

INTERIOR

13 states urge court to halt Biden's oil leasing freeze

Niina H. Farah, E&E News reporter • Published: Thursday, April 1, 2021



Louisiana Attorney General Jeff Landry (R) is leading a lawsuit from 13 Republican-leaning states challenging the Biden administration's pause on new oil and gas drilling leases on federal lands. Landry pictured here at a New Orleans conference in 2011, when he was a Republican member of Congress. Gage Skidmore/Flickr

A coalition of 13 Republican state attorneys general are pressing a federal court to swiftly block the Biden administration's moratorium on new oil and gas leasing on public lands and waters.

Led by Louisiana Attorney General Jeff Landry, the states [asked](#) the U.S. District Court for the Western District of Louisiana to immediately bar agencies from enacting the president's January executive order calling for review of the environmental impacts of the federal leasing program.

The states' request for a preliminary injunction yesterday stems from a lawsuit filed by the coalition last month ([Energywire](#), March 25).

Biden's "ban does not cite the statutory frameworks requiring oil and gas leasing, explain how the moratorium comports with those statutes and accompanying regulations, or give any reason for the moratorium," the attorneys general wrote in a [court filing](#) supporting their request.

"Nor does it explain why the Federal Government so drastically changed course without allowing interested parties to express their views," they continued. "Each of those failings is fatal to the ban."

The states argued that the president had not considered Congress' requirements under the Mineral Leasing Act or the Outer Continental Shelf Lands Act that the federal government offer federal lands and waters for development.

The Biden administration has maintained that the leasing pause will not hurt fossil fuel companies, which have a substantial reserve of undeveloped leases available to them.

The attorneys general noted that as a result of the order, the Bureau of Land Management started postponing or canceling all planned quarterly lease sales as well as sales in March and April.

At the Bureau of Ocean Energy Management, Biden officials also halted a lease sale in the Gulf of Mexico and a second sale offering lands in Cook Inlet, Alaska.

For Louisiana, the cancellations of three planned lease sales, including the sale in the Gulf of Mexico, would lead to a loss of \$57 million in Gulf of Mexico Energy Security Act funding, the state wrote in a court filing. GOMESA is a revenue-sharing program that sends funds from federal oil and gas production to Gulf states.

Other states had also designed environmental programs around expected revenues from the offshore lease sales.

"Because the Biden Ban systematically cancels lease sales, the resulting moratoriums deprive the States of this vital revenue — all in the midst of a once-in-a-century pandemic," the state attorneys wrote.