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Congress of the United States  
House of Representatives  
Washington, DC 20515-0911

November 8, 2005

COMMITTEE ON  
ENERGY AND COMMERCE  
SUBCOMMITTEE ON HEALTH  
SUBCOMMITTEE ON ENERGY AND  
AIR QUALITY  
SUBCOMMITTEE ON COMMERCE, TRADE, AND  
CONSUMER PROTECTION

The Honorable Mel Martinez  
United States Senate  
317 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Martinez:

As you know, the House will soon begin debate on a Budget Reconciliation Bill that is intended to cut \$54 billion from the federal budget. Included among the many provisions in the House bill is a proposal to open the Outer Continental Shelf (OCS) to drilling. Your vocal opposition to offshore drilling has made you one of Florida's most important leaders on this issue, and it would be an honor if you would continue working with me to fight this most recent attempt to drill off our coast.

For the past two decades, Floridians have set their political differences aside in an effort to protect our shores. In this spirit, I hope you will strongly encourage the Senate Leadership to urge the House Leadership to remove provisions related to the OCS and Coastal Zone Management Act (CZMA) in this bill before it is debated on the House Floor. I am concerned that without the Senate's leadership and influence, provisions related to the Arctic National Wildlife Refuge (ANWR) will be removed from the bill, but these harmful OCS and CZMA provisions will remain.

Specifically, provisions in the bill would open the entire Outer Continental Shelf (OCS) to oil and gas drilling by repealing the offshore drilling moratorium which was originally put in place by Congress in 1980. After the current moratorium expires in 2012, the bill would require a state to petition the Department of the Interior to continue the prohibition against drilling within a 125 mile buffer zone; a state would lose all of its ability to stop drilling outside of that zone.

A 125 mile no-drilling buffer zone would give Floridians a false sense of protection. High winds and strong currents, such as those caused during hurricanes, can accelerate the speed at which an oil spill moves, giving response teams little time to protect our shores. Furthermore, it is common for heavier, denser oils to sink to the sea floor and travel hundreds of miles before being detected.

Likewise, the CZMA was enacted by Congress in an effort to engage states in the preservation, protection, development, and restoration of our wetlands and beaches. The CZMA requires that the activities of federal agencies be "consistent to the maximum extent practicable

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with the enforceable policies of approved state management programs.” In 1990, Congress modified the CZMA to ensure that oil and gas development in the OCS was within the federal consistency review authority of coastal states. The House Budget Reconciliation Bill changes these consistency provisions in a way that would greatly affect a state’s ability to control activity on its shores.

The State of Florida’s economic future is heavily dependent on a clean and healthy environment. Our economy is built upon the thousands of jobs that are created by visitors who vacation on our beautiful beaches. Environmental damage resulting from an oil spill or other mishap associated with offshore drilling could be devastating to our state.

Again, I hope you will join with me in fighting this most recent attempt to drill off Florida’s beautiful coastline. If you have any questions, please feel free to contact me.

Sincerely,



Jim Davis  
Member of Congress

JOD:pfg