

117TH CONGRESS
2D SESSION

H. R. 8556

To enact the Section 401 Certification Rule, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2022

Mr. BUDD (for himself, Mr. MOONEY, and Mr. PERRY) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To enact the Section 401 Certification Rule, 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 “Build More Pipelines
5 Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) section 401 of the Federal Water Pollution
9 Control Act (33 U.S.C. 1341) is designed to provide
10 States and authorized Indian Tribes an important

1 tool to help protect the water quality of federally
2 regulated waters within their borders, in collabora-
3 tion with Federal agencies through the cooperative
4 federalism framework of that Act (33 U.S.C. 1251
5 et seq.);

6 (2) in the years preceding the date of enact-
7 ment of this Act, States have denied water quality
8 certifications under section 401 of the Federal
9 Water Pollution Control Act (33 U.S.C. 1341) for
10 infrastructure projects for reasons other than pro-
11 tecting water quality, such as downstream green-
12 house gas emissions;

13 (3) natural gas pipelines, coal production, and
14 electric transmissions lines are vital to ensuring that
15 the people of the United States have affordable ac-
16 cess to energy;

17 (4) fuel scarcity and a lack of sufficient infra-
18 structure to transport natural gas contribute to
19 higher energy prices; and

20 (5) other infrastructure projects, such as road
21 construction to support interstate commerce, are in
22 the national interest and warrant regulatory cer-
23 tainty under section 401 of the Federal Water Pollu-
24 tion Control Act (33 U.S.C. 1341).

1 **SEC. 3. ENACTMENT OF THE SECTION 401 CERTIFICATION**

2 **RULE.**

3 The final rule of the Environmental Protection Agen-
4 cy entitled “Clean Water Act Section 401 Certification
5 Rule” (85 Fed. Reg. 42210 (July 13, 2020)) is enacted
6 into law.

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