

Congress of the United States
Washington, DC 20515

[INSERT DATE]

The Honorable Gina Raimondo
Secretary
Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

Dear Secretary Raimondo:

We write with serious concerns regarding the Biden Administration's ongoing delay in issuing permits which would enable better science, improve worker safety, and help reduce costs for American consumers by providing access to significant volumes of oil and natural gas on existing leases that could come online within a matter of months.

We repeatedly hear a false narrative that thousands of leases and millions of acres are being hoarded by American producers. The reality is that the current Administration has not issued a new lease in the Gulf of Mexico in well over a year. Further, the Administration recently announced the cancellation of three lease sales that were planned for the Gulf of Mexico and Alaska that were certain to add significant volumes of oil and natural gas to the domestic market. Even worse, current bureaucratic processes are preventing production on existing leases during this time of a global energy crisis and extremely high prices.

Specifically, the National Marine Fisheries Service (NMFS) is delaying permits required to bring production online from existing federal oil and natural gas leases. These "Letters of Authorizations" (LOA) are required to perform geological surveys necessary to develop on existing leases. NMFS's flawed process has created a severe backlog of LOA applications. In fact, we understand some applications have been in the agency's permit queue for several months, whereas NMFS has historically approved LOA applications within two to four weeks. In a February 15th announcement, the NMFS acknowledged that "erroneous estimates" resulted in "miscalculated" projections of activities and impacts in the Gulf of Mexico involving rarely sighted species.¹

NMFS has acknowledged these mistakes, yet they choose to push the consequences back onto consumers and oil and gas workers by providing applicants zero certainty on when their severely delayed LOA applications will be issued. These delays impact drilling schedules, investment decisions, and the workforce who are poised to help replace Russian energy with domestic production.

We therefore urgently call on NMFS to recognize the criticality of this moment and expeditiously correct its mistakes by putting in place tangible short-term solutions to remove any further permitting delays. There are several pathways for relief, one solution would be to expedite the issuance of an Interim

¹ https://media.fisheries.noaa.gov/2022-02/GOM_RevisedRuleStatement_OPR1_0.pdf

Final Rule, reflective of actual and realistic impacts and activities. This would allow NMFS to approve outstanding and future LOA applications consistent with NMFS' previous permitting regime, which was more efficient and provided responses in a more timely manner than the current regime under the 2021 Final Rule. Another solution could be to require stipulations that would provide more data and protect the marine resources. These actions could advance meaningful production necessary to reduce energy costs and should be undertaken promptly.

If the Administration is in fact concerned with rising global energy prices and recent disruptions to our energy security exacerbated by Russia's contemptible invasion of Ukraine, then NMFS holds the sufficient "good cause" at a national interest level to take measures to advance production on existing leases. The Administration must undertake serious action where it has voiced support for developing existing leases by prioritizing and approving LOA applications that are most likely to increase production quickly. President Biden, himself stated, "They could be drilling right now, yesterday, last week, last year."² Blocking significant volumes of energy with self-imposed bureaucratic red tape needs to stop, and additional production must begin so the nation can leverage its ability to stabilize prices and ensure domestic energy security. The Administration must have been aware of this worsening problem for many months, so we are writing with the hope that coordinated and effective action will be undertaken immediately to help our allies and Americans struggling with high energy costs. To that end, please do not take this letter as an opportunity to craft some response to explain the mistakes or debate the issues raised here. Please simply work to develop solutions and provide relief for the American people.

Sincerely,

² <https://www.whitehouse.gov/briefing-room/speeches-remarks/2022/03/08/remarks-by-president-biden-announcing-u-s-ban-on-imports-of-russian-oil-liquefied-natural-gas-and-coal/>