



LEAGUE OF CONSERVATION VOTERS

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Dear Mr. Jackson:

Thank you for your service to the public as the Director of FactCheck.org. Your organization's mission is a laudable one and the League of Conservation Voters welcomes all efforts to improve our political discourse. Unfortunately, we believe that your recent FactCheck ("Environmental Group's Ad Distorts Bush's Record on Florida Drilling", 5/21/04) is itself in need of some fact checking and some important environmental context.

We strongly dispute your assertion that "the ad misleads by saying Bush opened up Florida's coast to offshore drilling" because "100 miles is a lot farther away than any normal person would assume upon hearing the words 'opened up Florida's coast.'" We disagree on several counts.

Your statement that "100 miles is farther away than any normal person would assume" seems to be an opinion. You don't provide an alternative definition or any facts to back up your criticism of our statement. How can FactCheck be the arbiter of the definition of "Florida's coast" – and how can you know what "any normal person" in Florida considers off the coast?

Moreover, there are currently more than 200 active leases off the coast of Florida, many of which are more than 100 miles off shore. Yet there is near universal opposition to drilling on these leases. In fact, Senator Bob Graham said specifically after the Destin Dome buy back that, "While I am pleased that the most immediate threat to some of our nation's premier beaches has been avoided, there are 99 other leases in the Eastern Gulf that remain a threat. This is a step in the right direction, but today's developments should be a starting point to permanently end future drilling off Florida's Gulf Coast." Clearly, a lease 100 miles from Florida's coast is something that Florida's pre-eminent opponent of offshore drilling sees as a threat.

The fundamental reason for the opposition to these leases is because almost any well drilled in the Eastern Gulf of Mexico poses a threat to Florida's beaches. Although Gulf currents are not absolutely predictable, experts believe a spill would hit Florida's beaches. The environmental impact study done by the Minerals Management Service (MMS) for Area 181 has scientific testimony that explains that an oil spill in Area 181 would likely hit Florida's shore. Robert Weisberg, a USF oceanography professor, was quoted in the St. Petersburg Times saying that anything that falls into the Eastern Gulf flows eastward to and around the Florida coast, through the Keys and then out into the Atlantic Ocean. After the Exxon Valdez spill in 1989 it took only 7 days for oil to travel 90 miles and, almost two months after the accident, the oil had traveled 470 miles. If a spill were to occur in the Gulf of Mexico, a mere 100-miles of water will not prevent that oil from washing up on Florida's beaches.

A threat to Florida from an oil spill or accident in area 181 is one of the fundamental points of our ad criticizing George Bush. Your FactCheck completely neglects to set the environmental and scientific context for the debate about off shore oil drilling in Florida. According to all available science, it is indisputable that oil drilling 100 miles from the Florida coast would threaten Florida's beaches.

Your fact check also notes that the original tract of 5.9 million acres was "first proposed for oil and gas leases in 1997 during the Clinton administration" and that the Bush Administration proposed a significantly smaller tract of 1.5 million acres. While it is true that the Clinton Interior Department *proposed* the leasing of 6 million acres as part of their five-year leasing plan for 1997-2002 – they *did not* execute the sale. The Bush Administration made the final decision, announcement and actual sale of leases – and it is that set of actions that "opened" area 181 to drilling.

It is also misleading and inaccurate when you say that the "Bush Administration proposed a significantly smaller tract of 1.5 million acres." The Bush Administration fully intended to go forward with the sale of 5.9 million acres in area 181 – and under intense pressure from environmentalists and political leaders in Florida – compromised by cutting back to the sale of 1.47 million acres. Bush should not be given credit for proposing a smaller area. In fact, Bush's dishonesty on this front was the impetus behind the creation of the ad. Despite his record, Bush attempted at his event in Rookery Bay (the footage we use at the beginning of our ad) to imply that he had always been against off shore oil drilling. That simply is not true and he was roundly taken to task on this point by newspaper editorials throughout Florida after the event.

You also quote several environmental groups supporting the reduced plan agreed to by the Bush Administration. While we cannot disagree with the statements you quote, your fact check leaves a false impression that groups like U.S. PIRG, the Gulf Coast Environmental Defense and the Florida Wildlife Federation are wholly satisfied with current state of offshore leases. We believe that a snapshot of quotes from the days after the Bush Administration agreed to a much less environmentally damaging policy is not reflective of the sentiment of environmental community leaders. We believe that you would find wide support among these groups opposing all drilling in the Eastern Gulf. It is unfair to judge our ad in the context of environmental support for a compromise that would create less danger, rather than in the context of what these groups would support as the best (no drilling) policy.

Your fact check also says that our statement that Bush "supported an energy bill that could lead to even more" offshore drilling is not a strong one. On this point we strenuously disagree. Congresswoman Lois Capps (CA) and Congressman Jim Davis (FL), along with 43 other members of Congress from coastal states, recently sent a letter to President Bush taking him to task for supporting the Energy Bill. In their letter, the members of Congress correctly point out that "Section 321 of the energy conference report grants broad, unprecedented permitting authority to the Secretary of the Interior over a wide range of oil and gas activities on the Outer Continental Shelf, *including areas currently protected by moratoria against new drilling activities*. This centralization of authority undermines coastal states by failing to require consultation with states and the Department of Commerce, which has jurisdiction over living marine resources." The Capps/Davis letter goes on to say, "Sections 325 and 330 weaken the Coastal Zone Management Act, the federal law that states use to manage development and preservation of coastal resources..."

It is hard to see how this is not a strong point. Environmentalists and political leaders in Florida feel very strongly about maintaining the moratoria against new drilling. An Energy Bill that undermines the moratoria "could lead to even more" drilling off the coast of Florida.

We appreciate the time and attention you have given our ad *Position*, but we respectfully disagree with your criticism. We fully stand behind our ad.

Sincerely,

Mark P. Longabaugh  
Senior Vice President for Political Affairs  
League of Conservation Voters