

DAKOTA ACCESS PIPELINE UNIT: RESOURCE SET 4; HANDOUT 5

CONGRESSWOMAN ILHAN OMAR LETTER TO PRESIDENT BIDEN, 2021

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RIGHTS
INTERNATIONAL DEVELOPMENT, INTERNATIONAL
ORGANIZATIONS, AND GLOBAL CORPORATE
SOCIAL IMPACT

April 9, 2021

President Joseph R. Biden
The White House
1600 Pennsylvania Avenue Northwest
Washington, DC 20500

Dear President Biden,

We write to thank you for the [January 20th Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis](#) and urge you to take action that is consistent with this announcement by directing the U.S. Army Corps of Engineers (Army Corps) to conduct a broad and robust review that includes climate impacts, oil spills, and impacts on Tribes for the full routes of fossil fuel pipelines when reviewing existing and proposed water permits applications.

The Trump Administration aggressively sought to expand fossil fuel infrastructure projects under a new policy of “energy dominance.” Amid this wave of near-unprecedented administrative and legislative rollbacks, the National Environmental Policy Act (NEPA) is one of the most important tools left to ensure fossil fuel projects undergo robust environmental review and the project’s real costs on environment, public health, and climate change will be revealed to the public. Yet, for as long as we have been working to mitigate or avoid the risks of oil pipelines, the Army Corps has regularly refused to conduct robust environmental review for oil pipelines, erroneously taking the position that they aren’t required to look beyond a narrow scope of specific water crossings even though the courts have ruled that, in fact, NEPA does require a comprehensive review of proposed oil pipelines and the scope should include oil spills, climate risks, and impacts on Tribes.

Since this decision, the Army Corps of Engineers has continued to ignore their responsibilities and failed to consider significant information on the Line 3 tar sands pipeline’s impacts in reaching its original decision to issue the Clean Water Act 404 permit, and they violated NEPA by failing to prepare an environmental impact statement (EIS) for the Dakota Access Pipeline (DAPL). As with Line 3 and DAPL, the Army Corps must prepare a thorough and robust EIS of the Line 5 Great Lakes Tunnel Project proposal.

Thus, we urge you to immediately direct the Army Corps to conduct a thorough NEPA analysis on existing and proposed oil pipeline projects, including Line 3, DAPL, and Line 5, that include oil spills, climate risks, and impacts on Tribes and to ensure that project construction or operation cannot continue while that review is conducted.

Without NEPA, the federal government would be able to rubber stamp permits for corporations to build oil pipelines without adequate environmental review. To proceed without the utmost caution in the permitting process, including a full EIS and stringent NEPA review, would be both irresponsible and incongruous with this administration's duty to protect the environment and public health, respect tribal sovereignty, and address the climate crisis.

Sincerely,



Ilhan Omar
Member of Congress



Rashida Tlaib
Member of Congress

Additional Signers:

Representative Alexandria Ocasio-Cortez
Representative Nanette Diaz Barragán
Representative Jared Huffman
Representative Mondaire Jones
Representative Alcee L. Hastings
Representative Cori Bush
Representative Eleanor Holmes Norton
Representative Anna G. Eshoo
Representative Betty McCollum
Representative Ritchie Torres
Representative Steve Cohen