

**American Rivers * Clean Air Task Force * Earthjustice
Environmental Integrity Project * Friends of the Earth
League of Women Voters of the United States
League of Conservation Voters * National Environmental Trust
National Wildlife Federation * Natural Resources Defense Council
The Ocean Conservancy * Our Children's Earth
Physicians for Social Responsibility * Sierra Club
U.S. Public Interest Research Group * The Wilderness Society**

October 4, 2005

Dear Representative:

We are deeply troubled by the introduction of legislative proposals that weaken public health and environmental protections for citizens living along the Gulf Coast in the wake of Hurricanes Katrina and Rita, and ask you to oppose these measures. The Gulf Coast communities have been devastated, suffering losses of an unprecedented magnitude. Drinking water has been contaminated, sewage systems damaged, air quality degraded, and chemicals and fuels spilled at facilities across the region. Homes, yards, business and public spaces that were flooded are now covered in potentially toxic mud, sediment, and wastes. Congress should ensure that federal, state and local agencies are doing everything necessary to protect public health in the region.

Now is not the time to waive the safeguards that protect what little these communities have left. This tragedy should not become the basis for sweeping proposals that further degrade these communities' local neighborhoods as they begin to rebuild their lives, and should not be the basis for weakening environmental protections or preempting state authority nationwide.

We ask that you oppose all of the legislative proposals that weaken public health and environmental protections as a response to the hurricanes. These include HR. 3893, Rep. Barton's energy bill, S. 1765, the Louisiana delegation's proposal, S. 1711, the Inhofe-Vitter general environmental waiver bill, and the Resources Committee print of the new Energy bill.

For example, Rep. Barton's bill essentially eviscerates the part of the Clean Air Act requiring older facilities to install modern pollution controls when they make changes that increase pollution. The provision applies to the more than 17,000 industrial facilities across the country, allowing them an unfettered ability to increase soot and smog forming pollution. The bill also includes a provision requiring individual citizens to pay enormous legal bills if they lose in an environmental lawsuit against a refining company. Furthermore, the proposal also threatens recent efforts to clean up diesel fuel that will save an estimated 20,000 lives each year.

The Louisiana delegation's Senate bill, S. 1765, calls for an automatic and permanent waiver of the Clean Water Act and the National Environmental Protection Act for all Army Corps of Engineers projects in Louisiana that are approved by a newly created commission. This legislation will expose thousands more of Louisiana residents to dangerous toxins and hazardous materials from which they would otherwise be protected. To make matters worse, the bill gives the President the authority to grant waivers of any law for up to two years after the emergency, an excessive amount of time to respond to this crisis. The proposal also contains broad, harmful, and unneeded waivers of law for logging, mosquito control, and other activities.

S. 1711, the Inhofe –Vitter bill, gives EPA the authority to waive any federal, state, local law or regulation under EPA's jurisdiction or that affects an EPA activity if the agency says that the waiver is in response to Hurricane Katrina.

Some Members of Congress are quickly pushing this legislation through to passage before the bills' breadth and consequences are fully understood or examined by other members of Congress, the public, or, most importantly, the residents of Louisiana, Mississippi, Alabama, or Texas who will be most harmed if left without the environmental and public health laws that protect all other Americans. And while there is a lot of recovery work to be done in the states along the Gulf Coast, the majority of the currently proposed legislation is dangerous and unnecessary. EPA has already granted dozens of waivers under currently existing authorities, and consequently there is no reason to move hastily to pass legislation that places the citizens of the Gulf States in jeopardy, and threatens public health and the environment throughout the country.

We all want to see America recover from this great tragedy—just not at the expense of the health and welfare of our Gulf State citizens and their communities. Please oppose any efforts to weaken the nation's public health and environmental laws in the wake of hurricanes Katrina and Rita. Our organizations stand ready to work with you to find and implement expeditious as well as environmentally sound responses to this national tragedy that will better the immediate and long-term health and safety of Gulf Coast residents and communities across the country.

Sincerely,

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