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March 6, 2017

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
Washington, DC 20515

The Honorable Charles Schumer
Democratic Leader
U.S. Senate
Washington, DC 20515

Dear Leader McConnell and Leader Schumer:

The American Petroleum Institute strongly supports House-passed H.J. Res. 44, providing for congressional disapproval under the Congressional Review Act (CRA) of the Bureau of Land Management's (BLM) rule on Resource Management Planning, which the agency calls "Planning 2.0," and that went into effect in the final weeks of the Obama administration. This rule marks a departure from BLM's statutory charge to manage the public lands "on the basis of multiple use and sustained yield," and "in a manner which recognizes the Nation's need for domestic sources of minerals . . . from the public lands." Through the elimination of long-standing and practical land use planning rules, it encourages agency decision making that is contrary to the congressional mandates in BLM's organic statute—the Federal Land Policy and Management Act (FLPMA)—and is a step backwards for development of oil and natural gas and other resources on BLM-managed lands and for all Americans who benefit from domestic energy production. We believe it is important that the Senate support the disapproval resolution so that we may return to resource management planning that is consistent with Congress's direction to increase economic opportunity and enhance our national energy security.

There is a real opportunity to reverse the trend of the past half-decade when natural gas production has fallen 18 percent on federal and Indian lands while at the same time production on private and state lands have increased 55 percent over the same period and oil production grew at twice the rate on state and private lands than on federal and Indian lands. Instead of adding impediments to developing these resources, it is time to foster oil and natural gas production, which benefits all Americans and enhances our energy and national security. Unfortunately, BLM's rule on Resource Management Planning could further discourage future investment in developing the energy resources on Indian and federal lands. The rule's new requirements disfavor multiple use interests, including development of oil and natural gas resources on public lands, and lead to uncertainty in the planning process by potentially subjecting each step in BLM's planning process to a new round of objections by parties opposed to all resource development. Further delays to an already complex planning process will have significant adverse consequences for entities that have valid existing rights to use public lands, or that are seeking to invest in the use of public lands.

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Given the broad impacts this rule could have on the development of energy and mineral resources on America's public lands, it is appropriate for the Congress to use the CRA to disapprove this cumbersome and unnecessary regulation. The BLM's Congressionally directed mandate is to develop public lands for its many multiple uses and this disapproval resolution focuses the BLM back on that directive for the benefit of all users and the public. We applaud the House of Representatives' passage of its disapproval resolution in February and ask that all members of the Senate support this resolution when it is considered on the floor. It is important that the BLM's resource management process prioritizes and grows federal production to unleash further economic and national security benefits for all Americans.

Sincerely,

A handwritten signature in black ink that reads "Jack Gerard". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jack N. Gerard
President and CEO
American Petroleum Institute