

Mr. PALLONE. Mr. Speaker, I want to speak in support of the Capps motion.

Let me say from New Jersey we are a little sick and tired of the Federal Government trying to tell us what to do with our offshore resources. I remember I was first elected to the House of Representatives back in 1988, 15 years ago, and at the time we had all kinds of pollution. We had the sewage. We had medical waste. We had all kinds of garbage that was traveling up and down our coast. The fact of the matter is that we were not able to protect ourselves; and we had, I think, something like a \$3 or \$4 billion loss in our tourism industry that summer. All the beaches were closed. The number one industry in the State of New Jersey is tourism. All the beaches were closed, and tourism was dead.

So when I say that I want to protect my coastline and I do not want to the Federal Government coming in undermining our ability to say what Federal actions we do not support, we are speaking practically about what is important to our economy. We have seen the consequences of offshore drilling for oil and natural gas and what it has meant in other parts of the country and how it has destroyed the beaches and destroyed the water.

The Federal Government has already done a lot of analysis of this and has found there is very little oil and natural gas off the coast. The risk that comes from having to try to drill that or exploit that or inventory that and what it leads to in the long run is great compared to the benefit and the destruction of our coast. If we had to balance the amount of oil and natural gas we are going to get compared to the negative impact on our coast and our tourism, there is no comparison between the two.

What the conferees are trying to do is basically undermine the rights of the States to protect themselves. That is what the consistency determination is all about. And the changes made in the conference reduce the time limit on the appeals process for consistency determinations to 120 days from the agreed-upon 360 days, thereby restricting States' ability to reject offshore drilling projects.

Whatever happened to States' rights? Republicans used to talk about States' rights. I guess it does not apply when big oil is there and the administration wants to let big oil do whatever they want to the States. Forget about States' rights. We do not talk about that anymore.

Furthermore, the conference has deleted bipartisan language that gave the Secretary the ability to extend the time frame for appeal should additional environmental analysis need to be completed in accordance with NEPA, the National Environmental Policy Act. What is wrong with extending the time, if it needs to be extended for environmental reasons?

Now, the biggest payback to big oil is this section 334 of the conference bill that requires the Secretary to conduct an inventory of oil and natural gas resources in the currently off-limit Outer Continental Shelf. Not only does this language sidestep the 13-year moratorium on granting new leases, but it completely ignores a bipartisan amendment in the House that removed the inventory language.

Now, I know you are going to tell me, well, we cannot override that, but that inventory language was put in on an annual basis. If one year it is not put in, then Mineral Management can go out and do whatever they please. If we do not put that language in every year for a moratorium, then Mineral Management can go ahead and do whatever they want. So it is not good to proceed and allow this inventory to take place.

Also, Mineral Management Service already compiles estimates of OCS oil and gas resources every 5 years, most recently in 2000.

This is nothing but an attempt to initiate the first phase of opening up our coastlines to oil and gas exploration. And do not tell me in New Jersey what you want to do with our coastlines. This is not what the Federal Government should do. This is the States' right, to determine what happens off their coast, and we know what the problem is in New Jersey, and we know what it is up and down the East Coast.

Mr. Speaker, I include for the **RECORD** a letter to the conferees from the New Jersey delegation, both Senators and most of our Members of the House of Representatives. I include this because I want to point out this is a bipartisan effort. Members of the New Jersey delegation, on a bipartisan basis, do not want these changes, do not want our State to be crippled and our ability to limit Federal actions which we do not want to happen.

I would ask again for support for this motion to go to conference. I thank the gentlewoman from California for introducing it.

Letter to Conferees:

CONGRESS OF THE UNITED STATES,
Washington, DC, September 30, 2003.

DEAR CONFeree: We are concerned that a draft version of the omnibus energy bill may contain provisions that would be harmful to ocean and coastal environments. We want to underscore our opposition to the provisions listed below and strongly urge you to not to include any of them in the final bill.

Authorizing the inventory of sensitive coastal and marine areas around the United States for their oil and gas resources. Draft provisions would allow seismic explorations of Outer Continental Shelf (OCS) areas of the Mid-Atlantic, Gulf, West and Alaskan coasts that are currently protected from exploration and development by Congressional moratoria. This language was actually rejected by the House during debate on the energy bill, and was not included in the final Senate version. This language must be kept out of the final bill to ensure sensitive coastal areas can be protected from oil and gas development.

Granting sweeping new authority for interior to permit energy projects in the OCS without adequate oversight or standards. Draft language has been added that

would grant substantial new authority to the Department of Interior to permit new energy projects including subsea pipelines and offshore Liquid Natural Gas facilities. The language fails to address the necessary environmental reviews required by existing statutes.

Weakening the Coastal Zone Management Act's (CZMA) consistency provision to remove states' rights and weaken environmental protections. Such a provision would impose severely restrictive deadlines on the decision-making process for states, agencies and the public to indicate their views on a consistency appeal. Congress has previously rejected this proposal in the reauthorization of the Coastal Zone Management Act, and we urge the energy conferees to reject such a provision in the final bill.

Exempting oil and gas industry construction activities from the Clean Water Act. These activities are known to cause tremendous water pollution problems, introducing toxics chemicals such as benzene, toluene, and heavy metals into our drinking water. It makes no sense to exempt these industries from the rules all other industries must follow.

Again, we underscore our opposition to these provisions in the final energy bill that would imperil our oceans and the nation's priceless coastal resources, and we urge you not to include them.

Thank you for your consideration of our views.

Sincerely,

Representative Frank Pallone, Jr.; Representative Rush Holt; Representative Donald M. Payne; Representative Robert E. Andrews; Senator Jon Corzine; Representative Bill Pascrell, Jr.; Representative Steven R. Rothman; Senator Frank Lautenberg; Representative James Saxton; Representative Frank LoBiondo; Representative Christopher Smith; Representative Robert Menendez.