

**Energy and Power Subcommittee Markup**  
**Pipeline Safety Act of 2016**  
**March 16, 2016**  
**Rep. Mike Pompeo Statement**

Chairman Upton and Chairman Whitfield, thank you for holding this markup today on the Pipeline Safety Act of 2016.

Past PHMSA reauthorization bills have moved through this committee with broad bi-partisan support. In fact I've often used the last pipeline safety legislation this committee passed in 2011 as an example to my constituents of how Congress can get some big things done despite the perception of gridlock in Washington, D.C.

I had hoped that the Pipeline Safety Act of 2016 would be another similar example. But so far we're just not there yet. We have some work to do.

The legislation before this committee comes in the backdrop of an increasingly aggressive anti-fossil fuel Obama Administration, and their radical environmental backers like the Sierra Club and NRDC.

Let's really take a look at what we've seen from the Obama Administration since the last pipeline safety bill: Rejection of the Keystone XL pipeline, a proposed \$10.25 a barrel tax on oil, the Clean Power Plan, the Paris Climate Agreement, and most recently, the exclusion of lease sales in the Atlantic Ocean as part of the Interior Department's 5-year offshore drilling plan.

It's with that backdrop that we discuss the pipeline safety reauthorization. Let's be clear: There are some notable elements in this legislation, most importantly what is excluded from the bill: The Committee correctly removed the controversial sue and settle provision contained in the discussion draft.

But overall, this legislation contains some very serious deficiencies that gives far too much deference to PHMSA, and potentially empowers anti-fossil fuel interests to further stop the U.S. energy revolution.

Of specific concern are two key provisions:

1) Section 15, which would give PHMSA broad new Emergency Order authority. I'm not convinced that this authority is even necessary, but if it is to be included, the language MUST be as narrowly tailored as possible. We simply can NOT give a government agency (particularly in this anti-fossil fuel climate) free rein to suspend pipeline operations in the U.S. Specifically, we need a stronger definition of "imminent hazard" and need stronger language preventing PHMSA from endlessly extending an Emergency Order indefinitely.

2) Section 16, related to Community Information Grants. While the language does provide for limits for how the grant funds could be used (prohibiting lobbying or advocacy efforts), this still allows for the potential for grants funded by pipeline operators to go toward anti-pipeline “public education” campaigns.

These are serious concerns which I hope can be addressed before we move to full committee markup.

Passing PHSMA reauthorization is indeed important. But we might have to step back and ask: are we willing to pass it at the cost of further endangering the already fragile energy economy that folks all over the United States have benefited from?

It is clear that significant changes need to be made to Sections 15 and 16 before I am comfortable fully supporting this legislation.

I look forward to working with the Chairmen and Ranking Members between now and full committee markup to address these issue. I yield back.