

United States Senate

WASHINGTON, DC 20510

September 22, 2022

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

Dear Leader Schumer,

We have heard extensive concerns from the environmental justice community regarding the proposed permitting reforms and are writing to convey the importance of those concerns, and to let you know that we share them.

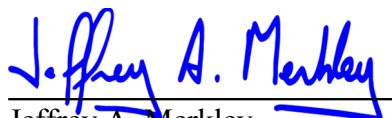
For many years, siting decisions for big infrastructure projects have essentially prioritized the perceived societal benefits of fossil energy over the very real costs disproportionately borne by communities of color, low-income communities, and others who have traditionally been marginalized. The result has been the destruction of homes and neighborhoods, lost wealth in those communities, long-lasting health consequences, and premature deaths. Environmental justice advocates are pushing policymakers to remedy our nation's failure to take the input of environmental justice communities more seriously, but there is far more work for us to do. We share the concerns of frontline communities and communities of color that the proposed permitting reforms take us in the wrong direction.

Congressional approval of the Mountain Valley Pipeline, weakening of the National Environmental Policy Act, and weakening of state's ability to protect water quality under the Clean Water Act will limit public input and lead to additional pollution, disproportionately impacting people who are already facing direct harm. We also share the environmental justice community's concerns that the proposed reforms could reduce the ability of affected stakeholders and state, federal, and tribal governments from thoroughly analyzing proposed projects and undermine judicial review. Given our country's history of environmental inequity, any changes to the permitting processes should strengthen—not steamroll over—public participation and add protections for frontline communities.

In this Congress, we have made important investments to elevate environmental justice communities, including significantly increasing funding to remediate past harms and resources to ensure that environmental justice communities can share in the benefits from a Just Transition to renewable energy. In addition to funding, however, transparency and the ability for potentially impacted communities to have prior, informed and meaningful participation and consideration are foundational to providing environmental justice. A number of the proposed permitting reforms would do the exact opposite. The environmental justice community is warranted in their belief that altering policies that shape how energy projects are considered will have profound implications for their health, prosperity, well-being, and overall quality of life. We agree, and believe such important issues should be examined through detailed committee consideration and a robust floor debate separate from the urgent need to see that the government stays open.

We believe our caucus broadly shares the goal of advancing climate justice by remedying past damage done to frontline and low-income communities, and making sure we don't inflict such damage in the future. We look forward to working with leadership and committees of jurisdiction, and the environmental justice community on these important civil rights priorities.

Sincerely,



Jeffrey A. Merkley
United States Senator



Tammy Duckworth
United States Senator



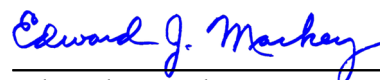
Cory A. Booker
United States Senator



Bernard Sanders
United States Senator



Elizabeth Warren
United States Senator



Edward J. Markey
United States Senator



Chris Van Hollen
United States Senator



Benjamin L. Cardin
United States Senator