

**U.S. House of Representatives**  
**Committee on Natural Resources**  
**Washington, DC 20515**

March 11, 2019

The Honorable David Bernhardt  
Acting Secretary  
U.S. Department of the Interior  
1849 C Street, NW  
Washington, D.C. 20240

Dear Acting Secretary Bernhardt:

The Department of the Interior (DOI) oversees the development of oil and gas resources on U.S. public lands and in federal waters in accordance with numerous federal laws and agency regulations and policies. The Bureau of Land Management (BLM) administers the federal government's onshore oil and gas program, and the BLM's Inspection and Enforcement program exists to ensure production accountability, environmental protection, and public safety on federal and Indian lands. Each stage in the life cycle of an oil and gas well – drilling, production, and plugging and abandonment – involves complicated, technical, and dangerous procedures, and BLM has been empowered by Congress to protect the public's interest and to hold oil and gas operators accountable for their actions.

In February 2012, the then-Ranking Members of the Natural Resources Committee and the Subcommittee on Energy and Mineral Resources released a report detailing how DOI had demonstrated erratic and inconsistent enforcement of federal oil and gas safety rules between 1998 and 2011.<sup>1</sup> According to data analyzed in the report, DOI issued 2,025 safety and drilling violations to 335 companies in seventeen states during this period, resulting in fines of \$273,875, for an average of barely \$135 per violation. The report determined that many of the oil and gas violations endangered drinking water, public health, and the safety of workers and the environment, yet only six percent of all violations during the period were followed by a monetary fine.

Today, the Government Accountability Office (GAO) is releasing a report showing continued deficiencies in BLM's oil and gas Inspection and Enforcement program. The GAO determined between 2012 and 2016 there was an imbalance in the distribution of oil and gas workload and workforce at BLM field offices, and that the agency has failed to complete internal control reviews at 27 of 33 field offices, including five of the six highest activity offices between 2013 and 2017. GAO's report underscores the weaknesses in BLM inspection and enforcement

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<sup>1</sup> "New Markey-Holt Report Reveals 'Drilling Dysfunction' on Federal Lands." Feb. 8, 2012.  
<https://www.markey.senate.gov/news/press-releases/new-markey-holt-report-reveals-drilling-dysfunction-on-federal-lands>

practices, and the need for strengthened federal laws and regulations to protect American taxpayers, the environment, and U.S. workers.

To assist the House Natural Resources Committee in carrying out its oversight responsibilities on this issue, please provide no later than April 12, 2019, information on each incident of noncompliance issued by the Bureau of Land Management for safety, environmental, or drilling violations from February 2011 through March 2019. For each incident identified, provide the operator name, the nature of the violation, the location of the incident, the date of the incident, and information about any monetary penalty levied against the operators.

Please acknowledge receipt of this document request and refer to the attached instructions on how to respond. If you have any questions about this request, please contact House Natural Resources Committee staff at (202) 225- 6065.

Sincerely,



Raúl M. Grijalva  
Chair  
Committee on Natural Resources



Alan S. Lowenthal  
Chair  
Subcommittee on Energy and  
Mineral Resources

## Responding to Committee Document Requests

In responding to document requests from the Committee on Natural Resources, please apply the instructions and definitions set forth below:

### Instructions

1. In complying with the request, you should produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. Requested records, documents, data, or information should not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Committee.
2. In the event that any entity, organization, or individual denoted in this request has been, or is currently, known by any other name than that herein denoted, the request should be read also to include them under that alternative identification.
3. The Committee's preference is to receive documents in electronic form (i.e., memory stick or thumb drive) in lieu of paper productions. Documents produced in electronic format should also be organized, identified, and indexed electronically. Consult with the Committee to determine the appropriate format in which to produce the information.
4. Each document produced should be produced in a form that renders the document capable of being copied.
5. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, box, or folder is produced, each CD, hard drive, memory stick, thumb drive, box, or folder should contain an index describing its contents.
6. Documents produced in response to this request should be produced together with copies of file labels, dividers or identifying markers with which they were associated when this request was issued. To the extent that documents were not stored with file labels, dividers, or identifying markers, they should be organized into separate folders by subject matter prior to production.
7. When you produce documents, you should identify the paragraph in the Committee's schedule to which the documents respond.
8. It shall not be a basis for refusal to produce documents that any other person or entity also possesses a non-identical or identical copy of the same documents.
9. If compliance with the request cannot be made in full, compliance should be made to the extent possible and should include an explanation of why full compliance is not possible.

10. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author and addressee; and (e) the relationship of the author and addressee to each other.
11. If any document responsive to this request was, but no longer is, in your possession, custody, or control, you should identify the document (stating its date, author, subject and recipients) and explain the circumstances by which the document ceased to be in your possession, custody, or control.
12. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you should produce all documents which would be responsive as if the date or other descriptive detail were correct.
13. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date should be produced immediately upon location or discovery subsequent thereto.
14. All documents should be Bates-stamped sequentially and produced sequentially.
15. Documents produced to the Committee in response to this request should be delivered to majority staff in Room 1324 of the Longworth House Office Building.

### Definitions

1. The term "**document**" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, interoffice and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone calls, text messages, MMS or SMS messages, other mobile-to-mobile messages, instant messages or online chat messages, meetings or other communications, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, voice mails, microfiche, microfilm, videotape, recordings and motion pictures), and electronic and mechanical records or representations of

any kind (including, without limitation, tapes, cassettes, disks, computer server files, computer hard drive files, CDs, DVDs, memory sticks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

2. The term "**documents in your possession, custody, or control**" means (a) documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, or representatives acting on your behalf; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that you have placed in the temporary possession, custody, or control of any third party.
3. The term "**communication**" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether face-to-face, in a meeting, by telephone, facsimile, mail, e-mail (desktop or mobile device), text message, MMS or SMS message, other mobile-to-mobile message, instant message or online chat, telexes, releases, personal delivery, or otherwise.
4. The terms "**and**" and "**or**" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.
5. The terms "**person**" or "**persons**" means natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, and other units thereof.
6. The term "**identify**," when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; and (b) the individual's business address and phone number.
7. The terms "**referring or relating**," with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is in any manner whatsoever pertinent to that subject.
8. The term "**employee**" means agent, borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, permanent employee, provisional employee, subcontractor, or any other type of service provider.