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## **EDITORIAL: The Verdict on the Spill**

The most important new message contained in the final report of the presidential commission investigating the gulf oil spill is aimed squarely at Congress: If lawmakers hope to win popular support for ramped-up oil drilling in America's coastal waters then they must make sure that every possible precaution is taken to reduce the chances of another catastrophe like the spill.

The question is whether the newly constituted Congress is in a mood to listen. What the commission is asking for are tough new rules and money to strengthen federal oversight at a time when the House is controlled by politicians who broadly oppose new spending and seem hostile to regulation of any sort.

Yet Congress must act, and President Obama should use some of what leverage he has in this new political alignment to see that it does. As the commission co-chairman, Bob Graham, noted, without dramatic action another deep-water disaster will inevitably occur, leaving the public to "wonder why Congress, the administration and industry stood by and did nothing."

The commission's [380-page report](#) is the most exhaustive accounting so far of what happened on the Deepwater Horizon. As it forecast in a preliminary summary, the commission blames the accident largely on poor decisions and other "management failures" by three companies involved: BP, Transocean and Halliburton.

It also strongly reinforces its earlier indictments of industry for failing to prepare adequate response plans and of government regulators for allowing themselves to be captured by an industry they were meant to oversee.

What's new are [the recommendations](#). All are sound, and most will require Congressional help.

**SAFETY** The commission recommended much tougher rules governing basic drilling issues like well design and vital equipment like blowout preventers. Some of these have already been put in place by the Interior Department. More broadly, it urged Congress to create an independent safety agency within the department free of any political influence and with enforcement authority to oversee all aspects of offshore drilling.

**FINANCING** Though it did not specify a figure, the commission implored Congress to provide “adequate and predictable” financing for regulatory oversight. It noted that money for federal regulators had remained static for 20 years while the risks associated with drilling increased dramatically as rigs moved into deeper and deeper waters.

**LIABILITY** The commission noted that the present \$75 million liability cap for individual accidents is hardly enough to deter sloppy behavior. It recommended a much higher figure, without identifying one.

**SCIENCE** The Deepwater Horizon explosion revealed that both industry and federal regulators had given environmental reviews short shrift. The commission recommends that Congress amend the various laws governing offshore drilling to make sure that government scientists and fish and wildlife experts are consulted at every step of the process — from the leasing of areas for exploration to the actual drilling of individual wells.

**RESTORATION** Congress is urged to dedicate 80 percent of the penalties assessed under the Clean Water Act — they could be as high as \$20 billion — to restoring the fragile Mississippi Delta ecosystem. The commission’s other co-chairman, William Reilly, noted that the delta had been badly degraded over the years and “is likely to continue silently washing away unless decisive action is taken.”

This by no means exhausts the commission's list of useful ideas. The House of Representatives endorsed several of them in an oil bill it passed last year (the Senate did nothing). Representative Edward Markey, a Democrat of Massachusetts, said that he would hold hearings and introduce an even stronger bill this year. We wish him well — and urge Mr. Obama to support him.