

BETTY McCOLLUM
4TH DISTRICT, MINNESOTA

2256 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-6631
FAX: (202) 225-1968

661 LASALLE STREET
SUITE 110
SAINT PAUL, MN 55114
(651) 224-9191
FAX: (651) 224-3056

mccollum.house.gov



UNITED STATES
HOUSE OF REPRESENTATIVES

COMMITTEE ON APPROPRIATIONS

CHAIR,
SUBCOMMITTEE ON INTERIOR,
ENVIRONMENT, AND RELATED AGENCIES

VICE-CHAIR,
SUBCOMMITTEE ON DEFENSE
SUBCOMMITTEE ON AGRICULTURE

SENIOR DEMOCRATIC WHIP

CO-CHAIR EMERITUS
CONGRESSIONAL NATIVE AMERICAN CAUCUS

February 16, 2021

The Honorable Joseph R. Biden, Jr.
President of the United States of America
1600 Pennsylvania Ave NW
Washington, DC 20500

Dear President Biden:

As your administration works to restore the American people's trust in our federal government, I want to thank you for your public commitment to science, and the integral role it will play in making policy decisions across your administration. Following the best available science is a priority we share and is particularly important in making informed decisions about our natural resources, public health, and the health of our environment. As a representative of Minnesota—with a long legacy of preserving our vast waterways, forests, farmland, and more—I look forward to working with your administration on evidence-based policies that advance our shared goals of protecting our natural resources and combatting climate change.

I also greatly appreciate your administration making a strong, early commitment to tribal consultation and tribal sovereignty. Members of Congress share the federal responsibility for upholding our trust and treaty responsibilities to Native Americans, and I join you in seeking to strengthen the nation-to-nation relationships with tribal governments.

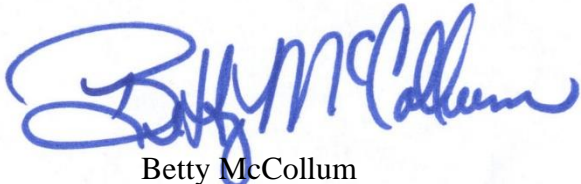
Unfortunately, the previous administration did not share these commitments to either scientific integrity or tribal sovereignty, often making decisions based on political favoritism instead of scientific data and meaningful consultation with tribal nations. As a result, public trust in how and why important policy decisions were made has suffered greatly. It is because of these factors that I respectfully ask your administration to review the U.S. Army Corps of Engineers (Corps) decision to grant a federal Clean Water Act Section 404 permit in November 2020 to Enbridge for its Line 3 pipeline project, which carries crude oil from Canada to Wisconsin.

While the permitting process for replacing the aging Line 3 is largely a state issue, the federal permit that Enbridge received from the Corps has been challenged in court. The plaintiffs, including the White Earth Band of the Minnesota Chippewa Tribe and the Red Lake Band of Chippewa Indians, have argued that the Corps decision not to prepare an environmental impact statement led to a failure to appropriately address several environmental and tribal treaty rights concerns. The new pipeline route crosses sensitive wetlands, culturally significant wild rice beds, and ceded lands where tribes have reserved treaty rights to hunt, fish, and gather. Additionally, the new pipeline will carry heavier tar sands oil, which poses distinctly different risks than the lighter grades of oil carried in the existing Line 3.

As we look to the future and work to meet your administration's goal of becoming carbon neutral by 2050, there is no doubt we will need to increase our investments in renewable and clean energy sources, and move away from fossil fuels that are a driving force in climate change. While there is disagreement about the merits of Line 3, and whether investing in new fossil fuel infrastructure is sound policy in general, the public needs to have confidence that all federal decisions around any such projects that are approved are made without cutting any legal or regulatory corners. As such, I urge your administration to examine the process the U.S. Army Corps of Engineers followed when issuing its 404 permit for this project to determine whether all proper steps were taken, including adequate assessment of the best available science and meaningful consultation with the impacted tribal nations.

Thank you for your attention to this important matter. I look forward to working with your administration on the important work that lies ahead and helping build a stronger and more resilient future for all Americans.

Sincerely,

A handwritten signature in blue ink, appearing to read "Betty McCollum". The signature is fluid and cursive, with the first name "Betty" being more prominent than the last name "McCollum".

Betty McCollum
Member of Congress