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Five-Year Offshore Oil and Gas Leasing Program: Status and Issues in Brief

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Under the Outer Continental Shelf Lands Act (OCSLA), as amended,[1] the Bureau of Ocean Energy Management (BOEM) within the Department of the Interior (DOI) must prepare and maintain forward-looking five-year plans—referred to by BOEM as *national programs* or *five-year programs*—to schedule proposed oil and gas lease sales on the U.S. outer continental shelf (OCS). In December 2023, under the Biden Administration, the Secretary of the Interior approved a five-year program that scheduled three offshore oil and gas lease sales for the 2024-2029 period, all for the Gulf of Mexico (later renamed Gulf of America)—a smaller number of sales than in previous programs.[2] In April 2025, under the second Trump Administration, DOI announced it was initiating a process to develop a new five-year program, which could replace the leasing schedule for some years of the current program.[3]

Congress can and has influenced five-year programs through oversight and legislation, including in the 119th Congress. P.L. 119-21, enacted in July 2025, requires additional offshore oil and gas lease sales beyond those scheduled in the 2024-2029 program. Other bills in the 119th Congress also would mandate additional lease sales, and some bills would set new terms for program development under the OCSLA, impose leasing moratoria in specified areas, or make other types of changes. This report discusses recent developments related to the leasing program, selected issues for congressional consideration, and 119th Congress legislation. The broader history, legal framework, and process for developing the five-year programs are addressed in CRS Report R44504, *Five-Year Offshore Oil and Gas Leasing Program: History and Background*.

Leasing Program Status

On April 18, 2025, DOI announced it was initiating the process to develop a new five-year program, which would replace some years of the 2024-2029 leasing schedule developed by the Biden Administration.[4] On April 30, 2025, BOEM published in the *Federal Register* a request for information and comments (RFI), the first step in the preparation process for the new program.[5] A 45-day comment period ended on June 16, 2025.

Separately, on July 4, 2025, the President signed into law a budget reconciliation act, P.L. 119-21. Section 50102 of the act requires two oil and gas lease sales each year through 2040 in the Gulf of America region, and one oil and gas lease sale each year through 2032 in the Cook Inlet planning area of the Alaska region. These required sales are in addition to the three Gulf sales planned in the Biden Administration's program. The new program being prepared by the Trump Administration could potentially schedule additional sales beyond those required in P.L. 119-21.

BOEM's development of a new five-year program has typically taken two to three years, although the development period for the 2024-2029 program was longer. During program preparation, successive drafts of the program are published for review and comment. All available

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[1] Outer Continental Shelf Lands Act (OCSLA), 43 U.S.C. §§1331-1356b; see especially §1344.

[2] Secretary of the Interior Deb Haaland, "Record of Decision and Approval of the 2024-2029 National Outer Continental Shelf Oil and Gas Leasing Program," December 14, 2023, at https://www.boem.gov/sites/default/files/documents/oil-gas-energy/Decision-Memo-National-Program-SIGNED.pdf; hereinafter referred to as 2024-2029 ROD. In February 2025, the U.S. Board on Geographic Names renamed the Gulf of Mexico as the Gulf of America, pursuant to Executive Order (E.O.) 14172. For more information, see CRS In Focus IF12881, *Trump Administration Actions: Geographic Naming*, by Anna E. Normand and Mark K. DeSantis.

[3] Department of the Interior (DOI), "Interior Announces Eleventh National Outer Continental Shelf Oil and Gas Leasing Program," press release, April 18, 2025, at https://www.doi.gov/pressreleases/interior-announces-eleventh-national-outer-continental-shelf-oil-and-gas-leasing; hereinafter referred to as DOI press release, April 18, 2025.

[4] DOI press release, April 18, 2025.

[5] 90 *Federal Register* 17972, April 30, 2025. For information on the steps to develop a five-year program, see CRS Report R44504, *Five-Year Offshore Oil and Gas Leasing Program: History and Background*, especially the section "Five-Year Program Development Process."

leasing areas are initially examined, and the selection may then be narrowed based on economic and environmental analysis to arrive at a final leasing schedule. Under the OCSLA, the proposed final program (PFP) is submitted to the President and to Congress for at least 60 days (although the President and Congress do not have formal approval roles). The proposal may then receive final approval from the Secretary of the Interior and may take effect.

Concurrently with program development, BOEM has typically completed a programmatic environmental impact statement (PEIS) for each five-year program under the National Environmental Policy Act (NEPA).[6] For the upcoming program, however, BOEM's RFI stated that the program process would not include NEPA analysis, based on judicial rulings "that found that NEPA was unripe at the National OCS Program stage."[7] BOEM stated that the program would still analyze environmental impacts as required in the OCSLA. BOEM's new approach could potentially reduce the time to complete development of the new program, which has previously included time required to prepare a draft and final PEIS along with the program documents. It is unclear how a decision not to develop a PEIS might affect the timing of NEPA compliance at later stages of the offshore oil and gas leasing and permitting process, when NEPA documents have typically tiered from the five-year program PEIS.[8]

DOI further stated that the development of the new program would proceed concurrently with implementation of the current 2024-2029 program prepared under the Biden Administration. Accordingly, DOI also announced the intention to hold the Gulf of America lease sale scheduled for 2025 under the 2024-2029 program.[9]

The 2024-2029 program took effect on December 14, 2023.[10] BOEM had submitted the final version of this program—known as the *proposed final program* or PFP—to Congress and the President for review on September 29, 2023.[11] Along with the PFP, BOEM published a final PEIS.[12] The 2024-2029 PFP followed on an earlier proposed program (PP) released by the Biden Administration in July 2022 and a draft proposed program (DPP) released by the first Trump Administration in January 2018.[13] The Trump Administration's DPP originally had proposed a total of 47 OCS oil and gas lease sales over a five-year period: 12 in the then-named Gulf of

6 National Environmental Policy Act (NEPA), 42 U.S.C. §4321. For more information, see CRS In Focus IF12417, *Environmental Reviews and the 118th Congress*, by Kristen Hite. A programmatic environmental impact statement (PEIS) typically evaluates the effects of broad proposals or planning-level decisions.

7 90 *Federal Register* 17976. The Bureau of Ocean Energy Management (BOEM) cited judicial rulings in *Center for Biological Diversity v. Department of the Interior*, 563 F.3d 466 (D.C. Cir. 2009), and *Center for Sustainable Economy v. Jewell*, 779 F.3d 588 (D.C. Cir. 2015).

8 Under the NEPA *tiering* process, agencies may undertake NEPA review in stages—for instance, by first considering the overall impacts of a broad program in a programmatic environmental document, and then, in the NEPA review for individual projects under the program, referring back to the programmatic analysis and focusing instead on any project-specific impacts. See CRS In Focus IF12560, *National Environmental Policy Act: An Overview*, by Kristen Hite.

9 DOI, "Department of the Interior Announces New 2025 Lease Sale in the Gulf of America," press release, April 4, 2025, at https://www.doi.gov/pressreleases/department-interior-announces-new-2025-lease-sale-gulf-america.

10 2024-2029 ROD.

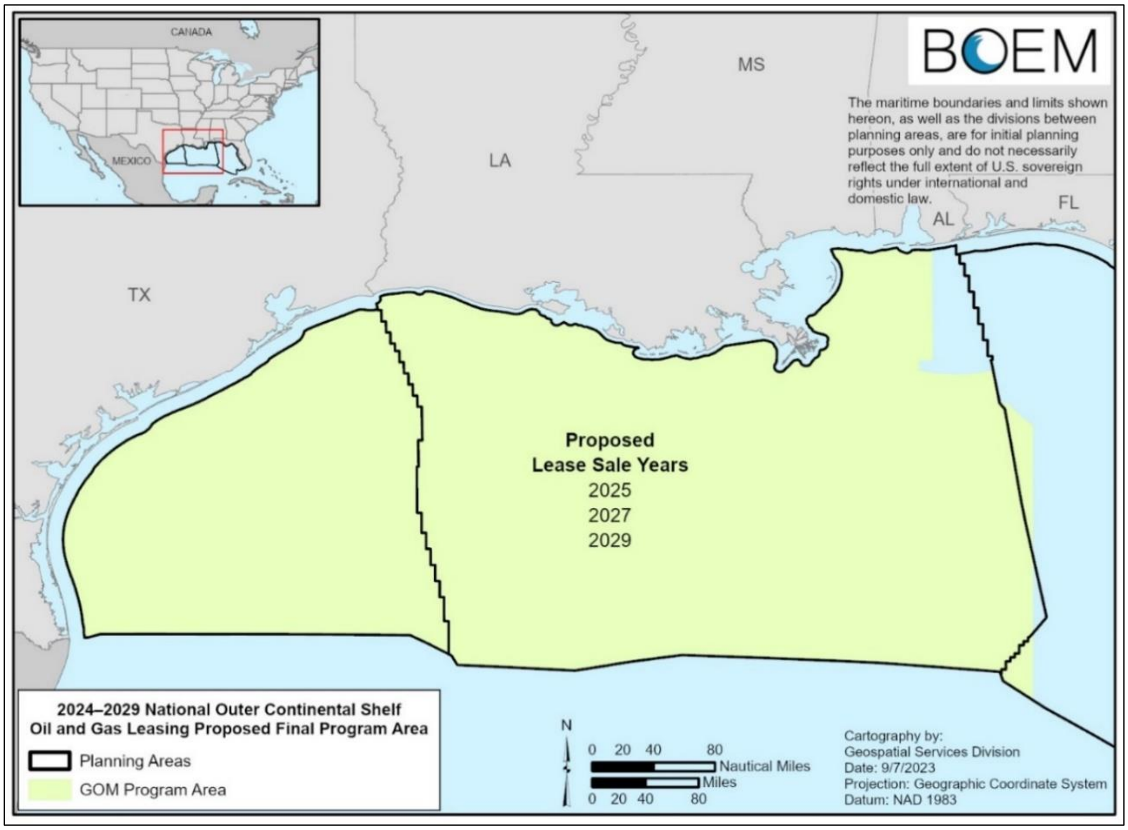
11 BOEM, *2024-2029 National Outer Continental Shelf Oil and Gas Leasing: Proposed Final Program*, September 2023, at https://www.boem.gov/sites/default/files/documents/oil-gas-energy/leasing/2024-2029_NationalOCSProgram_PFP_Sept_2023.pdf; hereinafter referred to as 2024-2029 PFP.

12 BOEM, *2024-2029 National Outer Continental Shelf Oil and Gas Leasing Program: Final Programmatic Environmental Impact Statement*, September 2023, at https://www.boem.gov/oil-gas-energy/national-program/national-ocs-oil-and-gas-leasing-program.

13 BOEM, *2023-2028 National Outer Continental Shelf Oil and Gas Leasing: Proposed Program*, July 2022, at https://www.boem.gov/oil-gas-energy/national-program/2023-2028-proposed-program; hereinafter referred to as the 2023-2028 PP; and BOEM, *2019-2024 National Outer Continental Shelf Oil and Gas Leasing: Draft Proposed Program*, January 2018, at https://www.boem.gov/NP-Draft-Proposed-Program-2019-2024/; hereinafter referred to as the 2019-2024 DPP. The DPP would have applied to the five-year period from late 2019 through mid-2024, replacing the final years of the 2017-2022 program.

Mexico (now Gulf of America) region, 19 in the Alaska region, 9 in the Atlantic region, and 7 in the Pacific region. The Biden Administration's final program, by contrast, contained three Gulf oil and gas lease sales for the 2024-2029 period, scheduled every two years starting in 2025 (**Figure 1**). No sales were scheduled for the Alaska, Atlantic, or Pacific regions in the 2024-2029 final program.

Figure 1. Lease Areas in the 2024-2029 Final Program



Source: Bureau of Ocean Energy Management, *2024-2029 National Outer Continental Shelf Oil and Gas Leasing: Proposed Program*, September 2023, p. 4, at https://www.boem.gov/sites/default/files/documents/oil-gas-energy/leasing/2024-2029_NationalOCSProgram_PFP_Sept_2023.pdf.

In preparation for conducting the three Gulf lease sales scheduled under the program, BOEM also began work on a PEIS specifically for these lease auctions.[14] On December 13, 2024, BOEM announced the availability of the draft PEIS for these Gulf lease sales.[15] A comment period for the draft PEIS closed on January 27, 2025.

Shortly before his term of office ended, President Biden used his authority under Section 12(a) of the OCSLA to indefinitely withdraw multiple offshore areas outside the Gulf region from further

[14] See BOEM, "Notice of Intent to Prepare a Gulf of Mexico Regional Outer Continental Shelf Oil and Gas Programmatic Environmental Impact Statement [PEIS]," 88 *Federal Register* 67803. This PEIS, associated with the lease sale stage, tiers from the PEIS developed for the proposed final program (PFP). In turn, further environmental analyses related to lessees' post-sale activities would tier from the PEIS for the lease sale stage.

[15] BOEM, *Gulf of Mexico Regional OCS Oil and Gas Lease Sales: Draft Programmatic Environmental Impact Statement*, December 2024, at https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/Draft%20Gulf%20of%20Mexico%20Oil%20and%20Gas%20Programmatic%20EIS.pdf. For the announcement of availability, see BOEM, "Notice of Availability of a Gulf of Mexico Regional Outer Continental Shelf Oil and Gas Draft Programmatic Environmental Impact Statement," 89 *Federal Register* 101044, December 13, 2024.

availability for oil and gas leasing.[16] The withdrawn areas included the entire Atlantic region and all of the Pacific region offshore of California, Oregon, and Washington, as well as some parts of the Alaska region (outside of Alaska areas already withdrawn under previous directives). President Trump, in Executive Order (E.O.) 14148 of January 20, 2025, rescinded President Biden's withdrawals.[17] There is legal uncertainty about a President's authority to revoke a withdrawal made under Section 12(a). Lawsuits have been filed challenging both the withdrawals themselves and the rescission of the withdrawals.[18] If legal actions were to result in President Biden's withdrawals remaining in place, then a new five-year program could not include lease sales in the Atlantic, Pacific, or certain parts of the Alaska region (unless Congress overturned the withdrawals or otherwise provided for such sales). The Alaska areas withdrawn by President Biden did not include the Cook Inlet planning area, where sales are required by P.L. 119-21.

Selected Issues for Congress

Number of Sales in the 2024-2029 Program

The total of three lease sales in the 2024-2029 program is the lowest for any offshore five-year leasing program to date; previously, the lowest total had been 11 sales scheduled in the program for 2017-2022 under the Obama Administration.[19] All past programs, including the 2017-2022 program, had scheduled lease sales at least annually for the Western and Central Gulf of Mexico (now Gulf of America) planning areas, the primary U.S. locations for offshore oil and gas production.[20] By contrast, the 2024-2029 program contained some years in which no Gulf lease sale would be held. However, P.L. 119-21 requires semiannual lease sales for the Gulf during the 2024-2029 period (and beyond), in addition to those scheduled under the program.

The provisions in P.L. 119-21 addressed concerns expressed by the oil and gas industry, as well as some Members of Congress, about the number of sales in the 2024-2029 program.[21] These stakeholders contended that the reduction in leasing from past programs created uncertainty for industry, compromised U.S. energy security, and would force consumers to rely on oil and gas from other countries that have fewer environmental safeguards on development. In contrast, some other stakeholders, who favor a U.S. transition away from oil and gas toward renewables, saw the 2024-2029 program as supporting that transition, with long-term climate benefits.[22] Still others

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[16] Presidential memoranda of January 6, 2025, at 90 *Federal Register* 6739 and 90 *Federal Register* 6743. Section 12(a) of the OCSLA (43 U.S.C. §1341(a)) provides that "[t]he President of the United States may, from time to time, withdraw from disposition any of the unleased lands of the outer Continental Shelf."

[17] E.O. 14148, "Initial Rescissions of Harmful Executive Orders and Actions," January 20, 2025, 90 *Federal Register* 8237.

[18] For more information, see CRS Legal Sidebar LSB11259, *Biden Administration Withdraws Offshore Areas from Oil and Gas Leasing: Can a Withdrawal Be Withdrawn?*, by Adam Vann; and Vinson & Elkins, "Environmental Update," March 26, 2025, at https://www.velaw.com/insights/war-on-the-offshore-president-trump-restores-areas-withdrawn-by-president-biden-from-offshore-drilling/.

[19] Five-year programs prior to 2017 all had higher numbers of sales, but the comparison is not straightforward because, until 2017, the programs had scheduled separate lease sales for the Western, Central, and Eastern planning areas of the Gulf. Since 2017, BOEM has combined all planning areas of the Gulf into a regionwide lease sale, thus allowing similar acreage amounts to be offered in one sale rather than three.

[20] Although all previous programs scheduled Gulf lease sales at least annually, two lease sales were canceled or consolidated with other sales following the 2010 *Deepwater Horizon* oil spill.

[21] For discussions of contrasting views, see, for example, House Committee on Natural Resources, Subcommittee on Energy and Mineral Resources, *Examining the Biden Administration's Unprecedented Obstruction of the BOEM Offshore Leasing Program*, oversight hearing, October 18, 2023, at https://naturalresources.house.gov/calendar/eventsingle.aspx?EventID=414951; hereinafter referred to as House Natural Resources Committee October 2023 oversight hearing.

[22] For a range of views, see House Natural Resources Committee October 2023 oversight hearing.

felt the 2024-2029 program did not go far enough in moving away from fossil fuel development and contended that no future lease sales should be held on the U.S. OCS.[23] Stakeholders have disagreed about whether the OCSLA's provisions at 43 U.S.C. §1344(a) would permit a zero-lease program.[24]

Timing Considerations for the Five-Year Program

Development of the 2024-2029 program proceeded more slowly than for previous programs. In previous program transitions, a new program had been finalized by the time the earlier one expired, allowing a new leasing schedule to take effect immediately.[25] By contrast, after BOEM's 2017-2022 leasing program expired, the federal government experienced a gap between oil and gas leasing programs. Despite the gap, some lease sales took place during that time, owing to provisions in P.L. 117-169, commonly known as the Inflation Reduction Act (IRA), that required BOEM to conduct certain lease sales during the gap period.[26]

It is unclear how the gap experienced between the 2017-2022 program and the 2024-2029 program may align with requirements of the OCSLA. The OCSLA states that the Secretary of the Interior must "prepare and periodically revise, and maintain an oil and gas leasing program."[27] Stakeholders have differed in their interpretations of the extent to which this and other language in the act would require that a program must continuously be in force.[28] Some bills introduced in the 119th and earlier Congresses would explicitly prohibit a future gap between five-year programs.[29] These bills would mandate required timing for the Secretary of the Interior to begin preparation of a new program and to approve a final version.

[23] The proposed program (PP) had considered a no-lease-sale scenario, but a September 2023 DOI press release (https://www.doi.gov/pressreleases/reflecting-americas-rapid-and-accelerating-shift-clean-energy-interior-department) stated that three sales were "the minimum number that will enable the Interior Department to continue to expand its offshore wind leasing program through 2030," based on provisions in Section 50265 of P.L. 117-169 that prohibit BOEM from issuing offshore wind leases unless oil and gas lease offerings of a certain acreage have taken place in the past year. Although DOI under the Biden Administration had sought to conduct offshore wind sales during the 2024-2029 period, President Trump set a different policy direction for offshore wind in his Administration and has withdrawn the OCS from future wind leasing. For more information, see CRS In Focus IF13034, *Offshore Wind: Status and Issues for the 119th Congress*, by Laura B. Comay, Corrie E. Clark, and Donald J. Marples.

[24] The question has not been tested in the courts, given that no program has been finalized without any scheduled sales.

[25] A partial exception is the transition to the 2012-2017 program. The 2012-2017 PFP was published on June 28, 2012, two days before the previous program expired, but because of the required 60-day waiting period before final secretarial approval, the program did not officially take effect until August 27, 2012 (BOEM, "2012-2017 OCS Oil and Gas Leasing Program," at https://www.boem.gov/oil-gas-energy/leasing/2012-2017-ocs-oil-and-gas-leasing-program). However, this timing still allowed for the program's first scheduled sale to be held as planned in November 2012.

[26] The lease sales required under Section 50264 of P.L. 117-169 were sales that had originally been scheduled in the 2017-2022 program, but had been canceled as that program approached expiration. These included Lease Sale 258 for Alaska's Cook Inlet and Lease Sales 259 and 261 for the then-named Gulf of Mexico. These lease sales were held on December 30, 2022; March 29, 2023; and December 20, 2023, respectively. For more information, see BOEM, "Lease Sales: 2017-2022," at https://www.boem.gov/oil-gas-energy/lease-sales.

[27] 43 U.S.C. §1344(a).

[28] For the view that the OCSLA prohibits a gap between programs, see DOI Solicitor's Memorandum M-37062, "Secretarial Discretion in Promulgating a National Outer Continental Shelf Oil and Gas Leasing Program," January 13, 2021, at https://www.doi.gov/sites/doi.gov/files/m-37062.pdf; hereinafter cited as January 2021 DOI Solicitor's Memorandum. This memorandum, issued during the first Trump Administration, was withdrawn during the Biden Administration. For the view that the OCSLA does not clearly prohibit a gap between programs, see remarks of Earthjustice attorney Brettny Hardy in "Biden faces legal fight over delayed offshore leasing plan," *EnergyWire*, April 21, 2022, at https://www.eenews.net/articles/biden-faces-legal-fight-over-delayed-offshore-leasing-plan/.

[29] See the "Role of Congress" section for further discussion.

Regional Leasing Decisions

Under the OCSLA, BOEM must take into account economic, social, and environmental values in making its leasing decisions.[30] The balancing of these factors could lead to various decisions regarding leasing in each of the four OCS *regions*—the Atlantic, Pacific, Alaska, and Gulf of America regions—and their component *planning areas*. The DPP proposed during the first Trump Administration had contemplated lease sales in all four regions and in every available planning area (where leasing is not prohibited by congressional or executive action). However, the 2024-2029 program finalized by the Biden Administration scheduled sales only in the Gulf region (**Figure 1**). P.L. 119-21 added additional sales for the Gulf region as well as sales for the Cook Inlet planning area of the Alaska region. BOEM's new five-year program planning process, announced in April 2025, could potentially result in further changes to the leasing decisions for OCS regions and planning areas over the next five years.

Gulf of America Region

Almost all U.S. offshore oil and gas production takes place in the Gulf of America.[31] The Gulf has the most mature oil and gas development infrastructure of the four planning regions and some of the highest concentrations of oil and gas resources, according to BOEM estimates.[32]

Based on the OCSLA's required analysis of economic, environmental, and social factors,[33] BOEM determined under the Biden Administration that three Gulf sales over the 2024-2029 period would "best … meet national energy needs."[34] The final number was selected from options considered in the earlier PP for as many as 10, or as few as zero, Gulf lease sales. BOEM determined that, compared with a zero-sale program, the three-sale choice would bring higher "net benefits for the American public," because "substitute energy sources would be needed to meet projections for continued domestic oil and natural gas demand" under a zero-sale program, and "reliance on these [substitute] sources is estimated to result in less net economic value, greater environmental and social costs, and reduced net consumer surplus."[35] However, BOEM

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[30] 43 U.S.C. §1344(a). Factors that the Secretary of the Interior must consider include the geographical, geological, and ecological characteristics of the regions; the relative environmental and other natural resource considerations of the regions; the relative interest of oil and natural gas producers in the regions; and the laws, goals, and policies of the states that would be affected by offshore exploration and production in the regions, among others. Leasing also must be conducted to ensure the federal government receives fair market value for leased tracts.

[31] The Gulf accounts for more than 99% of U.S. offshore oil and gas production. BOEM, 2024-2029 PFP, p. 3. BOEM renamed this planning region from the Gulf of Mexico region to the Gulf of America region pursuant to the name change for the Gulf directed in E.O. 14172. For more information, see CRS In Focus IF12881, *Trump Administration Actions: Geographic Naming*, by Anna E. Normand and Mark K. DeSantis.

[32] BOEM, "Assessment of Undiscovered Technically Recoverable Oil and Gas Resources of the Nation's Outer Continental Shelf," 2021, at https://www.boem.gov/sites/default/files/documents/oil-gas-energy/resource-evaluation/2021_National_Assessment_Map_BTU.pdf; hereinafter cited as BOEM, 2021 UTRR map. BOEM estimates the *undiscovered, technically recoverable resources* (UTRR) for each region—resources that could be produced using conventional techniques without any economic considerations. BOEM estimates the Gulf to have the highest UTRR of any OCS region with regard to oil; the Gulf is second to the Alaska region in terms of UTRR for natural gas. In terms of discovered, commercially recoverable oil and gas *reserves*, BOEM announced a 23% increase to its reserves estimate for the Gulf in April 2025 (BOEM, "2025 Estimated Oil and Gas Reserves Report Gulf of America OCS Region," April 2025, at https://www.boem.gov/factsheet/2025-estimated-oil-and-gas-reserves-report-gulf-america-ocs-region).

[33] 43 U.S.C. §1344(a).

[34] BOEM, 2024-2029 PFP, p. 5.

[35] BOEM, 2024-2029 PFP, p. 6. BOEM defines "net economic value" as "the discounted gross revenues from the produced oil and natural gas minus the private costs required to realize the economic value of the resources" (2024-2029 PFP, chapter 5, p. 19), and "consumer surplus" as "the shift in consumer welfare that results from a change in energy prices minus the loss to domestic energy producers from the same price change" (chapter 5, p. 26). BOEM (continued...)

determined that three sales rather than a higher number would "provide adequate access to the region's oil and gas resources to meet national energy needs."[36] Under the announced new planning effort, the Trump Administration could come to a different determination. In any case, a minimum of two Gulf sales annually is now required by P.L. 119-21 over the next 15 years (through 2040).

The Gulf program area scheduled for leasing in the 2024-2029 final program, and in P.L. 119-21, excludes most of the Eastern Gulf near the state of Florida. The Gulf of Mexico Energy Security Act of 2006 (GOMESA) prohibited oil and gas leasing in a defined area of the Gulf off the Florida coast.[37] Although the GOMESA moratorium expired on June 30, 2022, President Trump during his first term effectively extended this moratorium for another decade by withdrawing this area from leasing consideration through June 2032 under OCSLA Section 12(a).[38] Some Members of Congress and other stakeholders wish to make the Eastern Gulf leasing moratorium permanent. Among other concerns, they contend that oil and gas leasing in Gulf waters around Florida could damage the state's beaches and fisheries, which support strong tourism and fishing industries, and could jeopardize mission-critical defense activities at Pensacola's Eglin Air Force Base. By contrast, others have advocated for shrinking the area covered by the ban, or eliminating the ban before its scheduled expiration date. They emphasize the economic significance of oil and gas resources off the Florida coast and contend that development would create jobs, strengthen the state and national economies, and contribute to U.S. energy security.

Alaska Region

Congress has debated offshore oil and gas leasing in the Alaska region. Decreases in summer polar ice, along with estimates of substantial undiscovered oil and gas resources in Arctic waters, have contributed to increased interest by some in offshore oil and gas exploration in the region.[39] However, the region's severe weather and perennial sea ice, and its relative lack of infrastructure to extract and transport offshore oil and gas, continue to pose technical and financial challenges to new exploration. Previous periods of low energy prices have diminished short-term incentives for development in the Alaska region because Alaskan production is relatively costly. Among Alaska's 16 BOEM planning areas, the Beaufort Sea and Cook Inlet are the only two areas with existing federal leases, and only the Beaufort Sea has producing wells in federal waters. Some stakeholders, including the State of Alaska and some Members of Congress, seek to expand offshore oil and gas activities in the region. Other Members of Congress and some environmental groups oppose offshore oil and gas drilling in the region due to concerns about potential oil spills and the possible contributions of these activities to climate change.

The Trump Administration has stated its interest in promoting offshore development in the Alaska region. President Trump's January 2025 E.O. 14148 aimed to facilitate offshore leasing in the

further noted that the IRA requires continued oil and gas leasing in order to enable offshore wind lease issuance (see discussion in footnote 23).

[36] Ibid.

[37] P.L. 109-432. For more information on GOMESA, see CRS Report R46195, *Gulf of Mexico Energy Security Act (GOMESA): Background and Current Issues*, by Laura B. Comay. GOMESA banned oil and gas leasing in the Eastern Gulf planning area within 125 miles of the coast of Florida, in all Gulf areas east of a prescribed "Military Mission Line," and in the part of the Central Gulf planning area that is within 100 miles of Florida, through June 30, 2022. This report refers to the GOMESA moratorium area as the "Eastern Gulf" moratorium area for simplicity.

[38] President Donald Trump, "Memorandum on Withdrawal of Certain Areas of the United States Outer Continental Shelf from Leasing Disposition," September 8, 2020, at https://trumpwhitehouse.archives.gov/presidential-actions/memorandum-withdrawal-certain-areas-united-states-outer-continental-shelf-leasing-disposition/, hereinafter cited as President Trump withdrawal memorandum, September 8, 2020.

[39] For more information, see the section on "Oil, Gas, and Mineral Exploration" in CRS Report R41153, *Changes in the Arctic: Background and Issues for Congress*, coordinated by Ronald O'Rourke.

region by rescinding withdrawals of Alaska offshore planning areas that President Biden had made.[40] Also in January 2025, President Trump issued E.O. 14153, "Unleashing Alaska's Extraordinary Resource Potential," which stated a U.S. policy of "expediting the permitting and leasing of energy and natural resource projects in Alaska" (although with specific implementation steps focused primarily on onshore Alaska activities).[41]

Three offshore areas of interest, owing to their estimated resource potential, lie in the Arctic Ocean off Alaska's North Slope—the Beaufort and Chukchi Sea planning areas and a new "High Arctic" planning area identified by BOEM in 2025, following the U.S. claim to extended continental shelf jurisdiction in this area.[42] Industry interest in some other Alaska region planning areas may be lower, as many are thought to have relatively low or negligible petroleum potential.[43] The 2024-2029 program scheduled no lease sales in the Alaska region. P.L. 119-21 requires annual lease sales through 2032 in the Cook Inlet planning area, which is adjacent to existing areas of natural gas production in state waters. The Biden Administration's PP had included a potential sale in Cook Inlet, but the final program removed this lease sale, based on "limited expressed interest of potential oil and gas producers, the lack of development on existing OCS leases, and the potential for higher environmental risks associated with new leasing in relatively undeveloped areas."[44]

Supporters of increased leasing in the Alaska OCS region contend that growth in offshore oil and gas development is critical for Alaska's economic health as production has declined from the state's onshore oil fields. They further assert that offshore energy development in the region could play a growing role nationally by reducing U.S. dependence on oil and gas imports and supporting U.S. interests in the Arctic economy as other nations, including Russia and China, invest in Arctic projects. These stakeholders contend that oil and gas activities can be conducted safely in the region and point to a history of successful well drilling in the Beaufort and Chukchi Seas in the 1980s and 1990s.

Those who favor few or no Alaska offshore lease sales, by contrast, are concerned that it would be challenging to respond to a major oil spill in the region because of the icy conditions and lack of spill-response infrastructure.[45] Opponents of increased leasing in the region also express concern that it would represent a long-term investment in oil and gas as an energy source, which could slow national efforts to address climate change. They contend, too, that new leasing

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[40] E.O. 14148, January 20, 2025. For legal discussion, see CRS Legal Sidebar LSB11259, *Biden Administration Withdraws Offshore Areas from Oil and Gas Leasing: Can a Withdrawal Be Withdrawn?*, by Adam Vann. The Beaufort and Chukchi Sea planning areas had been withdrawn indefinitely from leasing disposition during the Biden Administration (E.O. 13990, Section 4(b), January 20, 2021, 86 *Federal Register* 7037; and Presidential Memorandum, "Withdrawal of Certain Areas Off the United States Arctic Coast of the Outer Continental Shelf from Oil or Gas Leasing," March 13, 2023).

[41] E.O. 14153, January 20, 2025.

[42] BOEM, "Revising the Outer Continental Shelf Planning Areas to Address Jurisdictional Changes," 90 *Federal Register* 17970, April 30, 2025. For more information, see CRS Report R47912, *Outer Limits of the U.S. Extended Continental Shelf: Background and Issues for Congress*, by Caitlin Keating-Bitonti. For discussion of the resource potential of these Arctic areas, see CRS Report R41153, *Changes in the Arctic: Background and Issues for Congress*, coordinated by Ronald O'Rourke, section on "Offshore Oil and Gas Exploration."

[43] BOEM, 2021 UTRR map.

[44] 2024-2029 PFP, p. 7. As required by the IRA, on December 30, 2022, BOEM held a Cook Inlet lease sale originally scheduled under the 2017-2022 program, which received one bid. BOEM, "Lease Sale 258," at https://www.boem.gov/oil-gas-energy/leasing/lease-sale-258.

[45] For more information, see CRS Report R41153, *Changes in the Arctic: Background and Issues for Congress*, coordinated by Ronald O'Rourke, sections on "Oil, Gas, and Mineral Exploration" and "Oil Pollution and Response." The Obama Administration issued Arctic offshore drilling regulations that focused on ways in which companies would need to compensate for the lack of spill-response infrastructure, such as by having a separate rig available at drill sites to drill a relief well in case of a loss of well control. DOI, "Requirements for Exploratory Drilling on the Arctic Outer Continental Shelf," 81 *Federal Register* 46477, July 15, 2016.

opportunities are unnecessary, since industry has pulled back on investing in the Alaska region.[46] Others assert, however, that tepid industry interest in the region has been due more to the overly demanding federal regulatory environment than to market conditions.[47]

Among those favoring expanded leasing in the region are some Alaska Native communities, who see offshore development as a source of jobs and investment in financially struggling localities. Other Alaska Native communities have opposed offshore leasing, citing concerns about environmental threats to subsistence lifestyles. Alaska's governor submitted comments on the 2024-2029 PP supporting additional sales in Cook Inlet and analysis of potential leasing in the Beaufort and Chukchi Seas.[48]

Atlantic Region

No offshore oil and gas lease sales have occurred in the Atlantic region since 1983, due in part to congressional bans on Atlantic leasing in annual Interior appropriations acts from FY1983 to FY2008, along with presidential leasing withdrawals for the region during those years. Starting with FY2009, Congress no longer included an Atlantic leasing moratorium in appropriations acts. In 2008, President George W. Bush also removed the long-standing administrative withdrawal for the region.[49] These changes meant that lease sales could potentially be conducted for the Atlantic. However, no Atlantic lease sale has taken place in the subsequent years.[50]

Political leaders in the Atlantic states, and stakeholders within each state, disagree about whether oil and gas drilling should occur in the region.[51] Supporters of leasing contend that oil and gas development would lower energy costs for regional consumers, bring jobs and economic investment, and strengthen U.S. energy security. Opponents express concerns that oil and gas development would undermine state clean energy goals and that oil spills could threaten coastal communities. Also of concern for leasing opponents is the potential for oil and gas activities to damage the tourism and fishing industries in the Atlantic region and to conflict with military and space-related activities of the Department of Defense and National Aeronautics and Space Administration (NASA). During the Biden Administration, the Atlantic region was a focus for BOEM's offshore wind leasing; some see this as potentially compatible with oil and gas development, some favor one or the other type of energy for the region, and some oppose both wind and oil and gas development as conflicting with other uses of the Atlantic.[52]

During President Trump's first term, his Administration proposed offshore oil and gas lease sales in the Atlantic region, as part of the DPP for what became the 2024-2029 program. The DPP proposed nine lease sales for the Atlantic region, including sales in all Atlantic region planning areas. However, subsequent to publication of the DPP and partly in response to feedback from

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[46] For more information, see CRS Report R41153, *Changes in the Arctic: Background and Issues for Congress*, coordinated by Ronald O'Rourke, section on "Oil, Gas, and Mineral Exploration."

[47] Ibid.

[48] Letter from Alaska Governor Mike Dunleavy to BOEM, October 6, 2022, at https://www.regulations.gov/comment/BOEM-2022-0031-6328.

[49] President George W. Bush, "Memorandum on Modification of the Withdrawal of Certain Areas of the United States Outer Continental Shelf from Leasing Disposition," *Weekly Compilation of Presidential Documents* 44 (July 14, 2008).

[50] An Atlantic lease sale (Sale #220) was scheduled in the five-year program for 2007-2012, but it was canceled by then-Secretary of the Interior Ken Salazar following the April 2010 *Deepwater Horizon* oil spill. See BOEM, "Virginia Lease Sale 220 Information," at https://www.boem.gov/Oil-and-Gas-Energy-Program/Leasing/Regional-Leasing/Gulf-of-Mexico-Region/Lease-Sales/220/Virginia-Lease-Sale-220-Information.aspx.

[51] See, for example, summaries of state comments in the 2019-2024 DPP, pp. A-19 to A-23; and PP, pp. A-10 to A-16.

[52] In January 2025, President Trump withdrew the entire OCS, including the Atlantic region, from further offshore wind leasing. For more information, see CRS Insight IN12509, *Status of U.S. Offshore Wind Leasing and Permitting: President Trump's January 2025 Wind Leasing Memorandum*, by Laura B. Comay.

some state governors and Members of Congress, President Trump withdrew from leasing consideration, from July 2022 through June 2032, certain waters off of Florida, Georgia, South Carolina, and North Carolina.[53] Consequently, these areas were no longer eligible for consideration in the later program stages. The PP and final program promulgated by the Biden Administration, while analyzing several options, included no Atlantic lease sales. Further, toward the end of his term in January 2025, President Biden withdrew the entire Atlantic region from further oil and gas leasing availability.[54] President Trump subsequently rescinded President Biden's withdrawal, but did not rescind his own earlier withdrawal of the areas off of Florida, Georgia, South Carolina, and North Carolina.[55] Thus, it appears that these latter areas would not be available for inclusion in the newly announced five-year leasing program.

Pacific Region

The 2024-2029 program contained no Pacific lease sales. No federal oil and gas lease sales have been held for the Pacific since 1984, although active leases with production remain in the Southern California planning area.[56] As in the Atlantic region, the Pacific region was subject to congressional and presidential leasing moratoria for parts of the past 40 years.[57] These restrictions were lifted in FY2009, but no lease sales have since taken place for the Pacific. Governors of California, Oregon, and Washington have generally expressed opposition to new offshore oil and gas leasing in the region.[58] (Administratively, the Pacific region also includes Hawaii, but Hawaii is not part of the oil and gas leasing program because no known hydrocarbon resources are present offshore of the state.)

The draft leasing program published by BOEM during the first Trump Administration had proposed seven lease sales in the Pacific region.[59] Congressional stakeholders have disagreed over whether oil and gas leasing should occur in the Pacific. Members of Congress who favor broad oil and gas leasing across the entire OCS have introduced legislation in previous Congresses that would have required BOEM to hold sales in the Pacific region.[60] Members concerned about environmental damage from oil and gas activities in the region have introduced legislation that would permanently prohibit Pacific oil and gas leasing.[61]

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[53] President Trump withdrawal memorandum, September 8, 2020; and President Donald Trump, "Presidential Determination on the Withdrawal of Certain Areas of the United States Outer Continental Shelf from Leasing Disposition," September 25, 2020, at https://trumpwhitehouse.archives.gov/presidential-actions/presidential-determination-withdrawal-certain-areas-united-states-outer-continental-shelf-leasing-disposition/.

[54] Presidential memorandum of January 6, 2025, 90 *Federal Register* 6743.

[55] E.O. 14148. For legal discussion, see CRS Legal Sidebar LSB11259, *Biden Administration Withdraws Offshore Areas from Oil and Gas Leasing: Can a Withdrawal Be Withdrawn?*, by Adam Vann.

[56] A federal oil and natural gas lease is for a specific 5-10 year period, but if a discovery is made within the term of the lease, the lease is extended for as long as oil and/or natural gas is produced in paying quantities or approved drilling operations are conducted.

[57] Different portions of the Pacific region were subject to different restrictions during this period.

[58] See, for example, 2023-2028 PP, pp. A-6 to A-9.

[59] 2019-2024 DPP.

[60] See, for example, H.R. 1487 and S. 791 in the 114th Cong.

[61] See examples in the "Role of Congress" section.

Role of Congress and Legislation

Congress can influence the Administration's development and implementation of a five-year program by submitting public comments during formal comment periods, by evaluating programs in committee oversight hearings, and, more directly, by enacting legislation with program requirements.[62] For example, Members submitted public comments on both the PP and DPP for the 2024-2029 program, and committees in both chambers held oversight hearings to examine BOEM's recommendations in the PFP.[63]

Congress also has passed legislation in the 119th Congress that affects the program's leasing schedule for 2024-2029. As discussed above, P.L. 119-21—budget reconciliation legislation enacted in July 2025—requires two oil and gas lease sales each year through 2040 in the Gulf of America region in addition to the sales in the 2024-2029 program, and one oil and gas lease sale each year through 2032 in Alaska's Cook Inlet. Some Members have proposed additional lease sale requirements; for example, the draft Interior and Related Agencies appropriations bill marked up by the House Appropriations Committee's Interior and Environment Subcommittee on July 15, 2025, would require a minimum of two oil and gas lease sales annually for the Central and Western Gulf planning areas, and one region-wide sale annually for the Alaska region, beginning in FY2026, with no end date specified and "notwithstanding any other provision of law."

Other 119th Congress bills, including H.R. 3061, S. 109, and S. 460, also would mandate lease sales beyond those originally scheduled in the 2024-2029 program. H.R. 3061 and S. 460 would additionally require that future five-year programs be prepared and approved within a timeframe that would prevent gaps between programs. By contrast, other bills in the 119th Congress—H.R. 2673, H.R. 2820, H.R. 2848, H.R. 2849, H.R. 2862, H.R. 2865, H.R. 2881, H.R. 2882, H.R. 2886, S. 1432, S. 1445, S. 1472, and S. 1486—would establish new moratoria or extend existing moratoria on oil and gas leasing, thus curtailing leasing options in future five-year programs. Some of these bills would permanently prohibit leasing in large areas, such as throughout the Pacific or Atlantic regions.

Congress could pursue additional changes to the five-year program through bills such as these or other legislation. Alternatively, Congress could choose not to act further, allowing the Trump Administration's program development process to proceed under current authorities.

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[62] Congress also has a role under the OCSLA of reviewing each five-year program once it is finalized, but the OCSLA does not require that Congress directly approve the final program in order for it to be implemented. Congress could make changes to the final program during or after the 60-day review period through legislation.

[63] For Members' comments on the DPP, see 2023-2028 PP, pp. A-125 to A-133. For Members' comments on the PP, see 2024-2029 PFP, pp. A-57 to A-58. For the oversight hearings, see House Natural Resources Committee October 2023 oversight hearing; and Senate Committee on Energy and Natural Resources, *Full Committee Hearing to Examine Federal Offshore Energy Strategy and Policies*, October 26, 2023, at https://www.energy.senate.gov/hearings/2023/10/full-committee-hearing-to-examine-federal-offshore-energy-strategy-and-policies.

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