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Comment:

There is no direct provision in the Constitution of the United States for environmental protection, in contrast to explicit provisions for property rights and civil rights in the Fifth and our tenth Amendments. Reduce unnecessary regulatory burdens of NEPA and Endangered species act that deterred innovative efforts. NEPA is potentially a statute not very well integrated, inconsistent, and non- flexible, and not entirely clear on some points of law which seem to need clarified by interpretation, That it has made a significant difference in the hurt caused to the poor in rural United States and possible influenced by governments abroad is hardly debatable. NEPA was possible inspiration, put over on an unsuspecting Congress and the public by an environmental lobby groups. Its purpose was the writing of impact statements; and this action-forcing procedure has been a great inducement to ecological rationality in Federal actions of activists, which ignored consequences of rural America. Agencies need a technical fix or administrative reorganization to achieve the NEPA intent. To implement NEPA as intended requires a president like we have today, committed to its objectives and using his appointive, budgetary and leadership powers to this end. It should not require a judiciary to recognizes the legislative history and substantive intent of the statute which defeats the purpose of successive Congresses through narrow legalistic interpretations. Regulations should be developed after consultation with affected States and local governments. Make the environmental impact statement process more useful to local decisionmakers and the public; and to reduce paperwork and the accumulation of extraneous background data. Require impact statements to be concise, clear, and to the point, and supported by evidence that agencies have made the necessary scientific analyses. Repeal or amend such compliance if inconsistent or conflicts with States regulations. The Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA) was signed by President Clinton on March 29, 1996. The law provides new avenues for small businesses to participate in and have access to the federal regulatory arena. The SBREFA gives small businesses more influence over the development of regulations; the EPA must prove beyond a reasonable , that the rule is preempted by state law . The question of preemption is requiring us "to establish a priority between potentially conflicting laws between federal and state. The very structure of the Constitution and is formalized in and protected by the Tenth Amendment to the Constitution. The people of the States are free, subject only to restrictions in the Constitution itself or in constitutionally authorized Acts of Congress, to define the moral, political, and legal character of their lives. The Framers recognized that the States possess unique authorities, qualities, and abilities to meet the needs of the people This misguided NEPA is an economic assault on small businesses, rural America, manufacturing and agriculture, farming, ranching, and natural resource development, and threatens the very livelihood of our fellow states. Small businesses and rural America are the backbone of this country, especially in

rural America. Taxpayers have signaled that Americans are ready for the last eight years of administration power grabbing mentality to come to an end. In transmitting any draft final regulation that has federalism implications to the Office of Management and Budget pursuant to Executive Order 12866 of September 30, 1993, each agency shall include a certification from the official designated to ensure compliance with order stating that the requirements of this order have been met in a meaningful and timely manner. In transmitting proposed legislation that has federalism implications to the Office of Management and Budget, each agency shall include a certification from the official designated to ensure compliance with the order that all relevant requirements of the order have been met. NEPA does require from agencies recognition of the legislative history and intent of NEPA, and of the efforts to respond to concerns of the local American people for a sustainable and harmonious economic future. Legislative priorities may change with voting majorities in successive Congresses, but the printed record of the history of NEPA should make clear the intentions of its architects preceding Congresses. Nevertheless NEPA appear to have interpreted it from subjective premises without inquiry into the legislative history of the Act or into the assumptions and expectations of the persons responsible for its language and content. These past agencies have missed the implications of NEPA's broad and basic principles and goals. It sets an agenda to be implemented through legislative and administrative action but with the state and local communities involved with rule making. *🌐

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