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**PHILIP HOWARD TESTIFIES BEFORE CONGRESSIONAL COMMITTEE ON THE
NEED TO MODERNIZE THE NATIONAL ENVIRONMENTAL POLICY ACT**

Outlines Legislation to Streamline Approvals of Infrastructure Projects

New York, NY – November 29, 2017 – Philip K. Howard, Chair of [Common Good](#), testified today before the U.S. House of Representatives Committee on Natural Resources on the need to modernize the National Environmental Policy Act (NEPA), the landmark statute that requires that federally-funded projects review potential environmental impacts and consider alternatives before breaking ground. He stated that “Environmental review should be a vital tool in enhancing public input and improving the quality of projects. Instead, environmental review has become a bureaucratic swamp that bogs down vital projects and a potentially lethal weapon in the hands of anyone who opposes a project. The effect, paradoxically, is that environmental review often harms the environment. Lengthy environmental reviews typically prolong bottlenecks and other inefficiencies which cause pollution.”

He noted that “The core flaw in America’s review and permitting process is that there are no clear lines of authority to make needed decisions to adhere to timetables, including to resolve disputes among bickering agencies or project opponents.” He called on Congress, therefore, to enact a statute to enable the following:

- Permitting processes should take no longer than two years, and authority should be given to designated officials and courts to allow them to enforce that schedule.
- The Chair of CEQ should have the authority, consistent with the mandate of NEPA, to decide all issues relating to the scope and adequacy of environmental review.
- Courts should only have authority to review EISs for misstatements or omissions which have a material environmental impact, and must do so within an accelerated litigation timetable.
- The Chair of CEQ should be authorized to accelerate permitting where projects have a net positive environmental impact or where sponsors solicit meaningful public participation before the project is fully developed.
- For projects of interstate significance, state and local reviews and permits should be preempted if they delay approval beyond the federal timetable.
- An official designated by the President should have authority to resolve disagreements

among federal agencies.

“What’s needed,” Howard said in summary, “is a simple hierarchy, where designated officials take responsibility to make needed decisions at each step without months of delay. ... The effect will be to reduce the effective cost of infrastructure by half and to create a greener footprint.”

Philip Howard’s full testimony is available at www.commongood.org. To speak with him, contact Emma McKinstry at emckinstry@highimpactpartnering.com.

*Common Good (www.commongood.org) is a nonpartisan reform coalition that believes individual responsibility, not dense bureaucracy, must be the organizing principle of government. It presents proposals to radically simplify government and restore the ability of officials and citizens alike to use common sense in daily decisions. The Founder and Chair of Common Good is Philip K. Howard, a lawyer and author of *The Rule of Nobody* and *The Death of Common Sense*, among other books.*