

Congress of the United States

Washington, DC 20515

May 24, 2023

The Honorable Joseph R. Biden
President of the United States
The White House
Washington, D.C. 20500

The Honorable Chuck Schumer
Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Hakeem Jeffries
Minority Leader
United States House of Representatives
Washington, D.C. 20515

Dear President Biden, Leader Schumer, and Leader Jeffries,

House Democrats know that meeting our nation’s ambitious climate goals requires an expedient transition to a clean and renewable energy future. We also know that an expedient transition can also be a just one, as long as we keep core environmental and public health protections like the National Environmental Policy Act (NEPA) intact and in place.

For more than 50 years, NEPA has protected communities and our environment by requiring federal agencies to consider and publicly disclose the major environmental impacts—water quality, air quality, and climate change, among others—of a proposed federal action *before* carrying out that action. This environmental review process is especially critical for federal actions with major environmental implications, like leasing public lands for drilling to oil and gas companies or issuing permits to build natural gas pipelines.

Alarming, however, House Republicans are pushing legislation, including the recently House-passed H.R. 1, that would strip NEPA of some of its most fundamental provisions. Under the guise of “permitting reform,” these extreme, ideological attacks on NEPA would eliminate requirements to consider climate change and pollution impacts, cut public input opportunities, and limit judicial review. **To protect American communities and our environment from undue harm, we strongly urge you to oppose ongoing attempts to attach H.R. 1 or any other extreme proposals that gut our bedrock environmental and public laws to must-pass legislation.**

NEPA is one of the strongest tools local communities have for protecting themselves against major environmental and public health consequences of federal projects, including energy infrastructure development. We can achieve a just energy transformation that will be cleaner, safer, and more sustainable for future generations, but NEPA must be an integral part of that transformation. Extreme Republican proposals, like H.R. 1, fast-track polluting industry development by sacrificing our public lands, our environment, and our communities' public

health and safety—especially low-income communities, Indigenous communities, and communities of color that have long been overburdened by industrial pollution.

As conversations or negotiations move forward regarding our clean energy transition and permitting reform, the following principles and redlines must be respected:

1. **The primary focus of permitting reform must be properly *implementing* existing laws – not gutting or changing our core environmental laws and protections.** When adequately resourced, federal agencies can make full use of existing regulatory authorities to address permitting issues. The White House Council on Environmental Quality is already in the process of updating NEPA implementation regulations for federal agencies, which will enhance and support effective and efficient permitting processes at federal agencies. It is essential that critical environmental, health, and community protection laws, including NEPA, the Clean Water Act, Endangered Species Act, and Clean Air Act, not be undermined or weakened.
2. **Federal permitting and environmental review offices must be fully funded and staffed.** Experts and federal agency leadership have consistently identified insufficient staffing and agency capacity as the most significant cause of permitting delays outside of delays caused by permit applicants themselves, which are by far the most common cause of project delay. For example, last month, Bureau of Land Management Director Tracy Stone-Manning told Congress that staff shortages are the biggest hurdle to speedy energy project permitting. Last year, Democrats took a major step forward to address this issue by securing more than \$1 billion for environmental review offices and permitting in the *Inflation Reduction Act*. This funding is expected to drastically shrink environmental review timelines. Still, Congress should provide additional support for the administration’s request to increase funding for other permitting agencies, including for the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS).
3. **Administrative or legislative action to facilitate the rapid buildout of new electricity transmission infrastructure is needed.** Carbon emissions reductions will require a robust buildout of high-capacity, long-distance transmission lines that can transport electricity to and from different sources of renewable energy across the country. Meeting this challenge requires building capacity for under-resourced agency permitting offices and reforming the transmission planning process and transmission cost allocation process. These reforms can and must be accomplished without undermining any bedrock environmental laws.
4. **Efforts to hold must-pass legislation hostage with extreme proposals must be rejected.** Gutting our bedrock environmental laws should not be a condition for paying our bills or passing any other mandatory legislation. Entertaining these reckless trades will only invite more MAGA-manufactured hostage situations moving forward.

We remain deeply concerned that sacrificing any of these four principles will result in serious and detrimental harm to millions of Americans—especially those living in low-income

communities, Indigenous communities, and communities of color overburdened already by decades of irresponsible industry development. Last year, House Democrats made historic progress in building a healthier, safer, more affordable, and more sustainable future for all Americans. We urge you to protect that future by opposing any efforts to force extreme, harmful permitting provisions into must-pass legislation.

Sincerely,



Raúl M. Grijalva
Member of Congress
Ranking Member, Committee
on Natural Resources



Jared Huffman
Member of Congress



Barbara Lee
Member of Congress



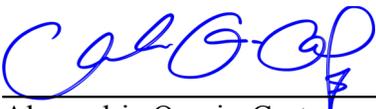
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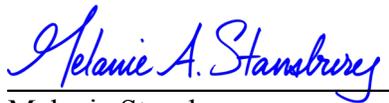
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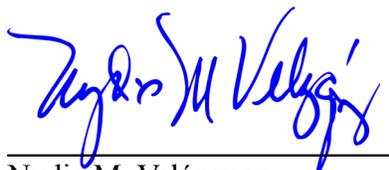
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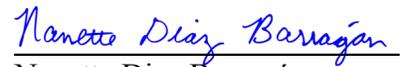


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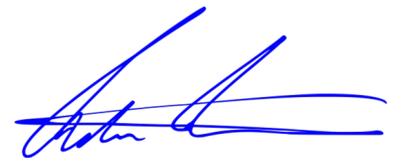

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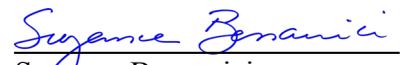

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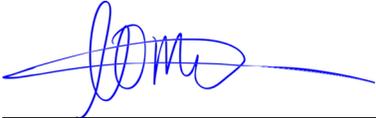

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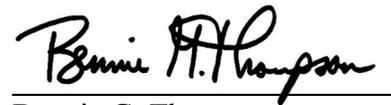
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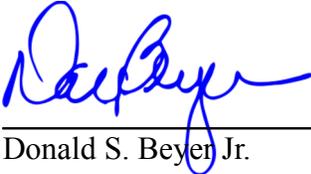
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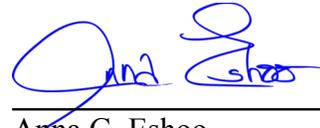
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