

Granting clear legislative authority and delegating responsibility to an agency experienced with the National Environmental Policy Act and permitting processes, the Federal Energy Regulatory Commission (FERC), rather than the Department of State, will increase the competency and capacity of the review of cross-border energy projects. It is a clear improvement in the administration of major project permitting.

Updating the American domestic permitting and regulatory framework for natural-gas pipelines is also essential. Several steps are necessary in this regard, and H.R. 2910 is one of them. Domestic energy production provides good-paying jobs for members of the IUOE and other construction craftworkers and continues to employ thousands of our members. Uncertainty and delay during environmental reviews, however, hinder the growth of jobs related to the nation's energy infrastructure. Congress should give FERC additional tools to keep federal agencies accountable and maximize coordination in the permitting process.

H.R. 2910 requires reporting and transparency in the review of major projects. These requirements raise the bar for regulators and provides the public with a better understanding of the environmental impacts that are receiving particular rigor and examination—or perhaps needlessly delaying the overall project-review timeline. Democrats and Republicans supported similar reporting and transparency in the FAST Act. Enactment of H.R. 2910 is a necessary step to help place the booming energy sector on a sound footing for the future.

The International Union of Operating Engineers supports both H.R. 2883 and H.R. 2910 and respectfully requests that you support the legislation this week when it comes before you.

Thank you for your consideration.

Sincerely,

JAMES T. CALLAHAN,  
*General President.*

EDISON ELECTRIC INSTITUTE,  
*July 18, 2017.*

Hon. PAUL RYAN,  
*Speaker, House of Representatives, Washington, DC.*

Hon. NANCY PELOSI,  
*Minority Leader, House of Representatives, Washington, DC.*

DEAR SPEAKER RYAN AND MINORITY LEADER PELOSI: The Edison Electric Institute supports H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act, which is scheduled for floor action this week.

Timely decisions for the siting and permitting of energy infrastructure are essential to building the smarter and more resilient infrastructure that electric companies need to deliver reliable, affordable, safe, and increasingly clean energy to Americans. H.R. 2883 would replace the need for a presidential permit for transmission lines or pipelines that cross a U.S. border with a certificate of crossing to be approved by the Department of Energy for electric transmission facilities, or the Federal Energy Regulatory Commission for oil or natural gas pipelines. The National Environmental Policy Act and other federal laws that apply to the project would not be affected.

H.R. 2883 would improve the process for decisions on cross-border projects while protecting the public's interest in such projects. We urge the House to pass H.R. 2883.

Sincerely,

THOMAS R. KUHN,  
*President.*

IOSA,  
*June 19, 2017.*

Rep. FRED UPTON,  
*Chairman, Energy Subcommittee, Washington, DC.*  
Rep. BOBBY RUSH,  
*Ranking Member, Washington, DC.*

DEAR CHAIRMAN UPTON AND RANKING MEMBER RUSH: The In Situ Oil Sands Alliance (IOSA) offers strong support for the Promoting Cross-Border Energy Infrastructure Act reintroduced by Congressman Markwayne Mullin (R-OK) and Congressman Gene Green (D-TX) and urges you to back its timely passage. IOSA is an alliance of Canadian oil sands developers dedicated to the responsible development of the resource using drilling technologies. We support this legislation as it establishes greater predictability in the process of developing additional energy transportation links between our two countries which will serve a critical role in continuing towards North American energy independence and reducing dependence on unstable overseas suppliers. These links will help to ensure that growing Canadian oil sands production remains a secure, affordable, environmentally responsible and economically beneficial source of supply for the United States.

Historically, Canada and the United States have enjoyed a mutually beneficial energy trade relationship. The Canadian oil sands provide substantial economic benefits to U.S.—for every two oil sands jobs created in Canada, one job is created in the U.S. Nearly 1,600 U.S. companies directly supply the oil sands, representing \$1.9 billion in sales in 2014 and 2015. Canada is the United States' most trusted trading partner, providing 41% of U.S. oil imports in 2016.

Canada's oil sands represent the third largest reserves in the world and are well-positioned to provide a secure and affordable supply for American refining and consumption for years to come. However, the benefits accruing to the United States from Canadian oil sands development depend on sufficient energy transportation infrastructure capacity. The Promoting Cross-Border Energy Infrastructure Act proposes four key modernizations of the cross-border infrastructure regulatory process that can ensure the timely development of projects:

Introduction of a Definitive Decision Timeline: Introducing timing and development certainty currently absent from the approval process, the Act requires a decision no later than 120 days after any applicable environmental review is complete.

Determination of National Interest: Lead agencies would be able to make national interest determination for cross border energy infrastructure projects but the assumption would be that cross border energy projects are in the national interest unless determined otherwise by that lead agency.

Agency Decision-Making: By removing the requirement for a Presidential permit, the relevant official or agency would serve as final authority, further streamlining the process while assuring that the lead agency is the Federal agency with relevant subject-matter expertise. The bill would designate FERC as the responsible official for oil and gas pipelines and the Secretary of Energy for electric transmission lines. These agencies already have responsibility for evaluating aspects affecting the national interest with respect to these types of projects. The only change from current practice is to substitute FERC for the Secretary of State as lead with respect to oil pipelines. This change is appropriate given the level of expertise at FERC for review and approval of liquid pipeline projects, including rate setting and ensuring equal access.

Streamlining of the approval process: New certificates of crossings and Presidential permits would not be required for modifications to existing border-crossing projects that are operating or for which approvals have previously been issued.

The Promoting Cross-Border Energy Infrastructure Act will serve to enhance the existing mutually beneficial Canada-U.S. energy partnership. Thank you for your consideration of and support for the Act.

Sincerely,

PATRICIA NELSON,  
*Vice Chair, In Situ Oil Sands Alliance.*

PLAINS ALL AMERICAN  
PIPELINE, L.P.  
*July 18, 2017.*

Hon. MARKWAYNE MULLIN,

*Member of Congress, Washington, DC.*

Hon. GENE GREEN,  
*Member of Congress, Washington, DC.*

DEAR CONGRESSMAN MULLIN AND CONGRESSMAN GREEN: I am writing on behalf of Plains All American Pipeline, L.P. in support of your legislation, H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act.

This legislation will provide the needed reform of the existing Presidential Permit process for liquid pipeline projects crossing international borders. As you know, there is no authorizing statute from the Congress laying out the requirements for this program. There is no guidance in the law on what should be reviewed, and what can be exempted because it is too small to make a difference. There are no laws on what criteria to use, what to examine, or a time certain for completing a review. The unfortunate result of the lack of clear guidance is uncertainty and delay. In fact, the sum total of State Department rules and procedures for this process is one single page, so almost all applications can be dealt with subjectively, which results in a lack of certainty for our business.

Plains All American experienced this uncertainty first hand when we purchased seven pipelines crossing the U.S.-Canadian border. The guidelines used by the State Department triggered our need to apply for a new presidential permit in 2012. These pipelines already had an ownership "name change" permit application that remained pending from their previous change of ownership in 2007. Plains applications for "name change" permits remained pending until 2016. So, for 4 years, the State Department had been considering whether to issue a presidential permit for something almost as simple as a name change at the top of the permit. There were no operational changes of the pipelines, no change in materials or any physical or environmental impacts.

Hopefully, having this process come under the jurisdiction of the Federal Energy Regulatory Commission will provide an objective standard with set timelines that will provide greater certainty.

Thank you for your work,

Best,

HARRY N. PEFANIS,  
*President & COO, Plains All American Pipeline.*

Mr. MULLIN. Once again, I understand that there is opposition to the bill because of a fear. But the true fear is: Are we willing to hold up the infrastructure needs of this country for political gain? For the years that we had from the previous administration, that is exactly what happened. It was political.