



Committee on Natural Resources U.S. House of Representatives

Chairman Doc Hastings

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CONTACT: [Press Office](#)
202-226-9019

Witnesses Highlight States' Successes in Regulating Fracking *Tell Federal Government to Stay Out of the Process*

WASHINGTON, D.C. – Today, the House Natural Resources Subcommittee on Energy and Mineral Resources held a [legislative hearing](#) on [H.R. 2728](#), the *Protecting States' Rights to Promote American Energy Security Act*. This bipartisan legislation, introduced by Representative Bill Flores (TX-17), would protect state rights, American jobs and American energy production by limiting the Obama Administration's ability to impose duplicative federal regulations on hydraulic fracturing on federal lands.

Earlier this year, the Obama Administration [proposed](#) new federal hydraulic fracturing regulations. These new rules would add costly, duplicative, and unnecessary layers of red tape that will only stand in the way of developing America's natural energy resources to create jobs, lower energy prices, and strengthen our energy security.

"In Congress, we frequently address the powers of the states versus federalism on a myriad of issues from health care, to labor, to education. H.R. 2728, the 'Protecting States' Rights to Promote American Energy Security Act' takes an important step towards recognizing the important role states play in balancing energy production and effective regulations. These are important components to provide a path forward for the House Republicans' goal of American Energy Security by the year 2020. The bill before us at today's hearing is not a question of regulating or not regulating hydraulic fracturing. The bill before us today is about empowering local self-government and placing a check on the growth of out-of-control, one-size-fits-all-government," **said Rep Bill Flores.**

"The Administration continues to pursue implementation of its own needless one size fits all federal regulations, with practically no acknowledgement of the work the States have been doing for years in managing energy production while taking into consideration their own unique geography, hydrology, and production issues. This big government one size fits all generic approach to energy regulation will not work, yet this Administration continues to approach energy regulation like all 50 states are exactly the same," [said Subcommittee Chairman Doug Lamborn.](#) *"The 'Protecting States' Rights to Promote American Energy Security Act' will require the Bureau of Land Management (BLM) to defer to existing State regulations and prohibit the Department from enforcing needless and duplicative federal regulations in states that have existing regulations in place."*

Witnesses testifying before the Subcommittee spoke from their firsthand experience with

state regulation of hydraulic fracturing. They stressed how states are already effectively and safely regulating this process, and how federal regulations would be duplicative and burdensome:

“The Commission has in place a successful and comprehensive regulatory framework to ensure that all oil and gas activities, including fracking, do not impact groundwater or surface water...Commission records do not indicate a single documented water contamination case associated with the process of fracking in Texas, and this is due to consistent and thoughtful regulation from within our state by regulators who know Texas best...Unnecessary, cumbersome federal oversight will slow Texas’ current efficient processes. While the oil and gas industry is one of the top economic drivers in Texas, we know that efficient, consistent and predictable regulation within the energy industry is the key to our state’s economic success, and the success of domestic U.S. energy production.” – [Christi Craddick, Commissioner of the Texas Railroad Commission](#)

“The Division has always had very stringent rules concerning well bore construction and the protection of water resources. However, to make the process of hydraulic fracturing more transparent and alleviate the recent public fear of hydraulic fracturing, the Division adopted a formal hydraulic fracturing rule in October 2012... I believe that Utah DOGM does an excellent job in monitoring hydraulic fracturing in Utah. Also, it is my experience that other States also perform at a similar exceptional level.” – [John C. Rogers, Utah’s Associate Director of the Division of Oil, Gas and Mining](#)

“The last thing the United States needs right now is duplicative regulation of an already stringently regulated process, unless, of course, we need increased federal spending and bureaucracy; delays in providing jobs, revenue, and affordable domestic energy; confusion among operators and regulators; and one-size-fits-all regulations that are ignorant to regional differences... As for Alaska in particular, approximately 25 % of Alaska’s wells have been hydraulically fractured and we have been performing hydraulic fractures for about forty years. Moreover in its history of oil and gas operations, Alaska has yet to suffer a single documented instance of subsurface damage to an underground source of drinking water. As long as each well is properly constructed and its mechanical integrity is maintained, (in other words as long as operators follow our regulations) hydraulic fracturing should have no potential to damage any fresh groundwater.” – [Cathy P. Forester, Chair and Engineering Commissioner of the Alaska Oil and Gas Conservation Commission](#)

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