

Congress of the United States
Washington, DC 20515

April 15, 2020

The Honorable Neil Chatterjee
Chairman
U.S. Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

Dear Chairman Chatterjee:

In light of the escalating national public health emergency caused by the COVID-19 global pandemic, we urge you to declare a moratorium on the approval and construction of new natural gas-pipeline projects and Liquefied Natural Gas (LNG) export facilities for the duration of the FEMA-declared emergency. Continuing with business-as-usual during this crisis when so many Americans are unable to participate in the review process will cast a dark cloud over the integrity and results of your proceedings.

Yet, far from pausing to make sure the public voice can be fairly heard and administrative process properly respected in this frightful and chaotic period, the majority of this Commission seems to view this national public health catastrophe as an opportunity to further entrench an institutional bias towards the building of natural gas-pipeline projects. On April 2nd, the Commission issued an order waiving numerous regulatory obligations pertaining to private industry.^[1] While these “regulatory relief” measures undoubtedly make it easier for pipeline companies to continue obtaining approvals and initiating pipeline construction during the crisis, affected landowners and communities face exceedingly difficult odds of even being heard in the Federal Energy Regulatory Commission’s (FERC) approval proceedings during this period of crisis.

FERC’s already inadequate public participation process has become even more difficult for people to navigate. Access to public records has been severely curtailed. Public hearings have been cancelled or rescheduled. While everyday life has been thrown into turmoil and it has become a struggle for most Americans just to put food on the table and keep their families safe, FERC’s comment and intervention deadlines have not budged. A moratorium on pipeline and export facility approvals is necessary to help ensure that Americans are not excluded from a decision-making process that has profound and irreversible consequences for their lives and communities.

A moratorium would also clearly help safeguard the public health. There are numerous reports of construction crews nationwide working without proper personal protective equipment and new construction will subject thousands of workers and their families to continuing danger.^[2]

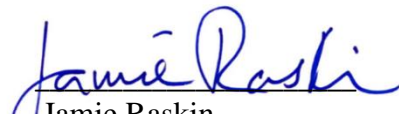
With both FERC and the Environmental Protection Agency (EPA) relaxing enforcement during the pandemic, states are being forced to shoulder the burden of investigating and documenting environmental violations at a time when their resources are already stretched to the breaking point. Pipeline construction is dangerous and ensuring safety and monitoring compliance are challenging even in the best of times. According to the Pipeline and Hazardous Materials Safety Administration

(PHMSA), there are an average of 124 gas pipeline construction accidents causing more than \$336 million in damage annually.^[3] Now that federal agencies have dramatically relaxed enforcement of environmental laws, communities could face increased risks of pipeline construction accidents and environmental degradation.


With our nation struggling to manage the devastation caused by the coronavirus pandemic, FERC must issue an immediate moratorium on the approval and construction of new shale-gas pipeline projects and Liquid Natural Gas export facilities to protect the public health, our environment, and the American people's confidence in the integrity of governmental administrative and legal proceedings.

Thank you for your prompt attention to this matter.


Sincerely,



Jamie Raskin
Member of Congress



Ilhan Omar
Member of Congress



James P. McGovern
Member of Congress

Stephen F. Lynch
Member of Congress

Bonnie Watson Coleman
Member of Congress

Jesús G. "Chuy" García
Member of Congress

Rashida Tlaib
Member of Congress

Eleanor Holmes Norton
Member of Congress

Nanette Diaz Barragán
Member of Congress

Emanuel Cleaver, II
Member of Congress

Jan Schakowsky
Member of Congress

Tom Malinowski
Member of Congress

Darren Soto
Member of Congress

Alexandria Ocasio-Cortez
Member of Congress

Ayanna Pressley
Member of Congress

Alan Lowenthal
Member of Congress

Deb Haaland
Member of Congress

Mike Quigley
Member of Congress

Mark Takano
Member of Congress

Jerrold Nadler
Member of Congress

Nydia M. Velázquez
Member of Congress

Jared Huffman
Member of Congress

Debbie Wasserman Schultz
Member of Congress

Yvette D. Clarke
Member of Congress

Gerald E. Connolly
Member of Congress

Adriano Espaillat
Member of Congress

Tulsi Gabbard
Member of Congress

Donald S. Beyer Jr.
Member of Congress

Henry C. "Hank" Johnson, Jr.
Member of Congress

-
1. <https://www.ferc.gov/media/news-releases/2020/2020-2/04-02-20-2.asp#.XpTySfhKjs0>
 2. https://www.delawareriverkeeper.org/sites/default/files/Pipeline%20Moratorium%20COVID-19%20PR_4.3.2020.pdf
 3. <https://www.phmsa.dot.gov/data-and-statistics/pipeline/pipeline-incident-20-year-trends>