provided for the needed infrastructure to keep our communities safe including early warning systems, enhanced evacuation procedures, raising of roads, and a rapid replacement of essential infrastructures such as bridges, levees, sea walls, water pumps, and sewage treatment facilities.
- Congress must reinstate the crude oil export ban.

Gulf South residents are on the frontlines of the climate crisis and must be front-and-center for this administration as it develops energy and climate policy, in addition to offering immediate relief.

Thank you in advance for all your efforts to create a more just and sustainable living condition for Gulf South communities. We look forward to working with the administration to develop and implement a just transition plan that helps people of the Gulf Coast adapt and thrive.

Sincerely,



Dustin Renaud  
Communications Director  
Healthy Gulf, on behalf of:

Organization	State
350 New Orleans	LA
350 Pensacola	FL
Alabama Interfaith Power & Light	AL
Apalachicola Riverkeeper	FL
Atchafalaya Basinkeeper	LA
Bayou City Waterkeeper	TX
Carrizo Comecrudo Tribe of Texas	TX
Climate Reality New Orleans	LA
Dragonfly Boatworks	FL
Earth Action, Inc.	FL
Earth Ethics	FL
Earthjustice	National
Earthworks	National
Emerald Coastkeeper	FL
Environmental Stewardship	TX
First Unitarian Universalist Church of New Orleans	LA
Food & Water Watch	FL
Friends of Perdido Bay	FL, AL
Friends of the Earth	National
Greater New Orleans Interfaith Climate Coalition	LA
Gulf Coast Environmental Defense	FL
Hands Across the Sand	FL
Healthy Gulf	LA
Indigenous Environmental Network	National



Ingleside on the Bay Coastal Watch Association, Inc.	TX
M-W & Associates Environmental Policy	LA
ManaSota-88, Inc.	FL
Mobile Baykeeper	AL
Okaloosa County Democratic Environmental Caucus of Florida	FL
Panhandle Watershed Alliance	FL
Progress Florida	FL
Rise St. James	LA
San Antonio Bay Estuarine Waterkeeper	TX
Sierra Club	TX
Society of Native Nations	TX
Steps Coalition	MS
Students Protecting America's Animals & the Environment - Cypress Falls HS	TX
Suncoast Waterkeeper	FL
Sunrise Dallas	TX
Sunrise Tulane	LA
Texas Campaign for the Environment	TX
The People's Justice Council	AL
Turtle Island Restoration Network	TX
Waterkeeper Alliance	NY
GreenLatinos	National
Sunrise Movement New Orleans	LA
Center for International Environmental Law	International
Center for Biological Diversity	National
Louisiana Bucket Brigade	LA
Inclusive Louisiana	LA
Pearl Riverkeeper	MS

**From:** [Wallace, Andrew G](#)  
**To:** [Anderson, Robert T](#); [Daniel-Davis, Laura E](#); [Culver, Nada L](#); [Lefton, Amanda B](#); [Roberts, Lawrence S](#)  
**Cc:** [Schwartz, Melissa A](#); [Kelly, Katherine P](#); [Jain, Ruchi](#)  
**Subject:** FW: [EXTERNAL] 06-24-2021 Letter to DOI Sec Haaland Re Leasing Ban Injunction  
**Date:** Thursday, June 24, 2021 11:44:55 AM  
**Attachments:** [image001.png](#)  
[06-24-2021 Letter to DOI Sec Haaland Re Leasing Ban Injunction.pdf](#)

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A House Natural Resources Committee R letter but with House R leaders also and some non-committee members

They have framed as a document request, regular DOI practice would be to handle as a standard congressional letter

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**From:** Rezaeerod, Paniz <[paniz\\_rezaeerod@ios.doi.gov](mailto:paniz_rezaeerod@ios.doi.gov)>  
**Sent:** Thursday, June 24, 2021 12:18 PM  
**To:** Howarth, Robert G <[Robert\\_G\\_Howarth@ios.doi.gov](mailto:Robert_G_Howarth@ios.doi.gov)>; Salotti, Christopher <[Chris\\_Salotti@ios.doi.gov](mailto:Chris_Salotti@ios.doi.gov)>; Quinn, Matthew J <[Matthew\\_Quinn@ios.doi.gov](mailto:Matthew_Quinn@ios.doi.gov)>; Wallace, Andrew G <[andrew\\_wallace@ios.doi.gov](mailto:andrew_wallace@ios.doi.gov)>; Gray, Morgan <[Leslie\\_Morgan\\_Gray@ios.doi.gov](mailto:Leslie_Morgan_Gray@ios.doi.gov)>  
**Cc:** Kelly, Katherine P <[Kate\\_Kelly@ios.doi.gov](mailto:Kate_Kelly@ios.doi.gov)>; Wilkinson, Patrick <[P2Wilkin@blm.gov](mailto:P2Wilkin@blm.gov)>; Diera, Alexx A <[adiera@blm.gov](mailto:adiera@blm.gov)>  
**Subject:** FW: [EXTERNAL] 06-24-2021 Letter to DOI Sec Haaland Re Leasing Ban Injunction

Attached is a letter led by Minority Leader Kevin McCarthy and Minority Whip Steve Scalise and 36 additional minority Members to Secretary Haaland requesting documents relevant to the preliminary injunction against President Biden's Executive Order 14008, Section 208.

Rob – please submit to exec sec.

Paniz Rezaeerod  
Deputy Director of Congressional Affairs - House  
Department of the Interior  
1849 C Street, NW  
Washington, DC 20240  
[paniz\\_rezaeerod@ios.doi.gov](mailto:paniz_rezaeerod@ios.doi.gov)

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

---

**From:** Guy, Chandler <[Chandler.Guy@mail.house.gov](mailto:Chandler.Guy@mail.house.gov)>  
**Sent:** Thursday, June 24, 2021 11:19 AM  
**To:** Rezaeerod, Paniz <[paniz\\_rezaeerod@ios.doi.gov](mailto:paniz_rezaeerod@ios.doi.gov)>  
**Cc:** Nichols, Ashley <[Ashley.Nichols@mail.house.gov](mailto:Ashley.Nichols@mail.house.gov)>; Konolige, Rebecca <[Rebecca.Konolige@mail.house.gov](mailto:Rebecca.Konolige@mail.house.gov)>  
**Subject:** [EXTERNAL] 06-24-2021 Letter to DOI Sec Haaland Re Leasing Ban Injunction

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

Good Morning Paniz,

Attached is a letter addressed to Secretary Haaland, with Speaker Pelosi and Chair Grijalva cc'd. I've also attached an enclosure containing instructions in responding to committee document requests.

Thank you,



**Chandler Guy**  
*Clerk and Research Assistant*  
*Ranking Member Bruce Westerman*  
House Committee on Natural Resources  
O: 202-225-2761 | C: 202-424-9699

**U.S. House of Representatives**  
**Committee on Natural Resources**  
**Washington, DC 20515**

June 24, 2021

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

Dear Secretary Haaland:

On June 15, 2021, the United States District Court Western District of Louisiana, Lake Charles Division, issued a nationwide preliminary injunction<sup>1</sup> against President Biden's Executive Order 14008, Section 208 (EO), that mandated a "pause" on new oil and gas leasing on both federal offshore and onshore lands. Through the preliminary injunction, the Court acknowledged the injury caused by the "pause," noting millions of dollars at stake.<sup>2</sup> Additionally, the Court's decision indicates the strong likelihood the states will succeed in their challenge against the Biden Administration.<sup>3</sup> We look forward to the Department of the Interior's (the Department) resumption of lease sales, in compliance with the Court's order.

We remain concerned, however, about the harms already caused by the mandated "pause." For example, immediate impacts of the EO's "pause" included cancellation of Gulf of Mexico Oil and Gas Lease Sale 257, Planned Lease Sales 259 and 261<sup>4</sup> and BLM lease sales scheduled for March 9, 2021<sup>5</sup> in Nevada and March 23, 2021 in Montana.<sup>6</sup> In addition to resuming lease sales, the Department should provide remedies for the cancellation of leases that occurred this year.

Additionally, the Department is expected to release its review of the onshore and offshore oil and gas leasing programs in the coming weeks. Despite requesting additional information from the public related to the March 25, 2021 forum on the review of the leasing programs,<sup>7</sup> it is unclear what information was received and how it was incorporated in the Department's interim

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<sup>1</sup><https://www.bloomberglaw.com/public/desktop/document/LouisianaetalvBidenetalDocketNo221cv00778WDLaMar242021CourtDocket/6?1623794815>

<sup>2</sup> Id.

<sup>3</sup> <https://www.reuters.com/business/energy/us-judge-blocks-biden-pausing-oil-gas-lease-auctions-2021-06-15/>

<sup>4</sup> 2017-2022 Lease Sale Schedule. Bureau of Ocean Energy Management. <https://www.boem.gov/2017-2022-lease-sale-schedule>

<sup>5</sup> Nevada Oil and Gas Lease Sales. Oil and Gas. Bureau of Land Management.

<https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/leasing/regional-lease-sales/nevada>

<sup>6</sup> Montana\_Dakotas Oil and Gas Lease Sales. Oil and Gas. Bureau of Land Management.

<https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/leasing/regional-lease-sales/montana-dakotas>

<sup>7</sup> Interior Department Announces Details for the Public Forum on Federal Oil and gas Program. Department of the Interior. March 18, 2021. <https://www.doi.gov/pressreleases/interior-department-announces-details-public-forum-federal-oil-and-gas-program>

report.<sup>8</sup> Without access to this information, Congress and the public cannot fully evaluate whether the Department thoughtfully considered the input of interested stakeholders in reviewing the programs. The Department's lack of transparency increases our concerns surrounding how the review was conducted.

Congress made the requirement of regular lease sales clear through statutes, including the Outer Continental Shelf Lands Act and the Mineral Leasing Act. To understand the Department's plans to comply with the Court's order and its statutory obligations, we request you provide the following documents and information as soon as possible, but no later than 5:00 p.m. on July 1, 2021:

1. A document sufficient to describe the Department's plans to resume regular lease sales.
2. A document sufficient to describe the Department's plans to hold additional lease sales to remedy the cancellation of sales between January 27, 2021 and June 15, 2021.
3. A document sufficient to describe the Department's legal analysis to support its decision to pause oil and gas leasing.
4. A document sufficient to show the impact of lease cancellations on Gulf of Mexico Energy Security Act funding resulting from lost bonus bids, royalties and rents and the Department's proposed remedy for the related revenue loss.
5. A document sufficient to show the impact of lease cancellations on federal energy revenues made available to states under the Mineral Leasing Act resulting from lost bonus bids, royalties and rent, and the Department's proposed remedy for the related revenue loss.
6. A document sufficient to describe the Department's plans to make the comments and additional information submitted for the March 25, 2021 forum available to the public.
7. A document listing all members of the Paris Climate Agreement that have banned oil and gas development.
8. A document sufficient to describe the Department's analysis on how U.S. energy independence would be impacted prior to executing the decision to pause new oil and gas leasing on both federal offshore and onshore lands.

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<sup>8</sup> Interior Department Announces Details for the Public Forum on Federal Oil and Gas Program. Department of the Interior. March 18, 2021. <https://www.doi.gov/pressreleases/interior-department-announces-details-public-forum-federal-oil-and-gas-program>

The Honorable Deb Haaland

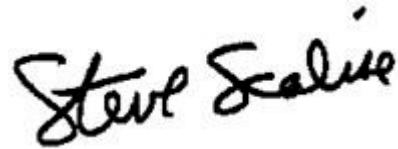
June 24, 2021

Page 3

Sincerely,



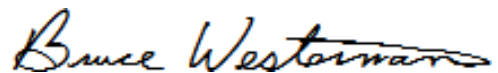
Kevin McCarthy  
Republican Leader



Steve Scalise  
Republican Whip



Tom Emmer  
Chair  
National Republican Congressional Committee



Bruce Westerman  
Ranking Member  
Committee on Natural Resources



Dan Crenshaw  
Member of Congress



Don Young  
Member of Congress



Louie Gohmert  
Member of Congress



Doug Lamborn  
Member of Congress



Paul A. Gosar, D.D.S.  
Member of Congress



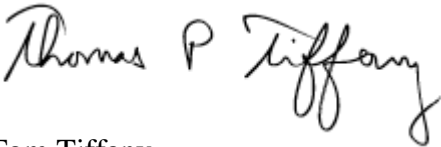
Garret Graves  
Member of Congress



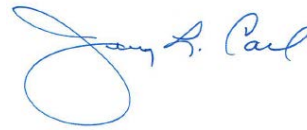
Jody B. Hice  
Member of Congress



Pete Stauber  
Member of Congress



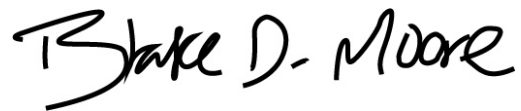
Tom Tiffany  
Member of Congress



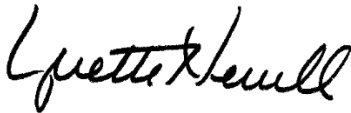
Jerry L. Carl  
Member of Congress



Matthew Rosendale, Sr.  
Member of Congress



Blake D. Moore  
Member of Congress



Yvette Herrell  
Member of Congress



Lauren Boebert  
Member of Congress




Cliff Bentz  
Member of Congress



Dan Newhouse  
Member of Congress



Kevin Brady  
Member of Congress



Tom Cole  
Member of Congress



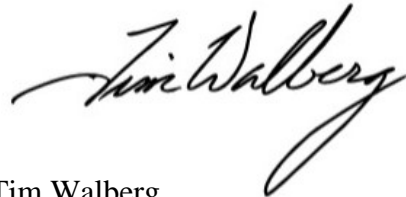
Liz Cheney  
Member of Congress



Kevin Hern  
Member of Congress



Clay Higgins  
Member of Congress



Tim Walberg  
Member of Congress



Eric A. "Rick" Crawford  
Member of Congress



Robert E. Latta  
Member of Congress

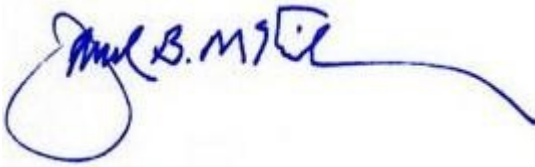


Michael Cloud  
Member of Congress



Debbie Lesko  
Member of Congress



A handwritten signature in blue ink that reads "David B. McKinley". The signature is stylized with a large, looped initial "D" and a long horizontal stroke extending to the right.

David B. McKinley, P.E.  
Member of Congress

A handwritten signature in blue ink that reads "Earl L. 'Buddy' Carter". The signature is written in a cursive, flowing style.

Earl L. "Buddy" Carter  
Member of Congress

A handwritten signature in blue ink that reads "Brett Guthrie". The signature is written in a cursive, flowing style.

Brett Guthrie  
Member of Congress

A handwritten signature in blue ink that reads "Carol D. Miller". The signature is written in a cursive, flowing style.

Carol Miller  
Member of Congress

A handwritten signature in blue ink that reads "Richard Hudson". The signature is written in a cursive, flowing style.

Richard Hudson  
Member of Congress

A handwritten signature in blue ink that reads "French Hill". The signature is written in a cursive, flowing style.

French Hill  
Member of Congress

A handwritten signature in blue ink that reads "Markwayne Mullin". The signature is written in a cursive, flowing style.

Markwayne Mullin  
Member of Congress

A handwritten signature in blue ink that reads "Madison Cawthorn". The signature is written in a cursive, flowing style.

Madison Cawthorn  
Member of Congress

cc: The Honorable Nancy Pelosi, Speaker, U.S. House of Representatives  
The Honorable Raúl Grijalva, Chairman, House Committee on Natural Resources

Enclosure

**From:** [Schwartz, Melissa A](#)  
**To:** [Daniel-Davis, Laura E](#); [Lefton, Amanda B](#); [Alonso, Shantha R](#); [Anderson, Robert T](#); [Gosar, Mili N](#); [Kelly, Katherine P](#); [Klein, Elizabeth A](#); [Thompson, Margrette \(Maggie\) K](#); [Van Der Heide Escobar, Jennifer](#); [Wallace, Andrew G](#)  
**Subject:** FW: [EXTERNAL] Gulf of Mexico Leasing Program: Letter from 50+ Gulf Organizations  
**Date:** Wednesday, March 3, 2021 12:41:17 PM  
**Attachments:** [Letter from Gulf Advocates to Biden's Climate Taskforce and associated agencies.pdf](#)

---

FYI – sending it to ASLM

---

**From:** Russo, Jennifer R <jennifer\_russo@ios.doi.gov>  
**Sent:** Wednesday, March 3, 2021 1:07 PM  
**To:** Schwartz, Melissa A <melissa\_schwartz@ios.doi.gov>  
**Cc:** Eisenman, Theresa M <theresa\_eisenman@ios.doi.gov>; Cherry, Tyler A <tyler\_cherry@ios.doi.gov>  
**Subject:** FW: [EXTERNAL] Gulf of Mexico Leasing Program: Letter from 50+ Gulf Organizations

Hi Melissa – Please let me know how you would like to handle the response.

---

**From:** Marshall, Karla K <[Karla.Marshall@bsee.gov](mailto:Karla.Marshall@bsee.gov)>  
**Sent:** Wednesday, March 3, 2021 10:49 AM  
**To:** Gillette, Connie S <[Connie.Gillette@boem.gov](mailto:Connie.Gillette@boem.gov)>; Russo, Jennifer R <[jennifer\\_russo@ios.doi.gov](mailto:jennifer_russo@ios.doi.gov)>  
**Cc:** Day, Sandy E <[sandy.day@bsee.gov](mailto:sandy.day@bsee.gov)>  
**Subject:** FW: [EXTERNAL] Gulf of Mexico Leasing Program: Letter from 50+ Gulf Organizations

Good morning,

Sharing with you all in case you did not get contacted directly.

Jenn, will DOI take the lead on the response?

Karla

---

**From:** Dustin Renaud <[dustin@healthygulf.org](mailto:dustin@healthygulf.org)>  
**Sent:** Wednesday, March 03, 2021 9:03 AM  
**To:** Noem, Stacey L <[Stacey.Noem@bsee.gov](mailto:Stacey.Noem@bsee.gov)>; O'berry, Eugene M <[eugene.oberry@bsee.gov](mailto:eugene.oberry@bsee.gov)>; Marshall, Karla K <[Karla.Marshall@bsee.gov](mailto:Karla.Marshall@bsee.gov)>  
**Subject:** [EXTERNAL] Gulf of Mexico Leasing Program: Letter from 50+ Gulf Organizations

<p><b>This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.</b></p>
--

Dear Acting Director of BSEE, Chief Stacey Noem, Mr. Mike O'Berry, and Karla Marshall,

I am writing on behalf of over 50 organizations working along the Gulf Coast who applaud the Biden administration pause on the federal leasing program in the Gulf of Mexico and a call to evaluate the structure and climate impacts of that leasing program. Attached you will find a letter that urges the [National Climate Task Force](#) and relative agencies to create a **“just transition plan for the Gulf of Mexico that centers on impacted Gulf communities and workers”** which considers the priorities of communities along the Gulf Coast who have long been impacted by heavy oil and gas production.

Thank you for your time, and please let me know if you have any follow up questions. We look forward to working with you to create a sustainable, just future for the Gulf Coast.

In solidarity,

--

**Dustin Renaud**

Communications Director

504 525 1528 x214

228 209 2194 (Cell)

PO BOX 2245

New Orleans, LA 70176

**Protect What You Love**

P.S. If you have issues with the attached document, the letter from Gulf advocates can also be found [here](#).

**From:** [Schwartz, Melissa A](#)  
**To:** [Lefton, Amanda B](#)  
**Subject:** Fwd: APPELLATE-#419545-v56-Opening\_Brief  
**Date:** Tuesday, November 16, 2021 11:42:59 AM  
**Attachments:** [APPELLATE-#419545-v56-Opening\\_Brief.DOCX](#)

---

Melissa Schwartz (she/her)  
Communications Director  
Office of the Secretary  
Department of the Interior

---

**From:** Anderson, Robert T <Robert.Anderson@sol.doi.gov>  
**Sent:** Tuesday, November 16, 2021 10:28:28 AM  
**To:** Daniel-Davis, Laura E <laura\_daniel-davis@ios.doi.gov>; Taylor, Rachael S <rachael\_taylor@ios.doi.gov>; Kelly, Katherine P <Kate\_Kelly@ios.doi.gov>; Alonso, Shantha R <shantha\_alonso@ios.doi.gov>; Schwartz, Melissa A <melissa\_schwartz@ios.doi.gov>  
**Cc:** Beaudreau, Tommy P <tommy\_beaudreau@ios.doi.gov>  
**Subject:** APPELLATE-#419545-v56-Opening\_Brief

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**From:** [Anderson, Robert T](#)  
**To:** [Taylor, Rachael S](#); [Beaudreau, Tommy P](#); [Daniel-Davis, Laura E](#)  
**Cc:** [Anderson, Robert T](#); [Schwartz, Melissa A](#)  
**Subject:** Papering over lease sales 258/59/61  
**Date:** Thursday, May 12, 2022 10:49:25 AM  
**Attachments:** [2022-04-25 Revised ASLM Decision Memo - LS 258 \(clean copy\).docx](#)  
[2022-04-25 Revised Background Memo - LS 258 \(clean copy\).docx](#)  
[2022-04-25 Draft Memo Re Impact on 5-Year Program \(clean copy\).docx](#)  
[2022.03.03 Draft Memo to ASLM re. Inability to Hold Sales 259 and 261.docx](#)  
[Final Version FRN for Inability to Hold GOM Sales 259 and 261 .docx](#)

---

Here are the documents we propose to tie up the loose ends on the lease sales. Let me know what you think?

Robert T. Anderson  
Solicitor  
Department of the Interior  
1849 C Street NW  
Washington, D.C. 20240  
(202) 208-4210

---

**From:** Annatoyn, Travis J <[travis.annatoyn@sol.doi.gov](mailto:travis.annatoyn@sol.doi.gov)>  
**Sent:** Thursday, May 12, 2022 11:14 AM  
**To:** Anderson, Robert T <[Robert.Anderson@sol.doi.gov](mailto:Robert.Anderson@sol.doi.gov)>  
**Subject:** FW: 258/59/61

---

**From:** Annatoyn, Travis J  
**Sent:** Thursday, May 12, 2022 11:10 AM  
**To:** Lefton, Amanda B <[Amanda.Lefton@boem.gov](mailto:Amanda.Lefton@boem.gov)>  
**Subject:** 258/59/61

Travis Annatoyn  
Deputy Solicitor for Energy & Mineral Resources  
United States Department of the Interior  
1849 C Street NW  
Washington, DC 20240

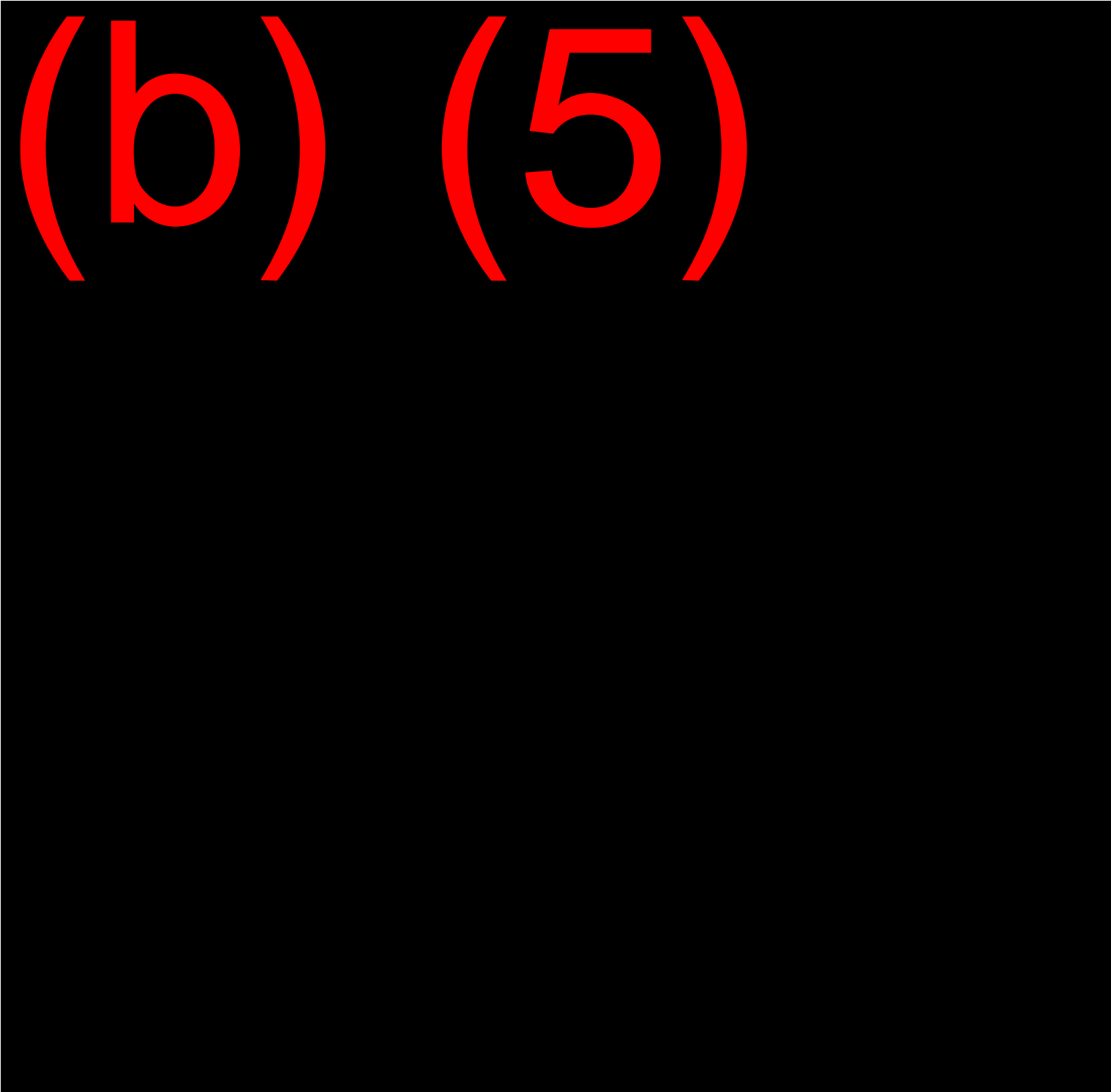
Memorandum

To: Principal Deputy Assistant Secretary - Land and Minerals Management

From: Amanda Lefton  
Director

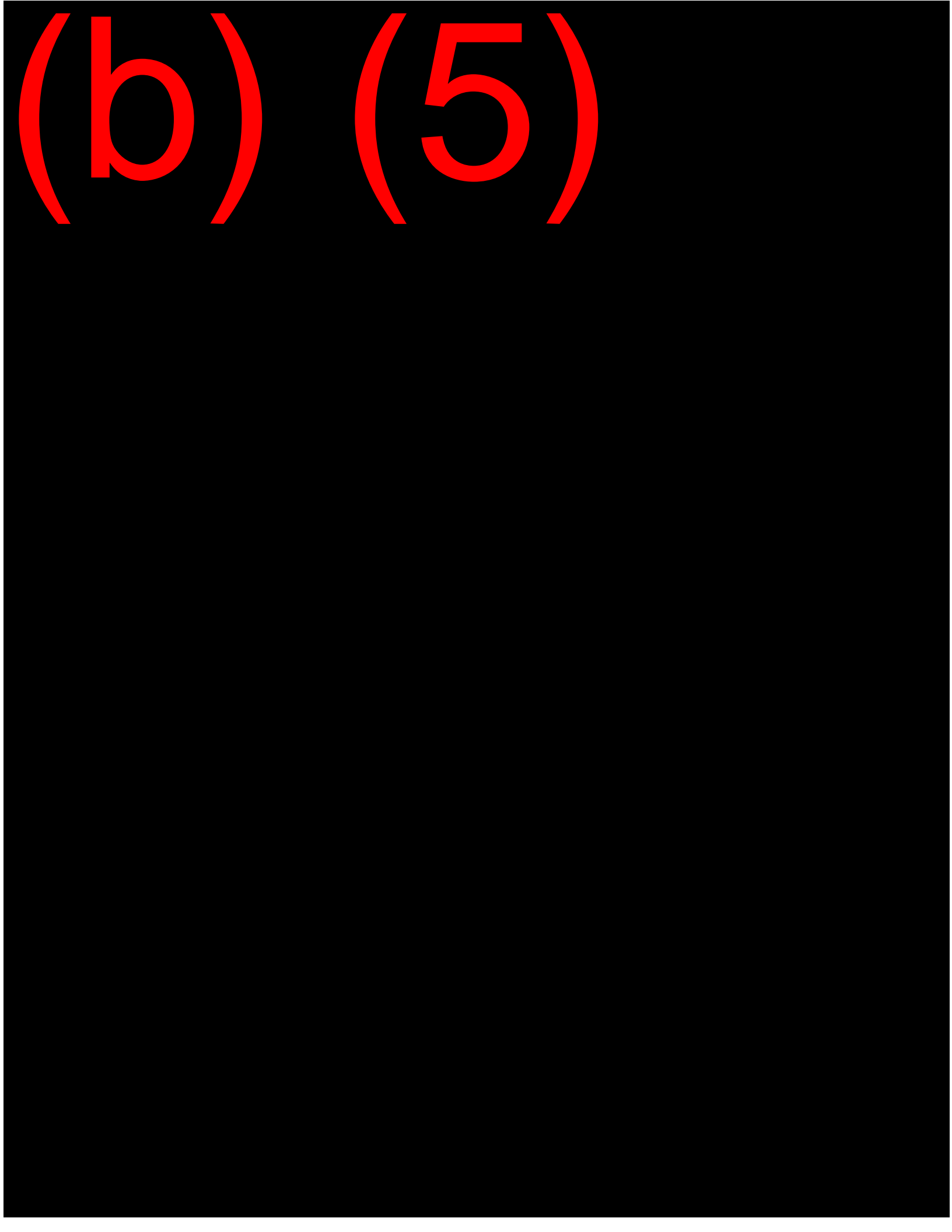
Subject: Cancellation of Cook Inlet Lease Sale 258

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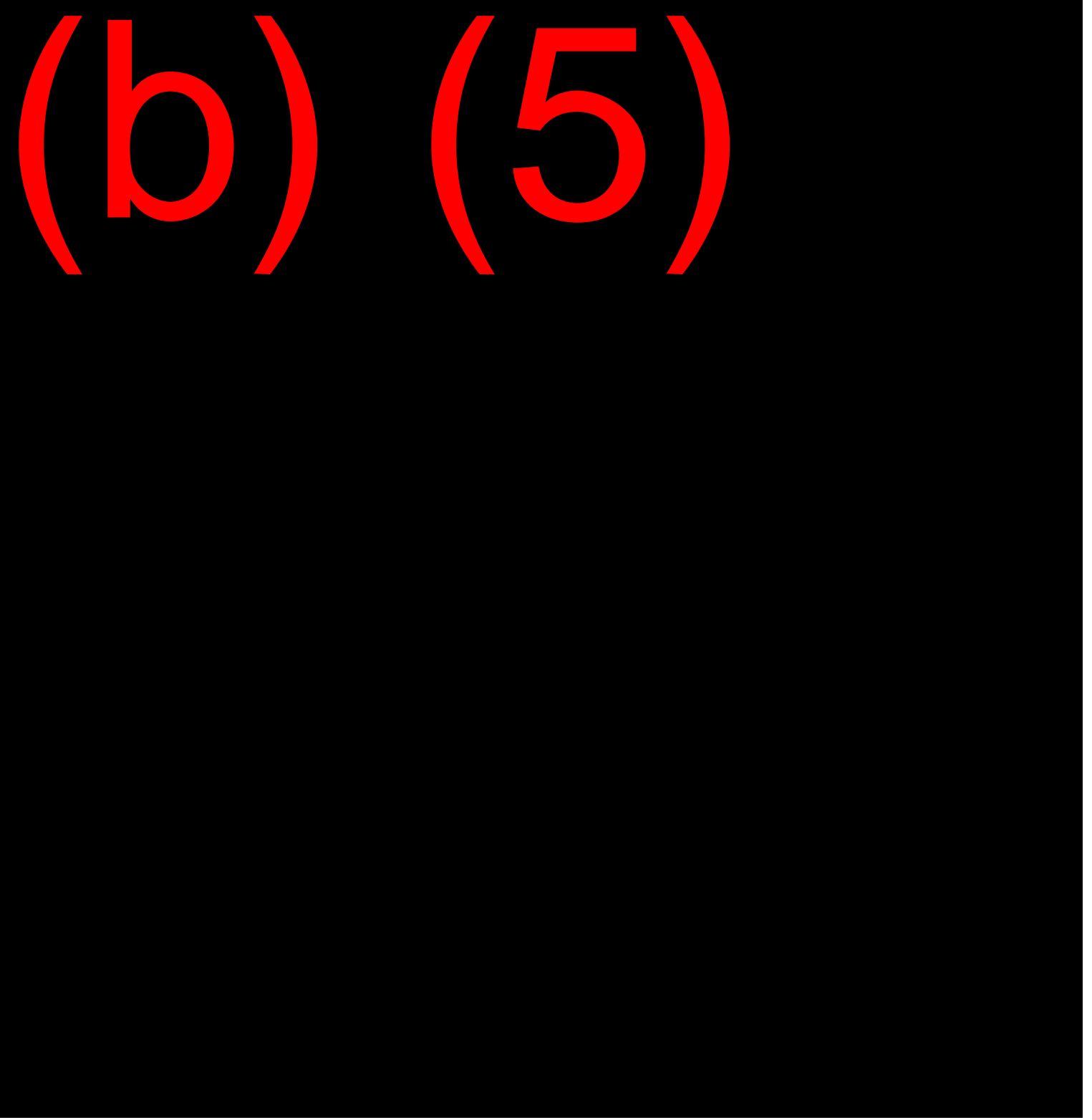
Memorandum

To: Principal Deputy Assistant Secretary - Land and Minerals Management

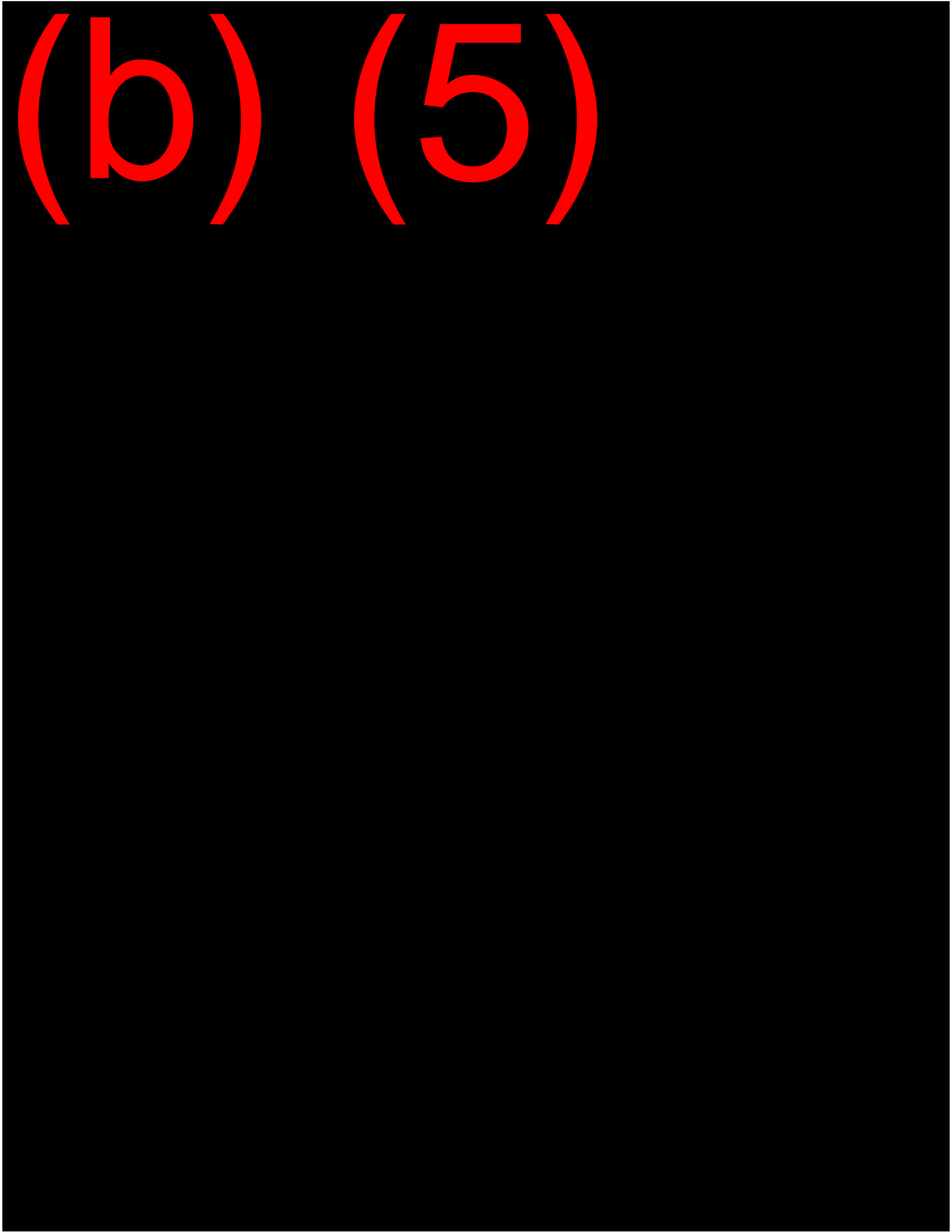
From: Amanda Lefton  
Director

Subject: Cancellation of Cook Inlet Lease Sale 258

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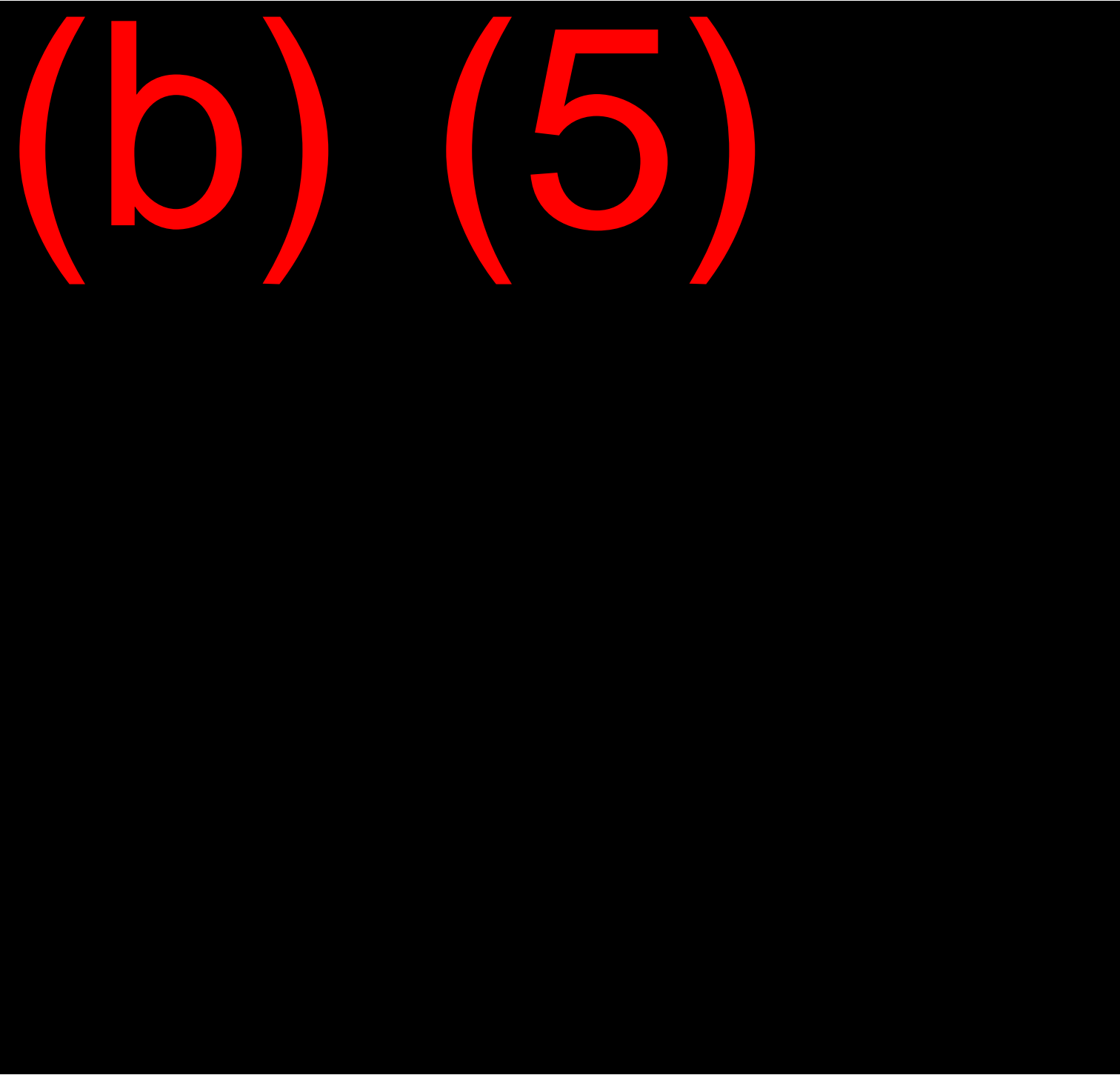
Memorandum

To:

From:

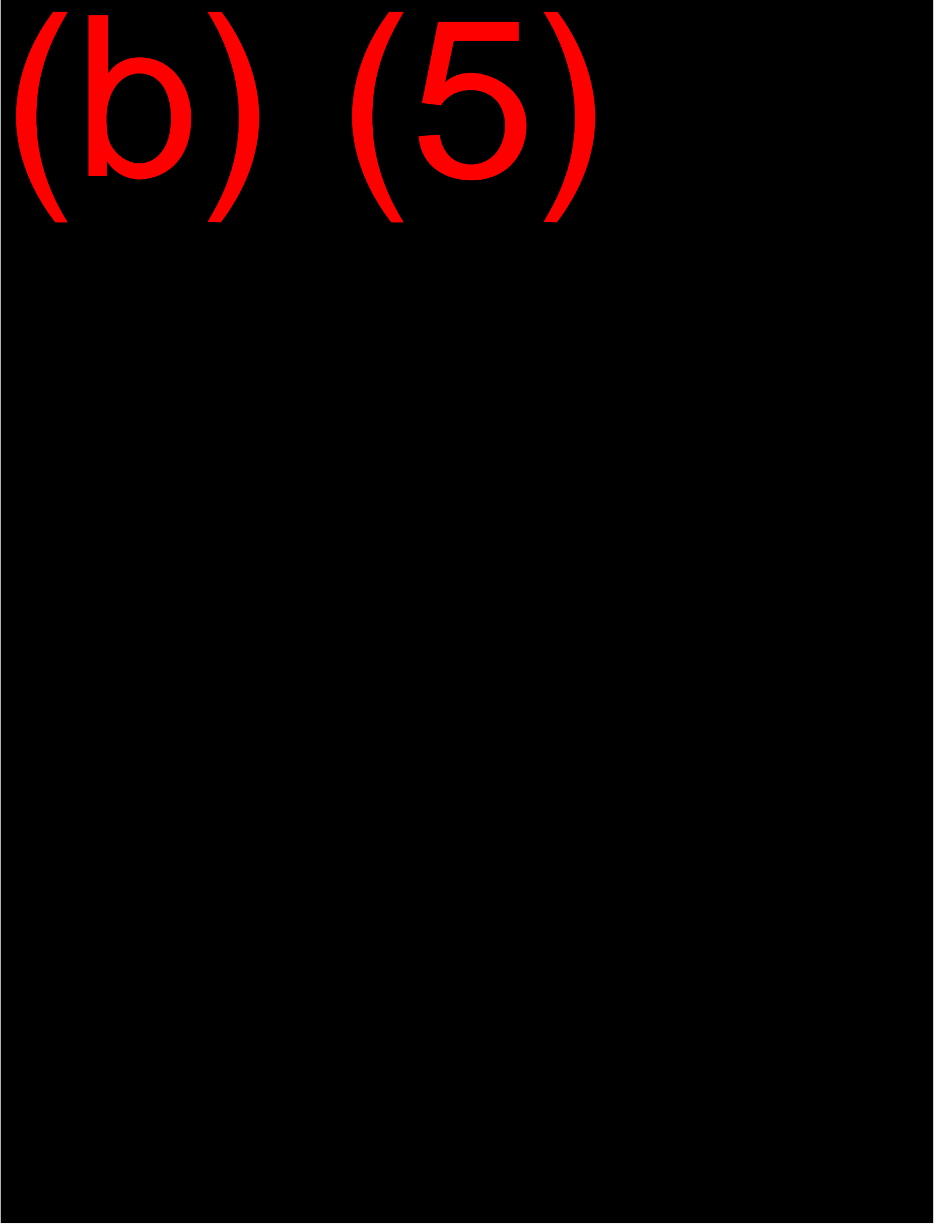
Subject: Cancellation of Cook Inlet Lease Sale 258

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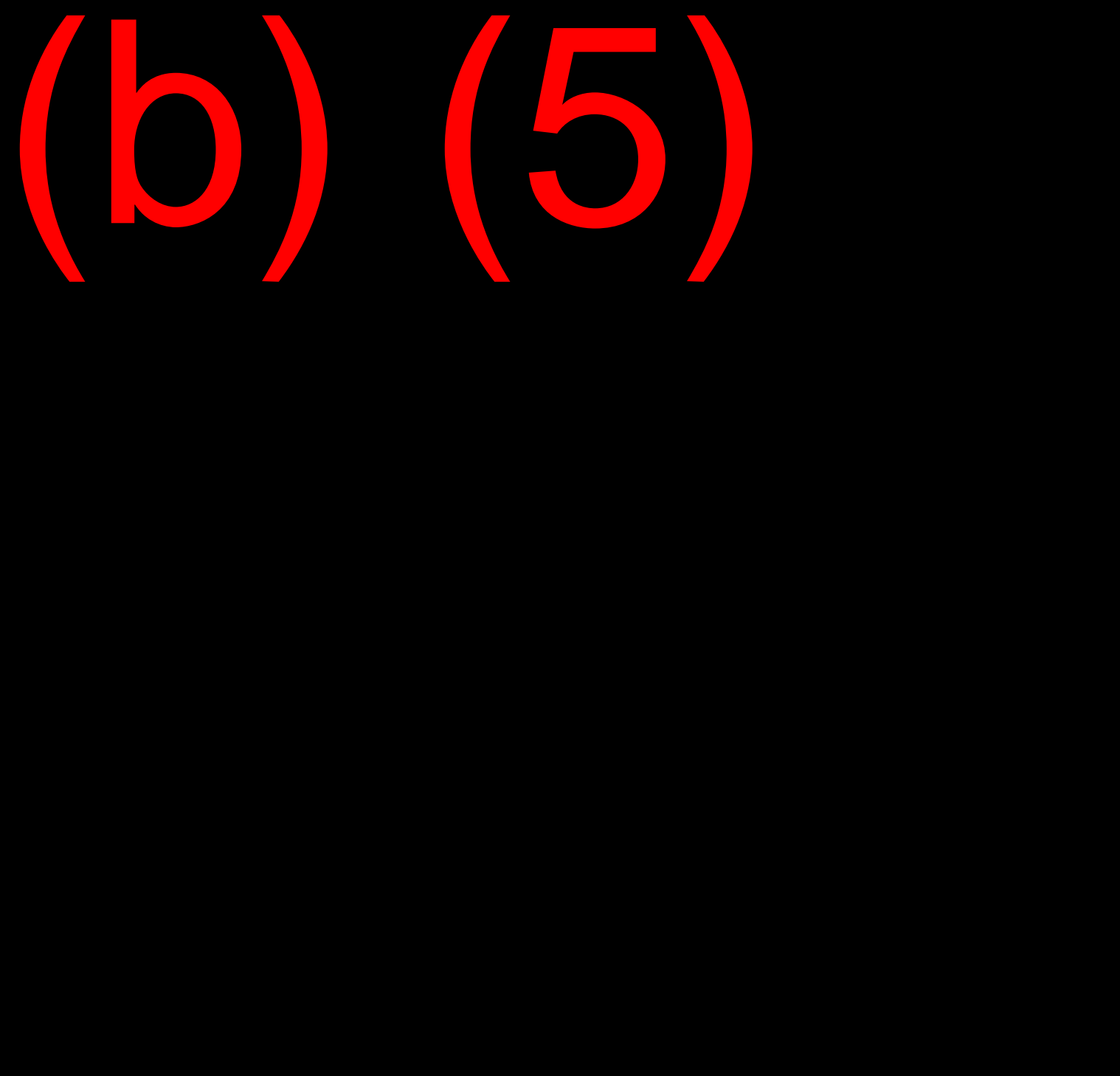
DRAFT March 3, 2022

Memorandum

To: Laura Daniel-Davis  
Principal Deputy Assistant Secretary, Land and Mineral Management

From: Bureau of Ocean Energy Management

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(b) (5)

**Billing Code:** 4310-MR

**DEPARTMENT OF THE INTERIOR**

**Bureau of Ocean Energy Management (BOEM)**

**(b) (5)**

**[Docket No. BOEM-2022-XXXX]**

**AGENCY:** Bureau of Ocean Energy Management, Interior

**(b) (5)**

(b) (5)

---

Amanda Lefton  
Director, Bureau of Ocean Energy Management

---

Date

**From:** [Russo, Jennifer R](#)  
**To:** [Schwartz, Melissa A](#); [Cherry, Tyler A](#); [Eisenman, Theresa M](#)  
**Subject:** RE: For Review: News Release - BOEM Cancels Comment Period, Virtual Meetings for Proposed Lease Sale Offshore Alaska (Cook Inlet)  
**Date:** Wednesday, February 3, 2021 2:48:59 PM

---

I will send this version back to BOEM. Thanks.

---

**From:** Russo, Jennifer R  
**Sent:** Wednesday, February 3, 2021 3:26 PM  
**To:** Schwartz, Melissa A <[melissa\\_schwartz@ios.doi.gov](mailto:melissa_schwartz@ios.doi.gov)>; Cherry, Tyler A <[tyler\\_cherry@ios.doi.gov](mailto:tyler_cherry@ios.doi.gov)>; Eisenman, Theresa M <[theresa\\_eisenman@ios.doi.gov](mailto:theresa_eisenman@ios.doi.gov)>  
**Subject:** RE: For Review: News Release - BOEM Cancels Comment Period, Virtual Meetings for Proposed Lease Sale Offshore Alaska (Cook Inlet)

Ok, great! I was just typing up an email regarding their reasoning. BOEM will be prepared to answer OTR.

---

**From:** Schwartz, Melissa A <[melissa\\_schwartz@ios.doi.gov](mailto:melissa_schwartz@ios.doi.gov)>  
**Sent:** Wednesday, February 3, 2021 3:24 PM  
**To:** Cherry, Tyler A <[tyler\\_cherry@ios.doi.gov](mailto:tyler_cherry@ios.doi.gov)>; Russo, Jennifer R <[jennifer\\_russo@ios.doi.gov](mailto:jennifer_russo@ios.doi.gov)>; Eisenman, Theresa M <[theresa\\_eisenman@ios.doi.gov](mailto:theresa_eisenman@ios.doi.gov)>  
**Subject:** RE: For Review: News Release - BOEM Cancels Comment Period, Virtual Meetings for Proposed Lease Sale Offshore Alaska (Cook Inlet)

(b) (5) BOEM should be ready to answer off the record. I have attached the version I am sending up.

---

**From:** Cherry, Tyler A <[tyler\\_cherry@ios.doi.gov](mailto:tyler_cherry@ios.doi.gov)>  
**Sent:** Wednesday, February 3, 2021 2:47 PM  
**To:** Schwartz, Melissa A <[melissa\\_schwartz@ios.doi.gov](mailto:melissa_schwartz@ios.doi.gov)>; Russo, Jennifer R <[jennifer\\_russo@ios.doi.gov](mailto:jennifer_russo@ios.doi.gov)>; Eisenman, Theresa M <[theresa\\_eisenman@ios.doi.gov](mailto:theresa_eisenman@ios.doi.gov)>  
**Subject:** RE: For Review: News Release - BOEM Cancels Comment Period, Virtual Meetings for Proposed Lease Sale Offshore Alaska (Cook Inlet)

I concur with Melissa's edits (b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] But just a flag

Thanks all

Tyler Cherry  
Press Secretary

Office of the Secretary  
U.S. Department of the Interior  
(c) 202-549-2988

Follow us at [@USInteriorPress](#) and sign up [here](#) for updates from Interior.

---

**From:** Schwartz, Melissa A <[melissa\\_schwartz@ios.doi.gov](mailto:melissa_schwartz@ios.doi.gov)>  
**Sent:** Wednesday, February 3, 2021 2:19 PM  
**To:** Russo, Jennifer R <[jennifer\\_russo@ios.doi.gov](mailto:jennifer_russo@ios.doi.gov)>; Eisenman, Theresa M <[theresa\\_eisenman@ios.doi.gov](mailto:theresa_eisenman@ios.doi.gov)>  
**Cc:** Cherry, Tyler A <[tyler\\_cherry@ios.doi.gov](mailto:tyler_cherry@ios.doi.gov)>  
**Subject:** RE: For Review: News Release - BOEM Cancels Comment Period, Virtual Meetings for Proposed Lease Sale Offshore Alaska (Cook Inlet)

Maybe it's just that I am tired, but the 1<sup>st</sup> and 3<sup>rd</sup> paragraphs said the same thing. Duplication has been cut in the attached but please see if this looks right to you before you send back to them. Given that Alaska media will care about this deeply, I suggest sending at a considerate time for that market (so late afternoon tomorrow). (b) (5)

[REDACTED]

---

**From:** Russo, Jennifer R <[jennifer\\_russo@ios.doi.gov](mailto:jennifer_russo@ios.doi.gov)>  
**Sent:** Wednesday, February 3, 2021 12:07 PM  
**To:** Schwartz, Melissa A <[melissa\\_schwartz@ios.doi.gov](mailto:melissa_schwartz@ios.doi.gov)>; Eisenman, Theresa M <[theresa\\_eisenman@ios.doi.gov](mailto:theresa_eisenman@ios.doi.gov)>  
**Cc:** Cherry, Tyler A <[tyler\\_cherry@ios.doi.gov](mailto:tyler_cherry@ios.doi.gov)>  
**Subject:** For Review: News Release - BOEM Cancels Comment Period, Virtual Meetings for Proposed Lease Sale Offshore Alaska (Cook Inlet)


**Bureau:** BOEM  
**Subject or headline:** BOEM Cancels Comment Period, Virtual Meetings for Proposed Lease Sale Offshore Alaska (Cook Inlet)  
**Materials:** News Release  
**Target date:** 2/4  
**Please comment by:** 2/3 by 5 p.m.  
**Content:**

## **BOEM Cancels Comment Period, Virtual Meetings for Proposed Lease Sale Offshore Alaska**

**ANCHORAGE** -- The Bureau of Ocean Energy Management (BOEM) today announced its decision to cancel the public comment period regarding its draft environmental analysis on a proposed oil and gas lease sale in Cook Inlet, off Alaska's southcentral coast. Due to cancellation of the public comment period, the virtual meetings previously scheduled for February are also cancelled.

On Jan. 27, 2021, President Biden issued Executive Order 14008, titled "[Tackling the Climate Crisis at Home and Abroad](#)." Among other things, this order directs federal agencies to "pause new oil and natural gas leases on public lands or in offshore waters pending completion of a comprehensive review and reconsideration of Federal oil and gas permitting and leasing practices."

In accordance with this directive, and pending the comprehensive review and reconsideration of federal oil and gas leasing, BOEM is cancelling the currently open public comment period on the Draft Environmental Impact Statement (EIS) for the proposed Cook Inlet OCS Oil & Gas Lease Sale 258. (b) (6)

A large black rectangular redaction box covers the text following the phrase "(b) (6)".

A Federal Register notice formally canceling the comment period and public meetings is forthcoming.

**Background:**

The [2017-2022 National Outer Continental Shelf Oil & Gas Program](#) provides for one lease sale in the federal submerged lands of Cook Inlet.

In September 2020, BOEM announced that it would begin preparation of an EIS to analyze the potential environmental impacts of the proposed sale. A Notice of Availability for the Draft EIS was published in the Federal Register Jan. 15. The publication of the notice launched a 45-day comment period, during which the bureau offered the public opportunities to comment on the Draft EIS. The comment period, formerly scheduled to close March 1, and all public meetings identified in the notice are now cancelled, effective immediately.



(b) (5)

---

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**Sent:** Wednesday, February 3, 2021 12:07 PM

**To:** Schwartz, Melissa A <[melissa\\_schwartz@ios.doi.gov](mailto:melissa_schwartz@ios.doi.gov)>; Eisenman, Theresa M <[theresa\\_eisenman@ios.doi.gov](mailto:theresa_eisenman@ios.doi.gov)>

**Cc:** Cherry, Tyler A <[tyler\\_cherry@ios.doi.gov](mailto:tyler_cherry@ios.doi.gov)>

**Subject:** For Review: News Release - BOEM Cancels Comment Period, Virtual Meetings for Proposed Lease Sale Offshore Alaska (Cook Inlet)

**Bureau:** BOEM

**Subject or headline:** BOEM Cancels Comment Period, Virtual Meetings for Proposed Lease Sale Offshore Alaska (Cook Inlet)

**Materials:** News Release

**Target date:** 2/4

**Please comment by:** 2/3 by 5 p.m.

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**Contact:**  
john.callahan@boem.gov  
907-334-5208

**For immediate release**  
Feb. 4, 2021

## **BOEM Cancels Comment Period, Virtual Meetings for Proposed Lease Sale Offshore Alaska**

**ANCHORAGE** -- The Bureau of Ocean Energy Management (BOEM) today announced it has cancelled the public comment period on the Draft Environmental Impact Statement (EIS) for the proposed Cook Inlet OCS Oil & Gas Lease Sale 258, off Alaska's southcentral coast. Due to cancellation of the public comment period, the virtual meetings previously scheduled for February are also cancelled.

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– BOEM –

*The Bureau of Ocean Energy Management (BOEM) promotes energy independence, environmental protection, and economic development through responsible, science-based management of Outer Continental Shelf conventional and renewable energy resources.*

DRAFT

**From:** [Schwartz, Melissa A](#)  
**To:** [Cherry, Tyler A](#); [Russo, Jennifer R](#); [Eisenman, Theresa M](#)  
**Subject:** RE: For Review: News Release - BOEM Cancels Comment Period, Virtual Meetings for Proposed Lease Sale Offshore Alaska (Cook Inlet)  
**Date:** Wednesday, February 3, 2021 1:48:23 PM

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Yes - (b) (5)

---

**From:** Cherry, Tyler A <[tyler\\_cherry@ios.doi.gov](mailto:tyler_cherry@ios.doi.gov)>  
**Sent:** Wednesday, February 3, 2021 2:47 PM  
**To:** Schwartz, Melissa A <[melissa\\_schwartz@ios.doi.gov](mailto:melissa_schwartz@ios.doi.gov)>; Russo, Jennifer R <[jennifer\\_russo@ios.doi.gov](mailto:jennifer_russo@ios.doi.gov)>; Eisenman, Theresa M <[theresa\\_eisenman@ios.doi.gov](mailto:theresa_eisenman@ios.doi.gov)>  
**Subject:** RE: For Review: News Release - BOEM Cancels Comment Period, Virtual Meetings for Proposed Lease Sale Offshore Alaska (Cook Inlet)

I concur with Melissa's edits (b) (5)

But just a flag

Thanks all

Tyler Cherry  
Press Secretary  
Office of the Secretary  
U.S. Department of the Interior  
(c) 202-549-2988

Follow us at [@USInteriorPress](#) and sign up [here](#) for updates from Interior.

---

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**Subject:** For Review: News Release - BOEM Cancels Comment Period, Virtual Meetings for Proposed Lease Sale Offshore Alaska (Cook Inlet)

**Bureau:** BOEM

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**From:** [Schwartz, Melissa A](#)  
**To:** [Russo, Jennifer R](#); [Eisenman, Theresa M](#)  
**Cc:** [Cherry, Tyler A](#)  
**Subject:** RE: For Review: News Release - BOEM Cancels Comment Period, Virtual Meetings for Proposed Lease Sale Offshore Alaska (Cook Inlet)  
**Date:** Wednesday, February 3, 2021 1:19:21 PM  
**Attachments:** [BOEM Cancellation Cook Inlet Comment Period 20121ASLM MS.docx](#)

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[REDACTED]

---

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**Sent:** Wednesday, February 3, 2021 12:07 PM  
**To:** Schwartz, Melissa A <melissa\_schwartz@ios.doi.gov>; Eisenman, Theresa M <theresa\_eisenman@ios.doi.gov>  
**Cc:** Cherry, Tyler A <tyler\_cherry@ios.doi.gov>  
**Subject:** For Review: News Release - BOEM Cancels Comment Period, Virtual Meetings for Proposed Lease Sale Offshore Alaska (Cook Inlet)

**Bureau:** BOEM

**Subject or headline:** BOEM Cancels Comment Period, Virtual Meetings for Proposed Lease Sale Offshore Alaska (Cook Inlet)

**Materials:** News Release

**Target date:** 2/4

**Please comment by:** 2/3 by 5 p.m.

**Content:**

## **BOEM Cancels Comment Period, Virtual Meetings for Proposed Lease Sale Offshore Alaska**

**ANCHORAGE** -- The Bureau of Ocean Energy Management (BOEM) today announced its decision to cancel the public comment period regarding its draft environmental analysis on a proposed oil and gas lease sale in Cook Inlet, off Alaska's southcentral coast. Due to cancellation of the public comment period, the virtual meetings previously scheduled for February are also cancelled.

On Jan. 27, 2021, President Biden issued Executive Order 14008, titled "[Tackling the Climate Crisis at Home and Abroad](#)." Among other things, this order directs federal agencies to "pause new oil and natural gas leases on public lands or in offshore waters pending completion of a comprehensive review and reconsideration of Federal oil and gas permitting and leasing practices."

In accordance with this directive, and pending the comprehensive review and reconsideration of federal oil and gas leasing, BOEM is cancelling the currently open public comment period on the Draft Environmental Impact Statement (EIS) for the proposed Cook Inlet OCS Oil & Gas Lease Sale

258. (b) (5)

A Federal Register notice formally canceling the comment period and public meetings is forthcoming.

**Background:**

The [2017-2022 National Outer Continental Shelf Oil & Gas Program](#) provides for one lease sale in the federal submerged lands of Cook Inlet.

In September 2020, BOEM announced that it would begin preparation of an EIS to analyze the potential environmental impacts of the proposed sale. A Notice of Availability for the Draft EIS was published in the Federal Register Jan. 15. The publication of the notice launched a 45-day comment period, during which the bureau offered the public opportunities to comment on the Draft EIS. The comment period, formerly scheduled to close March 1, and all public meetings identified in the notice are now cancelled, effective immediately.



**Contact:**  
john.callahan@boem.gov  
907-334-5208

**For immediate release**  
**Feb.** xx, 2021

## **BOEM Cancels Comment Period, Virtual Meetings for Proposed Lease Sale Offshore Alaska**

**ANCHORAGE** -- The Bureau of Ocean Energy Management (BOEM) today announced it has cancelled the public comment period on the Draft Environmental Impact Statement (EIS) for the proposed Cook Inlet OCS Oil & Gas Lease Sale 258, off Alaska's southcentral coast. Due to cancellation of the public comment period, the virtual meetings previously scheduled for February are also cancelled.

On Jan. 27, 2021, President Biden issued Executive Order 14008, titled "[Tackling the Climate Crisis at Home and Abroad](#)." Among other things, this order directs federal agencies to "pause new oil and natural gas leases on public lands or in offshore waters pending completion of a comprehensive review and reconsideration of Federal oil and gas permitting and leasing practices."

(b) (5)

A Federal Register notice formally canceling the comment period and public meetings is forthcoming.

### **Background:**

The [2017-2022 National Outer Continental Shelf Oil & Gas Program](#) provides for one lease sale in the federal submerged lands of Cook Inlet.

In September 2020, BOEM announced that it would begin preparation of an EIS to analyze the potential environmental impacts of the proposed sale. A Notice of Availability for the Draft EIS was published in the Federal Register Jan. 15. The publication of the notice launched a 45-day comment period, during which the bureau offered the public opportunities to comment on the Draft EIS. The comment period, formerly scheduled to close March 1, and all public meetings identified in the notice are now cancelled, effective immediately.

– BOEM –

*The Bureau of Ocean Energy Management (BOEM) promotes energy independence, environmental protection, and economic development through responsible, science-based management of Outer Continental Shelf conventional and renewable energy resources.*

DRAFT

**From:** [Daniel-Davis, Laura E](#)  
**To:** [Schwartz, Melissa A](#); [Beaudreau, Tommy P](#); [Taylor, Rachael S](#); [Lefton, Amanda B](#); [Wallace, Andrew G](#); [Anderson, Robert T](#); [Kelly, Katherine P](#)  
**Subject:** RE: [EXTERNAL] Biden administration cancels new offshore oil lease sales  
**Date:** Thursday, May 12, 2022 10:16:10 AM

---

Just sent you background

**Laura Daniel-Davis**

she/her

Principal Deputy Assistant Secretary – Land and Minerals Management

[laura\\_daniel-davis@ios.doi.gov](mailto:laura_daniel-davis@ios.doi.gov)

202-549-3450 (cell)

---

**From:** Schwartz, Melissa A <[melissa\\_schwartz@ios.doi.gov](mailto:melissa_schwartz@ios.doi.gov)>  
**Sent:** Thursday, May 12, 2022 11:15 AM  
**To:** Beaudreau, Tommy P <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>; Daniel-Davis, Laura E <[laura\\_daniel-davis@ios.doi.gov](mailto:laura_daniel-davis@ios.doi.gov)>; Taylor, Rachael S <[rachael\\_taylor@ios.doi.gov](mailto:rachael_taylor@ios.doi.gov)>; Lefton, Amanda B <[Amanda.Lefton@boem.gov](mailto:Amanda.Lefton@boem.gov)>; Wallace, Andrew G <[andrew\\_wallace@ios.doi.gov](mailto:andrew_wallace@ios.doi.gov)>; Anderson, Robert T <[Robert.Anderson@sol.doi.gov](mailto:Robert.Anderson@sol.doi.gov)>; Kelly, Katherine P <[Kate\\_Kelly@ios.doi.gov](mailto:Kate_Kelly@ios.doi.gov)>  
**Subject:** FW: [EXTERNAL] Biden administration cancels new offshore oil lease sales

Didn't Cook Inlet get cancelled multiple times in previous years?

---

**From:** POLITICO Pro <[alert@email.politicopro.com](mailto:alert@email.politicopro.com)>  
**Sent:** Thursday, May 12, 2022 10:35 AM  
**To:** Schwartz, Melissa A <[melissa\\_schwartz@ios.doi.gov](mailto:melissa_schwartz@ios.doi.gov)>  
**Subject:** [EXTERNAL] Biden administration cancels new offshore oil lease sales

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# Biden administration cancels new

# offshore oil lease sales

BY BEN LEFEBVRE | 05/12/2022 10:31 AM EDT

The Interior Department canceled its remaining offshore oil and gas lease sales for the year, escalating a fight with Republicans and the oil and gas industry over access to federal acreage amid the surge in gasoline prices to record levels.

Interior, which made the announcement late Thursday, cited lack of interest from oil and gas companies for the cancellation of a planned sale in Alaska's Cook Inlet. It said dueling court cases were forcing to cancel work on two scheduled lease sales in the Gulf of Mexico.

"Due to lack of industry interest in leasing in the area, the Department will not move forward with the proposed Cook Inlet [offshore] oil and gas lease sale 258," Interior said in its announcement. "The Department also will not move forward with lease sales 259 and 261 in the Gulf of Mexico region, as a result of delays due to factors including conflicting court rulings that impacted work on these proposed lease sales."

Interior Secretary Deb Haaland at a congressional hearing last month [alluded to Interior having no plans](#) to carry out additional offshore lease sales.

The cancellations mean that Interior will have held only one offshore oil lease sale during the first two years of the Biden administration. The results of that November 2021 sale were overturned by a court that said the Trump administration had not made a sufficient environmental review.

Republicans slammed the announcement and sought to tie it to the persistent inflation that has caused the Biden administration political pain. Gasoline prices surged to record levels above \$4.40 per gallon this week, topping the previous high from March, even though crude oil prices have cooled from their rally earlier this year. Analysts have pointed to reduced refinery production and the effort to supplant Russian petroleum exports with U.S. supplies as the main drivers

"Mere days after gas prices hit historic highs, President Biden is killing new offshore leases for the rest of the year," House Natural Resources Committee ranking member [Bruce Westerman](#) (R-Ark ) said in a statement. "The decision is a slap in the face to Americans who are already being forced to choose between sky high gas bills and grocery bills."

Biden had placed a moratorium on new lease sales shortly after taking office to conduct a review of the decades-old leasing program rules. A series of lawsuits from the Louisiana attorney general and the oil industry first forced Interior to conduct an offshore lease sale in the Gulf of Mexico in November, but a second lawsuit from environmental groups led to the results of that lease sale being invalidated.



Erik Milito, head of the National Ocean Industries Association, said the cancellation of multiple upcoming sales was unprecedented and called Interior's rationale of courtroom uncertainty "an excuse." He contended that Interior would be violating the law if it failed to propose a new five-year leasing program this summer.

"This is the first time we've seen an administration intentionally delay and prevent lease sales from occurring," Milito said. "Any administration, Republican or Democrat, has made sure they have lease sales and a lease plan in place. This is completely contrary to the way the government works and has been able to function over the last several decades."

*Josh Siegel contributed to this report.*

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Arlington, VA 22209  
USA

**From:** [Schwartz, Melissa A](#)  
**To:** [Beaudreau, Tommy P](#)  
**Subject:** RE: [EXTERNAL] Biden administration cancels new offshore oil lease sales  
**Date:** Thursday, May 12, 2022 10:26:05 AM

---

Great -

---

**From:** Beaudreau, Tommy P <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Sent:** Thursday, May 12, 2022 11:24 AM  
**To:** Schwartz, Melissa A <[melissa\\_schwartz@ios.doi.gov](mailto:melissa_schwartz@ios.doi.gov)>  
**Subject:** RE: [EXTERNAL] Biden administration cancels new offshore oil lease sales

For sure. Long tradition of cancelling cook inlet sales.

---

**From:** Schwartz, Melissa A <[melissa\\_schwartz@ios.doi.gov](mailto:melissa_schwartz@ios.doi.gov)>  
**Sent:** Thursday, May 12, 2022 11:21 AM  
**To:** Beaudreau, Tommy P <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>  
**Subject:** FW: [EXTERNAL] Biden administration cancels new offshore oil lease sales

Are you ok with that?

---

**From:** Lefton, Amanda B <[Amanda.Lefton@boem.gov](mailto:Amanda.Lefton@boem.gov)>  
**Sent:** Thursday, May 12, 2022 11:19 AM  
**To:** Schwartz, Melissa A <[melissa\\_schwartz@ios.doi.gov](mailto:melissa_schwartz@ios.doi.gov)>; Daniel-Davis, Laura E <[laura\\_daniel-davis@ios.doi.gov](mailto:laura_daniel-davis@ios.doi.gov)>; Beaudreau, Tommy P <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>; Taylor, Rachael S <[rachael\\_taylor@ios.doi.gov](mailto:rachael_taylor@ios.doi.gov)>; Wallace, Andrew G <[andrew\\_wallace@ios.doi.gov](mailto:andrew_wallace@ios.doi.gov)>; Anderson, Robert T <[Robert.Anderson@sol.doi.gov](mailto:Robert.Anderson@sol.doi.gov)>; Kelly, Katherine P <[Kate\\_Kelly@ios.doi.gov](mailto:Kate_Kelly@ios.doi.gov)>  
**Subject:** RE: [EXTERNAL] Biden administration cancels new offshore oil lease sales

yes

---

**From:** Schwartz, Melissa A <[melissa\\_schwartz@ios.doi.gov](mailto:melissa_schwartz@ios.doi.gov)>  
**Sent:** Thursday, May 12, 2022 11:18 AM  
**To:** Daniel-Davis, Laura E <[laura\\_daniel-davis@ios.doi.gov](mailto:laura_daniel-davis@ios.doi.gov)>; Beaudreau, Tommy P <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>; Taylor, Rachael S <[rachael\\_taylor@ios.doi.gov](mailto:rachael_taylor@ios.doi.gov)>; Lefton, Amanda B <[Amanda.Lefton@boem.gov](mailto:Amanda.Lefton@boem.gov)>; Wallace, Andrew G <[andrew\\_wallace@ios.doi.gov](mailto:andrew_wallace@ios.doi.gov)>; Anderson, Robert T <[Robert.Anderson@sol.doi.gov](mailto:Robert.Anderson@sol.doi.gov)>; Kelly, Katherine P <[Kate\\_Kelly@ios.doi.gov](mailto:Kate_Kelly@ios.doi.gov)>  
**Subject:** RE: [EXTERNAL] Biden administration cancels new offshore oil lease sales

Can I use the 9:54am data on background?

---

**From:** Daniel-Davis, Laura E <[laura\\_daniel-davis@ios.doi.gov](mailto:laura_daniel-davis@ios.doi.gov)>  
**Sent:** Thursday, May 12, 2022 11:17 AM  
**To:** Schwartz, Melissa A <[melissa\\_schwartz@ios.doi.gov](mailto:melissa_schwartz@ios.doi.gov)>; Beaudreau, Tommy P <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>; Taylor, Rachael S <[rachael\\_taylor@ios.doi.gov](mailto:rachael_taylor@ios.doi.gov)>; Lefton, Amanda

B <[Amanda.Lefton@boem.gov](mailto:Amanda.Lefton@boem.gov)>; Wallace, Andrew G <[andrew\\_wallace@ios.doi.gov](mailto:andrew_wallace@ios.doi.gov)>; Anderson, Robert T <[Robert.Anderson@sol.doi.gov](mailto:Robert.Anderson@sol.doi.gov)>; Kelly, Katherine P <[Kate\\_Kelly@ios.doi.gov](mailto:Kate_Kelly@ios.doi.gov)>

**Subject:** RE: [EXTERNAL] Biden administration cancels new offshore oil lease sales

Background for you all – thank you Amanda:

Here are the activities related to lease sale 258, it provides a good background.

<https://www.boem.gov/oil-gas-energy/leasing/lease-sale-258>

Here is the Final Scoping Report from the Notice to Prepare Environmental Impact Statement from 2020. It does not explicitly state that we did not hear from the industry, but does summarize the comments, most of which were in opposition to the lease sale. We have not published the comments from the DEIS.

[https://www.boem.gov/sites/default/files/documents/regions/alaska-ocs-region/2020\\_1110\\_CookInletLease\\_Sale\\_Final\\_Scoping\\_Report.pdf](https://www.boem.gov/sites/default/files/documents/regions/alaska-ocs-region/2020_1110_CookInletLease_Sale_Final_Scoping_Report.pdf)

**From:** Lefton, Amanda B <[Amanda.Lefton@boem.gov](mailto:Amanda.Lefton@boem.gov)>

**Sent:** Thursday, May 12, 2022 9:54 AM

**To:** Wallace, Andrew G <[andrew\\_wallace@ios.doi.gov](mailto:andrew_wallace@ios.doi.gov)>

**Cc:** Daniel-Davis, Laura E <[laura\\_daniel-davis@ios.doi.gov](mailto:laura_daniel-davis@ios.doi.gov)>

**Subject:** RE: 258 Q

BOEM published a Call for Information for Sale 258 in the *Federal Register* on September 10, 2020. We did not receive any nominations or indications of industry interest in response to the Call. Further, there was no expressed interest from oil and gas companies directly in the EIS. We did, however, receive comments from associations. Canceling this lease sale with consideration to the lack of industry interest is consistent with BOEM's practice. Following Lease Sale 191 in Alaska's Cook Inlet (May 2004), in which no bids were received, the Department gave greater weight to expressions of industry interest during the individual sale planning process in deciding whether to hold lease sales in the Cook Inlet.

- **Sale 199:** On December 27, 2004, the agency announced the publication in the Federal Register of a Request for Information (RFI) and a Notice of Intent (NOI) to Prepare and Environmental Assessment for Cook Inlet Oil and Gas Lease Sale 199. No industry input was received in response to the RFI and Lease Sale 199 was delayed from 2006 to 2007.

On December 6, 2006, the agency published in the Federal Register a follow-up Request for Information. No industry interest was received in response to this RFI and Lease Sale 199 was cancelled in February 2007.

- In the subsequent National OCS Oil and Gas Leasing Program (2007-2012), the Secretary decided to include the Cook Inlet Planning Area on the schedule as a "special interest sale." If industry interest reflected in comments on a call for information did not support

consideration of a sale, the sale would be postponed. A request for nominations and comments would be issued again the following year, and so on through the 5-year schedule, until a sale was held or the schedule expired.

- **Sale 211:** On October 27, 2008, based on response to the Request for Information issued in July 2008, Sale 211 was deferred a year. Subsequently, it was decided for administrative purposes that Sale 211 should be canceled, and a new Cook Inlet sale scheduled. This new sale was scheduled as Cook Inlet Oil and Gas Lease Sale 219.
- **Sale 219:** On March 2, 2011, Sale 219 was cancelled due to lack of industry interest.
- **Sale 244:** Sale 244 was held on June 21, 2017; 14 leases were awarded.
- **Sale 258:** Sale 258 was cancelled in May 2022 due to lack of industry interest.

**Laura Daniel-Davis**

she/her

Principal Deputy Assistant Secretary – Land and Minerals Management

[laura\\_daniel-davis@ios.doi.gov](mailto:laura_daniel-davis@ios.doi.gov)

202-549-3450 (cell)

---

**From:** Schwartz, Melissa A <[melissa\\_schwartz@ios.doi.gov](mailto:melissa_schwartz@ios.doi.gov)>

**Sent:** Thursday, May 12, 2022 11:15 AM

**To:** Beaudreau, Tommy P <[tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)>; Daniel-Davis, Laura E <[laura\\_daniel-davis@ios.doi.gov](mailto:laura_daniel-davis@ios.doi.gov)>; Taylor, Rachael S <[rachael\\_taylor@ios.doi.gov](mailto:rachael_taylor@ios.doi.gov)>; Lefton, Amanda B <[Amanda.Lefton@boem.gov](mailto:Amanda.Lefton@boem.gov)>; Wallace, Andrew G <[andrew\\_wallace@ios.doi.gov](mailto:andrew_wallace@ios.doi.gov)>; Anderson, Robert T <[Robert.Anderson@sol.doi.gov](mailto:Robert.Anderson@sol.doi.gov)>; Kelly, Katherine P <[Kate\\_Kelly@ios.doi.gov](mailto:Kate_Kelly@ios.doi.gov)>

**Subject:** FW: [EXTERNAL] Biden administration cancels new offshore oil lease sales

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**From:** POLITICO Pro <[alert@email.politicopro.com](mailto:alert@email.politicopro.com)>

**Sent:** Thursday, May 12, 2022 10:35 AM

**To:** Schwartz, Melissa A <[melissa\\_schwartz@ios.doi.gov](mailto:melissa_schwartz@ios.doi.gov)>

**Subject:** [EXTERNAL] Biden administration cancels new offshore oil lease sales

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# Biden administration cancels new offshore oil lease sales

BY BEN LEFEBVRE | 05/12/2022 10:31 AM EDT

The Interior Department canceled its remaining offshore oil and gas lease sales for the year, escalating a fight with Republicans and the oil and gas industry over access to federal acreage amid the surge in gasoline prices to record levels.

Interior, which made the announcement late Thursday, cited lack of interest from oil and gas companies for the cancellation of a planned sale in Alaska's Cook Inlet. It said dueling court cases were forcing to cancel work on two scheduled lease sales in the Gulf of Mexico.

"Due to lack of industry interest in leasing in the area, the Department will not move forward with the proposed Cook Inlet [offshore] oil and gas lease sale 258," Interior said in its announcement. "The Department also will not move forward with lease sales 259 and 261 in the Gulf of Mexico region, as a result of delays due to factors including conflicting court rulings that impacted work on these proposed lease sales."

Interior Secretary Deb Haaland at a congressional hearing last month [alluded to Interior having no plans](#) to carry out additional offshore lease sales.

The cancellations mean that Interior will have held only one offshore oil lease sale during the first two years of the Biden administration. The results of that November 2021 sale were overturned by a court that said the Trump administration had not made a sufficient environmental review.

Republicans slammed the announcement and sought to tie it to the persistent inflation that has caused the Biden administration political pain. Gasoline prices surged to record levels above \$4.40 per gallon this week, topping the previous high from March, even though crude oil prices have cooled from their rally earlier this year. Analysts have pointed to reduced refinery production and the effort to supplant Russian petroleum exports with U.S. supplies as the main drivers

"Mere days after gas prices hit historic highs, President Biden is killing new offshore leases for the rest of the year," House Natural Resources Committee ranking member [Bruce Westerman](#) (R-Ark ) said in a statement. "The decision is a slap in the face to Americans who are already being forced to choose between sky high gas bills and grocery bills."

Biden had placed a moratorium on new lease sales shortly after taking office to

conduct a review of the decades-old leasing program rules. A series of lawsuits from the Louisiana attorney general and the oil industry first forced Interior to conduct an offshore lease sale in the Gulf of Mexico in November, but a second lawsuit from environmental groups led to the results of that lease sale being invalidated.

Erik Milito, head of the National Ocean Industries Association, said the cancellation of multiple upcoming sales was unprecedented and called Interior's rationale of courtroom uncertainty "an excuse." He contended that Interior would be violating the law if it failed to propose a new five-year leasing program this summer.

"This is the first time we've seen an administration intentionally delay and prevent lease sales from occurring," Milito said. "Any administration, Republican or Democrat, has made sure they have lease sales and a lease plan in place. This is completely contrary to the way the government works and has been able to function over the last several decades."

*Josh Siegel contributed to this report.*

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USA

**From:** [Schwartz, Melissa A](#)  
**To:** [Lauren Leffer](#)  
**Subject:** Re: [EXTERNAL] TIMELY Press Inquiry: Canceled Offshore Drill Leases  
**Date:** Friday, May 13, 2022 8:17:41 AM

---

Here's what I can share on background:

As referenced in the Department's affidavit filed in support of the motion to stay in Louisiana v. Biden regarding the Social Cost of Carbon, there was not enough time before the expiration of the current five-year plan (June 30<sup>th</sup>, 2022) to complete statutorily-required pre-leasing processes.

Melissa Schwartz (she/her)  
Communications Director  
Office of the Secretary  
Department of the Interior

---

**From:** Lauren Leffer <lleffer@gizmodo.com>  
**Sent:** Friday, May 13, 2022 9:16:09 AM  
**To:** Schwartz, Melissa A <melissa\_schwartz@ios.doi.gov>  
**Subject:** Re: [EXTERNAL] TIMELY Press Inquiry: Canceled Offshore Drill Leases

Hi Melissa,

Thank you for sending this to me. Can you offer any further details about the conflicting court rulings? Also, could you point me to more specific location information for leases 259 and 261--where in the Gulf?

Thank you,  
Lauren

On Fri, May 13, 2022 at 9:13 AM Schwartz, Melissa A <[melissa\\_schwartz@ios.doi.gov](mailto:melissa_schwartz@ios.doi.gov)> wrote:

Here is the Department of the Interior's update:

"Due to lack of industry interest in leasing in the area, the Department will not move forward with the proposed Cook Inlet OCS oil and gas lease sale 258. The Department also will not move forward with lease sales 259 and 261 in the Gulf of Mexico region, as a result of delays due to factors including conflicting court rulings that impacted work on these proposed lease sales."

Thanks

Melissa Schwartz (she/her)  
Communications Director  
Office of the Secretary  
Department of the Interior

---

**From:** Filostrat, John <[John.Filostrat@boem.gov](mailto:John.Filostrat@boem.gov)>

**Sent:** Friday, May 13, 2022 9:07:47 AM

**To:** Moriarty, Tracey B <[Tracey.Moriarty@boem.gov](mailto:Tracey.Moriarty@boem.gov)>; Eng, Lissa M <[Lissa.Eng@boem.gov](mailto:Lissa.Eng@boem.gov)>; [lleffer@gizmodo.com](mailto:lleffer@gizmodo.com) <[lleffer@gizmodo.com](mailto:lleffer@gizmodo.com)>

**Cc:** Interior Press <[interior\\_press@ios.doi.gov](mailto:interior_press@ios.doi.gov)>

**Subject:** Re: [EXTERNAL] TIMELY Press Inquiry: Canceled Offshore Drill Leases

Looping in Interior Press.

**John Filostrat**  
**Bureau Ocean Energy Management**  
**Office of Communications**  
**504.284.8605**

---

**From:** Lauren Leffer <[lleffer@gizmodo.com](mailto:lleffer@gizmodo.com)>

**Sent:** Friday, May 13, 2022 7:51 AM

**To:** Public Affairs, BOEM <[BOEMPublicAffairs@boem.gov](mailto:BOEMPublicAffairs@boem.gov)>

**Subject:** [EXTERNAL] TIMELY Press Inquiry: Canceled Offshore Drill Leases

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Hello,

I'm a journalist writing for the online outlets Gizmodo and Earther. I'm currently reporting a follow-up story on the cancellation of three offshore oil and gas drill leases from a couple of days ago.

Can you please share any Department of Interior statement on the lease cancellations in Alaska's Cook Inlet and the two in the Gulf of Mexico?

Thank you,  
Lauren Leffer

[lleffer@gizmodo.com](mailto:lleffer@gizmodo.com)

(410) 967-7570

**From:** [Rachel Frazin](#)  
**To:** [Interior Press](#)  
**Subject:** Red states motion in leasing pause case  
**Date:** Tuesday, August 10, 2021 2:11:20 PM  
**Attachments:** [leasingbrief.pdf](#)

---

Hi everyone,

I hope you're doing well!

Do you all want to comment on this court filing (attached) from several Republican states arguing that the administration is out of compliance with the leasing pause injunction and asking the court to compel you all to hold a lease sale?

Relatedly, is the department planning to hold any lease sales any time soon?

And while I'm asking you about these issues, do you have any updates on when the report on the federal oil and gas program will be released?

if you could get back to me by 5 p.m. today that would be great!

Best,  
Rachel Frazin  
Energy and Environment Reporter, The Hill  
561-212-2815

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF LOUISIANA

THE STATE OF LOUISIANA,  
By and through its Attorney General, JEFF  
LANDRY, et al.,  
  
PLAINTIFFS,

V.

JOSEPH R. BIDEN, JR., in his official capacity  
as President of the United States; et al.,  
DEFENDANTS.

CIVIL ACTION NO. 2:21-cv-778-TAD-KK

**MEMORANDUM IN SUPPORT OF MOTION FOR ORDER TO SHOW CAUSE AND  
TO COMPEL COMPLIANCE WITH PRELIMINARY INJUNCTION**

“Courts for centuries have possessed the inherent power to enforce their lawful decrees through the use of coercive sanctions in civil contempt proceedings.” *Scott v. Hunt Oil Co.*, 398 F.2d 810, 811 (5th Cir. 1968); see also *Chambers v. NASCO, Inc.*, 501 U.S. 32, 44 (1991) (“[T]he underlying concern that gave rise to the contempt power ... was disobedience to the orders of the Judiciary.”). To establish a prima facie case of contempt, Plaintiff States must show by clear and convincing evidence “(1) That a court order is in effect; (2) That the order prescribes or requires certain conduct by the respondent; and (3) That respondent has performed an act or failed to perform an act in violation of the court’s order.” *NASCO, Inc. v. Calcasieu Television & Radio, Inc.*, 583 F. Supp. 115, 119 (W.D. La. 1984). Plaintiff States “need not show that the violation was willful.” *Id.*

The first and second elements cannot be contested here. Defendants have violated the Court's June 15 Order by their continued application of the Pause to refuse to hold new onshore lease sales or Lease Sale 257. Every day that passes without compliance irreparably harms Plaintiff States. Accordingly, this Court should order Defendants to show cause as to why they should not be held in contempt for violating the preliminary injunction. It also should order Defendants to comply with the law and this Court's injunction by holding Lease Sale 257.

**I. Defendants Have Violated This Court’s Preliminary Injunction.**

More than seven weeks ago, after a hearing, this Court granted Plaintiff States’ motion for a preliminary injunction. The Court’s Order “enjoined and restrained” Defendants “from implementing the Pause of new oil and gas leases on public lands or in offshore waters as set forth in Section 208, Executive Order 14008, 86 Fed. Reg. 7619, 7624-25 (Jan. 27, 2021) and as set forth in all documents implementing the terms of said Executive Order by said defendants, as to all eligible lands.” Doc. 140. The Court further ordered that Defendants “shall be enjoined and restrained from implementing said Pause with respect to Lease Sale 257, Lease Sale 258 and to all eligible onshore properties.” *Id.* Finally, the Court ordered that “the scope of th[e] injunction shall be nationwide.” *Id.*

BOEM has taken no action whatsoever to hold Lease Sale 257. Instead, it has focused on wind-related projects that are not mandated by the Five Year Plan, OCSLA, or this Court’s Order. For instance, on June 17, the Bureau of Ocean Energy Management (BOEM) opened a public comment period and environment review for a wind project offshore New York and New Jersey. *See* Shapiro Decl. Ex. 9. On June 28, BOEM opened an environmental review regarding a wind project offshore Rhode Island and Massachusetts. *See* Shapiro Decl. Ex. 10. On July 2, BOEM opened a public comment period for an environmental impact statement regarding a wind project offshore Virginia Beach. *See* Shapiro Decl. Ex. 3. On July 29, BOEM opened a public comment period for industry input on wind power development offshore California. *See* Shapiro Decl. Ex. 4. On July 29, BOEM issued a notice of intent to prepare an environmental impact statement for a wind project offshore North Carolina. *See* Shapiro Decl. Ex. 11. BOEM has taken no action, however, to implement Lease Sale 257 or any other oil and gas lease sale under the Five Year Plan.

Defendants' noncompliance with the Court's order has recently been made plain by public testimony before Congress. On July 27, 2021,<sup>1</sup> Secretary of the Interior Deb Haaland testified before the Senate Committee on Energy and Natural Resources. At the hearing, the Secretary admitted that "the Pause is still in place." *See* DVD (Doc. 148-1) at 1:00:23. The Secretary also admitted that "the pause that you're referring to, that President Biden ordered in his executive order, is, I suppose it's in effect." *See id.* at 59:43.<sup>2</sup> Upon being asked "[w]hat action has the department taken to be in compliance with the judge's ruling" and whether "there has been any decisions to reinstate leases, lease sales" and "specifically ... lease sale 257," the Secretary refused to give an answer. *See id.* at 1:01-11.<sup>3</sup>

These actions—or inactions—clearly violate this Court's Order and holding. "A party's compliance with a court order cannot be avoided by 'a literal or hypertechnical reading of an order', for it is 'the spirit and purpose of the injunction, not merely its precise words, that must be obeyed.'" *NASCO, Inc.*, 583 F. Supp. at 120. The Court ordered that Defendants are "enjoined and restrained from implementing said Pause with respect to Lease Sale 257." Doc. 140. Yet the Pause is still very much in effect with respect to Lease Sale 257. And it is still in effect despite this Court's specific finding that there is "no explanation for the postponement of Lease Sale 257 other than reliance on Executive Order 14008," which "itself provides no rationale from departing from OCSLA." Doc.

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<sup>1</sup> Plaintiff States have submitted this testimony with their Request for Judicial Notice, Doc. 148. The testimony can be found at <https://www.youtube.com/watch?v=-Mz1XWLwFE>.

<sup>2</sup> These admissions render incoherent the Secretary's repeated protestations that the Department is complying with the Court's Order. *Cf. NASCO, Inc.*, 583 F. Supp. at 120 ("[R]espondents' conduct flies in the face of their bold assertion of good faith to achieve substantial compliance with our Order."); *see also Taggart v. Lorenzen*, 139 S. Ct. 1795, 1802 (2019) ("[A] party's subjective belief that she was complying with an order ordinarily will not insulate her from civil contempt if that belief was objectively unreasonable."); *Lelsz v. Kavanagh*, 673 F. Supp. 828, 839 (N.D. Tex. 1987) ("Good faith in attempting compliance is not sufficient to avoid contempt; there is no intent requirement.").

<sup>3</sup> The Department's recently published Semiannual Regulatory Agenda further demonstrates its non-compliance. The Agenda contains no reference to any progress or plans to start progress on the next OCSLA Five Year Plan. Not only are Lease Sales 257 and 258 under threat, the entire notion of oil and gas lease sales on the Gulf of Mexico are in doubt.



139 at 34-35. Moreover, the Court specifically held that “the Government Defendants were legally required to go through with the sale of Lease Sale 257” and have unreasonably and unlawfully delayed this agency action. Doc. 139 at 38-39.

Defendants have acted as if this Court’s findings, conclusions of law, and compulsory order do not exist. They have taken no actions to reinstitute Lease Sale 257; they have not, for instance, revoked the Recission of the Record of Decision or published the Final Notice of Sale. Neither step would require vast work or resources—both documents already exist. Once these steps were taken, BOEM would need to hold the Lease Sale—an action it is more than capable of executing. It has not done so and thus has violated this Court’s clear order, and remains in violation of OCSLA and the Administrative Procedure Act. *See NASCO, Inc.*, 583 F. Supp. at 120 (party must be “reasonably diligent and energetic in attempting to accomplish what was ordered”); *see also Calvillo Manriquez v. Devos*, 411 F. Supp. 3d 535, 539 (N.D. Cal. 2019) (finding contempt because “Defendants’ attempt to comply with the preliminary injunction consisted of a single email to each service provider and partial confirmation of receipt of those emails” rather than “the normal actions one would expect from an entity facing a binding court order: multiple in-person meetings or telephone calls to explain the preliminary injunction and to confirm that the contractors were complying with the preliminary injunction”).<sup>4</sup>

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<sup>4</sup> This situation is distinguishable from the finding of no contempt in *Hornbeck*. *See Hornbeck Offshore Servs., L.L.C. v. Salazar*, 713 F.3d 787 (5th Cir. 2013). That contempt proceeding involved the implementation of a *new* moratorium rather than the continuation of the enjoined moratorium. *Id.* at 793-95. And the Court there never held that the moratorium violated OCSLA—a stark contrast to this Court’s conclusion in the Preliminary Injunction. *Compare id.* at 795 (“Hornbeck’s complaint also asserted that a six-month moratorium on all drilling exceeded the authority delegated to Interior under the Outer Continental Shelf Act. The court never reached that issue. *Had the May Directive been enjoined on that basis, this would be a very different case.* Instead, the sole justification for the preliminary injunction that did issue as to the first Directive was a procedural failure to explain.”) (emphasis added), *with* Doc. 139 at 5 (“[S]ince OCSLA does not grant specific authority to a President to ‘Pause’ offshore oil and gas leases, the power to ‘Pause’ lies solely with Congress. Therefore, Plaintiff States have made a showing that there is a substantial likelihood that President Biden exceeded his powers in Section 208 of Executive Order 14008.”), *and id.* at 33 (“By pausing the leasing, the

## II. Defendants Have No Valid Defenses to Their Failure to Comply.

Because Plaintiff States have established a *prima facie* case of contempt, “the burden falls upon [Defendants] to assert defenses or mitigating circumstances that might cause the court to withhold the exercise of its contempt power.” *NASCO, Inc.*, 583 F. Supp. at 119. Defendants have no defense. As noted above, they have ample resources to conduct other activities such as wind project environmental impact statements and comment periods. No new record of decision, lease terms, or notice of sale would have to be prepared—those documents already exist. *See* Doc. 135-1 (Lease Sale 257 ROD); Doc. 135-8 (Lease Sale 257 Lease Stipulations); Doc. 139 at 29 (“[O]n January 20, 2021, (the day President Biden was sworn in), Walter Cruickshank sent an email to Loren Thompson [Doc. No.121, PR 17], in which he stated they had received instructions to withdraw any notices that were pending at the Federal Register, which included the Final Notice of Sale for Lease Sale 257.”). All that remains is to hold the Sale itself. *Olivia Y. by & Through Johnson v. Barbour*, No. 3:04CV251TSL-FKB, 2011 WL 13353278, at \*1 (S.D. Miss. May 17, 2011) (“[A] party is in civil contempt if that party fails in meaningful respects to achieve substantial and diligent compliance with a clear and unambiguous decree.”). Defendants thus fail to carry their burden to show “a present inability to comply with the order or substantial compliance with the order” and can point to no other “mitigating circumstances.” *Id.*

Finally, Defendants have not filed a notice of appeal, or sought or received a stay. This Court’s Order thus remains fully effective. *Cf. In re Timmons*, 607 F.2d 120, 125 (5th Cir. 1979) (“If a person to whom a court directs an order believes that order is incorrect the remedy is to appeal, but, absent a stay, he must comply promptly with the order pending appeal.”); *Pasadena City Bd. of Ed. v. Spangler*, 427 U.S. 424, 439 (1976) (“It is for the court of first instance to determine the question of

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agencies are in effect amending two Congressional statutes, OCSLA and MLA, which they do not have the authority to do. Neither OCSLA nor MLA gives the Agency Defendants authority to pause lease sales.”).

the validity of the law, and until its decision is reversed for error by orderly review, either by itself or by a higher court, its orders based on its decision are to be respected, and disobedience of them is contempt of its lawful authority, to be punished.”). There is simply no excuse for Defendants’ brazen noncompliance with this Court’s Order. *NASCO, Inc.*, 583 F. Supp. at 120 (“Our Order must be obeyed and cannot be ignored unless it is withdrawn or vacated.”); *Olivia Y. by & Through Johnson*, 2011 WL 13353278, at \*1 (“Contempt proceedings begin with ‘the basic proposition that all orders and judgments of courts must be complied with promptly.’”).

### **III. This Court Should Compel Compliance With Its Injunction.**

“Upon a finding of contempt, the district court has broad discretion in assessing sanctions to protect the sanctity of its decrees and the legal process.” *Test Masters Educ. Servs., Inc. v. Singh*, 428 F.3d 559, 582 (5th Cir. 2005). In issuing its preliminary injunction, the Court did not need to “anticipate every action to be taken in response to its order, nor spell out in detail the means in which its order must be effectuated.” *Symetra Life Ins. Co. v. Rapid Settlements, Ltd.*, 2007 WL 1643211, at \*6 (S.D. Tex. June 4, 2007). But Defendants’ flat refusal to implement the Court’s Order confirms that direct instructions are in order to restart the statutorily mandated oil and gas leasing program. Accordingly, an appropriately tailored sanction would be a further order compelling compliance with the June 15 Order and providing specific directions to Defendants. Such directives are particularly necessary given the ongoing irreparable harm suffered by Plaintiff States each day Defendants refuse to hold Lease Sale 257. Doc. 139 at 18 (“Just the cancellation of Lease Sale 257 itself has had immediate impact due to loss of bonus payments and ground rents.”).<sup>5</sup>

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<sup>5</sup> Such relief is also necessary in light of the pending related litigation in Wyoming. The Court there has dismissed the preliminary injunction motions as moot in reliance on this Court’s injunction. See Doc. 71 at 2, *Western Energy Alliance v. Biden*, No. 0:21-cv-13 (W.D. Wyo. June 30, 2021). Defendants’ refusal to implement this Court’s Order thus harms both Plaintiff States and the plaintiffs in *Western Energy Alliance*.

Accordingly, the Court should order Defendants to do the following. *First*, revoke the Recission of the Lease Sale 257 Record of Decision. *Second*, publish the Final Notice of Sale within seven days. *Third*, hold Lease Sale 257 within forty-five days after publication of the Final Notice of Sale. *Fourth*, provide weekly status reports affirming their compliance with these deadlines.

Such relief is in line with federal judicial practice. *See, e.g., Laflamme v. New Horizons, Inc.*, 605 F. Supp. 2d 378, 399 (D. Conn. 2009) (“Lest there be any doubt about the effect of this previous ruling, the Court grants OPA’s motion and orders Defendants to comply with the terms of this injunction.”); *Nat’l Urb. League v. Ross*, 491 F. Supp. 3d 572, 584 (N.D. Cal. 2020); *Calvillo Manriquez v. Devos*, 411 F. Supp. 3d 535, 540 (N.D. Cal. 2019); *Bd. of Trustees of Bay Area Roofers Health & Welfare Tr. Fund v. Westech Roofing*, 2011 WL 5403453, at \*5 (N.D. Cal. Nov. 8, 2011); *see also Int’l Ladies’ Garment Workers’ Union v. Donovan*, 733 F.2d 920, 922 (D.C. Cir. 1984) (a “request for enforcement of the court’s mandate [implicates] ... the interest of the judicial branch in seeing that an unambiguous mandate is not blatantly disregarded by parties to a court proceeding ... that the District Court certainly was empowered to protect” particularly “where an administrative agency plainly neglects the terms of a mandate” and “has simply reimplemented precisely the same rule that this court vacated as ‘arbitrary and capricious’ in its first decision”). Accordingly, this Court should order Defendants to comply with their unambiguous existing statutory and regulatory mandates by holding Lease Sale 257. *See NASCO, Inc.*, 583 F. Supp. at 121 (“[R]espondents have not been diligent in attempting to comply with our Order, and their assertion of good faith is not borne out by their conduct thus far. Absent extraordinary circumstances, we cannot refuse to preserve rights under our Order.”).

### **Conclusion**

For the foregoing reasons, the Court should grant Plaintiff States' Motion, order Defendants to show cause why they should not be held in contempt, and Order their compliance with the June 15 Order by promptly holding Lease Sale 257.

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