January 20, 2015
(House Rules)

STATEMENT OF ADMINISTRATION POLICY

H.R. 161 - Natural Gas Pipeline Permitting Reform Act
(Rep. Pompeo, R-Kansas, and 13 cosponsors)

The Administration recognizes the need for additional energy infrastructure and supports the timely consideration of project applications. The Administration, however, strongly opposes H.R. 161, which would allow the automatic approval of natural gas pipeline projects if the Federal Energy Regulatory Commission (FERC) or other Federal agencies do not issue the required permit, license, or approval within rigid, unworkable timeframes.

H.R. 161 could create conflicts with existing statutory and regulatory requirements and practices related to agencies' programs, and preclude opportunities for engaging the public and potentially impacted communities, thereby causing confusion and the risk of increased litigation. The bill's requirements could force agencies to make decisions based on incomplete information or information that may not be available, including potential environmental and community impacts of the proposed pipelines, within the stringent deadlines, and to deny applications that otherwise would have been approved, but for lack of sufficient review time. For these reasons, the bill may actually delay projects or lead to more project denials, undermining the intent of the legislation.

FERC has reported that, since Fiscal Year 2009, it has completed action on 91 percent (512 out of 563) of all pipeline applications that it has received within one year of receipt. The small percent of decisions that have taken longer than one year involve complex proposals that merit additional review and consideration. Further, FERC already has an existing framework to set reasonable timetables for the other Federal agencies with permit, review, or approval authority to act.

If the President were presented with H.R. 161, his senior advisors would recommend that he veto the bill.

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