

# Congress of the United States

## House of Representatives

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### Opening Statement Ranking Member Jamie Raskin Hearing on “Permitting: Finding a Path Forward” September 6, 2018

Thank you, Mr. Chairman, for holding a hearing on an important issue: how we can develop needed infrastructure in this country without sacrificing the environment – and the rules that protect it.

NEPA was signed into law nearly half a century ago when experience showed the dangers of not examining the environmental implications of development before building took place. Those dangers involved the creation of perilous environmental harm. Also, dealing with the environmental problems that came up through the litigation process – which was divisive and polarizing – took years to get through.

And so, NEPA was established so that that the environmental questions could be considered first before the building process could take place. Leap before you look was the old way of doing things and this was look before you leap so we weren't destroying neighborhoods and environments.

The rules arising out of NEPA – and other environmental statutes such as the Clean Air and Clean Water acts – were designed to enable planners to build environmental planning into the development process.

Now President Trump is in the real estate development business and declared himself the number one champion of the eminent domain process which has trampled so many Americans' property rights and environmental quality of life. He has a full blown offensive against the permitting process under NEPA. The suggestion from the very beginning of this Administration has been, as Steve Bannon put it, to dismantle the regulatory state.

The permitting process is an important part of the regulatory process that has grown up under our environmental laws.

As I noted in July, the Office of Management and Budget every year issues a congressionally mandated report that identifies the costs of government rules on the private sector and the estimated financial benefits for the American public.

The most recent report found that federal rules imposed just under \$5 billion in costs on business but resulted in more than \$27 billion in benefits to the American public. That's a return on investment of more than five to one.

And so, instead of permitting rules being some sort of burden on the American people, they help everyone across the board.

Blaming environmental permitting rules is a way to flatten out and demolish the regulatory process to benefit specific corporations and developers.

The BP Deepwater Horizon oil spill is a prime example of why environmental enforcement and permits are essential. In the wake of the oil spill, which created 11 human deaths and the deaths of 1 million seabirds, and contamination of entire ecosystem.

The Bureau of Safety and Environmental Enforcement was created to oversee offshore oil drilling, but President Trump's proposed FY 2019 budget called for slashing by 43 percent environmental enforcement by this bureau.

This is the wrong way to go. Permitting is not the problem it should be seen as part of the solution.

Studies have shown that a lack of project funding and dealing with residents and businesses in the path of a proposed development are greater sources of delay than following the requirements of the federal permitting process.

Let's focus on what the real problems might be. Everybody is for simplifying government and reducing red tape when we can do it, but certainly not at the expense of maintaining the Environmental safeguards that the American people have established.

I thank our witnesses for sharing their insights today, and I look forward to continuing the discussion of this important issue.

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