

119TH CONGRESS  
1ST SESSION

# H. R. 3062

[Report No. 119–]

To establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 2025

Ms. FEDORCHAK introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JULY --, 2025

Reported from the Committee on Energy and Commerce with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on April 29, 2025]

# **A BILL**

To establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       *This Act may be cited as the “Promoting Cross-border*  
5       *Energy Infrastructure Act”.*

6       **SEC. 2. STRENGTHENING NORTH AMERICAN ENERGY SECU-**  
7               **RITY.**

8       *(a) AUTHORIZATION OF CERTAIN ENERGY INFRA-*  
9       *STRUCTURE PROJECTS AT AN INTERNATIONAL BOUNDARY*  
10       *OF THE UNITED STATES.—*

11               *(1) AUTHORIZATION.—Except as provided in*  
12       *paragraph (3) and subsection (e), no person may con-*  
13       *struct, connect, operate, or maintain a border-crossing*  
14       *facility for the import or export of oil or natural gas,*  
15       *or the transmission of electricity, across an inter-*  
16       *national border of the United States without obtain-*  
17       *ing a certificate of crossing for the border-crossing fa-*  
18       *cility under this subsection.*

19               *(2) CERTIFICATE OF CROSSING.—*

20               *(A) REQUIREMENT.—Not later than 120*  
21       *days after final action is taken, by the relevant*  
22       *official or agency identified under subparagraph*  
23       *(B), under the National Environmental Policy*  
24       *Act of 1969 (42 U.S.C. 4321 et seq.) with respect*  
25       *to a border-crossing facility for which a person*

1        *requests a certificate of crossing under this sub-*  
2        *section, the relevant official or agency, in con-*  
3        *sultation with appropriate Federal agencies,*  
4        *shall issue a certificate of crossing for the border-*  
5        *crossing facility unless the relevant official or*  
6        *agency finds that the construction, connection,*  
7        *operation, or maintenance of the border-crossing*  
8        *facility is not in the public interest of the United*  
9        *States.*

10        *(B) RELEVANT OFFICIAL OR AGENCY.—The*  
11        *relevant official or agency referred to in sub-*  
12        *paragraph (A) is—*

13                *(i) the Federal Energy Regulatory*  
14                *Commission with respect to border-crossing*  
15                *facilities consisting of oil or natural gas*  
16                *pipelines; and*

17                *(ii) the Secretary of Energy with re-*  
18                *spect to border-crossing facilities consisting*  
19                *of electric transmission facilities.*

20        *(C) ADDITIONAL REQUIREMENT FOR ELEC-*  
21        *TRIC TRANSMISSION FACILITIES.—In the case of*  
22        *a request for a certificate of crossing for a bor-*  
23        *der-crossing facility consisting of an electric*  
24        *transmission facility, the Secretary of Energy*  
25        *shall require, as a condition of issuing the cer-*

1           *tificate of crossing under subparagraph (A), that*  
2           *the border-crossing facility be constructed, con-*  
3           *nected, operated, or maintained consistent with*  
4           *all applicable policies and standards of—*

5                     *(i) the Electric Reliability Organiza-*  
6                     *tion and the applicable regional entity; and*

7                     *(ii) any Regional Transmission Orga-*  
8                     *nization or Independent System Operator*  
9                     *with operational or functional control over*  
10                    *the border-crossing facility.*

11           (3) *EXCLUSIONS.—This subsection shall not*  
12           *apply to any construction, connection, operation, or*  
13           *maintenance of a border-crossing facility for the im-*  
14           *port or export of oil or natural gas, or the trans-*  
15           *mission of electricity—*

16                    *(A) if the border-crossing facility is oper-*  
17                    *ating for such import, export, or transmission as*  
18                    *of the date of enactment of this Act;*

19                    *(B) if a Presidential permit (or similar*  
20                    *permit) for the construction, connection, oper-*  
21                    *ation, or maintenance has been issued pursuant*  
22                    *to any provision of law or Executive order; or*

23                    *(C) if an application for a Presidential per-*  
24                    *mit (or similar permit) for the construction, con-*  
25                    *nection, operation, or maintenance is pending on*

1           *the date of enactment of this Act, until the ear-*  
2           *lier of—*

3                     *(i) the date on which such application*  
4                     *is denied; or*

5                     *(ii) two years after the date of enact-*  
6                     *ment of this Act, if such a permit has not*  
7                     *been issued by such date of enactment.*

8           (4) *EFFECT OF OTHER LAWS.—*

9                     (A) *APPLICATION TO PROJECTS.—Nothing*  
10                    *in this subsection or subsection (e) shall affect*  
11                    *the application of any other Federal statute to a*  
12                    *project for which a certificate of crossing for a*  
13                    *border-crossing facility is requested under this*  
14                    *subsection.*

15                    (B) *NATURAL GAS ACT.—Nothing in this*  
16                    *subsection or subsection (e) shall affect the re-*  
17                    *quirement to obtain approval or authorization*  
18                    *under sections 3 and 7 of the Natural Gas Act*  
19                    *for the siting, construction, or operation of any*  
20                    *facility to import or export natural gas.*

21                    (C) *OIL PIPELINES.—Nothing in this sub-*  
22                    *section or subsection (e) shall affect the authority*  
23                    *of the Federal Energy Regulatory Commission*  
24                    *with respect to oil pipelines under section 60502*  
25                    *of title 49, United States Code.*

1       (b) *IMPORTATION OR EXPORTATION OF NATURAL GAS*  
2 *TO CANADA AND MEXICO.*—Section 3(c) of the Natural Gas  
3 Act (15 U.S.C. 717b(c)) is amended by adding at the end  
4 the following: “In the case of an application for the impor-  
5 tation of natural gas from, or the exportation of natural  
6 gas to, Canada or Mexico, the Commission shall grant the  
7 application not later than 30 days after the date on which  
8 the Commission receives the complete application.”.

9       (c) *TRANSMISSION OF ELECTRIC ENERGY TO CANADA*  
10 *AND MEXICO.*—

11           (1) *REPEAL OF REQUIREMENT TO SECURE*  
12 *ORDER.*—Section 202(e) of the Federal Power Act (16  
13 U.S.C. 824a(e)) is repealed.

14           (2) *CONFORMING AMENDMENTS.*—

15           (A) *STATE REGULATIONS.*—Section 202(f)  
16 of the Federal Power Act (16 U.S.C. 824a(f)) is  
17 amended by striking “insofar as such State regu-  
18 lation does not conflict with the exercise of the  
19 Commission’s powers under or relating to sub-  
20 section 202(e)”.

21           (B) *SEASONAL DIVERSITY ELECTRICITY EX-*  
22 *CHANGE.*—Section 602(b) of the Public Utility  
23 Regulatory Policies Act of 1978 (16 U.S.C.  
24 824a–4(b)) is amended by striking “the Commis-  
25 sion has conducted hearings and made the find-

1            *ings required under section 202(e) of the Federal*  
2            *Power Act” and all that follows through the pe-*  
3            *riod at the end and inserting “the Secretary has*  
4            *conducted hearings and finds that the proposed*  
5            *transmission facilities would not impair the suf-*  
6            *ficiency of electric supply within the United*  
7            *States or would not impede or tend to impede*  
8            *the coordination in the public interest of facili-*  
9            *ties subject to the jurisdiction of the Secretary.”.*

10          *(d) NO PRESIDENTIAL PERMIT REQUIRED.—No Presi-*  
11          *dential permit (or similar permit) shall be required pursu-*  
12          *ant to any provision of law or Executive order for the con-*  
13          *struction, connection, operation, or maintenance of an oil*  
14          *or natural gas pipeline or electric transmission facility, or*  
15          *any border-crossing facility thereof.*

16          *(e) MODIFICATIONS TO EXISTING PROJECTS.—No cer-*  
17          *tificate of crossing under subsection (a), or Presidential per-*  
18          *mit (or similar permit), shall be required for a modification*  
19          *to—*

20                *(1) an oil or natural gas pipeline or electric*  
21                *transmission facility that is operating for the import*  
22                *or export of oil or natural gas or the transmission of*  
23                *electricity as of the date of enactment of this Act;*

24                *(2) an oil or natural gas pipeline or electric*  
25                *transmission facility for which a Presidential permit*



1        *(or similar permit) has been issued pursuant to any*  
2        *provision of law or Executive order; or*

3            *(3) a border-crossing facility for which a certifi-*  
4        *cate of crossing has previously been issued under sub-*  
5        *section (a).*

6        *(f) PROHIBITION ON REVOCATION OF PRESIDENTIAL*  
7        *PERMITS.—Notwithstanding any other provision of law,*  
8        *the President may not revoke a Presidential permit (or*  
9        *similar permit) issued pursuant to Executive Order No.*  
10       *13337 (3 U.S.C. 301 note), Executive Order No. 11423 (3*  
11       *U.S.C. 301 note), Executive Order No. 12038 (42 U.S.C.*  
12       *7151 note), Executive Order No. 10485 (15 U.S.C. 717b*  
13       *note), or any other Executive order for the construction,*  
14       *connection, operation, or maintenance of an oil or natural*  
15       *gas pipeline or electric transmission facility, or any border-*  
16       *crossing facility thereof, unless such revocation is author-*  
17       *ized by an Act of Congress.*

18       *(g) EFFECTIVE DATE; RULEMAKING DEADLINES.—*

19            *(1) EFFECTIVE DATE.—Subsections (a) through*  
20        *(e), and the amendments made by such subsections,*  
21        *shall take effect on the date that is 1 year after the*  
22        *date of enactment of this Act.*

23            *(2) RULEMAKING DEADLINES.—Each relevant of-*  
24        *ficial or agency described in subsection (a)(2)(B)*  
25        *shall—*

1           (A) not later than 180 days after the date  
2           of enactment of this Act, publish in the Federal  
3           Register notice of a proposed rulemaking to  
4           carry out the applicable requirements of sub-  
5           section (a); and

6           (B) not later than 1 year after the date of  
7           enactment of this Act, publish in the Federal  
8           Register a final rule to carry out the applicable  
9           requirements of subsection (a).

10       (h) *DEFINITIONS.*—In this section:

11           (1) *BORDER-CROSSING FACILITY.*—The term  
12           “border-crossing facility” means the portion of an oil  
13           or natural gas pipeline or electric transmission facil-  
14           ity that is located within 1,000 feet of the inter-  
15           national boundary of the United States, measured  
16           from the point at which the facility crosses such  
17           boundary into the United States.

18           (2) *MODIFICATION.*—The term “modification”  
19           includes a reversal of flow direction, change in owner-  
20           ship, change in flow volume, addition or removal of  
21           an interconnection, or an adjustment to maintain  
22           flow (such as a reduction or increase in the number  
23           of pump or compressor stations).

1           (3) *NATURAL GAS*.—The term “natural gas” has  
2           the meaning given that term in section 2 of the Nat-  
3           ural Gas Act (15 U.S.C. 717a).

4           (4) *OIL*.—The term “oil” means petroleum or a  
5           petroleum product.

6           (5) *ELECTRIC RELIABILITY ORGANIZATION; RE-*  
7           *GIONAL ENTITY*.—The terms “Electric Reliability Or-  
8           ganization” and “regional entity” have the meanings  
9           given those terms in section 215 of the Federal Power  
10          Act (16 U.S.C. 824o).

11          (6) *INDEPENDENT SYSTEM OPERATOR; REGIONAL*  
12          *TRANSMISSION ORGANIZATION*.—The terms “Inde-  
13          pendent System Operator” and “Regional Trans-  
14          mission Organization” have the meanings given those  
15          terms in section 3 of the Federal Power Act (16  
16          U.S.C. 796).