

United States Senate

WASHINGTON, DC 20510

April 27, 2026

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

The Honorable Pete Hegseth
Secretary
Department of Defense
1000 Defense Pentagon
Washington, D.C. 20301

Dear Secretary Burgum and Secretary Hegseth:

We write to seek answers concerning the Department of Interior’s (DOI) decision to convene the so-called “God Squad”—an extraordinary tribunal that can effectively end the life of a species. On March 31, 2026, DOI hosted a meeting of the Endangered Species Committee (the Committee)—which had not met since 1992—to consider an exemption for Gulf of Mexico oil and gas activities under the Endangered Species Act (ESA).¹ At the outset of the meeting, the Committee was informed that Department of Defense (DOD) Secretary Pete Hegseth had notified the Committee of “national security findings” necessitating an exemption to the ESA, emphasizing that the statutory language for the Committee “shall grant an exemption” upon such a finding.² While the findings were distributed to each Committee member ahead of the meeting, no discussion of their underlying basis, scope, or application to specific species or activities occurred during the meeting. After uniformly supportive remarks from each member of the Committee, including acknowledgment of the Committee having “no discretion”³ to deny the exemption, a voice vote was taken to grant an exemption to *all* Gulf oil and gas exploration, development, and production activities. This swift yet opaque process raises serious questions around compliance with the ESA and Administrative Procedure Act (APA), which require transparency, public participation, and reasoned decision-making.

Through the Bureau of Ocean Energy Management (BOEM), oil and gas companies operating in the Gulf are responsible for ensuring the safety and viability of the surrounding environment and its wildlife. The Committee may grant an exemption to ESA requirements only upon a robust public record demonstrating that, among many other things, “no reasonable and prudent alternatives exist” and the benefits of the action clearly outweigh the benefits of conserving the species, based on the “best scientific and commercial data available.”⁴ Here, no robust public record has been made available, and the exemption risks being found “arbitrary and capricious” under the APA for failing to adequately justify that it was necessary and consistent with the ESA.⁵

¹ U.S. Fish and Wildlife Service, “Endangered Species Committee Meeting Announcement,” Federal Register 91, no. 50 (March 16, 2026), <https://www.federalregister.gov/documents/2026/03/16/2026-05242/endangered-species-committee-meeting-announcement>.

² Endangered Species Committee, Department of the Interior, meeting, March 31, 2026, YouTube video, <https://www.youtube.com/live/iC3xyp4GxRE?si=c-2111Q4RS5CvJgZ>.

³ *Id.* Lee Zeldin, Administrator, Environmental Protection Agency, remarks at the Endangered Species Committee meeting, Department of the Interior, March 31, 2026. 42:41

⁴ Endangered Species Act, 16 USC § 1536(e)–(h)

⁵ Administrative Procedures Act, 5 USC § 706(2)(A)

The concerns around this abrupt exemption request are heightened by credible reporting of coordination between fossil fuel interests and the Trump Administration on policies promoting oil extraction. In the Committee meeting, it surfaced that DOI had initially notified DOD about “recent litigation . . . halting or severely compromising oil and gas activities in the Gulf”⁶ as a key factor prompting the exemption request.⁷ This appears to have been referring to a lawsuit that the oil and gas industry voluntarily joined as defendants and in which the court issued a decision protecting Gulf endangered species potentially harmed by a BOEM lease sale.⁸

The comments made at the meeting appear to be yet another payback for the fossil fuel industry’s support of President Trump’s campaign. At an April 2024 Mar-a-Lago meeting, at least twenty oil and gas executives highlighted their goals to increase oil drilling in the Gulf of Mexico; President Trump responded by soliciting \$1 billion from those fossil fuel executives in exchange for promising to deliver on the industry’s policy priorities, including offering to auction more exploration leases and to relax regulations for the companies.⁹ The sequence of events that has followed—from an avalanche of oil and gas industry political contributions to President Trump, to expanded leasing under Executive Order 14154,¹⁰ to the sudden invocation of the ESA’s most extreme exemption authority—raises serious concerns that the current process culminating in the convening of the “God Squad” reflects a predetermined outcome rather than an impartial decision based on facts and evidence.

The decision to grant an exemption under the ESA also builds on the administration’s pattern of prioritizing drilling interests in the Gulf of Mexico.¹¹ BP’s recently approved Kaskida project was prioritized by BOEM even amidst the 2025 government shutdown.¹² This project would drill in ultra-deepwater using high-pressure technology, circumstances which could render it difficult to remedy a blowout or other accident and would risk severe damage to the

⁶ *Supra* note 2. Doug Burgum, Secretary of the Interior, remarks at the Endangered Species Committee meeting, Department of the Interior, March 31, 2026, 38:49.

⁷ *Supra* note 2. Doug Burgum, Secretary of the Interior, remarks at the Endangered Species Committee meeting, Department of the Interior, March 31, 2026, 37:41-37:50.

⁸ *Center for Biological Diversity v. Bureau of Ocean Energy Management*, Memorandum Opinion, No. 23-cv-604 (D.D.C. Mar. 27, 2025), https://earthjustice.org/wp-content/uploads/2025/03/81_memorandum-opinion-3.27.25.pdf

⁹ Josh Dawsey and Maxine Joselow, “Trump Seeks \$1 Billion from Oil CEOs, Vows to Limit EVs,” *Washington Post*, May 9, 2024, <https://www.washingtonpost.com/politics/2024/05/09/trump-oil-industry-campaign-money/>; see also Sens. Sheldon Whitehouse and Ron Wyden, letter to Michael K. Wirth, Chief Executive Officer, Chevron Corporation, May 23, 2024, (one of a series of letters to major oil and gas companies), <https://www.budget.senate.gov/imo/media/doc/05.23.2024%20Letter%20Whitehouse-Wyden%20to%20Chevron.pdf>

¹⁰ Donald J. Trump, “Unleashing American Energy,” Executive Order, January 20, 2025, The White House, <https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-american-energy/>

¹¹ U.S. Department of the Interior, Bureau of Ocean Energy Management, *Record of Decision to Reaffirm Decisions for Gulf of Mexico Outer Continental Shelf Oil and Gas Lease Sales 259 and 261 and Gulf of America Regional OCS Oil and Gas Lease Sales and Post-Lease Activities: Final Programmatic Environmental Impact Statement*, February 2026, https://www.boem.gov/sites/default/files/documents/oil-gas-energy/leasing/GOM-LS-261-ROD-revised-to-reaffirm-LS%20259_261-and-2025-PEIS.pdf?VersionId=1HF6onjoZlXh7PqQ4ibkKmG7_a0WqslM

¹² Rebecca F. Elliott, “Trump Administration Approves BP’s \$5 Billion Gulf of Mexico Drilling Project,” *New York Times*, March 14, 2026, <https://www.nytimes.com/2026/03/14/climate/trump-bp-gulf-of-mexico-drilling.html>; Niina H. Farah, “Shutdown Hardens Interior Offshore Plan: Oil In, Renewables Out,” *E&E News* (Politico Pro), October 3, 2025, <https://subscriber.politicopro.com/article/eenews/2025/10/03/shutdown-hardens-interior-offshore-plan-oil-in-renewables-out-00592158>

environment. Kaskida also happens to be located near the habitat of the endangered Rice's whale, one of the rarest whales in the world.¹³ This whale, which experienced an almost 25 percent population loss as a result of the 2010 Deepwater Horizon oil spill,¹⁴ currently has a population estimated at roughly 50 individuals.¹⁵ In addition to BP, Chevron and Shell opposed the designation of a "critical habitat" for the Rice's whale in the Gulf of Mexico.¹⁶ Incidentally, these three companies submitted bids during Gulf lease sales for blocks adjacent to the Rice's whale habitat.¹⁷ Another major spill in this region could drive the Rice's whale to extinction.

This pattern is not incidental—it reflects a system in which endangered species protections are treated as barriers to be weakened or removed when they interfere with oil extraction. Federal scientists have already concluded that these activities carry existential consequences. In 2025, the National Marine Fisheries Service (NMFS) determined that, without a "reasonable and prudent alternative," Gulf oil and gas activities would be "likely to jeopardize the continued existence" of the Rice's whale; it would also harm other protected species, including endangered Kemp's ridley, hawksbill, and leatherback turtles.¹⁸

Oil and gas industry capture of the federal government results in a life-or-death situation for wildlife—a harsh and unfortunate reality. Species pushed to the brink of extinction may no longer prompt greater protection but instead trigger further efforts by the administration to clear regulatory obstacles to development. In the Committee meeting, for example, Environmental Protection Agency (EPA) Administrator Lee Zeldin emphasized that the EPA is pursuing "faster permanent decisions,"¹⁹ reinforcing concerns that scientific and statutory obligations are sidelined to accommodate expedited decision-making benefitting corporations' bottom-line. But the ESA *does not* permit the government to negotiate away a species' existence in exchange for

¹³ U.S. Department of the Interior, Bureau of Ocean Energy Management, Notice to Lessees and Operators No. NG-15-05, <https://www.boem.gov/sites/default/files/oil-and-gas-energy-program/Mapping-and-Data/Gulf-PDFs/NG-15-05.pdf>; U.S. Department of the Interior, Bureau of Ocean Energy Management, Gulf of Mexico Oil and Gas Lease Sales: Draft Environmental Impact Statement—Alternatives (2024), 2, https://www.boem.gov/sites/default/files/documents/renewable-energy/BOEM%202024%20GOM%208_Alternatives_finalv2_508.pdf

¹⁴ Defenders of Wildlife, "Rice's Whale," accessed March 26, 2026, <https://defenders.org/wildlife/rices-whale#:~:text=Why%20are%20Rice's%20Whales%20endangered,save%20this%20species%20from%20extinction.>

¹⁵ National Oceanic and Atmospheric Administration, National Marine Fisheries Service, "Rice's Whale (*Balaenoptera ricei*)," accessed March 25, 2026, <https://www.fisheries.noaa.gov/species/rices-whale>

¹⁶ National Oceanic and Atmospheric Administration, National Marine Fisheries Service, comment submitted to docket NOAA-NMFS-2023-0028, Regulations.gov, <https://www.regulations.gov/comment/NOAA-NMFS-2023-0028-5920>; National Oceanic and Atmospheric Administration, National Marine Fisheries Service, comment submitted to docket NOAA-NMFS-2023-0028, Regulations.gov, <https://www.regulations.gov/comment/NOAA-NMFS-2023-0028-5923> (API, which Shell is a member of, submitted a comment against the proposed rule)

¹⁷ Nichola Groom, "BP, Chevron Are Top Spenders at Small U.S. Gulf of Mexico Oil and Gas Auction," *Reuters*, March 11, 2026, <https://www.reuters.com/business/energy/bp-chevron-are-top-spenders-small-us-gulf-mexico-oil-gas-auction-2026-03-11/>; U.S. Department of the Interior, Bureau of Ocean Energy Management, *Gulf of Mexico Oil and Gas Lease Sale Bid Recap*, 2026, <https://www.boem.gov/sites/default/files/documents/oil-gas-energy/leasing/BBG1-Final-Bid-Recap.pdf?VersionId=kZB1O4qDXFo.3BhCAvGUxDSM7zkCRy1m>

¹⁸ National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Biological Opinion on the Gulf of America Oil and Gas Program (May 20, 2025), <https://www.fisheries.noaa.gov/s3//2025-05/BOEM-BSEE-Gulf-of-America-Oil-and-Gas-Program-BiOp-5.20.25.pdf>

¹⁹ *Supra*, note 2. Lee Zeldin, Administrator, Environmental Protection Agency, remarks at the Endangered Species Committee meeting, Department of the Interior, March 31, 2026. 42:58–43:06

fossil fuel production targets or political support. It requires decisions grounded in science, transparency, and the public interest.

We urge you to comply with the letter of the law. To demonstrate DOI's compliance with Section 7 of the ESA, we request the following information and documents by no later than May 18, 2026:

1. All documents related to the decision to convene the Committee meeting scheduled for March 31, 2026, including the "national security findings" and exemption application submitted by the DOD, biological assessments, formal consultation request and supporting analyses;
2. Any scientific, economic, or policy findings prepared in connection with the exemption request;
3. A detailed timeline of proceedings related to the March 31, 2026, meeting of the Committee, including opportunities for public input;
4. All materials submitted to DOI, DOD, or the Committee by external third parties related to the exemption; and
5. All materials related to ESA Section 7 consultations submitted for Gulf oil and gas activities after January 20, 2025.

Finally, and most importantly, we request that you withdraw this exemption immediately. It is imperative that the Department demonstrate that it is following all applicable procedures under the ESA and demonstrate it is not invoking this meeting to facilitate a predetermined outcome benefiting the oil and gas industry at the expense of endangered species.

We look forward to your constructive engagement on this matter.

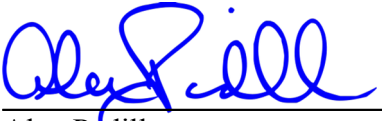
Sincerely,



Sheldon Whitehouse
United States Senator
Ranking Member
Committee on Environment
and Public Works



Angela D. Alsobrooks
United States Senator



Alex Padilla
United States Senator



Lisa Blunt Rochester
United States Senator



Jack Reed
United States Senator



Richard Blumenthal
United States Senator



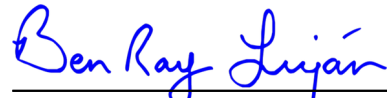
Adam B. Schiff
United States Senator



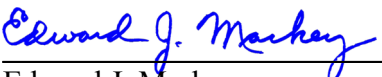
Martin Heinrich
United States Senator



Chris Van Hollen
United States Senator



Ben Ray Lujan
United States Senator



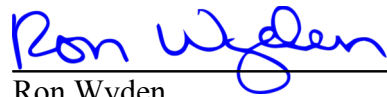
Edward J. Markey
United States Senator



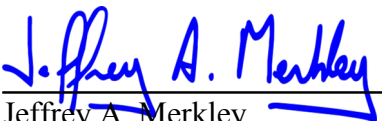
Bernard Sanders
United States Senator



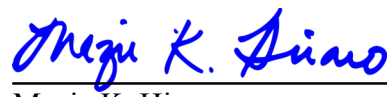
Kirsten Gillibrand
United States Senator



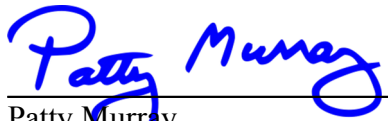
Ron Wyden
United States Senator



Jeffrey A. Merkley
United States Senator



Mazie K. Hirono
United States Senator



Patty Murray
United States Senator



Cory A. Booker
United States Senator



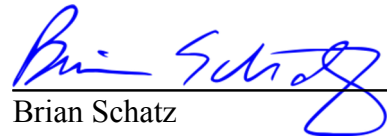
Andy Kim
United States Senator



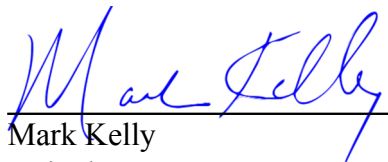
Christopher A. Coons
United States Senator



Tammy Baldwin
United States Senator



Brian Schatz
United States Senator



Mark Kelly
United States Senator



Michael F. Bennet
United States Senator



Maria Cantwell
United States Senator



Ruben Gallego
United States Senator