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On That BP Disaster Independent Commission

Yesterday I wrote a post about the Center for American Progress' idea that an independent commission ought to be put in place to investigate the BP disaster. You can read that post [here](#) and the original CAP post [here](#).

But here's the gist of it:

An independent commission investigating the BP disaster should have subpoena power and conduct public hearings. The TMI and NASA commissions had six months and four months, respectively, to conduct their investigation and issue their reports. The BP disaster commission should similarly also have a limited period of time and the authority to conduct a thorough review.

I wondered what other think tanks thought about this idea, so I asked several scholars what they thought about the idea. So far, three have responded and here's what they had to say:

Pat Michaels, Senior Fellow at the Cato Institute:

Why do we need another "independent commission"? There are going to be tons of lawsuits which are going to get to the bottom of it in Discovery. The taxpayers need not fund this process; BP and the litigants are going to do it anyway.

Adele Morris, Fellow & Policy Director, Climate and Energy Economics at the Brookings Institution:

The oil spill in the Gulf points out the governance challenges when new technologies (in this case deep water drilling), combined with political enthusiasm for their deployment, outpace the capabilities and/or incentives of the agencies that oversee them (in this case the Department of the Interior's Minerals Management Service). An independent review might help reveal the extent of any regulatory capture at MMS. But beyond the gaps that led to this spill, we should try to understand the broader policy implications of this disaster, not just for oversight of energy production but potentially other kinds of innovations. Derivatives come to mind.

Lisa Margonelli, Director of the Energy Policy Initiative at New America Foundation:

I think the idea of appointing an independent commission to investigate the Deepwater Horizon spill is a good one. First: The public needs to feel that the government cares about finding the real causes of the disaster, rather than letting lawyers decide how the spill is compensated in and out of the courts. In particular, the swirl of conspiracy theories around the oil industry in general and this spill in particular (I have heard everyone from ecoterrorists, to terrorists, to Obama's administration itself, to Halliburton, and BP (as a "British" company) blamed, with various far-fetched motives attributed.) A public commission to investigate will go a long way towards dispelling some of this, though probably not all.


My second reason for supporting a public commission is that at least since the oil embargo Americans have understood our relationship to oil through the theater of public hearings. After the 1973 oil crisis, Senator Henry M. Jackson called oil executives Washington and accused them of making "obscene profits." This recurring theater around price "gouging" persists to this day, as does the oil industry's comeback about environmentalists keeping prices high by preventing offshore drilling. This argument is no longer useful,

and a public investigation of the Deepwater Horizon Spill would, in effect, give us a new and more relevant "play" for our political theater. This new play would be about "risk," and it would drill into the heart of every schoolchild the notion that every drop of oil carries with it risks that we as a society can choose to accept or eschew, but no longer deny their existence. Also, personally, I think it would be wonderful to have a national conversation about such things as how shear rams on Blow Out Protectors work, the vicissitudes of hydrostatic pressure, mud weights, and all sorts of other down-hole what-have-you. The public has no idea how complex the business of extracting oil really is and hearings would be a great introduction. But a commission is not all we need: We also should put in place comprehensive legislation to reduce our reliance on oil, domestic and imported, in a programmatic way, much the way the spill of 1969 ushered in laws that cleared the skies and water and OPA90 reduced oil spills dramatically. This is our chance.

I hope this isn't the end of the discussion, because it seems like we're just getting started. Let's hear your thought below.

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