

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 8  
OFFERED BY MR. GENE GREEN OF TEXAS**

At the end of title III, insert the following new section:

1 **SEC. 3007. AUTHORIZATION OF CROSS-BORDER INFRA-**  
2 **STRUCTURE PROJECTS.**

3 (a) FINDING.—Congress finds that the United States  
4 should establish a more uniform, transparent, and modern  
5 process for the construction, connection, operation, and  
6 maintenance of pipelines and electric transmission facilities  
7 for the import and export of liquid products, including  
8 water and petroleum, and natural gas and the transmission  
9 of electricity to and from Canada and Mexico.

10 (b) AUTHORIZATION OF CERTAIN INFRASTRUCTURE  
11 PROJECTS AT THE NATIONAL BOUNDARY OF THE  
12 UNITED STATES.—

13 (1) REQUIREMENT.—No person may construct,  
14 connect, operate, or maintain a cross-border segment  
15 of a pipeline or electric transmission facility for the  
16 import or export of liquid products or natural gas,  
17 or the transmission of electricity, to or from Canada  
18 or Mexico without obtaining a certificate of crossing

1 for such construction, connection, operation, or  
2 maintenance under this subsection.

3 (2) CERTIFICATE OF CROSSING.—

4 (A) ISSUANCE.—

5 (i) IN GENERAL.—Not later than 120  
6 days after final action is taken under the  
7 National Environmental Policy Act of  
8 1969 (42 U.S.C. 4321 et seq.) with respect  
9 to a cross-border segment described in  
10 paragraph (1), the relevant official identi-  
11 fied under subparagraph (B), in consulta-  
12 tion with appropriate Federal agencies,  
13 shall issue a certificate of crossing for the  
14 cross-border segment unless the relevant  
15 official finds that the construction, connec-  
16 tion, operation, or maintenance of the  
17 cross-border segment is not in the public  
18 interest of the United States.

19 (ii) NATURAL GAS.—For the purposes  
20 of natural gas pipelines, a finding with re-  
21 spect to the public interest under section  
22 3(a) of the Natural Gas Act (15 U.S.C.  
23 717b(a)) shall serve as a finding under  
24 clause (i) of this subparagraph.

1 (B) RELEVANT OFFICIAL.—The relevant  
2 official referred to in subparagraph (A) is—

3 (i) the Secretary of State with respect  
4 to liquid pipelines;

5 (ii) the Federal Energy Regulatory  
6 Commission with respect to natural gas  
7 pipelines; and

8 (iii) the Secretary of Energy with re-  
9 spect to electric transmission facilities.

10 (C) ADDITIONAL REQUIREMENT FOR  
11 ELECTRIC TRANSMISSION FACILITIES.—The  
12 Secretary of Energy shall require, as a condi-  
13 tion of issuing a certificate of crossing for an  
14 electric transmission facility, that the cross-bor-  
15 der segment be constructed, connected, oper-  
16 ated, or maintained consistent with all applica-  
17 ble policies and standards of—

18 (i) the Electric Reliability Organiza-  
19 tion and the applicable regional entity; and

20 (ii) any Regional Transmission Orga-  
21 nization or Independent System Operator  
22 with operational or functional control over  
23 the cross-border segment of the electric  
24 transmission facility.

1           (3) MODIFICATIONS TO EXISTING PROJECTS.—

2           No certificate of crossing shall be required under  
3           this subsection for a change in ownership, volume  
4           expansion, downstream or upstream interconnection,  
5           or adjustment to maintain flow (such as a reduction  
6           or increase in the number of pump or compressor  
7           stations) with respect to a liquid or natural gas pipe-  
8           line or electric transmission facility unless such  
9           modification would result in a significant impact at  
10          the national boundary.

11          (4) EFFECT OF OTHER LAWS.—Nothing in this  
12          subsection shall affect the application of any other  
13          Federal statute (including the Natural Gas Act and  
14          the Energy Policy and Conservation Act) to a  
15          project for which a certificate of crossing is sought  
16          under this subsection.

17          (c) IMPORTATION OR EXPORTATION OF NATURAL  
18          GAS TO CANADA AND MEXICO.—Section 3(c) of the Nat-  
19          ural Gas Act (15 U.S.C. 717b(c)) is amended by adding  
20          at the end the following: “In the case of an application  
21          for the importation or exportation of natural gas to or  
22          from Canada or Mexico, the Commission shall grant the  
23          application not later than 30 days after the date of receipt  
24          of the complete application.”.

1 (d) TRANSMISSION OF ELECTRIC ENERGY TO CAN-  
2 ADA AND MEXICO.—

3 (1) REPEAL OF REQUIREMENT TO SECURE  
4 ORDER.—Section 202(e) of the Federal Power Act  
5 (16 U.S.C. 824a(e)) is repealed.

6 (2) CONFORMING AMENDMENTS.—

7 (A) STATE REGULATIONS.—Section 202(f)  
8 of the Federal Power Act (16 U.S.C. 824a(f))  
9 is amended by striking “insofar as such State  
10 regulation does not conflict with the exercise of  
11 the Commission’s powers under or relating to  
12 subsection 202(e)”.

13 (B) SEASONAL DIVERSITY ELECTRICITY  
14 EXCHANGE.—Section 602(b) of the Public Util-  
15 ity Regulatory Policies Act of 1978 (16 U.S.C.  
16 824a–4(b)) is amended by striking “the Com-  
17 mission has conducted hearings and made the  
18 findings required under section 202(e) of the  
19 Federal Power Act” and all that follows  
20 through the period at the end and inserting  
21 “the Secretary has conducted hearings and  
22 finds that the proposed transmission facilities  
23 would not impair the sufficiency of electric sup-  
24 ply within the United States or would not im-  
25 pede or tend to impede the coordination in the

1 public interest of facilities subject to the juris-  
2 diction of the Secretary”.

3 (e) EFFECTIVE DATE; RULEMAKING DEADLINES.—

4 (1) EFFECTIVE DATE.—Subsections (b)  
5 through (d), and the amendments made by such  
6 subsections, shall take effect on January 20, 2017.

7 (2) RULEMAKING DEADLINES.—Each relevant  
8 official described in subsection (b)(2)(B) shall—

9 (A) not later than 180 days after the date  
10 of enactment of this Act, publish in the Federal  
11 Register notice of a proposed rulemaking to  
12 carry out the applicable requirements of sub-  
13 section (b); and

14 (B) not later than 1 year after the date of  
15 enactment of this Act, publish in the Federal  
16 Register a final rule to carry out the applicable  
17 requirements of subsection (b).

18 (f) DEFINITIONS.—In this section—

19 (1) the term “cross-border segment” means the  
20 portion of a liquid or natural gas pipeline or electric  
21 transmission facility that is located at the national  
22 boundary of the United States with either Canada or  
23 Mexico;

24 (2) the terms “Electric Reliability Organiza-  
25 tion” and “regional entity” have the meanings given

1       those terms in section 215 of the Federal Power Act  
2       (16 U.S.C. 824o);

3             (3) the terms “Independent System Operator”  
4       and “Regional Transmission Organization” have the  
5       meanings given those terms in section 3 of the Fed-  
6       eral Power Act (16 U.S.C. 796);

7             (4) the term “liquid” includes water, petroleum,  
8       petroleum product, and any other substance that  
9       flows through a pipeline other than natural gas; and

10            (5) the term “natural gas” has the meaning  
11       given that term in section 2 of the Natural Gas Act  
12       (15 U.S.C. 717a).

