

Murkowski Joins Hold on Hayes to Protest Administration's Harmful Decisions Regarding Nation's Energy Security

WASHINGTON, D.C. – U.S. Sen. Lisa Murkowski, R-Alaska, voiced disappointment today at a Senate Energy and Natural Resources Committee hearing over the Department of the Interior's decision to unilaterally overturn an existing rule pertaining to the Endangered Species Act.

Murkowski expressed concern that the Obama administration would drop the rule without following the due process requirements of the Administrative Procedure Act. The decision to overturn the rule, along with other decisions harmful to the nation's energy security prompted Murkowski to add her name to the hold on Deputy Secretary-nominee David Hayes.

"I'm disappointed that the administration would make such a dramatic and far-reaching change in an existing rule without complying with the long-standing federal process requiring public notice and comment by the American people and knowledgeable scientists," she said.

Murkowski, the ranking Republican on the energy panel, pointed out that the rule that was revoked was adopted by the previous administration with full public participation, notice and comment.

"The decision to unilaterally overturn the rule undermines the formal ESA review process and the Administrative Procedure Act," she said.

The decision, which was announced Tuesday, was only the latest in a series of disappointing actions by the administration that have raised questions about its commitment to the nation's energy security.

Murkowski said her most recent concern stems from the decision to overturn an existing rule in order to require all federal agencies to consult with Fish and Wildlife Service and the National Marine Fisheries Service on any action that could potentially harm a threatened or endangered species.

The new rule, combined with a finding that the polar bear is threatened by climate change, could be used by environmental activist to challenge almost any development anywhere in the country on the grounds that any increase in greenhouse gas emissions threatens the Arctic habitat of the polar bear.

"Every power plant permit anywhere that might increase carbon emissions could face a lawsuit," Murkowski said. "Jeopardy could extend past fossil fuel projects to include any agricultural practice, any increase in livestock numbers, new road construction, literally any project or activity that might increase greenhouse gas emissions."

Other decisions by the administration that have troubled Murkowski include the cancellation of the 77 oil and gas leases in Utah; 180-day delay of the 5-year offshore lease plan; delay of a scheduled round of oil shale research and development leases; expanded federal protection of the yellow billed loon; the determination that certain existing coal mining rules are "legally defective," and now the ESA consultation requirement.

President Obama has spoken frequently about the importance of producing more domestic oil and gas to bridge the gap while the nation transitions to cleaner energy sources, but so far his actions have not matched his rhetoric, Murkowski said.

“Actions speak louder than words, and actions have consequences,” she said. “I have watched with growing concern the actions of the administration with regard to domestic energy production. The actions don’t match the words.”