

GOVERNMENTAL AFFAIRS REPORT

Highlights At-A-Glance

FEDERAL – Legislative

House Fossil Fuel Campaigns Request. On June 12, U.S. House of Representatives lawmakers Raúl Grijalva (D-AZ) and Katie Porter (D-CA) sent letters requesting documents from five public relations firms and the American Petroleum Institute “detailing their work for fossil fuel companies.” [See the letters here.](#) The representatives are “asking for all documents pertaining to the firms’ campaigns for oil, gas and coal companies, dating back to 2013.” According to Rep. Grijalva, “Thanks to the accidental truth-telling by the former ExxonMobil lobbyist, we know there is a lot to uncover about the ways fossil fuel companies spread disinformation and lies about climate change. If we’re going to take meaningful action against climate change, we need to be armed with facts and science, not industry propaganda. The American people deserve to know the truth and we intend to do our job to find it.” The groups have yet to respond to the request. [Read more.](#)

House Methane Emissions Hearing. On June 14, the House Select Committee on the Climate Crisis held a hearing titled, “State Perspectives on Cutting Methane Pollution” featuring the governors of New Mexico and Wyoming, “who will share perspectives on their states’ efforts to cut harmful methane pollution from oil and gas production.” The hearing also focused “on how states have implemented funding from the Bipartisan Infrastructure Law, which invested billions of dollars to plug abandoned oil and gas wells across America.” For complete witness testimony and a recording of the hearing, [Read more.](#)

FEDERAL – Regulatory

Oil and Gas Industry Responds to President Biden’s Letter to Oil Refiners. On June 16, the American

Petroleum Institute (API) and ExxonMobil Corporation both responded to a recent letter sent by President Biden to oil refiners. “While we appreciate the opportunity to open increased dialogue with the White House, the administration’s misguided policy agenda shifting away from domestic oil and natural gas has compounded inflationary pressures and added headwinds to companies’ daily efforts to meet growing energy needs while reducing emissions,” said API President and CEO Mike Sommers. “I reinforced in a letter to President Biden and his Cabinet yesterday [June 14] ten meaningful policy actions to ultimately alleviate pain at the pump and strengthen national security, including approving critical energy infrastructure, increasing access to capital, holding energy lease sales, among other urgent priorities,” he added in the response. ExxonMobil also responded, noting “that it has been in regular contact with the administration to update the President and his staff on how ExxonMobil has been investing more than any other company to develop U.S. oil and gas supplies.” In a statement posted to its website, ExxonMobil said, “This includes investments in the U.S. of more than \$50 billion over the past five years, resulting in an almost 50 percent increase in our U.S. production of oil during this period.” ExxonMobil added that “Longer term, government can promote investment through clear and consistent policy that supports U.S. resource development, such as regular and predictable lease sales, as well as streamlined regulatory approval and support for infrastructure such as pipelines.” As widely reported, President Biden “told U.S. oil refiners that unprecedented profit margins are unacceptable and called for ‘immediate action’ to improve capacity. Biden said his administration was prepared to take any ‘reasonable and appropriate’ steps that would help companies increase output in the near term as reported by Bloomberg. [Read more.](#) In related reporting, Chevron also responded to President

Biden's recent claims that oil and gas companies are earning record profits and not producing enough gasoline for consumers. "We understand the significant concerns around higher fuel prices currently faced by consumers around the country, and the world," Chevron said in a statement targeting Biden. "We share these concerns, and expect the Administration's approach to energy policy will start to better reflect the importance of addressing them." Chevron said "it will be increasing Permian Basin production by more than 15 percent this year. ExxonMobil says it has increased refining capacity to process U.S. light crude by around 250,000 barrels a day." [Read more.](#)

FEDERAL – Judicial

Federal Leasing – Washington, DC. On June 15, environmental groups sued the U.S. Department of the Interior and Bureau of Land Management (BLM) in the U.S. District Court for the District of Columbia in [Center for Biological Diversity v. U.S. Dept. of the Interior](#) (Case No. 1:22-cv-01716), challenging the approval "of at least 3,535 applications for permit to drill ('APDs') for oil and gas in New Mexico's Permian Basin and Wyoming's Powder River Basin in violation" of the National Environmental Policy, the Endangered Species Act (ESA), and the Federal Land Policy and Management Act (FLPMA), and those statutes' implementing regulations. The litigants claim that "In approving these APDs, BLM failed to evaluate the cumulative impacts of greenhouse gas emissions that will result from these approvals under NEPA, and failed to consider the impact of these emissions as they relate to BLM's procedural and substantive obligations under the ESA and FLPMA." Specifically, the litigants say "BLM failed to take the required hard look at the cumulative GHG emissions and the impacts of those emissions on climate change. BLM also failed to discuss the cumulative effects of these emissions across federal public lands managed through BLM's oil and gas program." The litigants are also calling for "environmental justice" in the case "where drilling occurs or for disproportionately climate impacted environmental justice communities" as well as making claims that there was a "failure to consult

on climate-impacted species." The Interior Department has yet to respond to the lawsuit. [Read more.](#)

STATE – Legislative

Emergency Well Orders – Michigan. On June 9, HB 6187 was introduced by Rep. Daire Rendon (R). The bill would repeal [Section 62507](#) of the Natural Resources and Environmental Protection Act which provided that the "supervisor of mineral wells, acting directly or through his or her deputy or authorized representative, may issue emergency orders without a public hearing to implement this part." [Read more.](#)

STATE – Regulatory

Colorado Oil & Gas Conservation Commission Appointments – Colorado. On June 17, Gov. Jared Polis (D) "announced two new appointments to the Colorado Oil & Gas Conservation Commission (COGCC) who will be members of the professional commission established by [SB19-181](#)." Brett Ackerman of Colorado Springs, Colorado, will "serve as a member with formal training or substantial experience in environmental protection, wildlife protection, or reclamation." Michael Cross of Arvada, will "serve as a member with substantial experience in the oil and gas industry." In particular, "Cross has significant industry legal experience, especially on energy industry regulatory and policy issues in the oil, natural gas, and mining sectors, as well as federal and state statutory and regulatory compliance issues. Additionally, he has experience in tribal, federal and state oil and gas leases in Colorado's basins." Both terms are effective July 1, 2022 and expire June 30, 2026. [Read more.](#)

Renewables; Power Siting Board – Ohio. On June 16, the Ohio Power Siting Board (OPSB) "issued a comprehensive set of proposed revisions to the rules governing the procedures before the OPSB and its siting criteria." OPSB is a state agency "responsible for siting certain energy generation and transmission infrastructure facilities that fall within the definition of a 'major utility facility,' including utility-scale wind and solar projects." The objectives for the new rules are:

“1) improving the OPSB review process and public participation in that process; 2) improving upon the technical information filed with an application; and 3) enhancing the construction monitoring and compliance process after obtaining an OPSB certificate.” For an outline and summary of the major rule revisions, [Read more.](#)

Bank Boycott of Fossil Fuel Industry – West Virginia. On June 13, West Virginia State Treasurer Wiley Moore (R) announced he has sent notices [to six major financial institutions informing them of a possible boycott](#) “on doing business with West Virginia government entities. This move by the West Virginia state government implements a state law passed earlier this year that enables ‘the [West Virginia] Treasurer’s Office to create a Restricted Financial Institution List consisting of financial institutions that have publicly stated they will refuse, terminate, or limit doing business with coal, oil, or natural gas companies without a reasonable business purpose. Notably, this law would then preclude these financial institutions from being ‘eligib[le] for contracts for state banking services.’” According to the Treasurer’s Office, “Notices were issued on Friday, June 10. The financial institutions that have been sent notices will officially be placed on the list in 45 days, unless they respond with information demonstrating they are not engaged in a boycott of fossil fuel companies. The institutions have 30 days from the time they receive the initial notice to submit a response to the Treasurer’s Office.” [Read more.](#)

INDUSTRY NEWS FLASH

► **API Unveils Ten-Point Policy Plan to Restore U.S. Energy Leadership, Fuel Economic Recovery.** On June 14, the American Petroleum Institute (API) released a [10 in 2022 plan](#) that features “10 policies that policymakers can advance today to unlock American energy, fuel economic recovery, and strengthen national security.” The API delivered its plan to President Biden ([read letter here](#)) and API President and CEO Mike Sommers said, “These 10 in

’22 policies are a framework for new energy leadership for our nation, unleashing investment in America and creating new energy access while avoiding harmful government policies and duplicative regulation. It’s time to lead.” [Read more.](#)

LEGISLATIVE SESSION OVERVIEW

States in Session



Session Notes: **Arizona, California, Delaware, Massachusetts, Michigan, New Jersey, North Carolina, Ohio, Pennsylvania, Rhode Island and Wisconsin** are in regular session. The **U.S. Congress** is also in session.

The following states adjourned their 2022 legislative sessions on the dates provided: **Arizona** (June 24), **Delaware, Rhode Island and North Carolina** (June 30).

The **Virginia** General Assembly adjourned their special session on June 17 after taking up a final series of proposed amendments to the budget, reports [The Washington Post](#). Republican Gov. Glenn Youngkin must sign or veto the compromise budget by the start of the next fiscal year on July 1.

Louisiana lawmakers concluded their special session on June 18, without approving an additional majority-Black congressional district, reports [KALB](#). U.S. District Judge Shelly Dick has scheduled a hearing on the issue for June 29.

Indiana Republican Gov. Eric Holcomb signed a [proclamation](#) calling the legislature into a special

session on July 6. Governor Holcomb wants to return excess state revenue to Hoosier taxpayers to combat inflation, but lawmakers could also pass new abortion restrictions during the session, reports the [Indianapolis Star](#).

Signing Deadlines (by date): **Iowa** Republican Gov. Kim Reynolds had until June 24 to act on legislation or it is pocket vetoed. **Missouri** Republican Gov. Mike Parson has until June 27 to act on legislation or it becomes law without signature. **Hawaii** Democratic Gov. David Ige has until July 12 to act on legislation or it becomes law without signature. **Alaska** Republican Gov. Mike Dunleavy has 20 days from presentment, Sundays excluded, to act on legislation or it becomes law without signature. **Florida** Republican Gov. Ron DeSantis has 15 days from presentment to act on legislation or it becomes law without signature. **Louisiana** Democratic Gov. John Bel Edwards has 20 days from presentment to act on legislation or it becomes law without signature. **Maine** Democratic Gov. Janet Mills must act on legislation presented within 10 days of adjournment or it becomes law unless returned within three days after the next meeting of the same legislature. **Nebraska** Republican Gov. Pete Ricketts has five days from presentment, Sundays excepted, to act on legislation or it becomes law without signature. **New Hampshire** Republican Gov. Chris Sununu has five days from presentment to act on legislation or it is pocket vetoed. **New York** Democratic Gov. Kathy Hochul has 10 days from presentment, Sundays excepted, to act on legislation or it becomes law without signature. **South Carolina** Republican Gov. Henry McMaster has two days after the next meeting of the legislature to act on legislation or it becomes law without signature.

The following states are currently holding 2022 interim committee hearings: [Arkansas](#), [Colorado](#), [Connecticut](#), [Georgia](#), [Idaho](#), [Illinois House](#), [Indiana](#), [Iowa](#), [Kansas](#), [Kentucky](#), [Louisiana](#), [Maine](#), [Maryland](#), [Missouri House](#) and [Senate](#), [Minnesota](#), [Mississippi House](#) and [Senate](#), [Montana](#), [Nevada](#), [New Hampshire House](#) and [Senate](#), [New Mexico](#), [North Dakota](#), [Oregon](#), [Rhode Island](#), [South Carolina House](#) and [Senate](#), [South Dakota](#), [Tennessee](#), [Utah](#),

[Vermont](#), [Virginia](#), [Washington](#), [West Virginia](#) and [Wyoming](#). ■

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