



PRESS RELEASE

Attorney General Frosh Leads Coalition Urging President Trump to Maintain Environmental Protections During Review of Infrastructure Projects *Executive Order Instructs Agencies to Avoid Full Environmental Review*

BALTIMORE, MD (June 29, 2020) – Maryland Attorney General Brian E. Frosh today led a coalition of 16 state attorneys general in [urging](#) President Trump to withdraw a controversial Executive Order that instructs federal agencies to avoid full compliance with environmental laws when approving infrastructure projects.

“Since taking office, President Trump has sacrificed important public health protections to benefit big corporations,” said Attorney General Frosh. “But it is a new low to slash our bedrock environmental and public health reviews in the middle of this terrible COVID-19 public health crisis. By using the pandemic to help his friends, Trump will endanger and harm many thousands of innocent American families.”

On June 4, President Trump signed Executive Order 13927: Accelerating the Nation’s Economic Recovery From the COVID-19 Emergency by Expediting Infrastructure Investments and Other Activities. The Order instructs federal agencies to use emergency regulations to speed the environmental review of infrastructure projects under the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), the Clean Water Act (CWA), and other important environmental laws, in order to “facilitate the Nation’s economic recovery.”

The coalition’s letter argues that those emergency regulations cannot be invoked to bypass environmental review based on a general downturn in the nationwide economy. Rather, they are narrowly tailored to allow the federal government to promptly respond to emergencies that pose an imminent threat to public health and existing property. In the past they have been used to respond to landslides, hurricanes, and oil spills - physical emergencies that threaten human health and real property. As such, the Executive Order should be withdrawn.

If the president refuses to withdraw the Order, the letter urges him to, at a minimum, require that all federal agencies publish how they are selecting projects for emergency treatment; publish which projects receive that treatment; and allow for public comment on these projects.

The letter also emphasizes that large infrastructure projects with significant environmental effects are commonly located in low-income and minority communities. These same communities are bearing a disproportionate burden from the COVID-19 crisis and removing the

protective measures guaranteed to them by environmental statutes threatens to exacerbate existing public health disparities.

Joining Attorney General Frosh in signing today's letter are the attorneys general of California, Colorado, Connecticut, Delaware, Illinois, Massachusetts, Michigan, Minnesota, New Jersey, New York, Oregon, Vermont, Washington, Wisconsin, and the District of Columbia.