

Womack Yoder Young (AK)  
Woodall Yoho Young (IN)

NOT VOTING—20

Campbell Lankford Rangel  
Cantor Meeks Rush  
Crowley Miller, Gary Serrano  
Duncan (TN) Mullin Smith (WA)  
Fitzpatrick Nunnelee Velázquez  
Hanna Polis Williams  
Kingston Pompeo

□ 1433

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 265, noes 144, not voting 22, as follows:

[Roll No. 349]

AYES—265

Aderholt DeSantis Jordan  
Amash DesJarlais Joyce  
Amodei Diaz-Balart Kelly (PA)  
Bachmann Duckworth Kind  
Bachus Duffy King (IA)  
Barletta Duncan (SC) King (NY)  
Barr Duncan (TN) Kinzinger (IL)  
Barrow (GA) Ellmers Kirkpatrick  
Barton Enyart Kline  
Benishek Farenthold Kuster  
Bentivolio Fincher Labrador  
Bera (CA) Fleischmann LaMalfa  
Bilirakis Fleming Lamborn  
Bishop (GA) Flores Lance  
Bishop (UT) Forbes Larsen (WA)  
Black Fortenberry Latham  
Blackburn Foxx Latta  
Boustany Franks (AZ) Lipinski  
Brady (TX) Frelinghuysen LoBiondo  
Bridenstine Gallego Loebsack  
Brooks (AL) Garamendi Long  
Brooks (IN) Garcia Lucas  
Broun (GA) Gardner Luetkemeyer  
Brownley (CA) Garrett Lummis  
Buchanan Gerlach Maffei  
Bucshon Gibbs Maloney, Sean  
Burgess Gibson Marchant  
Bustos Gingrey (GA) Marino  
Butterfield Gohmert Massie  
Byrne Goodlatte Matheson  
Calvert Gosar McAllister  
Camp Gowdy McCarthy (CA)  
Capito Granger McCaul  
Cárdenas Graves (GA) McClintock  
Carter Graves (MO) McHenry  
Cassidy Griffin (AR) McIntyre  
Chabot Griffith (VA) McKeon  
Chaffetz Grimm McKinley  
Coble Guthrie McMorris  
Coffman Hall Rodgers  
Cole Harper Meadows  
Collins (GA) Harris Meehan  
Collins (NY) Hartzler Meng  
Conaway Hastings (WA) Messer  
Cook Heck (NV) Mica  
Cooper Hensarling Miller (FL)  
Costa Herrera Beutler Miller (MI)  
Cotton Holding Mulvaney  
Cramer Hudson Murphy (FL)  
Crawford Huelskamp Murphy (PA)  
Crenshaw Huizenga (MI) Negrete McLeod  
Cuellar Hultgren Neugebauer  
Culberson Hunter Noem  
Daines Hurt Nolan  
Davis, Rodney Issa Nugent  
Delaney Jenkins Nunes  
DelBene Johnson (OH) Olson  
Denham Johnson, Sam Owens  
Dent Jolly Palazzo

Paulsen Rothfus Thompson (PA)  
Pearce Royce Thornberry  
Perry Ruiz Thornberry  
Peterson Runyan Tipton  
Peterson Ruppertsberger Turner  
Petri Ryan (WI) Upton  
Pittenger Salmon Valadao  
Pitts Sanford Vargas  
Posey Scalise Veasey  
Price (GA) Schneider Vela  
Quigley Schock Wagner  
Rahall Schrader Walberg  
Reed Schweikert Walden  
Reichert Scott, Austin Walorski  
Renacci Scott, David Walz  
Ribble Sessions Sensenbrenner  
Rice (SC) Shimkus Weber (TX)  
Rigell Shuster Webster (FL)  
Roby Simpson Wenstrup  
Roe (TN) Sinema Westmoreland  
Rogers (AL) Smith (MO) Whitfield  
Rogers (KY) Smith (NE) Wilson (SC)  
Rogers (MI) Smith (NJ) Wittman  
Rohrabacher Smith (TX) Wolf  
Rokita Southerland Womack  
Rooney Stewart Woodall  
Ros-Lehtinen Stivers Yoder  
Roskam Stockman Yoho  
Ross Stutzman Young (AK)  
Young (IN)

NOES—144

Bass Green, Gene Moran  
Beatty Grijalva Nadler  
Becerra Gutiérrez Napolitano  
Bishop (NY) Hahn Neal  
Blumenauer Hanabusa O'Rourke  
Bonamici Hastings (FL) Pallone  
Brady (PA) Heck (WA) Pascrell  
Braley (IA) Higgins Pastor (AZ)  
Brown (FL) Himes Payne  
Capps Hinojosa Pelosi  
Capuano Holt Perlmutter  
Carney Honda Peters (CA)  
Carson (IN) Horsford Pingree (ME)  
Cartwright Hoyer Pocan  
Castro (FL) Huffman Price (NC)  
Castro (TX) Israel Richmond  
Chu Jackson Lee Roybal-Allard  
Cicilline Jeffries Ryan (OH)  
Clark (MA) Johnson (GA) Sánchez, Linda  
Clarke (NY) Johnson, E. B. T.  
Clay Jones Sanchez, Loretta  
Cleaver Kaptur Sarbanes  
Clyburn Keating Kelly (IL) Schakowsky  
Cohen Kennedy Schiff  
Connolly Conyers Kildee Schwartz  
Courtney Kilmer Scott (VA)  
Cummings Langevin Sewell (AL)  
Davis (CA) Larson (CT) Shea-Porter  
Davis, Danny Lee (CA) Sherman  
DeFazio Levin Sires  
DeGette Lewis Slaughter  
DeLauro Lofgren Speier  
Deutch Lowenthal Swalwell (CA)  
Dingell Lowey Takano  
Doggett Lujan Grisham Thompson (CA)  
Doyle (NM) Thompson (MS)  
Edwards Luján, Ben Ray Tierney  
Ellison (NM) Lynch Titus  
Engel Lynch Tonko  
Eshoo Maloney, Carolyn Tsongas  
Esty Carolyn Van Hollen  
Farr Matsui Visclosky  
Fattah McCollum Wasserman  
Foster McDermott Schultz  
Frankel (FL) McGovern Waters  
Fudge McNeerney Waxman  
Gabbard Michaud Welch  
Grayson Miller, George Wilson (FL)  
Green, Al Moore Yarmuth

NOT VOTING—22

Barber McCarthy (NY) Rush  
Campbell Meeks Serrano  
Cantor Miller, Gary Smith (WA)  
Crowley Mullin Terry  
Fitzpatrick Nunnelee Velázquez  
Hanna Polis Williams  
Kingston Pompeo  
Lankford Rangel

□ 1440

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. MCCARTHY of New York. Mr. Speaker, I was unavoidably absent on June 24, 2014. If I were present, I would have voted on the following: rollcall No. 349: H.R. 4413, "aye."

Mr. BARBER. Mr. Speaker, I missed one recorded vote on June 24. I would like the RECORD to indicate at this point how I would have voted had I been present for that vote.

On rollcall No. 349, passage of the Customer Protection and End User Relief Act to reauthorize and improve the operations of the Commodity Futures Trading Commission (CFTC), I would have voted "aye."

PERSONAL EXPLANATION

Mr. POMPEO. Mr. Speaker, on Tuesday, June 24, I was unavoidably detained. On rollcalls 343, 344, 345, 346, and 348, I would have voted "no." On rollcalls 341, 342, 347, and 349, I would have voted "aye."

NORTH AMERICAN ENERGY INFRASTRUCTURE ACT

GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 3301.

The SPEAKER pro tempore (Mr. YODER). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 636 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3301.

The Chair appoints the gentlewoman from Tennessee (Mrs. BLACK) to preside over the Committee of the Whole.

□ 1443

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3301) to require approval for the construction, connection, operation, or maintenance of oil or natural gas pipelines or electric transmission facilities at the national boundary of the United States for the import or export of oil, natural gas, or electricity to or from Canada or Mexico, and for other purposes, with Mrs. BLACK in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from California (Mr. WAXMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. WHITFIELD. Madam Chair, I yield 5 minutes to the gentleman from Michigan (Mr. UPTON), chairman of the full Energy and Commerce Committee.

□ 1445

Mr. UPTON. Madam Chair, it is a new era for North American energy,

and it is time for the continent's infrastructure to finally catch up. That is why I wrote H.R. 3301, the North American Energy Infrastructure Act, with my friend and colleague GENE GREEN from Texas. With lessons learned from the Keystone XL pipeline debacle, we are creating a fair and transparent approval process for cross-border energy projects, putting them all on a level playing field, finally, for the benefit of North American energy security, lower energy prices, and, yes, plenty of jobs.

North America's growing energy abundance has truly been a global game changer. Our continent, indeed, has the potential to become the world's leading energy-producing region, and the economic and geopolitical benefits are almost too good to believe. However, outdated or unnecessary Federal regs are standing in the way of this potential, including red tape surrounding energy infrastructure projects that cross the Canadian or the Mexican border. These job-creating projects are a critical part of the architecture of abundance, and, yes, they can provide a cheaper and more secure energy supply. Simply put, we cannot become an energy superpower without upgrading the energy infrastructure linking us with our neighbors.

We all know about the Keystone XL—the oil pipeline that would bring enough Canadian oil into the U.S. to displace OPEC imports while supporting up to 42,000 jobs, according to the Obama administration's own estimates. Many of us also know that the project has been extensively studied and has been found to be environmentally safe. Nonetheless, for nearly 6 years, this administration has come up with one excuse after another for delaying its decision on the project.

Keystone XL has yet to deliver any oil, but it has already delivered a message—that our process for approving such projects is, yes, badly broken. Yet the White House is threatening to veto the bill, claiming the bill would “circumvent longstanding and proven processes.” While H.R. 3301 does not address Keystone XL's permit—that is right; it does not address it—this House has already passed legislation that does exactly that. This bill would ensure that important projects would not be stuck in limbo once they were fully vetted. It would update and modernize the process for future cross-border energy infrastructure projects, eliminating the opportunities for delay and putting in place the same standards of review for oil pipelines, electrical transmission facilities, and natural gas lines.

I should also emphasize that the pipeline and transmission line projects impacted by this bill would still be subjected to the same environmental and safety reviews as would a comparable project that stayed within the United States. Those safety measures have been an important priority for our committee and for the Congress, including through the tough new pipeline safety measure that we enacted 2 years

ago, signed by President Obama, but these cross-border projects would no longer face additional red tape and open-ended delays simply because they would cross a national border, which is what this bill does.

This commonsense bill enjoys bipartisan support, especially from border State Members who know full well the economic benefits to the U.S. of such projects. I urge all of us here this afternoon to join us in supporting the North American Energy Infrastructure Act. We need to stand together and say “yes” to American jobs and “yes” to energy.

Madam Chair, I submit for the RECORD a series of letters between me and the chairmen of the Natural Resources Committee and of the Transportation and Infrastructure Committee.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,  
Washington, DC, June 19, 2014.

Hon. FRED UPTON,  
Chairman, Committee on Energy and Commerce,  
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for the opportunity to review the relevant provisions of the text of H.R. 3301, the North American Energy Infrastructure Act. As you are aware, the bill was primarily referred to the Committee on Energy and Commerce, while the Committee on Natural Resources received an additional referral.

I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner, and, accordingly, I agree to discharge H.R. 3301 from further consideration by the Committee on Natural Resources. I do so with the understanding that by discharging the bill, the Committee on Natural Resources does not waive any future jurisdictional claim on this or similar matters. Further, the Committee on Natural Resources reserves the right to seek the appointment of conferees, if it should become necessary.

I ask that you insert a copy of our exchange of letters into the Congressional Record during consideration of this measure on the House floor.

Thank you for your courtesy in this matter and I look forward to continued cooperation between our respective committees.

Sincerely,  
DOC HASTINGS,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ENERGY AND COMMERCE,  
Washington, DC, June 20, 2014.

Hon. DOC HASTINGS,  
Chairman, Committee on Natural Resources,  
Washington, DC.

DEAR CHAIRMAN HASTINGS: Thank you for your letter regarding H.R. 3301, the “North American Energy Infrastructure Act.” As you noted, H.R. 3301 was referred to both the Committee on Energy and Commerce and the Committee on Natural Resources.

I appreciate your willingness to discharge H.R. 3301 from further consideration by the Committee on Natural Resources so that it may proceed expeditiously to the House floor for consideration.

I agree that by discharging the bill, the Committee on Natural Resources does not waive any future jurisdictional claim on this or similar matters. Further, I agree that the Committee on Natural Resources preserves its right to seek the appointment of conferees, if it should become necessary.

Finally, I would be pleased to insert a copy of our exchange into the Congressional

Record during consideration of this measure on the House floor.

Thank you again for your assistance with this matter.

Sincerely,  
FRED UPTON,  
Chairman.

HOUSE OF REPRESENTATIVES, COM-  
MITTEE ON TRANSPORTATION AND  
INFRASTRUCTURE,  
Washington, DC, June 19, 2014.

Hon. FRED UPTON,  
Chairman, Committee on Energy and Commerce,  
Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 3301, the North American Energy Infrastructure Act, as ordered reported by the Committee on Energy and Commerce on May 8, 2014. As you are aware, the bill was primarily referred to the Committee on Energy and Commerce, while the Committee on Transportation and Infrastructure received an additional referral.

In order to expedite the House's consideration of H.R. 3301, the Committee on Transportation and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

I would appreciate your response to this letter, confirming this understanding, and would request that you insert our exchange of letters on this matter into the Congressional Record during any consideration of this bill on the House floor.

Sincerely,  
BILL SHUSTER,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ENERGY AND COMMERCE,  
Washington, DC, June 20, 2014.

Hon. BILL SHUSTER,  
Chairman, Committee on Transportation and  
Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for your letter regarding H.R. 3301, the “North American Energy Infrastructure Act.” As you noted, H.R. 3301 was referred to both the Committee on Energy and Commerce and the Committee on Transportation and Infrastructure.

I appreciate your willingness to forgo action on H.R. 3301 in order to expedite the House's consideration of the bill.

I agree that forgoing consideration of H.R. 3301 does not prejudice the Committee on Transportation and Infrastructure with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. Further, I will encourage the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Finally, I would be pleased to insert a copy of our exchange on this matter into the Congressional Record during consideration of this bill on the House floor.

Thank you again for your assistance with this matter.

Sincerely,  
FRED UPTON,  
Chairman.

Mr. WAXMAN. Madam Chair, I yield myself such time as I may consume.

Climate change is the biggest energy challenge we face, so before approving a multibillion-dollar energy infrastructure project that will last for decades, we need to evaluate its climate impacts. That is the standard the President rightly set last June, but this test is a significant obstacle for tar sands pipelines because they would carry the dirtiest fuel on the planet. Over the last few years, House Republicans have repeatedly tried to short-circuit the process and mandate the approval of the Keystone XL tar sands pipeline. The bill we are considering today goes even further. It creates a new process to rubberstamp every pending and future tar sands pipeline.

The bill makes an end run around the National Environmental Policy Act. Under this bill, instead of conducting an environmental review of a whole pipeline that crosses the border with Canada or Mexico, the NEPA review, which is the environmental review, would be limited to just the small segment of pipeline crossing the border. That eliminates any meaningful Federal review of the environmental impacts of oil pipelines.

For example, under this bill, the environmental review of the Keystone XL pipeline would only examine the environmental impacts of that small piece of pipeline that crosses the border with Canada. The review could not look at the impacts on climate change of all of the other tar sands oil moved through the pipeline. It could not look at the impacts on the aquifers or landowners in Nebraska, for example, or at the public safety or oil spill concerns here in the United States. That dramatically narrowed scope of review is just another way to gut the Federal environmental review of tar sands pipelines.

The bill doesn't stop there. It also creates a rebuttable presumption that the Keystone XL and other tar sands pipelines are in the public interest, which tips the scale in favor of their approval. That is a subtle but significant change that makes it much more likely that these projects will go forward; and if the President rejects the Keystone XL or another pipeline because it is not in the national interest, which is a requirement in the law today, the bill would allow the rejected project to rise from the grave and reapply under the new, much weaker process. That is why I call this bill the "zombie pipeline" bill.

In the northeastern part of the United States, another controversial pipeline project would carry tar sands oil from Canada through New Hampshire and Vermont to Portland, Maine, where it would be loaded onto tankers. That project wouldn't require any approval at all under this bill's new permitting process because the bill exempts major expansions of existing pipelines and reversals of pipeline flows from even that minimal process. The bill would also allow for unlimited exports of liquified natural gas through

Canada and Mexico with absolutely no controls or conditions. That is why domestic manufacturers like Dow, Alcoa, and Nucor have criticized this bill.

The administration strongly opposes H.R. 3301, citing the unreasonable 120-day deadline imposed by the bill, which would curtail the thorough consideration of issues involved with these projects, noting that the bill's provisions on natural gas exports would raise serious trade implications. The Statement of Administration Policy says that, if H.R. 3301 is presented to the President, his senior advisers would recommend that he veto the bill.

Faced with the threat of dangerous climate change, we have a responsibility to think through the impacts of proposed cross-border energy infrastructure projects. If Congress is going to establish a new permitting rule or rules through legislation, it should do so in a thoughtful and balanced way. Instead, this bill creates a process that rubberstamps projects and eliminates meaningful environmental review and public participation. This will undoubtedly benefit TransCanada and other multinational oil companies. It will undoubtedly help them, but it will harm the American people, whom we are here to represent.

I oppose the Keystone XL pipeline. Even if you support the XL pipeline, this is a bad bill, and I would urge all Members to vote against this legislation.

I reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I would like to yield 3 minutes to the gentleman from Nebraska (Mr. TERRY), who is a member of the Energy and Commerce Committee.

Mr. TERRY. Mr. Chairman, today marks the 2,104th day since the original Keystone XL pipeline application was filed at the U.S. State Department, as required by law. For 5 years, this administration has either just been completely incompetent or has, for political purposes, decided to placate its radical environmental political base—the very same folks who said that they would boycott the election if he signed this permit.

Regardless, this administration's failure to make a decision on a single project in over 2,100 days should leave every one of our constituents shaking his head. I have led on this issue, and we have given this President numerous opportunities to get this process right, which he has not done to date.

I introduced the first bill in May of 2011 to turn on the shock clock for the President's decision. The bill passed, and it was even signed into law, but, later, he went ahead and killed the permit instead of following through. Later that year, on December 1, we introduced a second bill to move the decision from the State Department to FERC. In June 2012, we introduced another bill, declaring no Presidential permit is needed for a border crossing. Then last year, in March, I introduced H.R. 3, the Northern Route Approval

Act, which stated that no Presidential permit shall be required for the Keystone XL pipeline.

We are doing this because we understand that, if we are energy independent, we are more secure. This is an issue of national security, and we are going to take as many whacks at trying to get this passed as it takes. The legislation we are considering today is almost 5 years in the making, and I am happy to join with Chairman UPTON in supporting this bill that comes from our committee with bipartisan support.

As our energy future and security go, so go our economy and our Nation. The President has failed in his leadership. He has hurt job creation, hurt our economy, has made us more dependent on OPEC and Venezuela, and has diminished our standing with our Nation's number one trading partner. His failure to lead on this issue shows that his process is clearly broken.

Today, we consider a different process, and if signed into law, the Department of Commerce would be in charge of permitting oil pipelines that cross our border, which would be based on the same standard of whether it is in our national interest. FERC would be in charge of permitting natural gas pipelines that cross our border. The Department of Energy would be in charge of permitting electrical transmission lines that come over our border—again, under the same standard of: Is it in our national interest? Where I come from, that is called common sense. We need to take the election politics out of this and go with the experts, who will determine whether or not, based on the facts, it is in the national interest.

The Acting CHAIR (Mr. STEWART). The time of the gentleman has expired.

Mr. WHITFIELD. I yield the gentleman an additional 1 minute.

Mr. TERRY. I appreciate all of that.

Mr. Chairman, by the way, I would disagree with the last speaker on whether or not there would be no environmental oversight. The State Department has over 10,000 pages of environmental studies that were done.

□ 1500

Even under this process, where you let the experts in the respective areas do their job, if there is a Federal trigger in here, all of that has to occur, just like with any other project.

Now, we also heard that there would be this tremendous amount of natural gas exporting without permitting. What was left out of that sentence is that, for there to be an export facility, it has to be permitted, and all of the environmental studies and all of the other studies that are required will be done on behalf of the export facility.

So I think we need to put those in context because you just can't have half the facts laying out there. You need all the facts to make the decision.

Mr. WAXMAN. Mr. Chairman, at this time, I am pleased to yield 5 minutes to the gentlewoman from the State of Illinois (Ms. SCHAKOWSKY), a very important member of our committee.

Ms. SCHAKOWSKY. I thank the gentleman for yielding.

Mr. Chairman, I rise in opposition to H.R. 3301.

My Republican colleagues argue that we need more bills like H.R. 3301 to transport oil and gas as quickly as possible, but building a modern energy infrastructure for the 21st century requires more than just drilling more wells, laying more pipelines, filling more rail cars with crude oil, and putting more tanker trucks on our highways.

A modern 21st century infrastructure must address the threat of climate change, the biggest energy challenge we face as a country.

Republicans can deny it all they want, but we can't have a meaningful conversation about America's energy infrastructure without also having a conversation about climate.

We have a rapidly diminishing window to act to reduce our carbon pollution before the catastrophic impacts of climate change are irreversible. In fact, we are seeing, today, the devastating consequences in many parts of our country.

The International Energy Agency has concluded that, if the world does not take action to reduce carbon pollution before 2017, then dangerous levels of carbon emissions will be locked in by the energy infrastructure existing at that time.

The energy infrastructure decisions that we make today will have a real impact on whether we can mitigate climate change in the future or lock in carbon pollution for generations to come.

My Republican colleagues don't like to hear this message, and that is reflected in the bill we are discussing today. If enacted into law, H.R. 3301 would move us backward in our fight to address climate change. It essentially pretends that climate change doesn't exist.

H.R. 3301 would rubberstamp permits for pipelines to carry tar sands crude from Canada into the United States. Tar sands crude is the dirtiest fuel on the planet, from a climate perspective, but this bill creates a permitting process for cross-border pipelines that makes it difficult, if not impossible, for the Federal Government to say no.

The bill even allows the oil industry to make major modifications to its pipelines without getting any approval at all. That means, if a company wants to increase its pipeline capacity or reverse an existing pipeline to carry more tar sands crude from Canada into the United States, the company can just do it, no questions asked.

Building new tar sands pipelines or expanding existing ones could have a profound environmental impact, but the bill allows for no meaningful environmental review.

For a cross-border pipeline, the bill says the Federal Government can only examine the environmental impact of the cross-border segment of the

project. It is almost hard to believe that that is what the bill does, but it is true.

For a pipeline spanning hundreds of miles, the environmental review will focus on only a tiny part that crosses the U.S. border. That eliminates the possibility of any meaningful examination of the carbon pollution impacts of these pipelines. That is irresponsible.

We know, from our examination of the Keystone XL pipeline, that it will facilitate the production of tar sands crude which is, on average, 17 percent more greenhouse gas intensive than the average crude refined in the United States. We should be examining the carbon impact of every pipeline before we approve it, not ignoring the problem altogether.

That brings us back to Keystone XL. This bill gives TransCanada virtual assurance that Keystone XL will be approved. Even if President Obama finds that the Keystone XL pipeline is not in the national interest and denies the national permit, this bill allows TransCanada to simply reapply and approve it under the new rubberstamp process, with no consideration of the profound environmental climate.

I want to remind my colleagues that this debate and this vote are part of the permanent record. Don't betray your grandchildren and their grandchildren by condemning them to a planet where it is hard to breathe and agriculture is affected.

The future will belong to the country that builds an energy infrastructure to support a cleaner, low-carbon economy. It is our responsibility to lead the country and even the world in that direction.

This bill takes us backwards. I urge my colleagues to oppose H.R. 3301.

Mr. WHITFIELD. Mr. Chairman, at this time, I yield 3 minutes to the gentleman from Ohio (Mr. LATTA), a member of the Energy and Commerce Committee.

Mr. LATTA. Mr. Chairman, I thank the subcommittee chairman, the gentleman from Kentucky, for yielding. I appreciate it.

Mr. Chairman, American innovation in advanced drilling technologies has unleashed an abundance of domestic energy resources. For the 60,000 manufacturing jobs I represent, the U.S. energy renaissance has increased our global competitiveness, resulting in expanded operations and new jobs.

Ramped-up domestic energy production has also helped absorb recent crude oil price volatility amid the turmoil in the Middle East. When it comes to natural gas, we now have more than enough that surplus can be exported to other countries, without impacting the affordability of our domestic supply.

For our allies looking to diversify their energy supply, especially in the European markets, American natural gas can provide secure access, while bolstering our geopolitical standing.

While the energy industry has been a story of positive growth and American

innovation at its best, it is also a source of unnecessary frustration. President Obama likes to take credit for this growth, but growth in the energy industry has occurred, despite his best efforts to lock up access and regulate producers out of business.

Recent studies have made clear that virtually all the increases in production have occurred on State and privately-owned lands, while overall production on Federal lands has decreased.

Beyond limiting access to domestic resources, the Obama administration has also been creating unnecessary obstacles for developing much-needed energy infrastructure.

As previous speakers have already stated, we are aware of the unnecessary delays that the President has placed on the Keystone XL pipeline, the 830,000 barrels of oil it would bring into the United States each day, and the over 40,000 jobs it would create.

We can't afford to have more pipelines delayed that would help America's energy security. This is why the North American Energy Infrastructure Act is an important and necessary piece of legislation.

I thank Chairman UPTON for his leadership on the issue. This bill embodies the type of good governance hard-working American taxpayers deserve, and I urge my colleagues' support.

Mr. WAXMAN. Mr. Chairman, I yield 5 minutes to my colleague from California (Mrs. CAPPs), who is a senior member of our committee and a very respected Member as well.

Mrs. CAPPs. Mr. Chairman, I thank my colleague—my respected colleague—Mr. WAXMAN for yielding time.

Mr. Chairman, I rise in strong opposition to H.R. 3301. H.R. 3301 would eliminate meaningful review of the environmental impacts of proposed cross-border energy projects.

The bill dramatically narrows the scope of environmental review to only the cross-border segment of the energy project, that tiny portion that actually physically crosses the national boundary. Now, this makes no sense.

These pipelines, these transmission lines, they are major infrastructure projects. They can span hundreds of miles. They cross through private property, water bodies, farms, and many other sensitive areas, and they carry substances that can catch fire or spill and pollute the environment.

To understand the potential environmental impact of such an energy project, we need to look at the project as a whole. Ignoring the potential environmental or safety risks for every part of the project, except that tiny sliver of land at the national boundary, this defies common sense.

Imagine going to the doctor if you are feeling sick and the doctor gives you a clean bill of health, but he has only looked at your elbow.

That is exactly what this bill does. It green-lights these projects without any meaningful environmental review, and no meaningful review means no opportunity to mitigate potential harm to

public health, to public safety, or the environment. That is just reckless.

The White House has threatened to veto this bill because it provides inadequate time for environmental reviews, and environmental organizations are universally opposed to it.

Thirteen environmental groups, including the Natural Resources Defense Council and the Sierra Club, sent a letter emphasizing—and I quote from their letter: “This legislation could severely limit environmental review and public input to a narrow cross-border segment of projects, thereby precluding review of the full project’s impacts.”

Then National Wildlife Federation says—and I quote from their statement—that this bill “takes a hatchet to the National Environmental Policy Act.”

The League of Conservation Voters warns that this dangerous bill would gut the review process and effectively exempt the projects from the National Environmental Policy Act.

These environmental projects—these energy infrastructure projects will last for decades. We need to understand the impacts of these projects before they are constructed, so that we can protect public health and safety and the environment. Ignoring the impacts will not make them disappear.

H.R. 3301 defies common sense, and I urge my colleagues to oppose this bill.

Mr. WHITFIELD. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Louisiana (Mr. CASSIDY), a member of the Energy and Commerce Committee.

Mr. CASSIDY. Mr. Chairman, this act is important. It is important for Americans.

Now, first, just to allay some fears, actually, this does not eliminate the need for Federal permitting for the entire process, but what it does is eliminate the President’s ability to sit on a project, not allowing it to go forward, abusing the trust of the American people, that he is actually working in their interest, as opposed to pursuing his own narrow agenda.

Now, let’s make this very clear: the fact that the President is just reviewing this is beyond credibility, but what it does do—his kind of interminable delays eliminates 20,000 to 40,000 jobs just on the one project, Keystone XL pipeline—which the other side is speaking so much of—and 100,000 indirect jobs.

By the way, when we buy products from Canada, 80 percent of the dollars that we spend there stay on the North American continent, improving the economy, not just in Canada, but also in the United States.

If we buy oil from overseas—say the Middle East—only about 40 percent of those dollars return. This is beyond the impact of building pipelines themselves, but also a global economy.

Now, the State Department—this administration’s State Department has said that this project, Keystone XL

pipeline, will have negligible impact on the economy. Indeed, if we continue to truck or ship by rail, more people will die—Americans will die, Mr. Chairman—than if we build a pipeline in which they anticipate, of course, there is no deaths.

One thing this will do is this will really—the opposition of the President and the other side, it will do wonders for China’s economy.

Canada has just announced they are going to build a pipeline to their west coast to send these oil sands to China, creating Chinese jobs, but also Chinese pollution that, once it is into the atmosphere, will blow over onto the United States. Talk about a fruitless policy of delay.

Now, let me just finish by saying there is one more aspect of this. It helps create North American security. No longer are we buying oil from countries which hate us, financing their efforts to undermine our society; rather, we keep that money with our closest ally who, in turn, buys goods for us.

We should approve this bill and this project in particular. We should build it for Americans. It is better for the environment. It is better for our economy. Most of all, it is better for our workers.

□ 1515

Mr. WAXMAN. Mr. Chairman, at this time I yield 4 minutes to the gentleman from the State of New York (Mr. TONKO), our colleague who is an active leader in energy policy.

Mr. TONKO. I appreciate the gentleman from California, our distinguished ranker on the committee and former chair, for yielding.

Mr. Chairman, it is unfortunate that the energy bills before us this week do not lay out a roadmap for where we truly need to go; that is, to a future in which we have reduced our reliance on fossil fuels, greatly increased our focus on energy efficiency, and expanded our use of renewable energy.

H.R. 3301 and H.R. 6 are all about keeping us dependent upon fossil fuels, especially oil and gas. H.R. 3301 establishes a new process for considering and approving cross-border energy projects—pipelines and certainly transmission lines. In fact, it would be good to have a defined and predictable process for evaluating these projects and either approving or rejecting them within a reasonable timeframe.

Unfortunately, this bill is all about approving these projects quickly, with minimal consideration of their value to all sectors of our economy, the value to our consumers, and certainly the value to our environment.

The advocates for this bill and this infrastructure approval process sound as if we have never approved cross-border projects. But, in fact, we have many cross-border pipelines and transmission lines. This infrastructure, once in place, operates for decades. And all projects are not all equal in their impacts and are certainly not all equal in their size.

This bill does not require a sufficient analysis of the overall benefits of proposed projects. It is not enough to determine if any project is in our national security interests. Those are important interests, of course, but there are many others as well. The public, State and local governments, nonfossil fuel business interests, and others should be able to offer their views on a proposed project. This bill virtually cuts them out of that effort. You do not gain public support for infrastructure projects by cutting the public out of the decisionmaking.

H.R. 3301 does not provide for sufficient public input or sufficient weighing of overall national benefits and costs of these projects. Supporters of H.R. 3301 claim that this bill is not about the Keystone XL pipeline.

Well, H.R. 3301 is not a Keystone XL approval bill, per se, but that project would certainly be resurrected and approved if this bill were to become law.

This bill should not become law. It does not provide the type of thoughtful, comprehensive, and certainly inclusive process that should guide decisions that impact energy resources for many decades to come. I urge defeat of this legislation.

Mr. WHITFIELD. May I inquire how much time remains?

The Acting CHAIR. The gentleman from Kentucky has 17½ minutes remaining, and the gentleman from California has 13½ minutes remaining.

Mr. WHITFIELD. At this time, I yield myself such time as I may consume.

Mr. Chairman, first of all, I would like to point out that H.R. 3301 really, in a way, corrects the inequity. Today, natural gas pipelines are treated one way if they cross international boundaries, and oil pipelines and transmission lines are treated in a different way.

For example, a natural gas pipeline crossing into Canada would not require a Presidential permit, but oil pipelines and transmission lines crossing international boundaries do require a Presidential permit. And I might add that Congress never passed legislation requiring a Presidential permit. That was a power that a President, by executive order, took even before President Obama did it.

But here is the key factor. This law, H.R. 3301, would treat all pipelines the same, whether it is natural gas, whether it is oil, or whether it is a transmission line.

Now, I know that arguments are being made here primarily based on Keystone, and a lot of arguments are being made about climate change.

I would say to all of the American people that we have people coming into Congress on a regular basis from developing countries of the world who say that climate change is not their number one concern. They are more concerned about food. They are more concerned about sanitary living conditions. They are more concerned about

clean water. They are more concerned about jobs and the ability to provide income for their families. And, as a matter of fact, polls in America have shown that climate change is way down the list of primary concerns of people.

Now, I know that for Tom Steyer—who I understand is at the White House today—it is his number one issue. And he has said that he is going to spend \$100 million against Republican candidates or any candidate that does not recognize climate change as one of the most important issues facing mankind.

So I simply wanted to make that comment. Sure, climate change is important. And I might add that emissions from energy-produced causes in America today are the lowest that they have been in 20 years. So America does not have to take a back seat to anyone on addressing emissions from greenhouse gases.

And I will tell you that we are the only country in the world where, if natural gas prices go up, we won't even be able to build a new coal plant in America because the technology is not commercially available at a cost that any utility could afford.

So even in Europe, natural gas prices went up. They mothballed natural gas plants. And last year in Europe, they imported 53 percent of all our coal exports.

But yet this President, in the White House today, has such extreme views that if our gas prices go up, we don't have the option in an affordable way to build a new coal plant to help us meet our base loads. And if we are going to have an economy that is not sluggish—the way it has been consistently under President Obama—we have to have affordable, abundant, and reliable energy. And that is what this bill is about.

Now people are saying, if you pass H.R. 3301, you are exempting oil and transmission lines from a NEPA review. But I want you to know, there are 33 other environmental laws—like the Endangered Species Act, Clean Water, Rivers and Harbors, National Historic Preservation, Clean Air Act—that would trigger. If Federal action is triggered, then it would be triggered even under H.R. 3301. That is, unless, of course, it is the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act, which this administration has granted windmills an exemption from. So you can kill all the migratory birds you want and bald eagles. If you are a windmill company, you won't be prosecuted, but if you are an individual timber owner in North Carolina, you will be fined \$100,000 and convicted of a felony.

So in conclusion of my remarks at this point, I would simply say that the bill is not designed to expedite the Keystone pipeline, because it can't be approved under H.R. 3301. It is under the Presidential permit process. But the Presidential permit process is arbitrary. Even the State Department has

said that it would be of negligible environmental impact to approve the Keystone pipeline. But all H.R. 3301 does is it says, we are going to treat oil pipelines and transmission lines that cross international boundaries with Canada or Mexico exactly the way natural gas pipelines are treated today.

So it is not anything extraordinary. It is not anything radical. It is the way natural gas pipelines are created today. And we believe that is the way to go, and that is what H.R. 3301 is all about.

With that, I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, I listened carefully to the comments of the gentleman from Kentucky, and I couldn't really follow a lot of it.

After all, if the price of natural gas goes up, that would perhaps help the coal industry because the coal industry is not able to compete economically when the price of natural gas is low because if you are building a utility, you might as well buy natural gas because it is cheaper. Of course the coal people say, it is the government that is doing it. But it is the marketplace that is doing it.

And the other comment that I found peculiar was, we don't need to have the National Environmental Policy Act evaluation because we have got the Endangered Species Act evaluation.

Well, the Endangered Species Act is looking at endangered species. But what about the rest of the environmental review that would be eliminated if this bill were adopted, especially when we are talking about the impact on climate change and all of the other environmental considerations?

So I must say that, while I came here with a clear view, I am reaffirmed in my view. The gentleman from Kentucky did not even come close to persuading me.

At this time, I yield 4 minutes to the gentleman from the State of Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. I thank the ranking member of the committee for yielding. Maybe in my 4 minutes, I can convince him.

Mr. Chairman, I rise today as a proud cosponsor and in support of H.R. 3301, the North American Energy Infrastructure Act.

Passing H.R. 3301 will help create the North American energy market. It will help make us energy-independent for North America, between our two free trading partners, Mexico and Canada.

But I also need to correct the record. There is a lot of misinformation about this legislation, and I hope to make a few things clear.

Commerce decisions are the responsibility of Congress. Today we can have 1,000 tank-car trains with crude oil come from Canada without a permit, but to build a pipeline, it has been delayed for years because it couldn't get a Presidential permit. We can bring the same substance from Canada in train cars, but we can't put it on a safer mode of pipelines.

Congress has not acted on legislative cross-border infrastructure since 1850. I think it is time to change that.

The Presidential permit process that my colleague is defending so vigorously is an executive order process that could be changed depending on who is in the White House. My colleague may support the process now but may oppose the process later.

H.R. 3301 gives statutory certainty to build transmission lines, oil pipelines, or natural gas pipelines with our two free trade neighbors, Canada and Mexico. H.R. 3301 eliminates uncertainty that has crippled infrastructure development.

These pipelines are not paid for by tax money. They are paid for by investors.

H.R. 3301 does not eliminate or limit environmental reviews of cross-border infrastructure. In fact, the bill cements environmental reviews by putting it into law. The bill does not eliminate the public interests or deem applications approved. The bill guarantees the public interest must be met but in a timely fashion.

Finally, the bill does not apply to the current project applications, like Keystone XL. This bill doesn't go into effect if it is passed by the Senate until 2016. Keystone may or may not have their project approval or their plan approval by then, but they would have to get back in line with everyone else after this bill goes into effect. We have safeguarded against this by grandfathering current applications and delaying the effective date until mid-2016.

There are more than 60 cross-border projects that have been built over the last few decades. But today, there are more than 10 applications at the State Department awaiting action because political decisions have been bogged down in the process.

Cross-border infrastructure is important in the public interest. The State Department has stated: "Additional pipeline capacity will advance the strategic interests of the United States, send positive economic signals, and provide construction jobs for workers in the U.S."

We can build cross-border infrastructure while protecting the environment. Federal agencies are required to consider the environmental impacts of the actual infrastructure. Federal, State, and local agencies approve domestic projects every single day. All the opponents of H.R. 3301 want to talk about is Keystone XL and the environmental review.

We have solved both of these issues, advanced the public interest of the United States, secured our domestic energy needs for decades to come, solidified our relationships with our two closest partners, Canada and Mexico; and made North America a new global powerhouse in the energy sector.

H.R. 3301 is not about the past. H.R. 3301 is about securing the economic, security, and environmental needs of the future.

Mr. WHITFIELD. I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, at this time, I yield 1 minute to the gentleman from the State of Utah (Mr. MATHE-SON).

□ 1530

Mr. MATHESON. I thank my ranking member for yielding the time.

Mr. Chairman, I rise in support of the North American Energy Infrastructure Act, and I want to thank Mr. GREEN, my colleague, and also Mr. UPTON who worked so much on this bill.

Our country is on the cusp of not only becoming the world's leading energy producer, but we are also close to achieving North American energy independence with our allies to the north and south: Canada and Mexico. With this can come jobs and economic growth, greater energy security, and less uncertainty in our economy.

However, unnecessarily complicated, outdated, and political roadblocks are currently in place that can encumber this progress. We should remember the current Presidential permitting process for cross-border energy infrastructure projects was developed through a series of ad hoc executive orders, which has created a high level of uncertainty for everyone involved.

This bill would work to modernize and streamline the process, providing producers and consumers with a greater degree of clarity about the process. This is a process that is in desperate need of reform, and I urge my colleagues to support the bill.

Mr. WHITFIELD. Mr. Chairman, I continue to reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, I am pleased at this time to yield 2 minutes to the gentleman from Texas (Mr. GALLEGRO).

Mr. GALLEGRO. Mr. Chairman, I would like to thank the chairman and the ranking member for the time as well.

I am not much for hyperbole or finger-pointing. I want to talk about what it is that is important about this bill for me as the representative of much of the Eagle Ford area in Texas and the Permian Basin. It is not about Keystone or even the President because it doesn't go into effect until 2016.

All my life, I grew up hearing about the Arab oil wars, and I remember well the Arab oil embargo as a kid growing up in west Texas. I think we can do something today that secures our energy future for our kids and our grandkids. We can do this carefully, making sure that we preserve the environment for future generations.

Sections 3 and 7 of the Natural Gas Act, which apply to the construction of facilities, still apply here. These facilities are still subject to NEPA review. They must still meet the same safety standards, which we all know are very important.

As Mr. MATHESON indicated, our neighbors to the north and south are

increasingly vital partners as the rest of the world goes into the global economy. We need not constantly rely on oil from unstable parts of the world when we can get it here at home and get it safely—underscore safely—and cleanly, and we can help our neighbors get it safely and cleanly, too.

My hometown of Alpine is not located near oil or gas fields, but it is on the main line of a railroad, and in 2010, only 1 percent of U.S. oil production was moved by rail, and last year, it was up to 10 percent, and I have personally seen several derailments. One year, many of us in town had soap for a year as a result of a railroad derailment.

I want my son to play in the Big Bend and float the Devils River with his kids, just as I did, and I also want to be sure that, when he flips the switch, the lights come on, or when he and his kids cook or use their air conditioners or their heaters, the energy is there to do what they need.

Again, I want to thank the ranking member for the use of the time and the Chair and the ranking member for their work, and thank you for letting me share my thoughts.

Mr. WHITFIELD. Mr. Chairman, I would like to make an inquiry on the amount of time remaining on both sides.

The Acting CHAIR. The gentleman from Kentucky has 11½ minutes remaining. The gentleman from California has 5½ minutes remaining.

Mr. WHITFIELD. Mr. Chairman, we don't have any more speakers on our side, so I will reserve the balance of my time and let the gentleman from California proceed.

Mr. WAXMAN. Mr. Chairman, I yield myself 2 minutes just to say that the President has looked at this bill, and they just cited a number of concerns about it, and they very seldom come in with a Statement of Administration Policy, but they did say on this bill that they would be against it.

They think that this bill raises serious trade implications by eliminating the current statutory requirement that the Department of Energy authorize orders for the natural gas exports. I don't think this bill is going anywhere because I think the Senate is unlikely to take it up.

There are serious and urgent problems facing this Nation: unemployment, the need for immigration reform, climate change, gun violence in our children's schools, foreign policy challenges; but, once again, House Republicans are ignoring the real issues. Instead, they are wasting time on counterproductive legislation that has no prospect of enactment.

Mr. Chairman, I believe we have better things to do. I would urge opposition to the bill, and I yield back the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I would say to the American people that, certainly, energy is vitally important, and that is why we have introduced this bill, and that is why we brought this bill to the floor.

Because when you talk about creating jobs and stimulating the economy, you have to have low-cost, affordable, abundant, and reliable energy, or you cannot compete in the global marketplace.

As I had said earlier, I just want to reiterate, once again, that this bill does nothing but make the decision that we are going to treat oil pipelines, natural gas pipelines, and transmission lines all the same.

Right now, a natural gas pipeline that crosses an international boundary does not require a Presidential permit, but an oil pipeline and a transmission line to bring electricity across the border does require a Presidential permit.

As many speakers have said today, that Presidential permit or authority was not granted by the Congress; it was taken by executive orders. So all we are doing is saying that we are going to treat all of them the same.

Now, some people are saying that: well, you are eliminating the need for NEPA, you are not allowing NEPA review.

I had pointed out that there are 33 environmental laws that all of these pipelines or transmission lines would be subject to, and any Federal action, like crossing a stream that would create a necessity for a Clean Water Act permit, could very well generate a need for a NEPA review.

Nothing in this bill would limit the application of NEPA to the rest of the project. It would certainly apply to the cross border, but it would not limit application to the rest of the project.

So if a project required a right-of-way across Federal lands, the NEPA review would be initiated. Nothing in the bill would exempt the project from requiring applicable Clean Water Act permits, clean air permits, endangered species permits, or any other Federal permit.

So I would respectfully request the Members to support this commonsense bill. It would bring certainty to entities that are trying to bring more energy to America by treating gas pipelines the same as oil pipelines, the same as a transmission line.

In concluding, I would just like to say this: nothing in the bill creates a Federal right of eminent domain or supersedes a State's exercise of eminent domain authority.

In concluding, I would just like to say that, while the gentleman from California and I are on opposite sides of this issue—and a lot of issues—he has been a real leader in the U.S. Congress.

He announced earlier that he is not going to be seeking reelection, but the gentleman from California, HENRY WAXMAN, has been a leader in the U.S. Congress and recognized so throughout the country.

Even though he is going to be with us for 6 or 7 more months until the end of the year, I did want to acknowledge that he is recognized as a congressional leader, with great empathy and commitment to his views, although sometimes we disagree with his views.

With that, I urge the adoption of H.R. 3301 and yield back the balance of my time.

Mr. BILIRAKIS. Mr. Chair, I rise today in support of H.R. 3301, the North American Energy Infrastructure Act, of which I am a co-sponsor. This legislation will ensure that transnational pipeline construction permits are considered on their merits instead of politics. Importantly, it is a substantive step towards more affordable energy prices. People are hurting, Mr. Chair. According to the American Automobile Association's daily fuel gauge report, today's average gas price in the Tampa Bay market: \$3.64, well up from \$2.35 per gallon in 2009. Not only are gas prices up, but so too are the price of groceries and costs of heating and cooling your home or apartment. Domestic energy production helps Americans with their everyday costs. This is the bottom line. H.R. 3301 will aid in that effort. Support this bill and help lower energy costs for all Americans. I yield back.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-49. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 3301

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the "North American Energy Infrastructure Act".*

**SEC. 2. FINDING.**

*Congress finds that the United States should establish a more uniform, transparent, and modern process for the construction, connection, operation, and maintenance of oil and natural gas pipelines and electric transmission facilities for the import and export of oil and natural gas and the transmission of electricity to and from Canada and Mexico, in pursuit of a more secure and efficient North American energy market.*

**SEC. 3. AUTHORIZATION OF CERTAIN ENERGY INFRASTRUCTURE PROJECTS AT THE NATIONAL BOUNDARY OF THE UNITED STATES.**

(a) **AUTHORIZATION.**—Except as provided in subsection (c) and section 7, no person may construct, connect, operate, or maintain a cross-border segment of an oil pipeline or electric transmission facility for the import or export of oil or the transmission of electricity to or from Canada or Mexico without obtaining a certificate of crossing for the construction, connection, operation, or maintenance of the cross-border segment under this section.

(b) **CERTIFICATE OF CROSSING.**—

(1) **REQUIREMENT.**—Not later than 120 days after final action is taken under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a cross-border segment for which a request is received under this section, the relevant official identified under paragraph (2), in consultation with appropriate Federal agencies, shall issue a certificate of crossing for the cross-border segment unless the relevant

*official finds that the construction, connection, operation, or maintenance of the cross-border segment is not in the public interest of the United States.*

(2) **RELEVANT OFFICIAL.**—The relevant official referred to in paragraph (1) is—

(A) the Secretary of State with respect to oil pipelines; and

(B) the Secretary of Energy with respect to electric transmission facilities.

(3) **ADDITIONAL REQUIREMENT FOR ELECTRIC TRANSMISSION FACILITIES.**—In the case of a request for a certificate of crossing for the construction, connection, operation, or maintenance of a cross-border segment of an electric transmission facility, the Secretary of Energy shall require, as a condition of issuing the certificate of crossing for the request under paragraph (1), that the cross-border segment of the electric transmission facility be constructed, connected, operated, or maintained consistent with all applicable policies and standards of—

(A) the Electric Reliability Organization and the applicable regional entity; and

(B) any Regional Transmission Organization or Independent System Operator with operational or functional control over the cross-border segment of the electric transmission facility.

(c) **EXCLUSIONS.**—This section shall not apply to any construction, connection, operation, or maintenance of a cross-border segment of an oil pipeline or electric transmission facility for the import or export of oil or the transmission of electricity to or from Canada or Mexico—

(1) if the cross-border segment is operating for such import, export, or transmission as of the date of enactment of this Act;

(2) if a permit described in section 6 for such construction, connection, operation, or maintenance has been issued;

(3) if a certificate of crossing for such construction, connection, operation, or maintenance has previously been issued under this section; or

(4) if an application for a permit described in section 6 for such construction, connection, operation, or maintenance is pending on the date of enactment of this Act, until the earlier of—

(A) the date on which such application is denied; or

(B) July 1, 2016.

(d) **EFFECT OF OTHER LAWS.**—

(1) **APPLICATION TO PROJECTS.**—Nothing in this section or section 7 shall affect the application of any other Federal statute to a project for which a certificate of crossing for the construction, connection, operation, or maintenance of a cross-border segment is sought under this section.

(2) **NATURAL GAS ACT.**—Nothing in this section or section 7 shall affect the requirement to obtain approval or authorization under sections 3 and 7 of the Natural Gas Act for the siting, construction, or operation of any facility to import or export natural gas.

(3) **ENERGY POLICY AND CONSERVATION ACT.**—Nothing in this section or section 7 shall affect the authority of the President under section 103(a) of the Energy Policy and Conservation Act.

**SEC. 4. IMPORTATION OR EXPORTATION OF NATURAL GAS TO CANADA AND MEXICO.**

Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended by adding at the end the following: "No order is required under subsection (a) to authorize the export or import of any natural gas to or from Canada or Mexico."

**SEC. 5. TRANSMISSION OF ELECTRIC ENERGY TO CANADA AND MEXICO.**

(a) **REPEAL OF REQUIREMENT TO SECURE ORDER.**—Section 202(e) of the Federal Power Act (16 U.S.C. 824a(e)) is repealed.

(b) **CONFORMING AMENDMENTS.**—

(1) **STATE REGULATIONS.**—Section 202(f) of the Federal Power Act (16 U.S.C. 824a(f)) is amended by striking "insofar as such State regulation does not conflict with the exercise of the Com-

mission's powers under or relating to subsection 202(e)".

(2) **SEASONAL DIVERSITY ELECTRICITY EXCHANGE.**—Section 602(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a-4(b)) is amended by striking "the Commission has conducted hearings and made the findings required under section 202(e) of the Federal Power Act" and all that follows through the period at the end and inserting "the Secretary has conducted hearings and finds that the proposed transmission facilities would not impair the sufficiency of electric supply within the United States or would not impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Secretary."

**SEC. 6. NO PRESIDENTIAL PERMIT REQUIRED.**

No Presidential permit (or similar permit) required under Executive Order 13337 (3 U.S.C. 301 note), Executive Order 11423 (3 U.S.C. 301 note), section 301 of title 3, United States Code, Executive Order 12038, Executive Order 10485, or any other Executive Order shall be necessary for the construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility, or any cross-border segment thereof.

**SEC. 7. MODIFICATIONS TO EXISTING PROJECTS.**

No certificate of crossing under section 3, or permit described in section 6, shall be required for a modification to the construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility—

(1) that is operating for the import or export of oil or natural gas or the transmission of electricity to or from Canada or Mexico as of the date of enactment of the Act;

(2) for which a permit described in section 6 for such construction, connection, operation, or maintenance has been issued; or

(3) for which a certificate of crossing for the cross-border segment of the pipeline or facility has previously been issued under section 3.

**SEC. 8. EFFECTIVE DATE; RULEMAKING DEADLINES.**

(a) **EFFECTIVE DATE.**—Sections 3 through 7, and the amendments made by such sections, shall take effect on July 1, 2015.

(b) **RULEMAKING DEADLINES.**—Each relevant official described in section 3(b)(2) shall—

(1) not later than 180 days after the date of enactment of this Act, publish in the Federal Register notice of a proposed rulemaking to carry out the applicable requirements of section 3; and

(2) not later than 1 year after the date of enactment of this Act, publish in the Federal Register a final rule to carry out the applicable requirements of section 3.

**SEC. 9. DEFINITIONS.**

In this Act—

(1) the term "cross-border segment" means the portion of an oil or natural gas pipeline or electric transmission facility that is located at the national boundary of the United States with either Canada or Mexico;

(2) the term "modification" includes a reversal of flow direction, change in ownership, volume expansion, downstream or upstream interconnection, or adjustment to maintain flow (such as a reduction or increase in the number of pump or compressor stations);

(3) the term "natural gas" has the meaning given that term in section 2 of the Natural Gas Act (15 U.S.C. 717a);

(4) the term "oil" means petroleum or a petroleum product;

(5) the terms "Electric Reliability Organization" and "regional entity" have the meanings given those terms in section 215 of the Federal Power Act (16 U.S.C. 824a); and

(6) the terms "Independent System Operator" and "Regional Transmission Organization" have the meanings given those terms in section 3 of the Federal Power Act (16 U.S.C. 796).

The Acting CHAIR. No amendment to the amendment in the nature of a substitute shall be in order except those printed in part B of House Report 113-492. Each such amendment shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. PALLONE

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113-476.

Mr. PALLONE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, line 18, strike "a cross-border segment of".

Page 2, beginning on line 3, strike "a certificate of crossing for" and insert "approval of".

Page 2, line 5, strike "the cross-border segment" and insert "the pipeline or facility".

Page 2, line 6, strike "CERTIFICATE OF CROSSING" and insert "APPROVAL".

Page 2, line 10, strike "cross-border segment" and insert "project".

Page 2, beginning on line 14, strike "issue a certificate of crossing for the cross-border segment" and insert "approve such project".

Page 2, line 17, strike "of the cross-border segment".

Page 3, line 3, strike "a certificate of crossing for" and insert "approval of".

Page 3, beginning on line 4, strike "a cross-border segment of".

Page 3, line 7, strike "issuing the certificate of crossing for" and insert "approving".

Page 3, beginning on line 8, strike "the cross-border segment of".

Page 3, beginning on line 16, strike "the cross-border segment of".

Page 3, beginning on line 20, strike "a cross-border segment of".

Page 4, line 1, strike "cross-border segment" and insert "pipeline or facility".

Page 4, line 7, strike "a certificate of crossing for" and insert "approval of".

Page 4, line 21, strike "a certificate of crossing for" and insert "approval of".

Page 4, beginning on line 22, strike "of a cross-border segment".

Page 6, line 24, strike " , or any cross-border segment thereof".

Page 7, line 2, strike "certificate of crossing" and insert "approval".

Page 7, beginning on line 14, strike "a certificate of crossing for the cross-border segment" and insert "approval".

Page 8, strike lines 7 through 11.

The Acting CHAIR. Pursuant to House Resolution 629, the gentleman from New Jersey (Mr. PALLONE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

My amendment ensures that the complete length of cross-border projects would be subject to full environmental review under the National Environmental Policy Act, or NEPA.

NEPA was created to provide transparency so people would know what the impact of a project will be on their communities. However, H.R. 3301 will circumvent that transparency, making our lands vulnerable to spills, leaks, and other pipeline hazards, and this is why I have introduced this amendment, which will make certain proper diligence is given to protect the public's interests.

By ensuring a Federal NEPA review is conducted for the entire length of all cross-border projects, we can guarantee all proposals will get the full scope of review necessary to preserve our tremendous natural resources.

Unfortunately, H.R. 3301 makes an end run around NEPA. The bill redefines and significantly narrows the scope of NEPA's environmental review. While traditional NEPA review looks at the impacts of an entire project, this bill restricts NEPA review to only that portion of a project that physically crosses the border, and this restriction doesn't make any sense.

These massive projects are more than just a border crossing. When we approve transboundary pipeline or transmission line, we are approving a multi-billion dollar infrastructure that may stretch hundreds of miles and will last for decades.

These projects pass through private property and sensitive lands and over aquifers. They transport hazardous substances that, if spilled or ignited, can cause serious damage.

Before making decisions about whether to approve such projects, we need to carefully consider their potential impacts on environment and on communities along their routes. Simply put, we should be looking at the effects of projects as a whole.

That is not what the bill before us does. Instead, it redefines the scope of NEPA's inquiry to only encompass the step across the border, and this is a nonsensical approach. It makes the process of environmental review essentially meaningless.

When Congress passed NEPA, it never intended this law to provide such a narrow review. Congress intended NEPA to provide policymakers with a critical tool to understand a project's full environmental impacts and consider lower-impact alternatives.

NEPA doesn't dictate the outcome or impose any constraint on projects. It simply requires the Federal Government to make some effort to understand the environmental impacts of major Federal actions and to inform the public of those impacts.

We should not be carelessly narrowing or creating loopholes in this law. When the Federal Government makes a decision about a major project, it should understand what it is doing.

As we have seen with Keystone XL, large energy projects often raise safety issues, economic implications, and environmental concerns, both for the local and global environments.

These projects affect communities all along their routes. It is simply common sense that we should understand the broad scope of these impacts before deciding to approve a project.

Unfortunately, the bill before us today prevents this review, which is why I urge all of my colleagues to support this important amendment that ensures that the complete length of cross-border projects would be subject to a full NEPA review.

Mr. Chairman, I reserve the balance of my time.

□ 1545

Mr. WHITFIELD. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. Mr. Chairman, I yield myself such time as I may consume.

While I have a great deal of respect for the gentleman from New Jersey (Mr. PALLONE), his amendment would, in effect, codify the Presidential permit not only for oil pipelines and transmission lines, but also for natural gas pipelines, which are now exempt from the Presidential permit. So he is going in the wrong direction, and would make it even more difficult.

As I said earlier, NEPA would apply anytime Federal action is triggered, and there are 33 different environmental laws that can trigger Federal action. So I am very much opposed to the gentleman's amendment.

I yield such time as he may consume to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I thank my colleague for yielding to me. As ranking member on the Health Subcommittee, I, too, am hesitant to rise and oppose your amendment. What the amendment would do is it would ensure that the complete length of cross-border projects would be subject to full environmental review under the National Environmental Policy Act.

The bill already guarantees that review at the national boundary based with the Department of Energy.

Existing Federal and State law guarantees an environmental review on the complete length of the project.

Current Federal laws that trigger NEPA reviews in addition to H.R. 3301 include the Clean Water Act, the Clean Air Act, the Endangered Species Act, the Mineral Leasing Act, the Rivers and Harbors Act, the Fish and Wildlife Coordination for Fish and Wildlife Service consultation, the National Wildlife Refuge System Administration Act, the Wilderness Act, and the Federal Land Policy and Management Act.

The intent of this bill is not to eliminate any of the NEPA reviews within the continental United States. The problem we have right now is the Department of State is making a decision that really ought to be Federal agencies and even State governments who would need that.

If this amendment was adopted, it would require a State Department or a Presidential permit, and then all of the other agencies, and so it would make it impossible.

The argument for this bill, if you are opposed to Keystone, then you are allowing literally a thousand-car train of crude oil to come across the border now without any of these reviews. A pipeline is inherently safer. That is why we need to bring that crude oil by pipeline from Canada to the gulf coast, where our refining capacity is.

The amendment would actually expand what is under current law. It would make it even harder. The goal of the legislation is to have this North American energy independence market, and we don't need to throw up more roadblocks to keep companies from importing or exporting to Canada or importing or exporting to Mexico, where we already have free trade agreements.

I urge a "no" vote on the amendment.

Mr. PALLONE. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman, this bill provides, if it is a cross boundary with Canada or Mexico, you cannot have a NEPA review, an environmental review, except right around there, right around where the boundary is. Now, if you built a pipeline in the United States and it went a thousand miles, you would have a review of it. But they are saying just because it goes across the boundary for a thousand miles, let's say, there would be no review. Even though it crosses streams and aquifers, it would not get a real environmental review that would be required if it were solely domestic. That makes no sense.

I urge support for the Pallone amendment because it fixes a problem and preserves meaningful environmental reviews. That is what we need for these projects. It corrects that part of the bill which I think is a glaring, glaring loophole.

Mr. WHITFIELD. Mr. Chairman, I yield back the balance of my time.

Mr. PALLONE. Mr. Chairman, I would ask my colleagues to support the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. PALLONE).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. PALLONE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. WAXMAN

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 113-492.

Mr. WAXMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 3(c)(4) and insert the following:

(4) if an application for a permit described in section 6 for such construction, connection, operation, or maintenance, or for a substantially similar project, is pending on the date of enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 636, the gentleman from California (Mr. WAXMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. WAXMAN. Mr. Chairman, this bill's supporters claim that it is just about the approval process for cross-border energy projects. They say it is not about approving the Keystone XL tar sands pipeline because that is under review now. But, in fact, that is what this bill really does.

If the President determines that the Keystone XL pipeline is not in the national interest, this bill would allow TransCanada to reapply under this new process designed to rubberstamp permits, and Keystone XL would almost certainly be approved under that process.

This bill establishes a new permitting process which would ensure rapid approval, and not particularly a clear evaluation. The bill makes it very difficult for Federal agencies to do anything other than approve the proposed project for two reasons.

First, the new permitting process narrows the approval and environmental review. And, secondly, the bill establishes this rebuttable presumption of approval, meaning the Federal agency must approve the project unless it finds that the cross-border segment of the project is not in the public interest.

I think this bill, which I have called the "Zombie Pipeline Act," is just for the Keystone XL pipeline. They keep on trying to push that thing and not let it go through the process by which it is still being evaluated. So I urge that we close this backdoor way to ensure Keystone XL itself is brought up again, and I would urge support for this amendment because this bill is not a proper way to deal with that particular project.

I reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I thank my friend and colleague for yielding.

Ranking Member WAXMAN's amendment excludes any project with a pend-

ing permit application from the new approval requirements in the bill. The bill does not deal with Keystone XL. The bill shall not apply if an application for a permit for construction, connection, operation, or maintenance is pending. That is what the bill does, H.R. 3301.

The bill does not apply until after July 1, 2016. We are in 2014 now. Keystone XL has been at the State Department and White House for at least 5 years, and are they going to wait another 2 years? Now, if they want to wait until July 1, 2016, they would have to refile and start all over. But this bill has nothing to do with the Keystone permit. They could stand in line like anyone else after July 1, 2016, stand in line and get their permit. I would assume we would have a number of them.

But let me first take some time, and I appreciate my colleague, Ranking Member WAXMAN. I have been on the Energy and Commerce Committee since 1997, and most of the time we agree, but we do represent individual districts. But I want to say that I appreciate Mr. WAXMAN's service. We have worked together on a lot of legislation in the committee and even on the floor, but, obviously, we have a disagreement on energy. That is why I think the amendment is not needed, because the bill already prohibits it from applying to any current permit in the law.

Again, Mr. WAXMAN, I thank you for your service. I will miss you because I enjoy our discussions.

Mr. WAXMAN. Mr. Chairman, I appreciate all of the nice words, but let's recognize this amendment. We just heard the statement that this doesn't apply to the Keystone XL pipeline because that is pending, and the bill says it doesn't apply to any project with permit approval pending on the date of enactment. But that doesn't exclude them if they are denied from coming right back and getting rubberstamped under the easier process under this bill.

So if this is not about the Keystone XL pipeline, adopt this amendment which says that the Keystone XL pipeline may not come back as a zombie for approval later if it doesn't get approved under the existing process.

I am just trying to keep people honest. I still have got 6 months to do that, so don't say good-bye to me yet. While I am here, and even after I have left the Congress, I will continue to point out when things are said that just don't add up. It doesn't add up to say that this doesn't apply to the Keystone XL pipeline; it could, and in fact it is a backdoor way to do that. And one might suspect that that is the whole purpose of the legislation. I urge adoption of this amendment.

I yield back the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I would just point out that if we pass H.R. 3301, the Keystone pipeline is still caught up in the Presidential permitting process. And if we adopt the Waxman amendment, the Keystone pipeline

would never, ever be able to come back with a new application.

Since they filed an application in September of 2008, and despite the State Department saying that there is no negligible environmental impact by approving it, President Obama continues not to approve it. So if after 2016 the Keystone pipeline entity wants to submit a new application under the new law, they would certainly and should have a right to do that. That is the only reason we oppose the Waxman amendment. I urge that Members vote against the Waxman amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. WAXMAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. WAXMAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. WELCH

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 113-492.

Mr. WELCH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, line 3, insert "minor" before "modification".

Page 7, line 6, insert ", such as a change in ownership" after "fac

Page 8, strike lines 12 through 17.

The Acting CHAIR. Pursuant to House Resolution 636, the gentleman from Vermont (Mr. WELCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Vermont.

Mr. WELCH. Mr. Chairman, I rise to speak in favor of the Welch-Pingree-Michaud-Kuster-Shay-Porter amendment, and I want to thank my colleagues from northern New England for cosponsoring this amendment with me.

H.R. 3301, as we have been hearing, exempts literally all modifications of cross-border pipelines from Federal approval and environmental review without any regard to the impacts on public health, safety, and the environment. My view: that is a terrible idea.

Some pipeline modifications, in fact, are truly minor and are unlikely to affect the environment or put public safety at risk. For example, if the pipeline is sold to a new owner, there is no need for a Federal review. So there is a place here for no review.

But many modifications could have just as much impact as a brand new pipeline, and there is no justification to exempt from consideration those issues that would be reviewed if it were a new pipeline.

□ 1600

The Portland Montreal Pipe Line reversal is an exact example of a pipeline modification that could have very significant impacts. Currently that pipeline carries light sweet crude from the U.S. to Canada, but a proposal in the works is to reverse that pipeline to carry tar sands oil from Canada, through New Hampshire, Vermont, and Maine, to ports of Casco Bay, where it would be loaded on the ships for export. That has raised a lot of concerns in these States.

Any spill of tar sands crude is a very big deal, far worse than any other type of oil spill. Vermonters are concerned about reversing of the pipeline to transport those tar sands, that it would accelerate the development of the tar sands oil, which is the dirtiest and most carbon intensive in the universe.

Forty-two towns and municipalities in the State of Vermont have passed resolutions opposing this project. Concerned citizens deserve to have their voices heard. Under H.R. 3301, the pipeline owners could completely skip the process. I oppose this.

I reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. Mr. Chair, I might say I have a great deal of respect for the gentleman from Vermont (Mr. WELCH) on the committee, and he does great work in the area of efficiency and other areas relating to energy, but I do oppose this amendment.

At this point, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN) for his comments on the amendment.

Mr. GENE GREEN of Texas. Mr. Chair, I thank my colleague for yielding me time.

I, too, understand where my colleague on the committee and Congressman WELCH—let me leave with you one of our examples. You include also pipeline name changes in here. I understand your issue is reversing the flow. I would be glad to work with you, but I have a company that has been waiting years. They bought a pipeline coming from Canada into the United States. They have waited years just for the State Department to change their name.

What really bothered me—and I have contacted the State Department—the State Department said: Oh, well, we are looking at it, but we know you are going to build a lateral from North Dakota into your U.S. part of the line, and we do evaluate that.

The State Department has no right to evaluate those pipelines. It is on our property in the United States. They have the cross-border. What we are seeing is expansion of State Department authority.

I agree that you have an issue and I would like to see if we could work with you on it, but it shouldn't take 3 years

to change a name because another company bought it. And believe me, I think the State Department is trying to overreach by saying: By the way, we are going to evaluate what you are doing in the continental United States.

We already have Federal agencies—the Federal Energy Regulatory Commission and a host of Federal agencies—that will evaluate that pipeline that is in our country. The State Department needs to take care of their business. That is what worries me about your amendment, so I ask for a "no" vote.

I would love to work with you, because I think if there is a reverse flow, I think somebody needs to look at it. I appreciate it. I still request a "no" vote.

Mr. WELCH. Mr. Chair, I yield 1 minute to the gentlewoman from Maine, Representative PINGREE.

Ms. PINGREE of Maine. Thank you very much, Mr. WELCH.

Mr. Chair, I am very proud to sponsor this amendment, along with my colleagues from Vermont, New Hampshire, and my fellow Mainer, to exempt pipeline reversals from the provisions of this bill.

In my opinion, the way this bill is currently written, it is extremely irresponsible because it basically exempts cross-border pipeline projects from the National Environmental Policy Act and would reduce not only critical Federal reviews, but also limit the vital public input that NEPA brings. That would raise great concerns for the constituents in my district who have a lot that they want to say in the public input process.

The amendment scope is limited to pipeline reversals and would at least make it clear that the underlying bill's waivers do not apply to the so-called Portland Montreal Pipe Line and other pipeline reversals. The Portland Montreal Pipe Line proposal threatens the entire southern Maine watershed, where 15 percent of my State's population gets its drinking water.

Oversight by NEPA is essential for this pipeline and any other, and I strongly oppose any attempts to waive NEPA or other reviews for this project. That is why I am here, to urge all my colleagues who care about ensuring that there is strong oversight and environmental review to support this amendment.

Mr. WHITFIELD. Mr. Chairman, I yield myself such time as I may consume.

I do rise in opposition to the gentleman's amendment. First of all, "minor" is an undefined term that gives little certainty to agencies or industry. One of the things that we are trying to get away from is the uncertainty of a Presidential permit and be treated like natural gas pipelines. As I said, in H.R. 3301, we are trying to treat all of them exactly the same: transmission lines, oil pipelines, natural gas lines.

I would also say that, under the gentleman's amendment, any modifications, such as volume expansion, downstream or upstream interconnections, or adjustments to maintain flow, would potentially be required to obtain a Presidential permit for the modification, even if the original project already has one. Then even operational changes may be subject to a Presidential permit, and ownership changes would be.

So, for those reasons, as I said, I respectfully would oppose the gentleman's amendment and ask the Members to oppose it.

I yield back the balance of my time.

Mr. WELCH. I yield myself such time as I may consume.

Mr. Chair, two things. I want to speak to the leader of our Energy and Commerce Committee, but also to the proponent of this bill, Mr. GREEN.

We can have too much regulation or we can have too little regulation, and they both have problems. Mr. GREEN talks about the hassle his company is having getting a name change. That is ridiculous. That company should be able to change its name and not have to go through the hassle of a permit. Then when the agency holds back and doesn't even give them an answer for 3 years, we have a problem, and I agree with that. Under my amendment, those issues like a name change would not be at all subject to the permitting process.

On the other hand, we in Vermont are concerned about a reversal of flow and having tar sands go through. It is a really big deal. Forty-two towns in my State passed resolutions saying that they wanted to have a say in this. It is known that spills happen, and tar sands bills are a much bigger deal than other kinds.

What we have in the legislation is not working together to find what is the balance or to try to move us towards a balance so there are not unnecessary burdens for a name change and simple things, but, on the other hand, we don't abolish the review process altogether.

This legislation doesn't seek that balance. What this legislation does is, in effect, abolish the review process, and that is a problem, so our going from too much review on a name change to no review on tar sands coming through Vermont, New Hampshire, and Maine.

Our legislation, I think, is the only thing that is being considered that, in fact, offers a balance. If it is a name change, a minor deal, no permit required. If it is significant, then, yes, you are going to have to go through the review.

I want to thank the chairman and the Speaker and the body for its time.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Vermont (Mr. WELCH).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. WELCH. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Vermont will be postponed.

Mr. WHITFIELD. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. HARRIS, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3301) to require approval for the construction, connection, operation, or maintenance of oil or natural gas pipelines or electric transmission facilities at the national boundary of the United States for the import or export of oil, natural gas, or electricity to or from Canada or Mexico, and for other purposes, had come to no resolution thereon.

#### DOMESTIC PROSPERITY AND GLOBAL FREEDOM ACT

##### GENERAL LEAVE

Mr. GARDNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 6.

The SPEAKER pro tempore. Pursuant to House Resolution 636 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 6.

The Chair appoints the gentleman from Maryland (Mr. HARRIS) to preside over the Committee of the Whole.

□ 1610

##### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 6) to provide for expedited approval of exportation of natural gas to World Trade Organization countries, and for other purposes, with Mr. HARRIS in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Colorado (Mr. GARDNER) and the gentleman from California (Mr. WAXMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. GARDNER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, America's natural gas output has been rising since 2006, and the Energy Information Administration expects the increases to continue for decades to come. As a result, we can meet domestic demand for affordable natural gas while also producing a surplus for export to our allies around the world. The only thing standing in

the way is outdated Federal redtape that greatly delays the construction of LNG export facilities.

H.R. 6, the bill before us, the Domestic Prosperity and Global Freedom Act, is a targeted bill that cuts redtape and puts the Department of Energy on a reasonable deadline to act on LNG export applications.

I would like to thank my friend and colleague, GENE GREEN from Texas, for his cosponsorship of this bipartisan bill, and I urge the support of every Member in this Chamber for H.R. 6.

According to the lead study conducted for the Department of Energy, natural gas exports would be a net benefit to the American economy. These exports would improve the balance of payments and support up to 45,000 jobs associated with additional natural gas production as well as the construction and operation of LNG export facilities by 2018. Needless to say, these new jobs could not come at a better time for our economy.

Remember the concerns many of us had over the U.S. economy hemorrhaging billions of dollars every year going overseas to pay for energy imports. Well, for natural gas, the roles can be reversed, and we could be the ones selling energy on the global market and bringing in billions of dollars in job-sustaining revenues.

The economic impacts alone make natural gas exports a winning policy, but the geopolitical impacts are an incredible benefit as well and have been ignored for far too long. Allies around the world have told us that they would greatly benefit from American LNG.

Last October, the Committee on Energy and Commerce held a forum that included ambassadors and other officials representing 11 U.S. allies, all of whom strongly urged us to enter the global LNG marketplace. Since then, several other allies have stepped forward with the same request. This includes our friends in eastern Europe unfortunate enough to be reliant on Russia for natural gas.

Not only do these nations face unfair pricing, but political pressure, as a result of their dependence on Russia. These nations believe that the very passage of this legislation, the signal that we are serious about LNG exports, would immediately reduce Russia's negotiating leverage even before the first molecule of LNG shipment actually goes out. H.R. 6 will start doing good the very day it is enacted.

I should note that our efforts on LNG exports began before the current crisis erupted in Ukraine. Russia's actions over the past several months demonstrate the importance of this bill, and Russia's recent decision to cut off supplies to Ukraine further underscore the need for America to provide Europe an alternative supply of natural gas. Indeed, we can effectively push back against Russia's aggression and help our friends without ever putting any troops in harm's way.