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Amendment Defeated to Remove Provisions Unrelated to Oil Spill from the CLEAR Act

Democrats Vote to Rewrite Laws Without Knowing All the Facts

WASHINGTON D.C. – Today during a Full Committee markup on the CLEAR Act (H.R. 3534), Democrats voted against an amendment offered by Ranking Member Doc Hastings (WA-04) to strike all parts of the bill except Title I, creating new Department of Interior agencies to replace the Minerals Manage Service, and Title VIII, creating a long-term Gulf of Mexico restoration program. All other sections of the bill are either unrelated to offshore drilling and the Gulf oil spill response or require additional information and facts from multiple ongoing investigations.

Democrats rejected this amendment in a 17 to 21 vote. [Click here to view the roll call.](#)

“This Committee, the Congress and the federal government have a responsibility to respond to the disaster in the Gulf – but it is wrong for this Committee to get ahead of the facts, rewrite laws before investigations have completed their work, or seek to use this oil spill tragedy as leverage to enact totally unrelated policies that will cost jobs and spend more money when the government has record deficits,” said Hastings. “The Gulf oil spill tragedy is not an opportunity to be exploited. It shouldn’t be used as a vehicle to attach a ban on fish farming, complicate or block renewable energy production on federal lands, create new mandatory spending programs, or any of the many other parts of this bill that don’t directly relate to offshore drilling or oil spill response.”

BACKGROUND

1. Unrelated Items

Instead of focusing on the immediate crisis unfolding in the Gulf, the CLEAR Act follows the White House doctrine of never letting “a good crisis go to waste” by using the Deepwater Horizon disaster as an excuse to pass numerous policies completely unrelated to the oil spill. These provisions will not help stop the leak, clean up the oil, or provide relief to affected Gulf residents and businesses. Some of the unrelated items include:

- **Renewable Energy.** An entire section of this bill is exclusively dedicated to onshore renewable energy. Wind turbines and solar panels hundreds of miles away from the Gulf have absolutely nothing to do with a leaking deepwater oil well that is 5,000 feet under the ocean floor.

- **Onshore Energy Development.** Rather than just focusing on offshore drilling, the bill makes numerous changes to onshore energy development. These policies will do nothing to help clean up the Gulf, but will seriously impact onshore American energy production leading to higher energy prices and lost jobs.
- **Aquaculture.** The bill restricts the ability of the Secretary of Commerce and Regional Fishery Management Councils from developing or approving any fishery management plan that permits or regulates offshore aquaculture. In addition, it would nullify any permit for offshore aquaculture already granted by the Secretary. Not only is this unrelated to the oil spill, but could lead to further job loss in the Gulf and potentially hinder fishery restoration activities.
- **Uranium Leasing.** The bill amends the Mineral Leasing Act to make uranium a leasable mineral, subject to rental and royalty rates. Creating a new uranium leasing program will not help respond to the crisis in the Gulf, but will make uranium, which is used to produce carbon-free nuclear energy, more expensive and difficult to mine.
- **Wildlife Sustainability.** A provision in this bill calls for the Secretaries of the Interior and Agriculture to help maintain sustainable populations of native and desire non-native plants and animals on lands under their jurisdiction. Managing onshore federal lands for wildlife has nothing to do with offshore drilling or Gulf Coast restoration.

2. **The Need for Facts**

While there's bipartisan agreement that reforms are needed to make American offshore drilling the safest in the world, Congress should not get ahead of the facts in a rush to write new laws. Oil is still leaking into the Gulf and there are numerous unanswered questions about what caused and contributed to this disaster. How can Congress know exactly what changes should be made to offshore drilling without first having all the facts and information?

"The President's hand-picked Oil Spill Commission just had its first meeting two days ago. And this is not the only effort that is underway to learn what caused and contributed to this unprecedented spill. There are as many as eight more investigations, including a Justice Department probe into the spill," said Hastings. "Yet, with this bill, Committee Democrats thumb their nose at President Obama's Commission and say 'facts be damned, we're writing new laws.' This is an example of 'shoot first and ask questions later' at its worst. Millions of dollars of taxpayer money are being spent on investigations that Congress isn't even bothering to wait to consider. Changes are needed. But the right reforms need to be made based on the actual facts of what went wrong."

- **Ongoing Investigations.** Both Congress and the President have launched investigations into this spill, the results of which won't be known for months. In fact, the Presidential Commission just held its first meeting this week. Taxpayer dollars are being used to conduct these investigations and Congress should at least wait to learn the results.
- **Unretrieved Evidence.** One major unanswered question is why the emergency

shutoff valves failed to work. The blowout preventer is still a mile beneath the ocean surface, and we likely won't have answers on what went wrong until it's retrieved and examined.

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