



Legislative Bulletin.....January 21, 2015

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H.R. 161 — Natural Gas Pipeline Permitting Reform Act

**H.R. 161 – Natural Gas Pipeline Permitting Reform Act
(Rep. Pompeo, R-KS)**

Order of Business: The resolution is scheduled to be considered on January 21, 2015, subject to a closed rule that provides one hour of debate equally divided and controlled by the chair and ranking minority member of the House Committee on Energy and Commerce.

Summary: [H.R. 161](#) would amend [section 7 of the Natural Gas Act](#) by directing the [Federal Energy Regulatory Commission](#) (FERC) to approve or deny an application for a certificate of public convenience and necessity for a prefiled project within 12 months after receiving a complete application that is ready to be processed.

A “prefiled project” is defined as a project for the siting, construction, expansion, or operation of a natural gas pipeline with respect to which a prefiling docket number has been assigned by FERC.

The bill would require the agency responsible for issuing any license or permit, to approve or deny the issuance of the license or permit within 90 days after FERC issues its final environmental document regarding the project.

H.R. 161 would also allow FERC to grant an agency request for a 30-day extension of the 90-day time period if the agency demonstrates that it cannot otherwise complete the process required to approve or deny the license, permit, or approval. FERC may offer technical assistance to the agency to help complete an application review for the license, permit, or approval.

If an agency fails to approve or deny issuance of a permit, license, or approval within the specified time period, the license, permit, or approval shall take effect upon expiration of 30 days after the period’s end. FERC is directed to incorporate any conditions that FERC finds consistent with the final environmental document into the terms of such license, permit, or approval.

Additional Information: A similar bill ([H.R. 1900](#)) was introduced in the House during the 113th Congress, on May 9, 2013 and was passed by recorded vote: [252 – 165](#). The RSC’s legislative bulletin on H.R. 1900 can be found [here](#). A Congressional Research Service report on Interstate Natural Gas Pipelines can be found [here](#). A list of cosponsors for H.R. 161 can be found [here](#).

Outside Groups: The [National Taxpayers Union](#) as well as [Americans for Prosperity](#) have expressed support for H.R. 161. The Laborer’s International Union of North America has also issued a [letter](#) in support.

Committee Action: The bill was introduced on January 6, 2015, and was referred to the House Committee on Energy and Commerce.

Administration Position: The White House released a [statement of administrative policy](#) strongly opposing H.R. 161. According to the statement, the President’s senior advisors would recommend that he veto the bill.

Cost to Taxpayers: No Congressional Budget Office (CBO) estimate is available.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No CBO estimate is available.

Constitutional Authority: Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3.

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