

# Legislative “Side Deal” of the Inflation Reduction Act in Favour of Big Oil: Most Significant Environmental Rollback in Decades

By [Center For Biological Diversity](#)

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*After weeks of keeping the public and virtually all members of Congress in the dark, Senate Majority Leader Chuck Schumer and Sen. Joe Manchin today released [the details](#) of their secret deal that Manchin demanded as payment for voting to pass the Inflation Reduction Act.*

The text of this legislative side deal overwhelmingly benefits the fossil fuel industry. It contains the most significant loss of protections under the National Environmental Policy Act and the Clean Water Act since at least the George W. Bush administration, when Republicans had full control of Congress.

Today’s measure remains substantially the same as an earlier leaked draft that was influenced by the American Petroleum Industry. It would potentially make dozens, if not hundreds, of large-scale fossil fuel projects every year eligible for truncated review under the National Environmental Policy Act, gravely harming environmental justice communities and weakening environmental protections overall.

The legislation would also slash the states’ powers under the Clean Water Act’s section 401 to object to federal projects, such as oil and gas pipelines, that harm state interests. And it would weaken states’ abilities to control permitting of transmission projects.

“We’ll never get off fossil fuels if Congress keeps greasing the skids to make it ever easier to approve dirty gas pipelines, refineries and other polluting infrastructure,” said Brett Hartl, government affairs director at the Center for Biological Diversity. “We don’t need to gut the Clean Water Act and other bedrock environmental laws to build out wind and solar energy. Any member of Congress who claims this disastrous legislation

is vital for ramping up renewables either doesn't understand or is ignoring the enormous fossil fuel giveaways at stake. This measure cuts off communities' rights to voice concerns about dangerous projects."

The legislation would deem all necessary permits for the Mountain Valley Pipeline by all federal agencies to be approved without further action, including exempting the pipeline from the requirements of the Endangered Species Act. Construction of the Mountain Valley Pipeline has already resulted in over 350 violations of water quality-related protections. Completing the pipeline would push two endangered species — the Roanoke logperch and the candy darter — much closer toward extinction.

"Congress ramming through the approval of the Mountain Valley Pipeline would cause yet another environmental justice catastrophe and drive two beautiful, endangered fish to the edge of extinction," said Hartl. "People of conscience shouldn't perpetuate more injustices just to pad the profits of the fossil fuel industry. Mindless approval of fracked gas pipelines was Donald Trump's dream, so why is Congress doing this now when lawmakers know better?"

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