

Alaska Wilderness League * American Bird Conservancy * American Rivers
Center for Biological Diversity * Clean Water Action * Defenders of Wildlife * Earthjustice
Endangered Species Coalition * Environment America * Environmental Defense Fund
Environmental Investigation Agency * Environmental Protection Information Center
Friends of the Earth * Geos Institute * Greenpeace USA * Humane Society Legislative Fund
Kentucky Heartwood * Klamath Forest Alliance * League of Conservation Voters
National Parks Conservation Association * Natural Resources Defense Council * Ocean Conservancy
Oil Change International * Physicians for Social Responsibility * Sierra Club
Southern Environmental Law Center * The Humane Society of the United States
The Wilderness Society * The Wildlands Network * WE ACT for Environmental Justice
Western Environmental Law Center * World Wildlife Fund

May 24, 2016

Dear Representative,

On behalf of our millions of members and supporters, we urge you to oppose the House amended version of S.2012. The amended version consists of approximately thirty-five bills passed out of the Energy and Commerce or the Natural Resources Committee. With these additions this bill has become more controversial and more harmful to the environment. The 800-plus pages of legislation are packed with ideological proposals.

This bill fails to cut carbon pollution, invest in job-creating clean energy technologies, and modernize our energy infrastructure while maintaining environmental safeguards. These goals are critical to avoiding the worst effects of climate change and securing the health and prosperity of our nation. Furthermore, this bill neglects to properly protect our public lands and excludes critical bipartisan policies like the permanent authorization of the Land and Water Conservation Fund (LWCF).

While not all the organizations who have signed onto this letter work on every issue covered, we are united in our firm opposition to the underlying bill.

Below, please find a summary of some of the worst provisions in this amendment.

H.R. 8, North American Energy and Infrastructure Act:

This bill, which passed almost entirely on party lines, goes to great length to lock-in current fossil fuel generation and consumption well into the future. In addition to creating new subsidies for coal and nuclear power, the bill undermines energy efficiency measures and speeds construction of natural gas pipelines through national parks. It would also undermine environmental and public lands protections at hydropower dams.

The Obama Administration issued a veto threat raising these issues and stating that:

“The Administration strongly opposes H.R. 8 because it would undermine already successful initiatives designed to modernize the Nation's energy infrastructure and increase our energy efficiency...H.R. 8 would stifle the Nation's move toward energy efficiency by severely hampering the Department of Energy's (DOE) ability to provide technical support for building code development and State implementation. In addition, the bill would undercut DOE's ability to enforce its appliance standards and would weaken section 433 of the Energy Independence and Security Act of 2007, which requires a reduction in fossil fuel generated energy in Federal buildings...H.R. 8 would [create] a new exemption from [hydropower] licensing that would undercut bedrock environmental statutes, including the Clean Water Act, the National Environmental Policy Act, and the Endangered Species Act.”

H.R. 538, Native American Energy Act:

This bill, which also passed on party lines, severely limits public involvement in energy projects on tribal lands and shields these projects from judicial review.

The Obama Administration raised strong opposition to this bill, arguing that:

“The bill would undermine public participation and transparency of review of projects on Indian lands under the National Environmental Policy Act, set unrealistic deadlines and remove oversight for appraisals of Indian lands or trust assets, and prohibit awards under the Equal Access to Justice Act or payment of fees or expenses to a plaintiff from the Judgment Fund in energy-related actions. By foreclosing the Judgment Fund, this provision could negatively impact the Indian Affairs budget that is intended to serve all tribes. In addition, the bill's changes to mineral leasing laws applicable to Navajo Nation lands may adversely affect energy development on those lands.”

H.R. 1937, The National Strategic and Critical Minerals Production Act:

This bill weakens environmental review and public input requirements as well as blocking access to the courts by the public for minerals mined in the United States under the guise of labeling them "strategic and critical."

The Obama Administration raised strong opposition to this bill:

“The Administration strongly opposes H.R. 1937, which would undermine existing environmental safeguards for, at a minimum, almost all types of hardrock mines on Federal lands. Specifically, H.R. 1937 would undermine sound Federal decision-making by eliminating appropriate reviews under the National Environmental Policy Act if certain conditions are met, circumventing public involvement in mining proposals, and bypassing the formulation of alternatives to proposals, among other things. The Administration also opposes the legislation's severe restrictions on judicial review. Although the legislation purports to limit litigation, its extremely short statute of limitations and vague constraints on the scope of prospective relief that a court may issue are likely to have the opposite effect.”

H.R. 2406, the SHARE Act:

This bill contains a wide range of destructive provisions that threaten wildlife and public lands, erode bedrock environmental laws and undermine key conservation policies. It waives National Environmental Policy Act (NEPA) requirements, rolls back Wilderness Act protections and upends management of our national wildlife refuges, parks, forests and other public lands. It blocks efforts to crack down on the illegal trade in African elephant ivory, strips gray wolves of Endangered Species Act protections in Wyoming and the Great Lakes region, puts national park marine and lakeshore wildlife and their delicate ecosystems at risk, and bars conservation measures for wolves and bears on over 100 million acres of federal lands in Alaska, to name just a few of its disastrous provisions.

The Obama Administration raised strong opposition to this bill stating that:

“While the Administration strongly supports the goal of promoting recreational fishing, hunting, and shooting opportunities, and recognizes the economic and community benefits associated with hunting and fishing, it strongly opposes H.R. 2406 in its current form... includ[ing] harmful provisions that impair Federal management of federally-owned lands and undermine important existing public land and environmental laws, rules, and processes.”

H.R. 2647, Resilient Federal Forests Act of 2015:

This bill, which passed on party lines, would allow much higher levels of logging and other damaging "forest management activities" on our National Forest System and Bureau of Land Management forest lands by severely undermining the National Environmental Policy Act and public participation, reducing citizen opportunities to seek judicial relief, and limiting collaboration and restoration incentives as currently required under the Secure Rural Schools Act.

The Obama Administration raised strong opposition to this bill, stating that:

“H.R. 2647 falls short of fixing the fire budget problem and contains other provisions that will undermine collaborative forest restoration, environmental safeguards, and public participation across the National Forest System and public lands.”

H.R. 2898, the Western Water and American Food Security Act:

This bill, which passed largely on party lines, would permanently override protections for salmon and other native fisheries required under the Endangered Species Act in California, preempt state laws protecting fish and wildlife and management of water resources, override a binding court order and settlement agreement (and repeal or preempt state and federal laws) to restore the San Joaquin River, reduce funding for the state's wildlife refuges, and limit the public's rights under the National Environmental Policy Act (NEPA) and other federal laws regarding review of the environmental impacts of new dams and water supply infrastructure.

The Obama Administration issued a veto threat raising these issues and stating that:

“The Administration strongly opposes H.R. 2898, the Western Water and American Food Security Act of 2015, because it fails to address critical elements of California's complex water challenges and will, if enacted, impede an effective and timely response to the continuing drought while providing no additional water to hard hit communities. Like similar legislation in the last Congress, H.R. 2898 was developed with little input from the public, the Administration, or key stakeholders affected by the drought. The urgency and seriousness of the California drought requires a balanced and flexible approach that promotes water reliability and ecosystem restoration.”

H.R. 1806, America COMPETES Reauthorization Act of 2015:

This bill, which passed on party lines, includes numerous problematic and troubling policy proposals. One egregious example is that this legislation would prevent the results of any DOE-supported research and development activity from being “used for regulatory assessments or determinations by Federal regulatory authorities.” We need federal agencies to have access to the most up-to-date research results when they set rules to protect our air, land, water, and wildlife and prevent health hazards associated with fossil fuel use. This is but one example of several destructive policy proposals contained within this bill.

The Obama Administration raised strong opposition to this bill, saying that:

“The Administration believes that H.R. 1806 would be damaging to the Administration's actions to move American competitiveness, innovation, and job growth forward through a world-leading science, technology, and innovation enterprise...H.R. 1806 undermines key investments in science, technology, and innovation and imposes unnecessary and damaging requirements on Federal support of research“

Again, we urge you to oppose this attempt at a policy overreach that the Administration and our community has raised concerns over time and time again. Instead of these poison pill policies, we call on Congress to help craft an energy and resources bill that rises to the climate challenge and ensures the United States achieves meaningful reductions in greenhouse gas pollution in the near-term while building a clean energy economy for the long term.

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