August 04, 2004

Department of Homeland Security
Environmental Planning, Office of Safety and Environment
Washington, D.C. 20528

Dear Secretary Ridge and Homeland Security staff,

I oppose the Department of Homeland Security's current proposal for implementing the National Environmental Policy Act. The proposal would allow too many exclusions from NEPA and could close off government activities that have previously operated in the public eye.

Harming the environment is harming our national security!

One of NEPA's purposes is to allow public review of agency actions that may adversely affect the environment. The department's proposal would impede that purpose with its overly broad use of categorical exclusions. While categorical exclusions are useful for exempting routine activities that pose no risk of environmental harm, some of the proposed exclusions involve types of activities that could cause significant harm. For example, construction of fences and barriers by the Border Patrol could impede wildlife migration and degrade wilderness values, while ground patrols in border areas could destroy or damage critical habitat for endangered species. Some proposed categorical exclusions, such as logging and disposal of waste and hazardous material, should be completely abandoned, while many other items should be narrowed in scope.

The breadth of the undefined categories of information that would be withheld from public view is a tremendous expansion of the current policy that allows only classified information to be withheld from NEPA documents, and is unwarranted for protecting national security. Information, such as analysis of a gas pipeline's potential for leaks and explosions, is critical to the public's ability to protect itself and should not be withheld. The proposal should be more specific so as to minimize withheld information and maximize transparency.

The proposal goes well beyond what is necessary to protect national security, and risks destroying the very democratic ideals that the Department of Homeland Security was created to protect. I urge you to limit the use of categorical exclusions and the withholding of information as narrowly as possible.

Sincerely,

Mark Motvka