



**Legislative Bulletin.....January 9, 2015**

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**H.R. 3 — Keystone XL Pipeline Act**

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(Rep. Kramer, R-ND)**

**Order of Business:** The bill is scheduled to be considered on January 9, 2015, subject to a closed [rule](#) providing one hour of debate equally divided among and controlled by the chair and ranking minority member of the House Committee on Transportation and Infrastructure and the chair and ranking minority member of the House Committee on Energy and Commerce.

**Summary:** [H.R. 3](#) would approve [TransCanada’s application](#) to construct the Keystone XL pipeline. The bill would authorize TransCanada to construct, connect, operate, and maintain the pipeline and cross-border facilities described in the application to the Department of State, including any subsequent revision to the pipeline route within the State of Nebraska. The Final Supplemental Environmental Impact Statement shall be considered to fully satisfy:

- All requirements of the [National Environmental Policy Act of 1969](#); and
- Any other provision of law that requires Federal agency consultation or review.

The bill allows for any Federal permit or authorization issued before the date of enactment of the Act for the pipeline and cross-border facilities to remain in effect.

Except in cases subject to Supreme Court review, the United States Court of Appeals for the District of Columbia Circuit shall have original and exclusive jurisdiction over any civil action for the review of a Federal agency’s order or action regarding the pipeline and cross-border facilities.

The bill would not alter any Federal, State, or local process that is necessary to secure access from an owner of private property to construct the pipeline and cross-border facilities.

**Additional Information:** H.R. 3 is similar to H.R. 5682 which passed the House by recorded vote ([252 – 161](#)), with the exception of the judicial review clause ([subsection \(d\)](#)). A similar bill (S. 1 – A bill to approve the Keystone XL Pipeline) has been introduced in the Senate by Senator Hoeven (R-ND) on January 6, 2015. Approving the Keystone pipeline has been a component of

the Republican Study Committee's JOBS Act, Title XV of H.R. 4304 (Rep. Scalise, R-LA), which is cosponsored by 53 RSC Members. More information about the RSC JOBS Act can be found [here](#). Similar bills ([H.R. 3 – Northern Route Approval Act](#) and H.R. 5682 – To Approve the Keystone XL Pipeline) were introduced in 2013 and 2014 that would waive the requirement that they Keystone XL pipeline project receive a Presidential permit, thereby approving the pipeline's construction. More information from the House Committee on Energy and Commerce on the Keystone XL pipeline project can be found [here](#). A list of cosponsors to H.R. 3 can be found [here](#).

**Outside Groups:** Heritage Action has [key voted](#) in favor of H.R. 3. The [U.S. Chamber of Commerce](#), [Americans for Prosperity](#), [Americans for Tax Reform](#), and [the National Taxpayers Union](#) have also expressed support for the construction of the pipeline and disapproval of the President's veto threat. More information from the American Enterprise Institute on the American public's support for the Keystone pipeline can be found [here](#).

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

**Administration Position:** The White House released a [statement of administrative policy](#) strongly opposing H.R. 3. 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 of the United States Constitution, specifically Clause 3 (related to regulation of Commerce with foreign nations and among the several States).

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