

**350.org \* Bold Alliance \* Clean Water Action \* Defenders of Wildlife  
Greenpeace USA \* Indigenous Environmental Network \* League of Conservation Voters  
Natural Resources Defense Council \* Oil Change International \* Power Shift Network  
Seeding Sovereignty \* Sierra Club**

June 26, 2017

**Re: Please Oppose H.R. 2883, the “Promoting Cross-Border Energy Infrastructure Act”**

Dear Representative:

On behalf of the undersigned organizations and our millions of members and supporters across the country, we write today to express our strong opposition to H.R. 2883, the “Promoting Cross-Border Energy Infrastructure Act.” This bill represents a fourth irresponsible attempt to pass the previously titled “North American Energy Infrastructure Act” in as many years. For the reasons below, we are opposed to the passage of this legislation and its attempt to ram through permits for new cross-border oil and gas pipelines and electric transmission lines without meaningful environmental review or public participation.

Our reasons for opposing H.R. 2883 are as follows:

- It is unnecessary and eliminates longstanding procedure. Executive Order 13337 established a longstanding process that has been used by both Republican and Democratic administrations for decades to ensure that energy transmission projects crossing our international borders from Canada and Mexico are in the national interest.
- It eliminates critical environmental and economic analysis. H.R. 2883 eliminates the current requirement that proposed oil and natural gas pipelines and electric transmission lines that cross the U.S. border with Mexico or Canada obtain a presidential permit, after an environmental review and determination that the project is in the national interest.
- It irresponsibly narrows the scope of environmental review. HR 2883 replaces existing processes with one that limits environmental review to a narrow portion of the project, exempts certain types of projects from any permit requirement, and shifts the burden of proof to make it difficult to not approve a project.
- It undermines the National Environmental Policy Act. The bill effectively exempts cross-border projects from meaningful environmental review under the National Environmental Policy Act (NEPA) by dramatically narrowing the focus of that review. Under the bill, the permit requirement and NEPA review apply only to the cross-border segment of the project. Trans-boundary pipelines and transmission lines are multi-billion dollar infrastructure investments that stretch hundreds of miles, last for decades, and pose environmental risks well beyond their border crossings. However, contrary to NEPA, the bill precludes review of the project’s full impacts, such as oil spills and the consequences for landowners, public safety, drinking water, climate change, and wildlife.
- It eliminates the need to justify projects as in the national interest. The bill eliminates the requirement that to issue a permit, the federal permitting agency must find the project to be in the national interest. Instead, the bill requires an agency to approve the project, unless it finds that the narrow segment that crosses the border “is not in the public interest of the United States.” By shifting the burden of proof to require a showing that the project is

contrary to the public interest and sharply narrowing the focus of that inquiry, this provision makes it extremely difficult for an agency to ever deny a permit, and it largely eliminates the ability to approve a permit subject to protective conditions.

Large, complicated, risky projects like oil and gas pipelines and electric transmission facilities are precisely the types of activities that ought to be well-planned and reviewed before they are built. Failure to do so not only results in threats to public safety, but can also harm our economy and environment.

Instead of improving responsible siting, construction, and operation of oil and gas pipelines and electric transmission facilities, this bill goes in the opposite direction by forcing these projects through no matter what the costs may be. For these reasons, we urge you to oppose this bill.

Sincerely,

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