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Congress of the United States
House of Representatives
Washington, DC 20515-3805
May 22, 2008

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

America is in an energy crisis. Senior citizens are making tough choices between heating and cooling their homes, prescription drugs, and food. The working poor are expending a disproportional percentage of their disposable income on energy. Middle class families are curbing vacation plans for the summer. Small businesses are closing their doors and large manufacturers are moving overseas, where energy is more affordable. While there is not a silver bullet to solve this crisis, increasing domestic production will ease the pain at the pump, lower the cost of natural gas, and bring stability back to the energy markets.

Mr. President, if you are serious in your call to increase domestic production of energy offshore, I respectfully request that you to lift the Presidential moratoria on offshore production and urge Congress to do the same. The Minerals Management Service (MMS) estimates that America's Outer Continental Shelf (OCS) contains roughly 86 billion barrels of oil and 420 trillion cubic feet of natural gas. This energy rightfully belongs to every United States citizen – not just those living in California, Florida, and Eastern and Western coastal states. With your leadership, Mr. President, we can bring this energy to the marketplace by removing the longstanding Presidential and Congressional moratoria on offshore exploration of the outer continental shelf.

The American economy was built on affordable, reliable, and conventional forms of energy. With oil trading upwards of \$135 a barrel, coal tipping \$100 per short ton, and natural gas fetching \$11.50/MMBtu, the time to act is now. In the weeks following the Memorial Day Recess, I plan to offer an amendment to the Interior Appropriations Bill that will remove the language your Administration included in its Interior Department budget request – appendix section 104 and 105 – that prohibits the Interior Department from engaging in oil and natural gas preleasing or leasing activities of the OCS.

I look forward to working with your Administration in the ensuing weeks to lift both the Presidential and Congressional moratoria on offshore energy production.

Respectfully,


John E. Peterson
Member of Congress

Enclosure

(in millions of dollars)—Continued

	2007 actual	2008 est.	2009 est.
General Fund Intragovernmental payments	40	39	39

The Budget assumes that the first oil and gas lease sale in the coastal plain of the Arctic National Wildlife Refuge (ANWR) would be held in 2010, producing \$7.0 billion in receipts from bonuses which would be shared 50/50 between the Federal government and the State of Alaska. The Federal share of the royalties from the leased areas would be directed to reducing the budget deficit.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING TRANSFERS OF FUNDS)

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That it is the sense of Congress that all funds used pursuant to this section [must] be replenished by a supplemental appropriation [which must], to be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for "wildland fire operations" shall be exhausted within 30 days: *Provided further*, That it is the sense of the Congress that all funds used pursuant to this section [must] be replenished by a supplemental appropriation [which must], to be requested as promptly as possible: *Provided further*, That such replenishment funds [shall] should be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$500,000; purchase and replacement of motor vehicles, including specially equipped law enforcement vehicles; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publica-

tions to members only or at a price to members lower than to subscribers who are not members.

SEC. 104. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore preleasing, leasing and related activities placed under restriction in the President's moratorium statement of June 12, 1998, in the areas of northern, central, and southern California; the North Atlantic; Washington and Oregon; and the eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

SEC. 105. No funds provided in this title may be expended by the Department of the Interior to conduct oil and natural gas preleasing, leasing and related activities in the Mid-Atlantic and South Atlantic planning areas.

SEC. 106. Appropriations made in this Act under the headings Bureau of Indian Affairs and Office of Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities[, excluding litigation costs]. Total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

SEC. 107. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No *federally recognized* tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year [2008] 2009. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

SEC. 108. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104-134, as amended by Public Law 104-208, the Secretary may accept and retain land and other forms of reimbursement: *Provided*, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by 16 U.S.C. 460zz.

[SEC. 109. The Secretary of the Interior may hereafter use or contract for the use of helicopters or motor vehicles on the Sheldon and Hart National Wildlife Refuges for the purpose of capturing and transporting horses and burros. The provisions of subsection (a) of the Act of September 8, 1959 (18 U.S.C. 47(a)) shall not be applicable to such use. Such use shall be in accordance with humane procedures prescribed by the Secretary.]

[SEC. 110. None of the funds in this or any other Act can be used to compensate the Special Master and the Special Master-Monitor, and all variations thereto, appointed by the United States District Court for the District of Columbia in the Cobell v. Kempthorne litigation at an annual rate that exceeds 200 percent of the highest Senior Executive Service rate of pay for the Washington-Baltimore locality pay area.]

SEC. [111] 109. The Secretary of the Interior may use discretionary funds to pay private attorney fees and costs for employees and former employees of the Department of the Interior reasonably incurred in connection with Cobell v. Kempthorne to the extent that such fees and costs are not paid by the Department of Justice or by private insurance. In no case shall the Secretary make payments under this section that would result in payment of hourly fees in excess of the highest hourly rate approved by the District Court for the District of Columbia for counsel in Cobell v. Kempthorne.

[SEC. 112. No funds appropriated for the Department of the Interior by this Act or any other Act shall be used to study or implement any plan to drain Lake Powell or to reduce the water level of the lake below the range of water levels required for the operation of the Glen Canyon Dam.]

[SEC. 113. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from federally-operated or federally-financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.]

[SEC. 114. Notwithstanding any implementation of the Department of the Interior's trust reorganization or reengineering plans, or the implementation of the "To Be" Model, funds appropriated for fiscal