

BLOCKING VITAL ENVIRONMENTAL REVIEW AND PUBLIC INPUT PROCEDURES

Passed: 50-47

SUMMARY:

The Senate passed a resolution that would have disapproved a rule reestablishing vital review and public input procedures for federal projects in regulations implementing the National Environmental Policy Act (*August 4, 2022, Roll Call No. 283*).

BACKGROUND:

NEPA (the National Environmental Policy Act) is a bedrock environmental tool requiring federal agencies to conduct public outreach and analyze major federal actions, creating a framework for protecting public safety, wildlife and the environment. Under NEPA, all federal infrastructure projects must be well thought through and hold agencies accountable for the consideration of direct, indirect, and cumulative effects of federal projects in human and natural communities. The NEPA process has protected communities and local economies by ensuring water contamination is low, wildlife habitat and natural landscapes are preserved. A sound process is essential to protecting the environment, tackling the climate and biodiversity crises, and addressing environmental injustice.

In 2020, the Trump Administration issued Council on Environmental Quality (CEQ's) NEPA implementing regulations consistent with its denouncement of climate change. The regulation made it easier to approve dangerous or polluting projects, and systemically disenfranchise minority communities. In 2020, the Biden Administration restored basic elements of CEQ's NEPA regulations.

Senator Dan Sullivan (R-Alaska) introduced S.J. Res. 69 under the Congressional Review Act to undermine core provisions under NEPA regulations that were restored in 2022. The restored provisions included requiring agencies to review actions for the impacts of climate change and assess the cumulative impacts of federal actions. The joint resolution was based on a debunked myth that alleges NEPA significantly delays projects; however, the delays have been linked to factors outside of the NEPA process.

OUTCOME:

On August 4, 2022, the Senate passed S.J. Res. 69: NEPA Implementation, 50-47. "No" was the pro-conservation vote.