

Congress of the United States

October 27, 2020

The Honorable Adam Smith
Chairman
Committee on Armed Services
U.S. House of Representatives

The Honorable James M. Inhofe
Chairman
Committee on Armed Services
United States Senate

The Honorable Mac Thornberry
Ranking Member
Committee on Armed Services Committee
U.S. House of Representatives

The Honorable Jack Reed
Ranking Member
Committee on Armed Services Committee
United States Senate

Dear Chairmen Smith and Inhofe and Ranking Members Thornberry and Reed:

As you negotiate the National Defense Authorization Act (NDAA) for fiscal year 2021, we urge you to clarify the same federal laws, including the Jones Act, that currently apply to offshore oil and gas development on the Outer Continental Shelf also apply to offshore wind development. Specifically, we support the enclosed amendment passed by the House on September 24, 2020.

The Outer Continental Shelf Lands Act (OCSLA) subjects offshore mineral or energy development to U.S. jurisdiction, including the Constitution and applicable federal laws. Congress clearly intended federal law to apply to the exploration, development, production, transportation, and transmission of *any* form of energy resources under OCSLA. We urge you to clarify that lease sales for energy development on the Outer Continental Shelf from non-minerals are indeed subject to U.S. jurisdiction, including federal laws affording labor and environmental protections. Indeed, these same federal laws including the Jones Act currently apply to offshore oil and gas development under OCSLA.

The Jones Act ensures a level of maritime capability that is critical to our national security. We respectfully ask that the FY 2021 conference agreement include this language to clarify Congressional intent. We appreciate your consideration of this request.

Sincerely,



ELAINE G. LURIA
Member of Congress



JOHN GARAMENDI
Member of Congress



ALAN S. LOWENTHAL
Member of Congress

Enclosure: Amendment #33 to H.R.4447