

117TH CONGRESS  
1ST SESSION

# H. R. 2115

To require the Federal Energy Regulatory Commission to apply certain procedures before granting a certificate of public convenience and necessity for a proposed pipeline project, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2021

Mrs. WATSON COLEMAN (for herself, Mr. MALINOWSKI, Ms. NORTON, and Mr. COHEN) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To require the Federal Energy Regulatory Commission to apply certain procedures before granting a certificate of public convenience and necessity for a proposed pipeline project, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Safe and Accountable  
5       Federal Energy Review for Pipelines Act of 2021” or the  
6       “SAFER Pipelines Act of 2021”.

1 **SEC. 2. APPROVAL OF NEW NATURAL GAS PIPELINES.**

2 Section 7(e) of the Natural Gas Act (15 U.S.C.  
3 717f(e)) is amended—

4 (1) by inserting “(1)” before “Except in the  
5 cases”; and

6 (2) by adding at the end the following:

7 “(2) Before granting a certificate for a proposed  
8 pipeline expansion project, the Commission shall—

9 “(A) conduct—

10 “(i) a full evidentiary hearing on any con-  
11 tested issue of need for the expansion; or

12 “(ii) a cumulative review of major energy  
13 infrastructure projects planned throughout the  
14 region of the expansion, their purported pur-  
15 pose and need, and their prospective impacts on  
16 State and regional energy goals; and

17 “(B) consider—

18 “(i) the existence of underutilized or ineffi-  
19 cient use of existing pipeline capacity;

20 “(ii) the effect of approval on existing cus-  
21 tomers of other pipelines;

22 “(iii) an analysis of demonstrated regional  
23 needs for the additional natural gas, including  
24 consideration of the existence of precedent con-  
25 tracts;

1           “(iv) consistency with the State’s clean  
2           power plan, State Implementation Plan, renew-  
3           able energy goals, and renewable portfolio  
4           standard;

5           “(v) the region’s ability to meet any defi-  
6           ciency in energy needs through energy effi-  
7           ciency, dual fuel sources, LNG storage, or other  
8           economically viable and less environmentally  
9           disruptive measures than pipeline infrastruc-  
10          ture; and

11          “(vi) Federal renewable energy goals.

12          “(3) In the case of an interstate natural gas pipeline  
13          project, for purposes of the due process requirements of  
14          the National Environmental Policy Act of 1969 (42 U.S.C.  
15          4321 et seq.), the Commission shall consider, in addition  
16          to current requirements for environmental impact state-  
17          ments, the cumulative impacts of other interstate natural  
18          gas pipeline projects located within the same State, as well  
19          as projects within 100 miles of the project, that are ap-  
20          proved, filed with the Commission or, in the pre-filing  
21          process—

22               “(A) for a 1-year period prior to the filing of  
23          the project application with the Commission; and

24               “(B) before the issuance of the draft environ-  
25          mental impact statement.

1       “(4) The Commission shall require all approved and  
2 constructed natural gas pipeline projects to undertake a  
3 five-year monitoring program to confirm that the environ-  
4 mental impacts identified in any environmental impact  
5 statement or analysis conducted with respect to the project  
6 have been mitigated.”.

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