United States Senate
WASHINGTON, DC 20510

August 19, 2026

The Honorable Doug Burgum
Secretary
U.S. Department of the Interior
1849 C Street NW
Washington, DC 20240

The Honorable Steve Pearce
Director
Bureau of Land Management
U.S Department of the Interior
1849 C Street NW
Washington, D.C. 20240

Dear Secretary Burgum and Director Pearce,

We write to express our strong opposition to the Bureau of Land Management's (BLM) proposal to rescind the *2024 Fluid Mineral Leases and Leasing Process* rule ("2024 Leasing Rule"). The proposed replacement undermines the agency's multiple-use mandate, promotes irresponsible oil and gas leasing, and fails to protect American taxpayers and private landowners.

Our public lands support diverse economies rooted in fishing, hunting, livestock grazing, energy development, and outdoor recreation. For decades, as documented in the Department of Interior's 2021 *Report on the Federal Oil and Gas Leasing Program,* BLM's policies and management favored oil and gas development at the expense of other multiple uses[1]. The 2024 Leasing Rule provided a long-overdue correction by directly addressing Government Accountability Office findings[2] showing that BLM's outdated leasing practices shortchanged the American public, invited speculation, and left taxpayers to foot the bill for cleaning up toxic, dangerous orphaned wells.

[1] https://www.doi.gov/sites/default/files/report-on-the-federal-oil-and-gas-leasing-program-doi-eo-14008.pdf
[2] https://www.gao.gov/assets/gao-19-615.pdf

As the first comprehensive update to the onshore oil and gas program in nearly forty years, the 2024 Leasing Rule was finalized after robust public engagement, with 99 percent of the 260,000 public comments in support. It established a balanced framework that saves taxpayer dollars, ensures multi-use management, and protects cultural resources and rural communities that depend on public lands.

By contrast, BLM's newly proposed rule threatens to dismantle this common-sense progress. We are deeply concerned that the proposed changes shift cleanup liabilities back to the public, restrict community and private landowner participation, and distort the balance required to manage America's public lands responsibly. In particular, we request that you reconsider the following provisions:

Oil and Gas Bonding Requirements

The bonding requirements in the 2024 Leasing Rule represent a pragmatic, responsible approach to public land stewardship. Modernizing individual and statewide lease bonds is a fiscal necessity to ensure the "complete" and "timely" reclamation of federal well sites, as required by the Mineral Leasing Act (MLA). Reverting to outdated 1950s-era bonding levels is fiscally irresponsible, going against the wishes of Western states[3], many of which are increasing bonding rates for state lands[4], not decreasing them. Lowering bonding levels could also allow companies to abandon wells and shift hundreds of millions of dollars in clean-up costs to the American public. Furthermore, reinstating nationwide bonds allows operators to cover vast, multi-state liabilities, potentially up to thousands of wells, with a single, inadequate financial assurance. We urge BLM not to reauthorize nationwide bonding.

Over 89% of Westerners believe that energy developers, not taxpayers, should pay to clean up their own drilling sites.[5] Weakening these federal bonding requirements ignores this overwhelming majority and the potential $753 billion in clean-up liability across 200 million acres of federal lands that would shift to taxpayers.[6]

Public Participation, Tribal Consultation, & Landowner Involvement

Public participation and meaningful consultation with states, Tribes, and local stakeholders enables the agency to produce better, more thoughtful leasing decisions. Truncating public notice and comment periods unnecessarily and unfairly sidelines the Tribes, rural communities, hunters, anglers, and local business owners who know these lands best. Restricting public input does not

[3] State of Utah comments on the 2023 proposed "Fluid Mineral Leases and Leasing Process Rule," https://www.regulations.gov/comment/BLM-2023-0005-128564

[4] https://www.santafenewmexican.com/news/local_news/new-mexico-regulators-tighten-oil-gas-rules-aimed-at-cleaning-up-old-wells/article_78c2661f-f0ee-4b1e-b130-f7c9dabd2189.html

[5] *See* Colorado College, State of the Rockies Project, 2026 Conservation in the West Poll *(in response to the question, "Should oil and gas companies be required to pay clean-up and land restoration costs after drilling is finished?").*

[6] Conservatives for Responsible Stewardship, "Unplugged: The High Cost of Bonding Reform Rollbacks" (November 2025).

streamline operations. It reduces transparency and degrades the quality of land-use decisions. Further, it is illegal, as federal courts have specifically rejected efforts to cut the public out of the oil and gas leasing decision-making process[7]. We urge BLM to maintain robust public comment and Tribal consultation periods.

In addition**,** there are over 57 million acres across the country of "split-estate" lands, where the federal government owns oil and gas resources, but the surface lands are privately owned. Since 2009[8] BLM has required oil and gas companies to identify the owners of split-estate lands prior to leasing, a requirement based on a recommendation from the George W. Bush administration[9]. This proposed rule eliminates the long-standing notification requirements for private landowners, stripping ranchers, farmers, and homeowners of their ability to negotiate on how developers access and use their land while leaving them vulnerable to the permanent surface disruptions of industrial drilling.

Leasing Preference Criteria

The leasing preference criteria, adopted to ensure BLM's multi-use mandate, have been highly effective at proactively directing leasing away from critical wildlife habitats and high-value recreation and livestock management areas, providing certainty to local communities, energy developers, ranchers, and local businesses. Erasing these clear criteria will inevitably revive conflicts between users, leading to costly litigation and regulatory uncertainty. A predictable leasing framework benefits everyone, and abandoning it is a step backwards.

For these reasons, we strongly oppose BLM's proposal to rescind the 2024 Leasing Rule and urge BLM to maintain and continue to implement the current, balanced regulations. The 2024 Leasing Rule brought much-needed fiscal responsibility and balance for federal land management. The proposed rollbacks would jeopardize Western economies, abandon fiscal discipline, and undermine BLM's multi-use mandate.

Thank you for your consideration.

Sincerely,

---

[7] *W. Watersheds Project v. Zinke*, 336 F.Supp.3d 1204, 1238 (D. Idaho 2018).

[8] BLM Instructional Memoranda, Courtesy Notification of Surface Owners When Split Estate Lands are Included in an Oil and Gas Notice of Competitive Lease Sale, https://www.blm.gov/policy/im-2009-184

[9] https://www.govinfo.gov/content/pkg/FR-2024-04-23/pdf/2024-08138.pdf

Michael F. Bennet
United States Senator

Ben Ray Luján
United States Senator

Sheldon Whitehouse
United States Senator

John Hickenlooper
United States Senator

Ron Wyden
United States Senator

Martin Heinrich
United States Senator

Catherine Cortez Masto
United States Senator

Edward J. Markey
United States Senator

Tammy Duckworth
United States Senator

Jacky Rosen
United States Senator

Cory A. Booker
United States Senator

Jeffrey A. Merkley
United States Senator