

August 4, 2010

## **Five Facts Everyone Should Know About Rep. Melancon's Deeply Flawed Amendment on Deepwater Drilling Moratorium**

WASHINGTON D.C. – On Friday, the House of Representatives debated the CLEAR Act (HR 3534), which included taking a vote on Rep. Charlie Melancon's (D-LA) amendment to supposedly end the deepwater drilling moratorium. As word gets out that this amendment won't actually lift the Obama Administration's job-killing moratorium, Rep. Melancon is [scrambling](#) to explain his actions.

**Here are five facts about Rep. Melancon's deeply flawed amendment:**

### **1. It Will Not End the Moratorium on Deepwater Drilling**

Instead of lifting the current moratorium, the Melancon amendment leaves this decision in the hands of the Administration. The amendment attempts to give companies a way out of the moratorium if they meet safety standards set forth by the Administration. However, even if these standards are met, the decision on whether or not drilling can resume is still left to the Secretary of the Interior. In addition, the Melancon amendment would write into law dangerous new language explicating granting authority to the Interior Secretary to impose further moratoria.

### **2. Text of the Amendment was Suddenly Changed Overnight**

When Rep. Melancon originally introduced his amendment to the House Rules Committee last Wednesday seeking the Committee's permission to offer it on the House floor for a vote, it did not contain the language giving the Interior Secretary authority to issue further moratoria. [Click here to view the text of the original amendment.](#)

On Thursday, the amendment was revised in several ways and the new language was added. [Click here to view the rewritten amendment text.](#)

Important questions must be asked. Why was the amendment changed? Did Rep. Melancon independently rewrite his amendment and add this language? Did Secretary Salazar or the Obama Administration ask for the change? Did Speaker Pelosi and House Democrat leaders suggest or direct that the amendment be changed? Why was this harmful rewrite made at the last minute?

### **3. Rep. Melancon Voted Against a Real Amendment to the Lift the Drilling Ban, Despite Previously Supporting It**

Rep. Bill Cassidy (R-LA) offered a Motion to Recommit that would have actually terminated the current deepwater drilling moratorium. This was identical to an amendment that Rep.

Melancon signed his name to on Wednesday. Yet when the amendment was offered on the House floor, Rep. Melancon not only voted against it, but spoke against it. Why did Rep. Melancon change his mind and not support this amendment?

#### **4. The Melancon Amendment Was Supported by the Most Vocal Anti-Drilling Members of Congress**

If the claims are true that the Melancon amendment would end the moratorium on drilling, then why did Members who are staunchly opposed to offshore drilling [vote](#) in favor of it? Was it because they knew the rewritten amendment wouldn't actually lift the current moratorium, and because the rewritten Melancon amendment included the new authority expressly permitting the Interior Secretary to issue moratoria? Some of these Members include:

- **Speaker Nancy Pelosi (D-CA)**
  - “Pelosi, who has opposed offshore drilling throughout her two decades in Congress...” ([San Francisco Chronicle 8/1/08](#))
  - “We learned the hard way that oil and water do not mix on our coast,” Ms. Pelosi told a crucial committee in 1996 as she argued for keeping the ban before a Congress then controlled by Republicans. ([NYT, 7/17/08](#))
  
- **Rep. Lois Capps (D-CA)**
  - [Applauded](#) extending the moratorium on deepwater drilling saying, “I applaud the President’s decision to call for an extended timeout on new deepwater drilling activities around the country...”
  - Further reinforced this view during Committee action: “In my view it would be irresponsible if not downright reckless to allow new drilling to go forward...” (Full NR Committee Markup 7/14/10)
  - Introduced legislation in April ([H.R. 1906](#)) to block oil and gas production off the entire California coast.
  
- **Rep. John Garamendi (D-CA)**
  - Co-authored Opinion Editorial, *It's Time to Stop Offshore Drilling* (Roll Call, [7/26/10](#))
  - Self-declared “nationally recognized leader in the fight to stop new platform drilling.” ([7/30/10](#))
  - Co-author of [H.R. 5213](#), the West Coast Ocean Protection Act of 2010, a bill to permanently ban new offshore drilling on the West Coast
  
- **Rep. Sam Farr (D-CA)**
  - Co-authored Opinion Editorial, *It's Time to Stop Offshore Drilling* (Roll Call, [7/26/10](#))
  - [Supports](#) the Administration’s moratorium on offshore drilling, “It's time we reinstated the ban on new drilling in federal waters near California, Oregon, and Washington.”
  - Co-author of [H.R. 5213](#), the West Coast Ocean Protection Act of 2010, a bill to permanently ban new offshore drilling on the West Coast
  
- **Rep. Jay Inslee (D-WA)**

- [Defended](#) the Administration's moratorium on deepwater drilling, "The administration acted responsibly and reasonably..."
  - In March 2010 when the Obama Administration announced it would open up new areas to offshore drilling, [he told CNS News](#) that a ban on offshore drilling would be restored by "any means necessary."
  - Sponsored legislation ([H.R. 5213](#)) to implement a moratorium on the Pacific Coast.
- **Rep. George Miller (D-CA)**
    - Has [argued for maintaining](#) the current deepwater moratorium: *"And in offshore areas where drilling is currently allowed, there should not be one new test well or offshore oil drilling permit issued until the American people can be assured that drilling is safe and the cleanup capabilities modern and adequate for the risks associated with this type of activity. Clearly such assurances cannot be given today."*
    - Even [opposes](#) taking an inventory of Outer Continental Shelf resources because "the inventory would be performed with seismic guns that could have devastating impacts on marine life."
    - Repeatedly sponsored legislation ([H.R. 1906](#), [H.R. 5213](#), [H.R. 204](#)) to ban offshore drilling off of California and the entire West Coast.

## **5. Rep. Melancon's Amendment was Added to a Bill that Will Kill American Energy Jobs and Raise Taxes**

Rep. Melancon voted for final passage of the CLEAR Act – legislation that contains page after page of [job-killing](#) provisions that are completely [unrelated](#) to the oil spill. This includes a [\\$22 billion tax hike](#) on American energy producers (but not foreign competitors) and [\\$30 billion in unrelated spending](#). The bill also eliminates the [offshore liability cap](#), threatening to put independent producers out of business and potentially costing hundreds of thousands of jobs.

Even other Democrats agree. Rep. Gene Green (D-TX) [encouraged](#) his colleagues to vote against the bill: "This bill will kill jobs, hurt our domestic production, and it has become a vehicle for controversial and extraneous provisions that do not address the issue at hand."

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**House Natural Resources Committee Republican Press Office**

Contact: [Jill Strait](#) or [Spencer Pederson](#)

202-226-2311

<http://republicans.resourcescommittee.house.gov>

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