

119TH CONGRESS
1ST SESSION

H. R. 3062

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Promoting Cross-border
3 Energy Infrastructure Act”.

4 **SEC. 2. STRENGTHENING NORTH AMERICAN ENERGY SECUR-**
5 **RITY.**

6 (a) AUTHORIZATION OF CERTAIN ENERGY INFRA-
7 STRUCTURE PROJECTS AT AN INTERNATIONAL BOUND-
8 ARY OF THE UNITED STATES.—

9 (1) AUTHORIZATION.—Except as provided in
10 paragraph (3) and subsection (e), no person may
11 construct, connect, operate, or maintain a border-
12 crossing facility for the import or export of oil or
13 natural gas, or the transmission of electricity, across
14 an international border of the United States without
15 obtaining a certificate of crossing for the border-
16 crossing facility under this subsection.

17 (2) CERTIFICATE OF CROSSING.—

18 (A) REQUIREMENT.—Not later than 120
19 days after final action is taken, by the relevant
20 official or agency identified under subparagraph
21 (B), under the National Environmental Policy
22 Act of 1969 (42 U.S.C. 4321 et seq.) with re-
23 spect to a border-crossing facility for which a
24 person requests a certificate of crossing under
25 this subsection, the relevant official or agency,
26 in consultation with appropriate Federal agen-

1 cies, shall issue a certificate of crossing for the
2 border-crossing facility unless the relevant offi-
3 cial or agency finds that the construction, con-
4 nection, operation, or maintenance of the bor-
5 der-crossing facility is not in the public interest
6 of the United States.

7 (B) RELEVANT OFFICIAL OR AGENCY.—

8 The relevant official or agency referred to in
9 subparagraph (A) is—

10 (i) the Federal Energy Regulatory
11 Commission with respect to border-cross-
12 ing facilities consisting of oil or natural
13 gas pipelines; and

14 (ii) the Secretary of Energy with re-
15 spect to border-crossing facilities consisting
16 of electric transmission facilities.

17 (C) ADDITIONAL REQUIREMENT FOR

18 ELECTRIC TRANSMISSION FACILITIES.—In the
19 case of a request for a certificate of crossing for
20 a border-crossing facility consisting of an elec-
21 tric transmission facility, the Secretary of En-
22 ergy shall require, as a condition of issuing the
23 certificate of crossing under subparagraph (A),
24 that the border-crossing facility be constructed,

1 connected, operated, or maintained consistent
2 with all applicable policies and standards of—

3 (i) the Electric Reliability Organiza-
4 tion and the applicable regional entity; and

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

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

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

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

21 (C) if an application for a Presidential per-
22 mit (or similar permit) for the construction,
23 connection, operation, or maintenance is pend-
24 ing on the date of enactment of this Act, until
25 the earlier of—

1 (i) the date on which such application
2 is denied; or

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

6 (4) EFFECT OF OTHER LAWS.—

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

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

19 (C) OIL PIPELINES.—Nothing in this sub-
20 section or subsection (e) shall affect the author-
21 ity of the Federal Energy Regulatory Commis-
22 sion with respect to oil pipelines under section
23 60502 of title 49, United States Code.

24 (b) IMPORTATION OR EXPORTATION OF NATURAL
25 GAS TO CANADA AND MEXICO.—Section 3(c) of the Nat-

1 ural Gas Act (15 U.S.C. 717b(c)) is amended by adding
 2 at the end the following: “In the case of an application
 3 for the importation of natural gas from, or the exportation
 4 of natural gas to, Canada or Mexico, the Commission shall
 5 grant the application not later than 30 days after the date
 6 on which the Commission receives the complete applica-
 7 tion.”.

8 (c) TRANSMISSION OF ELECTRIC ENERGY TO CAN-
 9 ADA AND MEXICO.—

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

13 (2) CONFORMING AMENDMENTS.—

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

20 (B) SEASONAL DIVERSITY ELECTRICITY
 21 EXCHANGE.—Section 602(b) of the Public Util-
 22 ity Regulatory Policies Act of 1978 (16 U.S.C.
 23 824a–4(b)) is amended by striking “the Com-
 24 mission has conducted hearings and made the
 25 findings required under section 202(e) of the

1 Federal Power Act” and all that follows
2 through the period at the end and inserting
3 “the Secretary has conducted hearings and
4 finds that the proposed transmission facilities
5 would not impair the sufficiency of electric sup-
6 ply within the United States or would not im-
7 pede or tend to impede the coordination in the
8 public interest of facilities subject to the juris-
9 diction of the Secretary.”.

10 (d) NO PRESIDENTIAL PERMIT REQUIRED.—No
11 Presidential permit (or similar permit) shall be required
12 pursuant to any provision of law or Executive order for
13 the construction, connection, operation, or maintenance of
14 an oil or natural gas pipeline or electric transmission facil-
15 ity, or any border-crossing facility thereof.

16 (e) MODIFICATIONS TO EXISTING PROJECTS.—No
17 certificate of crossing under subsection (a), or Presidential
18 permit (or similar permit), shall be required for a modi-
19 fication 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
23 of 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
5 subsection (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
11 (3 U.S.C. 301 note), Executive Order No. 12038 (42
12 U.S.C. 7151 note), Executive Order No. 10485 (15 U.S.C.
13 717b note), or any other Executive order for the construc-
14 tion, connection, operation, or maintenance of an oil or
15 natural gas pipeline or electric transmission facility, or
16 any border-crossing facility thereof, unless such revocation
17 is authorized by an Act of Congress.

18 (g) EFFECTIVE DATE; RULEMAKING DEADLINES.—

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

23 (2) RULEMAKING DEADLINES.—Each relevant
24 official 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 own-
20 ership, change in flow volume, addition or removal
21 of 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”
2 has the meaning given that term in section 2 of the
3 Natural Gas Act (15 U.S.C. 717a).

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

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

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

Passed the House of Representatives September 18,
2025.

Attest:

Clerk.

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