



CBD Wants To Know What 'Deals' Salazar Made With BP

By **Mike Cherney**

Law360, New York (July 12, 2010) -- The Center for Biological Diversity filed a lawsuit Monday seeking to force Secretary of the Interior Ken Salazar to turn over records regarding the approval of offshore drilling projects prior to the [BP](#) PLC oil spill in the Gulf of Mexico.

The group filed the lawsuit in the U.S. District Court for the District of Columbia, saying the agency failed to respond with a definitive answer to its Freedom of Information Act request within the time required by the statute, the center said in a statement.

Specifically, the center is seeking the secretary's e-mails, phone logs and meeting notes concerning the approvals of offshore oil and gas leasing.

"Secretary Salazar has been cozy with the offshore drilling lobby for many years," Kieran Suckling, the center's executive director, said in Monday's statement. "There is no question that BP and other oil companies were integral to his decisions to expand offshore oil drilling. We want to know who Salazar was talking to, what was said and what deals were made."

"The Obama administration pledged to be open and transparent in its decision-making, but when it comes to meeting with oil industry lobbyists, this administration is as secretive as the Cheney-Bush White House," Suckling added.

The center said it is seeking to determine oil industry involvement in the secretary's decisions to expand offshore oil drilling on the Atlantic Coast, eastern Gulf Coast and Alaska in March; challenge a court order vacating BP's Deepwater Horizon drilling project before it began; and approve hundreds of other offshore leases and drilling plans in the Gulf of Mexico.

The secretary is the highest ranking official with oversight over offshore drilling.

"The secretary's conduct is arbitrary and capricious," the complaint said. "The secretary's conduct frustrates plaintiff's efforts to educate the public regarding ongoing activities of the Department of Interior and is a violation of FOIA."

On April 20, an explosion aboard the Deepwater Horizon, a drilling rig operated by BP, killed 11 workers and spilled millions of gallons of oil in the gulf. The ruptured well continues to gush oil at a volume that every five days exceeds the total amount spilled by the Exxon Valdez, the suit says.

Oil has washed ashore on over 507 miles of coastline, threatening wetlands that provide habitat to thousands of seabirds, the suit said. Hundreds of species in the Gulf of Mexico will be harmed by the toxic oil, including several threatened and endangered species of sea turtles and whales, the suit said.

The center initially sent its FOIA request to the secretary on May 18. On May 21, the secretary acknowledged receiving the request and invoked a 10-day working extension, making its response due by July 1. As of Monday, however, the center said it has received no definitive response.

Several congressional hearings and official investigations have been launched to review the oversight and management of offshore drilling in the wake of the spill. BP, which is facing a slew of lawsuits, has also agreed to set aside \$20 billion to pay claims stemming from the spill.

The center is represented by in-house counsel.

The case is Center for Biological Diversity v. Ken Salazar et al. in the U.S. District Court for the District of Columbia. The case number was not immediately available Monday.