NOT IN THEIR WILDEST DREAMS

The Trump administration is granting energy industry wishes at a breakneck pace

December 2017
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Since taking office, the Trump administration has moved aggressively to roll back existing common sense energy policies and enact an agenda written by the oil and gas industry. A new analysis finds the Trump administration and their allies in Congress have acted on at least 22 policy changes supported by energy companies and associations as of December 2017. These include efforts to remove safeguards on drilling, shut out the public from decision making, and increase drilling inside of America’s parks and wildlife refuges.

The energy industry has long been a major player in our political system. From funding candidates and lobbying to running advertisements and media campaigns, oil, gas, and coal companies have sought to eliminate some energy-related policies and advance others, often with mixed success. Now, the Trump administration has rewarded those efforts by stocking key positions in the Department of the Interior with industry players and rolling back a raft of energy policies.

The degree to which President Trump and Interior Secretary Ryan Zinke have aggressively pushed to eliminate common sense regulations and expand oil, gas, and coal development has shocked even those in the industry. As the president of the Western Energy Alliance, an oil and gas trade association, recently said, “Not in our wildest dreams, never did we expect to get everything.”
The Center for Western Priorities identified 24 policy changes within the jurisdiction of the Department of the Interior favored by oil, gas, and coal industry interests, drawing from regulatory comments, lawsuits, letters, and statements. These policy recommendations were then compared to actions taken by the Department of the Interior since President Trump took office, assessing whether the supported action was complete, in progress, identified for administrative or Congressional action, or not started. See the Appendix for a summary of each policy, as well as sources for industry recommendations and administrative actions.

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<tr>
<th>ACTION ITEM</th>
<th>RESULT</th>
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<tr>
<td>Eliminate Office of Natural Resources Revenue valuation rule</td>
<td>Eliminate rule ensuring taxpayers get a fair share for coal, oil, and gas extracted from public lands</td>
<td>Completed</td>
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<td>Rescind the Bureau of Land Management's Planning 2.0</td>
<td>Eliminate land use planning process that incorporates more local input</td>
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<td>Lift the coal leasing moratorium</td>
<td>Lift the coal moratorium, a temporary pause in leasing to study the impacts on taxpayers and the environment</td>
<td>Completed</td>
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<td>Eliminate or shrink national monuments</td>
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<td>Eliminate the Bureau of Land Management fracking rule</td>
<td>Eliminate rule increasing the safety of fracked wells, transparency of fracking chemicals</td>
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<td>Eliminate rule reducing methane waste from drilling operations on public lands</td>
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<td>Pre-drilling tests in the Arctic National Wildlife Refuge</td>
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<td>Expand drilling in Alaska's National Petroleum Reserve</td>
<td>Expand oil and gas drilling to key wildlife habitat within Alaska's National Petroleum Reserve</td>
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<td>Eliminate and replace sage-grouse conservation plans</td>
<td>Eliminate and replace bipartisan plans to conserve the sage-grouse</td>
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<td>Expand offshore leasing</td>
<td>Dramatically ramp up offshore oil and gas leasing</td>
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<td>Overhaul oil and gas leasing policy</td>
<td>Hold more frequent oil and gas lease sales, reducing analysis of potential impacts</td>
<td>In Progress</td>
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<td>Expand National Environmental Policy Act exemptions</td>
<td>Eliminate or reduce environmental reviews of oil and gas leases on public lands</td>
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<td>Eliminate Master Leasing Plans</td>
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<td>Revise 9B regulations</td>
<td>Make it easier to drill in national parks</td>
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<tr>
<td>Revise the Management of Non-Federal Oil and Gas Rights rule</td>
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<td>Lift Grand Canyon watershed mining moratorium</td>
<td>Lift ban on uranium mining in the Grand Canyon watershed</td>
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<td>Reduce protective land designations</td>
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<td>Overhaul the Antiquities Act</td>
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<td>Delegate oil and gas permitting authority to states</td>
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<td>Eliminate federal permitting process on split-estate lands</td>
<td>Eliminate environmental reviews for wells accessing publicly-owned resources under private lands</td>
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<td>Prohibit tribal consultation on private and state lands</td>
<td>Prohibit tribes from consulting on drilling impacts to cultural artifacts when the federal government owns mineral rights under private lands</td>
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<td>Eliminate public release of lease nominations and nominators</td>
<td>Eliminate policy requiring transparency in who nominates public lands for oil and gas leases</td>
<td>Not Started</td>
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From the administration’s first 100 days until now, President Trump and Interior Secretary Ryan Zinke have acted with speed to dismantle decades of energy policies that protect our natural heritage and public health. In October, Secretary Zinke released a so-called “Energy Burdens Report,” essentially a hit list of energy policies the agency will seek to eliminate or revise. It’s a clear roadmap that favors oil, gas, and coal companies at the expense of public lands and taxpayer returns.

**COMPLETED**

While government actions often take time, the Trump administration has already completed several energy industry priorities. Less than one month after taking office, Secretary Zinke announced his department would kill a rule designed to ensure taxpayers receive a fair share from coal, oil, and gas extracted from public lands. This “Valuation Rule” closed a massive loophole that allowed companies to sell coal to self-owned subsidiaries at below-market rates, cheating taxpayers out of millions in royalties. The same week, President Trump signed a Congressional Review Act resolution eliminating the Bureau of Land Management’s “Planning 2.0” rule that sought to increase local input and resolve conflicts between local businesses, such as outdoor recreation companies, and energy development when planning where to offer oil and gas leases.

In April, President Trump directed Secretary Zinke to review national monuments designated since 1996, targeting them for elimination or significant reductions. On December 4, following Secretary Zinke’s recommendation, President Trump issued two proclamations eliminating more than 2 million acres from Bears Ears and Grand Staircase-Escalante National Monuments in Utah. These unprecedented and likely illegal cuts open known coal and uranium deposits for new mining, endangering thousands of Native American cultural sites and world-class fossil beds.

**IN PROGRESS**

Many other industry requests are currently in progress. The Interior Department has suspended implementation of, and intends to eliminate entirely, the Bureau of Land Management’s methane waste rule, which requires oil and gas operators to identify and plug natural gas leaks from drilling sites on public lands. The Bureau of Land Management has also proposed eliminating a rule that increases the safety and transparency of hydraulic fracturing on public lands. Further, Secretary Zinke has announced his intent to eliminate and revise plans to conserve sage-grouse populations across the West. These plans, the result of years of bipartisan negotiations by Western governors, ranchers, conservationists, and many other stakeholders were seen as a resounding success to save an imperiled species while allowing energy development to continue.

**IDENTIFIED FOR ADMINISTRATIVE ACTION**

The Trump administration has identified several
policies for the Interior Department to eliminate or revise. In an executive order, President Trump ordered Secretary Zinke to examine, and possibly eliminate, updates to safety and enforcement rules governing drilling within national parks and national wildlife refuges. In its “Energy Burdens Report,” the Agriculture Department recommended working with the Interior Department to roll back a 20-year moratorium on new uranium mining leases near the Grand Canyon.

IDENTIFIED FOR CONGRESSIONAL ACTION

While President Trump and Secretary Zinke have been able to complete many actions on the oil and gas industry’s list, they lack the authority to complete some of them, requiring action from Congress. Utah Representative Rob Bishop has introduced a bill to gut the Antiquities Act, preventing future designations of national monuments, a key ask of the Western Energy Alliance. Additionally, members of the House Natural Resources Committee have pushed forward with legislation that would delegate oil and gas permitting authorities to states and eliminate the need for certain environmental reviews.
STOCKING THE INTERIOR DEPARTMENT WITH ENERGY INTERESTS

Secretary Zinke—who has benefited from oil, gas, and coal industry interests funding his political rise—has surrounded himself at the Interior Department with a staff that has deep ties into the energy and mineral extraction industries.

An analysis of 76 political staffers who have worked under Secretary Zinke at the Interior Department since the beginning of the Trump administration finds at least 34—nearly 50 percent of all political appointees—have direct ties to oil, gas, coal, or other extractive industry interests. This includes employees who have worked for extractive industries, lobbied on their behalf, legally represented extractive industries, taken in campaign contributions from them, or worked at a think tank or organization that receives significant funding from oil and gas companies.

As an example, Deputy Secretary David Bernhardt—the number two at Interior—has a long career as a lobbyist and lawyer representing oil, gas, and mining companies. Kathy Benedetto, a senior advisor to the Bureau of Land Management, worked in the mining and energy industry for two decades. Heather Swift, the Interior press secretary, has worked for multiple public affairs and lobbying companies representing oil, gas, and coal interests. Daniel Jorjani, the principal deputy solicitor, has held multiple jobs with the Koch brothers, prominent oil and gas billionaires. And the list goes on and on.

These dozens of employees, groomed over the years to represent extractive industry interests, are now carrying out the industry’s agenda from inside the government.

MEETING EXTENSIVELY WITH ENERGY INTERESTS

Since his swearing in as Interior Secretary in March 2017, Ryan Zinke and his staff have met extensively with energy interests. Copies of Zinke’s calendar for his first two months in office released by the agency show meetings with executives from nearly two dozen oil and gas companies and organizations, including the American Petroleum Institute, Western Energy Alliance, ExxonMobil, BP America, and Chevron.

Secretary Zinke has looked to curry favor with oil and gas companies by speaking regularly to industry audiences. Less than one month into the job, Zinke spoke to the American Petroleum Institute’s Board of Directors at the Trump Hotel in Washington, DC. On trips outside the beltway, Secretary Zinke has spoken to the Offshore Technology Conference in Houston and the Alaska Oil and Gas Association in Anchorage. Combined, the extensive meetings with industry executives and speeches to industry audience indicate exactly who Secretary Zinke is listening to in carrying out his agenda at the Interior Department.
CONCLUSION

In the nine months since President Trump took office, the Department of the Interior has transformed from an agency balancing multiple uses on our public lands—leasing some lands for development while conserving others for future generations—to a rubber stamp for the oil, gas, and coal industries. To date, nearly all of the policy recommendations identified by energy interests have been acted on in some form. Unfortunately, the road forward for the Interior Department is clear. Under the Zinke Doctrine, the agency will cater to energy companies at all costs at the expense of our parks and public lands.
Eliminate rule closing a loophole to ensure taxpayers get a fair share for coal, oil, and gas extracted from public lands

**INDUSTRY REQUEST:** Regulatory comments by the National Mining Association, Western Energy Alliance

**ADMINISTRATIVE ACTION:** Department of the Interior Rulemaking

In 2016, the Department of the Interior closed a loophole that allowed coal companies to cheat taxpayers out of millions in royalties for coal mined on public lands. For decades coal companies created self-owned subsidiaries, then sold mined coal to those subsidiaries at below-market prices, avoiding an average of $124 million in royalties annually between 2008 and 2012. Interior Secretary Ryan Zinke moved to repeal the “Valuation Rule” in August, 2017. The rollback has been subject to lawsuits from states who stand to lose critical revenue from energy production.

Eliminate land use planning process that incorporates more local input

**INDUSTRY REQUEST:** Western Energy Alliance letter to Congress

**ADMINISTRATIVE ACTION:** President signs Congressional Review Act resolution

After years of seeking input from local communities and businesses, the Obama administration updated the federal land-use planning process in December, 2016. The BLM’s “Planning 2.0” rule sought to increase local input and resolve conflicts between local businesses, such as outdoor recreation companies, and energy development when planning where to offer oil and gas leases. In March 2017, President Trump signed a Congressional Review Act resolution to eliminate the Planning 2.0 rule and prevent similar rules in the future.
Lift the coal leasing moratorium, a temporary pause to study the impacts on taxpayers, environment

**INDUSTRY REQUEST:** Statement by the National Mining Association

**ADMINISTRATIVE ACTION:** Department of the Interior Secretarial Order

In January 2016, Interior Secretary Sally Jewell announced a temporary pause in offering new coal leases on federal land. The “coal leasing moratorium,” which did not affect existing coal leases, was designed to allow the agency time to re-examine the decades-old program that offered leases at below-market rates and failed to account for pollution costs. Lifting the moratorium was a major priority of the coal industry, and in March 2017, Interior Secretary Ryan Zinke revoked the coal moratorium.

Eliminate or shrink national monuments to enable more drilling and mining

**INDUSTRY REQUEST:** Regulatory comments by Western Energy Alliance

**ADMINISTRATIVE ACTION:** Presidential proclamations dramatically reducing Bears Ears and Grand Staircase-Escalante National Monuments

As directed by an executive order from President Trump, Interior Secretary Ryan Zinke has conducted a review of all national monuments designated since 1996. Ignoring comments from 2.8 million Americans supportive of leaving national monuments alone, Secretary Zinke recommended that the president eliminate vast swaths of six national monuments and open others to more drilling, mining, and timber extraction. On December 4, following Secretary Zinke’s recommendation, President Trump issued two proclamations eliminating more than 2 million acres from Bears Ears and Grand Staircase-Escalante National Monuments in Utah. These unprecedented and likely illegal cuts open known coal and uranium deposits for new mining, endangering thousands of Native American cultural sites and world-class fossil beds.

**IN PROGRESS**

Eliminate rule increasing the safety of fracked wells, transparency of fracking chemicals

**INDUSTRY REQUEST:** Regulatory comments by the American Petroleum Institute, lawsuit by the Independent Petroleum Association of America and Western Energy Alliance

**ADMINISTRATIVE ACTION:** Bureau of Land Management Proposed Rule

In 2015 the BLM finalized rules aimed at increasing the safety and transparency of hydraulically fractured wells on public lands. The “BLM fracking rule” required companies to disclose the chemicals used in fracking fluid and ensure the integrity of fracked wells. Two industry trade associations, the Independent Petroleum Association of America and the Western Energy Alliance immediately sued
to overturn the rule. While that litigation has made its way through the courts, in July 2017, the Interior Department announced it would be rescinding the BLM fracking rule.

Eliminate rule reducing methane waste from drilling operations on public lands

INDUSTRY REQUEST: Lawsuit by the Independent Petroleum Association of America and Western Energy Alliance

ADMINISTRATIVE ACTION: Bureau of Land Management Proposed Rule

In 2016, the BLM finalized rules aimed at reducing methane waste from oil and gas drilling on public lands. The “BLM methane waste rule” required drillers to find and plug leaks of natural gas. With previously wasted natural gas being sold, the rule would ensure taxpayers receive a fair share for publicly-owned resources. The Independent Petroleum Association of America and the Western Energy Alliance sued to overturn the rule. While that litigation has not been successful, in October 2017, the BLM announced it would suspend the methane waste rule, a first step towards eliminating it entirely.

Conduct pre-drilling tests in the Arctic National Wildlife Refuge

INDUSTRY REQUEST: Regulatory comments by the American Petroleum Institute, Statement by the American Petroleum Institute

ADMINISTRATIVE ACTION: Fish and Wildlife Service Memorandum

The oil and gas industry has long wanted to drill in Alaska’s Arctic National Wildlife Refuge, home to a wide range of wildlife, including polar bears and caribou. Though efforts to advance oil production in ANWR have been repeatedly blocked in Congress, in August 2017, the Fish and Wildlife Service proposed ending a restriction on exploratory drilling and seismic testing within the wildlife refuge. This proposal is particularly notable, as Deputy Interior Secretary David Bernhardt recently represented the state of Alaska in a lawsuit against the Interior Department seeking to allow drilling in the Arctic National Wildlife Refuge.

Expand oil and gas drilling to key wildlife habitat within Alaska’s National Petroleum Reserve

INDUSTRY REQUEST: Joint regulatory comments by the American Petroleum Institute, Alaska Oil & Gas Association

ADMINISTRATIVE ACTION: Bureau of Land Management Announcement, Department of the Interior

Located on Alaska’s North Slope, the National Petroleum Reserve-Alaska (NPR-A) is home to a wide range of wildlife and significant oil reserves. While some areas within the reserve have been leased for oil and gas development, it contains vast swaths of pristine wilderness. In August 2017, the BLM
moved to initiate changes to the NPR-A’s management plan to allow more drilling, and in October, Secretary Zinke announced the BLM would auction oil and gas leases covering 10.3 million acres in the NPR-A, covering the entire area of the reserve that is currently eligible for leasing.

**Eliminate and replace bipartisan plans to conserve the sage-grouse**

**INDUSTRY REQUEST:** Regulatory comments by the Western Energy Alliance, lawsuit by the Western Energy Alliance and North Dakota Petroleum Council

**ADMINISTRATIVE ACTION:** Bureau of Land Management Notice of Intent

After years of bipartisan negotiations between Western governors, ranchers, and conservationists, several Western states and the Department of the Interior finalized a series of plans to conserve the sage-grouse, an imperiled bird with habitat throughout the region. As a result of these plans, Interior Secretary Sally Jewell announced the sage-grouse would not be placed on the endangered species list, allowing energy development to continue around the region. However, in October 2017, the BLM announced it would revise the existing sage-grouse conservation plans, likely a step towards dismantling them.

**Dramatically expand offshore oil and gas leasing**


**ADMINISTRATIVE ACTION:** Department of the Interior Announcement, Bureau of Ocean Energy Management Rulemaking

The oil and gas industry has long urged administrations to throw open the offshore continental shelf to widespread leasing. Recently, however, low oil prices have made offshore leases less attractive, and many companies have reduced their offshore investments. Nevertheless, in October 2017, Interior Secretary Zinke announced his department would host the largest oil and gas lease sale of all time, putting 77 million acres in the Gulf of Mexico on the auction block.

**Hold more frequent oil and gas lease sales, reducing analysis of potential impacts**

**INDUSTRY REQUEST:** Lawsuit by the Western Energy Alliance, regulatory comments by the Western Energy Alliance

**ADMINISTRATIVE ACTION:** Department of the Interior Secretarial Order

Under the Mineral Leasing Act, the Interior Department is required to host oil and gas lease sales, which producers must obtain before drill. In 2010, the Obama administration sought to streamline the leasing process, asking each BLM office to develop a lease schedule rotating quarterly between
Let's break down the content line by line:

**Eliminate or reduce environmental reviews of oil and gas leases on public lands**

**INDUSTRY REQUEST:** Regulatory comments by the Western Energy Alliance

**ADMINISTRATIVE ACTION:** Department of the Interior “Energy Burdens Report”

The oil and gas industry has long wanted to reduce or eliminate the number and types of environmental reviews that are required to obtain and develop an oil and gas lease on public lands. Congressional champions of the industry have advanced “streamlining” legislation, seeking to exempt certain reviews through increased “categorical exclusions,” and shorten others. Under Secretary Ryan Zinke, the BLM has begun the process of identifying ways to eliminate and reduce environmental reviews of oil and gas leases on public lands.

**Eliminate effort to resolve conflicts between local communities, small businesses, and energy development in public land use planning**

**INDUSTRY REQUEST:** Regulatory comments by the Western Energy Alliance

**ADMINISTRATIVE ACTION:** Department of the Interior “Energy Burdens Report”

Under the Obama administration, the BLM initiated a series of “Master Leasing Plans,” designed to gather a wide range of local stakeholders, including energy companies and outdoor recreation businesses, to resolve conflicts on where and where not to offer drilling leases. These processes have moved forward successfully in places such as Moab, Utah, and South Park, Colorado. However, after pushback from energy interests, the Interior Department announced its intent to rescind Master Leasing Plans by the first quarter of FY2018.

**IDENTIFIED FOR ADMINISTRATIVE ACTION**

**Make it easier to drill in national parks**

**INDUSTRY REQUEST:** Joint regulatory comments by American Petroleum Institute, Independent Petroleum Association of America, Western Energy Alliance, and American Exploration & Production Council

**ADMINISTRATIVE ACTION:** Presidential Executive Order

Although our national parks are intended to protect iconic places for generations to come, 12 national park units have active oil and gas wells, and an additional 28 could see oil and gas
development within their boundaries. This development can occur when the federal government owns the land, but not the mineral rights underneath. Last year the National Park Service updated its “9B Rules,” which set safety and enforcement standards for drilling within parks, for the first time since 1973. However, in a March 2017 executive order, President Trump specifically directed Interior Secretary Zinke to review the rules with an eye towards suspending or eliminating them.

**Make it easier to drill in national wildlife refuges**

**INDUSTRY REQUEST:** Joint regulatory comments by American Petroleum Institute and Independent Petroleum Producers of America

**ADMINISTRATIVE ACTION:** Presidential Executive Order

In 2016, the Fish and Wildlife Service updated 50-year old regulations governing oil and gas development within national wildlife refuges. More than 100 national wildlife refuges currently have oil and gas development, which is allowed to occur when private individuals and businesses own mineral rights underneath refuges. The American Petroleum Institute and the Independent Petroleum Association of America strenuously objected to the updated rules, and in a March 2017 executive order, President Trump specifically directed Interior Secretary Zinke to review the rules with an eye towards suspending or eliminating them.

**Lift the uranium mining moratorium in the Grand Canyon watershed**

**INDUSTRY REQUEST:** Lawsuit by the National Mining Association

**ADMINISTRATIVE ACTION:** U.S. Forest Service “Energy Burdens Report,” National Park Service Budget Justification

In 2012, Interior Secretary Ken Salazar announced a 20-year pause on issuing new claims for uranium mining in the Grand Canyon watershed. The moratorium will protect the iconic national park and surrounding communities from pollution associated with uranium mining. The National Mining Association sued the Interior Department over the moratorium, with the case still working its way through the justice system. In 2017, the National Park Service asked Congress for $1 million to inform a pending DOI Secretarial Decision concerning the uranium mining withdrawal. Additionally, in 2017 the U.S. Forest Service identified the Grand Canyon uranium withdrawal as a policy to eliminate or revise, in coordination with the Department of the Interior.

**Make it harder for the public to object to specific oil and gas leases**

**INDUSTRY REQUEST:** Regulatory comments by the Western Energy Alliance

**ADMINISTRATIVE ACTION:** Department of the Interior

Under current leasing regulations, members of the public are allowed to file protests to specific oil and gas leases on public lands at certain times during the BLM’s leasing process. This ensures impacts to lands, water, wildlife, and communities will be properly evaluated before moving forward. However, energy groups, such as the Western Energy Alliance, have urged this administration to limit the oppor-
tunities for the public to legally protest oil and gas leases and for the BLM to dismiss the challenges without full review. In its “Energy Burdens Report,” the Interior Department agreed with this assessment and noted they may change regulations to prevent certain legal protests.

**Change land designations to allow more drilling and mining**

**INDUSTRY REQUEST:** Regulatory comments by the Western Energy Alliance  
**ADMINISTRATIVE ACTION:** Department of the Interior “Energy Burdens Report”

Under current guidance, the BLM has flexibility to use various land designations when conducting land use planning and deciding where to offer oil and gas leases. Additionally, current BLM guidance requires the agency to identify and preserve lands with wilderness characteristics, ensuring they will remain wild for future generations. However, in its “Energy Burdens Report,” the Interior Department has stated its intent to review land use designations and update guidance regarding “designations that may burden or hinder energy development.”

**Prohibit land managers from adding safeguards to drilling plans**

**INDUSTRY REQUEST:** Regulatory comments by the Western Energy Alliance  
**ADMINISTRATIVE ACTION:** Department of the Interior “Energy Burdens Report”

Currently, when an oil and gas operator applies for an Application for Permit to Drill (APD), the BLM may require certain conditions to be met for the permit to be approved. These conditions are often site-specific, such as ensuring certain distances from wetlands and compliance with applicable laws, including the National Historic Preservation Act. Groups such as the Western Energy Alliance have asked for these “Conditions of Approval” to be eliminated, and in its “Energy Burdens Report,” the Interior Department recommended reviewing the current policy regarding such conditions.

**IDENTIFIED FOR CONGRESSIONAL ACTION**

**Gut the Antiquities Act to prevent future national monuments**

**INDUSTRY REQUEST:** Regulatory comments by the Western Energy Alliance  
**CONGRESSIONAL ACTION:** H.R. 3990

Since taking office, the Trump administration has aggressively moved to eliminate or shrink national monuments. As directed by President Trump, Interior Secretary Zinke has undertaken a review of all national monuments designated since 1996, recommending that the president eliminate vast parts of four national monuments and open others to increased drilling, mining, and timber extraction. Energy interests, such as the Western Energy Alliance, have argued that national monuments hinder energy production, even though existing oil, gas, and coal leases are honored, and pushed for legisla-
tion to prevent new designations. Legislation sponsored by Rep. Bishop (UT) would gut the Antiquities Act, making it immensely difficult to designate new national monuments in the future.

Delegate oil and gas permitting authority to states

**INDUSTRY REQUEST:** Regulatory comments by the Western Energy Alliance

**CONGRESSIONAL ACTION:** H.R. 4239

Currently, oil and gas producers seeking to drill on national public lands must secure permits from the BLM. Federal management of drilling on our public lands can help ensure a balanced approach to land use planning and appropriate environmental safeguards. However, some in the energy industry are pushing for permitting authority to be stripped from the federal government and given to states. Such a move would likely result in industry-friendly states competing for business by stripping environmental safeguards in a race to the bottom. In Congress, H.R. 4239, the SECURE American Energy Act, outlines a broad range of industry-friendly reforms, including delegating permit authority to states.

Eliminate environmental reviews for wells accessing publicly-owned resources under private lands

**INDUSTRY REQUEST:** Regulatory comments by the Western Energy Alliance

**CONGRESSIONAL ACTION:** H.R. 4239

Under current regulations, operators seeking to access publicly-owned oil and gas located under private lands must still complete the appropriate environmental reviews and obtain necessary permits. Lands in which mineral rights and surface rights are owned by a combination of the federal government and private interests are called “split estate” lands. Energy interests have argued that companies should not have to complete environmental reviews and secure permits for wells that access publicly-owned oil and gas if they are on private lands. In Congress, H.R. 4239 would eliminate the need to acquire drilling permits for wells on more than 57 million acres of split estate lands.

Prohibit tribes from raising concerns about drilling impacts to cultural artifacts when the federal government owns mineral rights under private lands

**INDUSTRY REQUEST:** Regulatory comments by the Western Energy Alliance

**ADMINISTRATIVE ACTION:** None

Under current BLM regulations, operators seeking to access publicly-owned oil and gas from private lands must complete necessary environmental reviews. Should Native American cultural artifacts
be found on those private lands, nearby tribes must be consulted on how best to preserve them. The Western Energy Alliance has asked for the BLM to issue policies preventing field offices from requiring tribal consultation on these split estate lands.

Eliminate policy requiring transparency in who nominates public lands for oil and gas leases

INDUSTRY REQUEST: Regulatory comments by the Western Energy Alliance

ADMINISTRATIVE ACTION: None

Companies wishing to obtain a lease to drill on public lands must first nominate parcels of land to be leased. Those parcels are evaluated by the BLM and then leases are auctioned off at quarterly sales. Under the Obama administration, the BLM adopted a policy of disclosing which companies nominated parcels of public lands for auction. However, some energy interests are asking the Trump administration to reverse this policy and eliminate transparency in nominating public lands for oil and gas drilling.