



Biden has failed on leasing. Will his upcoming rulemaking right the ship?

With record heat waves sweeping the country and floods ravaging eastern states, it's clear that climate change is here. While Biden is unlikely to live to see the worst impacts of global warming, climate conscious youth voters who elected him will. They are watching to see what actions BLM will take to ensure a healthy and just future.

Background

Nearly a quarter of U.S. climate emissions result from fossil fuel leasing on public lands. As a candidate, Biden promised to change this by halting fossil fuel development on public lands and waters. He seemed prepared to make good on his word days into his presidency when he issued a climate executive order on January 27, 2021, which paused new oil and gas lease sales and, critically, directed the Department of Interior (DOI) to conduct a comprehensive review of the federal leasing program.

Since then, the Biden Administration has utterly failed to act on his promise.

A timeline of inaction

2020-21:

- **2020:** Candidate Biden [promised](#) to halt oil and gas leasing on public lands and waters.
- **January:** President Biden issued [Executive Order 14008](#), which paused new oil and gas lease sales on federal lands and waters and directed DOI to conduct a comprehensive review of the fossil fuel leasing program.
- **February:** Environmental groups [filed](#) an emergency appeal to block work on the Willow oil and gas project in Alaska.
- **May:** The Biden Administration [filed](#) a legal brief defending the Trump Administration's approval of the Willow oil and gas project.
- **June:** A Trump-appointed judge [issued](#) a preliminary injunction blocking the leasing pause, which did not impact Interior's ongoing review of the leasing program.
- **June:** Interior Secretary Deb Haaland [told](#) senators the review of the leasing program would be ready in "early summer."
- **July:** Haaland [told](#) senators the leasing report would be released "soon" and that it had been sent to the White House weeks ago for review.
- **August:** Interior [announced](#) it is appealing the preliminary injunction halting the leasing pause. While the Administration had no obligation to resume new lease sales while appeals were ongoing, Interior also announced its decision to resume new lease sales.

- **November:** The Biden Administration [offered](#) over 80 million acres for oil and gas leasing in the Gulf of Mexico, despite ongoing litigation from environmental groups.
- **November:** Interior's review of the leasing program was finally made public the day after Thanksgiving, months after Haaland said it was sent to the White House for review. Rather than outlining a path to address climate impacts from the leasing program, the report was largely [silent](#) on climate change.
- **December:** Lawmakers [filed](#) an amicus brief in support of the litigation to strike down the November Gulf lease sale.

2022:

- **January:** Data from BLM [showed](#) that Biden issued more permits to drill on federal lands in his first year than Trump.
- **January:** More than 360 climate, tribal, religious and conservation groups [filed](#) a legal petition calling on the Biden Administration to use its executive authority to phase out oil and gas production on public lands and waters.
- **January:** The courts [invalidated](#) DOI's decision to offer 80 million acres in the Gulf of Mexico for oil and gas leasing, holding that Interior failed to accurately disclose and consider the greenhouse gas emissions that would result from the lease sale, violating a bedrock environmental law.
- **April:** Interior [announced](#) it would issue sale notices for Biden's first onshore oil and gas lease sales.
- **June:** Environmental groups [filed suit](#) over the Biden administration's decision to offer over 100,000 acres of federal land for oil and gas drilling in its [June lease sales](#).
- **July:** The Biden Administration [issued](#) a draft five-year offshore oil and gas drilling plan proposing new leases on the Outer Continental Shelf in the Gulf of Mexico and one potential lease sale in Cook Inlet in Alaska, despite calls from environmental groups and impacted communities for a plan with no new drilling.
- **July:** BLM [issued](#) its revised Draft Supplemental Environmental Impact Statement for the Willow project.
- **August:** Biden signed the Inflation Reduction Act (IRA) into law. The legislation reinstated offshore leases sales canceled by the Biden Administration from the Trump Administration's 5 year plan, as well as the Gulf sale invalidated by the courts. It also tied new offshore wind lease sales to new offshore oil and gas lease sales, and new onshore right of way permits for renewable energy to new onshore oil and gas lease sales.
- **September:** A federal judge in Wyoming [affirmed](#) the Biden Administration's decision to postpone oil and gas lease sales in early 2021, holding that the federal government has broad authority to postpone sales to address environmental concerns.

2023:

- **January:** Data from BLM [showed](#) that Biden continued to issue more permits to drill than Trump over his first two years in office.
- **January:** More than 300 community groups sent a [letter](#) to the Interior Department outlining nine concrete steps it has authority to take to bring public lands and waters

management in line with climate science and the president's own climate promises after the passage of the IRA.

- **February:** The Biden Administration [issued](#) the final Environmental Impact Statement for the Willow Project.
- **March:** The Biden Administration [approved](#) the Willow Project, the largest oil extraction project ever proposed on federal lands. A spokesperson for United Nations Secretary-General Antonio Guterres [said](#) of the decision: "Renewed investment in carbon energy is something the Secretary-General has stood against, whether it happens in any country, including in the United States, in the Gulf — anywhere you want to see one."
- **March:** In response to the Intergovernmental Panel on Climate Change's (IPCC) latest report, Guterres [called](#) for an end to any expansion of existing oil and gas reserves.
- **Spring 2023:** The Administration's Spring 2023 Unified Agenda included an upcoming BLM oil and gas [rulemaking](#) pursuant to the IRA. Previous [iterations](#) of the Unified Agenda indicated this rulemaking would flow from Biden's climate executive order, possibly indicating the Administration would again reduce or eliminate climate concerns.
- **April:** Conservation groups [sued](#) DOI for failing to respond to the January 2022 rulemaking petition to phase out oil and gas extraction on federal public lands.
- **June:** More than 500 groups from six continents and 63 countries sent a [letter](#) to President Biden demanding he stop fossil fuel expansion ahead of UN Secretary General Antonio Guterres's Climate Ambition Summit this September.
- **June:** The Biden Administration [rejected](#) the rulemaking petition from more than 360 U.S. climate, Indigenous and conservation groups to phase out oil and gas extraction on public lands by 2035. BLM's response cites several ongoing or upcoming rulemakings, none of which currently aim to restrict production consistent with decline curves necessary to avoid warming of 1.5 degrees Celsius.

How Biden can finally make good on his promise

With nearly a quarter of U.S. climate emissions at stake, getting BLM's upcoming oil and gas rulemaking is probably the most important climate action Biden can take in 2023. The decisions the Administration takes in the coming months will have global impacts. A peer reviewed study [shows](#) that reducing oil production on public lands in the U.S. leads to a global reduction in oil production.

The DOI's Bureau of Land Management (BLM) sits at a crossroads. The agency is preparing an oil and gas rulemaking that could either start making progress towards Biden's climate promises or further calcify the Administration's inaction.

What can the Administration do?

BLM can begin to implement the onshore actions listed in this [letter](#), which outlines nine steps Biden can and must take to align federal lands and waters management with climate science and our international commitments. This includes defending and strengthening NEPA; stopping

new oil and gas permits and expansion until there is a proper climate analysis and process to address climate impacts such as a climate screen; and putting us on a path towards a phase out of fossil fuel production.

However, at the most basic level, the oil and gas rulemaking must actually address climate impacts instead of remaining silent. Biden cannot pretend to fight climate change until he is willing to actually address the supply side. Fossil fuels cause global warming, and if the President continues to ignore this fact we may not have a liveable world in thirty years.