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

April 17, 2006

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

Ms. Johnnie Burton
Director
Minerals Management Service
381 Elden Street
Herndon, Virginia 20170

Dear Ms. Burton:

We are writing to express our concerns with the manner in which the Minerals Management Service (MMS) has apparently conducted the public participation process for the 2007-2012 Proposed 5-Year Outer Continental Shelf (OCS) Oil and Gas Leasing Program. This process, which concluded on April 11, 2006, included public scoping meetings and a public comment period, both of which were intended to provide concerned citizens with the opportunity to express their opinions on the plan.

The public's ability to participate in the debate over offshore drilling benefits both the public and our nation's policymakers. The credibility of this process was seriously undermined by the MMS's initial decision to only hold public meetings in pro-drilling states, such as Alaska, Louisiana, and Texas. States that have consistently opposed offshore drilling, like Florida, New Jersey, North Carolina, California and Massachusetts, were not afforded the opportunity to participate in public meetings. (The MMS agreed to conduct one meeting in a non-coastal city in Florida only after pressure from Florida's two senators.)

Recent comments by a MMS official have renewed our concerns about the credibility of this process. According to an article published in the *Orlando Sentinel* ("Drilling Plan Moves Toward Florida Coast" 4/12/2006), Gary Strasburg of the MMS states that "more than 25,000 people weighed in with comments about the five-year plan. Nearly 24,000 favored the drilling plan." These numbers do not appear to accurately reflect opposition to the MMS's plan. During past public comment periods, thousands of individuals and numerous environmental groups have expressed their opposition to offshore drilling. For example, during the MMS's 45 day comment period last year, your agency received more than 2,200 comments opposing drilling on the OCS.

Furthermore, it has come to our attention that many environmental groups encouraged their members to send in comments during this most recent comment period. These groups then compiled the comments and delivered them to the MMS. One such group has notified us that they submitted nearly 10,000 comments on the proposal. It does not appear, however, that those comments were included in the final tally as reported by the *Orlando Sentinel*.

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If the public's opinions are being ignored or not taken seriously because they have an opposing point of view, we find this very troubling. Public comment periods allow the people we are entrusted to represent the ability to weigh in on government policies and actions. Ignoring public comments that do not support proposed plans undermines the very principles that make our form of government special.

Again, we ask that you consider *all* of the public comments submitted to the MMS regarding the 2007-2012 Proposed 5-Year OCS Oil and Gas Leasing Program and reconsider your decision not to hold scoping meetings in states that have consistently opposed offshore drilling. Thank you for your consideration in this matter. We look forward to a prompt reply.

Sincerely,



Jim Davis, M.C.



Lois Capps, M.C.



Frank Pallone, M.C.