

OPINION

Watch Out! Here Comes the Climate Deal's Other Shoe. | Opinion

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The [Democrats'](#) health, climate, and corporate tax plan—the Inflation Reduction Act (IRA)—was just signed into law by President Biden. If projections are accurate, this legislation will not only drive down prescription drug costs for millions of Americans, it could also reduce greenhouse gas emissions by an unprecedented 40 percent by 2030. Despite some serious flaws, the IRA is still the most significant climate legislation in history, and as chair of the Natural Resources Committee, I am deeply proud of this achievement.

Climate and environmental justice (EJ) advocates see a dark cloud on the horizon, however. [Senate](#) Majority Leader Charles Schumer has announced that, as part of the deal to secure Senate passage of the IRA, he agreed to a second bill, misleadingly referred to as a "permitting reform" package. While the actual text isn't public yet, the American Petroleum Institute (API), a trade association for fossil fuel companies, leaked a summary of the plan and draft bill text. API has this insider information because the "permitting reform" package is their idea.

Based on the API leak, this proposal would restrict public access to the courts to seek remedies against illegal project development; place arbitrary limits on the amount of time the public has to comment on polluting projects; curtail public input, environmental review, and government accountability; require a certain number of harmful fossil fuel projects to be designated as "projects of strategic national importance" to receive priority federal support, assistance, and expedited environmental review; undermine the Clean Water Act; and more.

The API plan is a mishmash of long-desired permitting shortcuts that will further inflate oil company profits at the expense of our environment and communities.

It will hit everyone, everywhere—but not equally.

Projects that emit toxic air pollutants or leak carcinogens into drinking water are almost always sited in poor communities and communities of color. For decades, these frontline EJ communities have been sacrificed to dirty energy and manufacturing projects, resulting in higher rates of cancer and premature deaths.

Fortunately, the Biden administration took an early stand against these injustices by launching its [Justice 40 initiative](#), which has the potential to deliver major federal support for communities that have historically been left behind in our federal programs. Additionally, Rep. A. Donald McEachin (D-Va.) and I have been working with EJ communities to pass the [Environmental Justice for All Act](#), to finally empower frontline communities to protect themselves from more toxic pollution.

So why would Democrats reverse this momentum by enacting an API wish list that will make it even harder for frontline communities to protect themselves? The answer is, we should not.

The IRA is a huge environmental win, on balance. Let's not weaken its impact by following it up with an API oil package that even the Trump administration wasn't able to push through.

Contrary to industry talking points, these anti-environmental shortcuts will not speed up development by cutting "red tape." They will speed up development by rushing polluting projects through before the people who must live near them know what hit them. Then, they will make sure the doors to the courthouse are locked so the families hurt by this pollution can't get in.

Democrats don't owe anybody anything in return for passing the IRA. That bill was already a significant compromise, where progressives met moderate members of our party far more than halfway—and that's not even counting the massive highway bill we also passed as part of the IRA deal. Calling on us to support more big wins for Big Oil, at the expense of families living in Flint, Michigan, or Cancer Alley, Louisiana, is indefensible.

If API tries to force passage of its proposal through the House, we will fight against it. At worst, this plan should come to the floor as a stand-alone bill, not attached to some other must-pass piece of legislation. Let's find out if the API deal can stand alone, without any hint of political blackmail. At best, it should not come to the floor at all.

Now is the time to build on the IRA with proactive legislation that empowers EJ communities to demand breathable air and drinkable water, not old-school, good-ol'-boy, backroom deals that heap more advantages on Big Oil and leave American families to pay the price.

Big Oil takes and takes, and then asks: "But what have you done for us lately?"

Climate advocates and EJ Communities would like to know: "What have you done for us, ever?"

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