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Key Questions for Ken Salazar, Nominee for Department of Interior

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The U.S. Senate will soon render its advice and consent on the nomination of Ken Salazar for secretary of the U.S. Department of the Interior (DOI).

The head of the Department of Interior will face a number of challenges and will also be presented with opportunities to expand energy exploration and production in the United States. In addition to managing the 650 million acres of land under federal ownership, the DOI will need to address how it handles offshore and onshore drilling, unconventional sources of energy such as oil shale, and other sources of energy such as uranium mining. Furthermore, as the nation's primary conservation agency, DOI will run into significant pressure from wildlife organizations to label more animals as endangered.

Therefore, when considering Salazar for this post, Senators may want to ask him the following questions.

Question #1: Offshore Drilling

On October 1, 2008, the Congressional Moratorium on offshore drilling expired, but you were on record opposing lifting the moratorium even if gasoline were to reach \$10 a gallon, calling it a “phantom solution.” *While you never said you actually wanted the price of gas to reach such levels, will you be in favor of Congress reinstating the ban?*

Answer: These restrictions effectively banned new offshore energy production off the Atlantic and Pacific coasts, parts of offshore Alaska, and the eastern Gulf of Mexico. Recent DOI estimates put the amount of energy in these previously off-limits

areas at 19.1 billion barrels of oil and 83.9 trillion cubic feet of natural gas—approximately 30 years worth of imports from Saudi Arabia and enough natural gas to power America's homes for 17 years. It should also be noted that these initial estimates tend to be low.

Offshore drilling restrictions are a relic of the past. They were put in place at a time when energy was cheap, the need for additional domestic supplies was not seen as dire, and the political path of least resistance was to give in to environmentalists. Although oil prices have fallen from their record summer levels, they will likely return to those levels after the recession—now is not the time for complacency. Domestic energy supply is still badly needed, and the risk of producing it has been reduced. All new drilling would be subject to strict safeguards and would require state-of-the-art technology with a proven track record for limiting the risk of spills. Rules should be put in place to allow for safe exploration and to ensure leases are not slowed by years of red tape and litigation.

Question #2: Oil Shale

You are on record saying you support the responsible development of oil shale into commercial production,¹

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but will you oppose any congressional attempts to unnecessarily slow the process?

Answer: Oil shale is a promising domestic source of energy. Daniel Fine of MIT reported that 750 billion barrels worth of oil shale have been discovered in Colorado alone.² That amount is enough to potentially power the U.S. economy for many decades. Furthermore, if full-scale production begins within five years, the U.S. could completely end its dependence on OPEC by 2020.³

An estimated 1.2 trillion to 1.8 trillion barrels of oil is available in the Green River Formation, an area that expands through most of Colorado and parts of Utah and Wyoming.⁴ The recoverable oil refined from oil shale would provide another resource for fuel production. According to the U.S. Department of Interior and Bureau of Land Management, a moderate estimate of 800 billion barrels of recoverable oil from oil shale in the Green River Formation is three times greater than the proven oil reserves of Saudi Arabia.⁵

The investment in technology and R&D is making the process cheaper and safer for the environment. In effect, methods of harvesting oil shale force excess carbon back into the ground. While it is true that commercializing oil shale should be done in a responsible manner, Congress and the DOI should not unreasonably slow the process with burdensome regulations.

Question #3: Uranium Mining

In 2008, Representative Raul Grijalva (D-AZ) invoked a rarely used power to block uranium mining.⁶ *How will you work to change this law, and how*

will you respond to pressure from federal officials to ban or limit uranium mining?

Answer: Natural uranium is critical in the production of electricity through nuclear power. A nuclear renaissance is emerging worldwide. Countries such as the United Kingdom, China, India, and Russia are planning significant expansions of nuclear energy; other nations, including the U.S., are also planning new reactors. Building all of these reactors would likely put substantial pressure on current uranium supplies. This is one reason why the United States must consider tapping more of its own uranium reserves.

Uranium is a naturally occurring substance mined from the earth in the same way as granite or gold. Indeed, uranium is safely mined not only throughout the world but also in several states here in America.

The law invoked by Grijalva bypasses congressional action by declaring an environmental emergency in which the DOI secretary would be forced to ban new mining claims. It is time for this law to significantly change so that uranium can be mined in a safe, efficient manner without being hampered by a politically motivated agenda.

Question #4: Endangered Species

Protecting endangered species falls under the jurisdiction of the DOI, yet this law has done more damage than meeting its goal of recovering endangered animals. For instance, last year your predecessor, Secretary Dirk Kempthorne, listed the polar bear under the Endangered Species Act (ESA) despite its dramatic rise in population.⁷ *Can we trust*

1. Thomas Burr, "Salazar Urged Slow Moves on West's Shale" *The Salt Lake Tribune*, December 16, 2008, at http://www.sltrib.com/news/ci_11244550 (January 14, 2009).
2. Daniel Fine, "Oil Shale: Toward a Strategic Unconventional Fuels Supply Policy," Heritage Foundation *Lecture No. 1015*, April 26, 2007, at <http://www.heritage.org/Research/EnergyandEnvironment/hl1015.cfm>.
3. *Ibid.*
4. *Ibid.*
5. "About Oil Shale," Oil Shale and Tar Sands Programmatic EIS Information Center, at <http://ostseis.anl.gov/guide/oilshale/index.cfm>.
6. Press release, "House Committee Invokes Rarely Used Powers to Block Uranium Mining Near Grand Canyon," EWG Public Affairs, June 25, 2008, at <http://www.ewg.org/node/26756> (January 14, 2009).
7. Ben Lieberman, "Don't List the Polar Bear Under the Endangered Species Act," Heritage Foundation *WebMemo No. 1781*, January 25, 2008, at <http://www.heritage.org/research/energyandenvironment/wm1781.cfm>.

that you will not make the same mistake and be driven by ulterior global warming motives and ultimately allow ESA to serve its original intent?

Answer: Notwithstanding its laudable goal of protecting species on the verge of extinction, the ESA outlines a flawed approach that has only gotten worse after three decades of judicial interpretation. The threshold for “listing” is easily met, and the “critical habitat” for many species is vaguely defined to include vast areas of land. The government’s recovery plans often contain onerous restrictions on economic activity inside the habitat and, in some cases, even outside it, trumping property rights and restricting energy exploration in the process.

While being highly successful in violating private property rights and hampering economic activities—especially for farmers, ranchers, loggers, and energy producers in the rural West and elsewhere—the statute has done little to protect species. In its decades-long existence, only a very small percentage of the listed species have actually recovered or even shown any increase in their

numbers. The recent misuse of the ESA to advance a global warming agenda only heightens the problems with this statute.

The ESA is in need of restructuring and should be designed solely to recover nearly extinct animals and not as a means to fight global warming or restrict energy access. Our new DOI secretary must not be influenced by pressure from environmental groups and should instead focus solely on the ESA’s original intent.

This Land Is Our Land. Land protection can be controlled without infringing upon private property rights and needlessly restricting valuable energy resources with onerous regulations. The proper role for the DOI secretary should be to oversee the protection of U.S. land without being excessive, drifting from the position’s original purposes, or trampling of property rights.

—*Nicolas Loris is a Research Assistant, and Ben Lieberman is Senior Policy Analyst in Energy and the Environment, in the Thomas A. Roe Institute for Economic Policy Studies at The Heritage Foundation.*

For More Information

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