

Vote No on H.R. 3 Bill Tramples on U.S. Law to Give Regulatory Earmark

Dear Colleague:

I am writing to urge a no vote on H.R. 3, the “Northern Route Approval Act.” This bill grants a regulatory earmark to TransCanada Corporation, effectively exempting TransCanada’s Keystone XL tar sands pipeline from all federal permitting requirements, including requirements that apply to every other construction project in this country. Whether you support or oppose the Keystone XL pipeline, this bill is a bad deal for America.

I oppose the Keystone XL pipeline on the merits. Tar sands are a dirty, high-polluting fuel. On a life-cycle basis, tar sands crude produces far more carbon pollution than conventional oil – 17% more according to the State Department and up to 40% more according to other experts. Approval of the project would drive expanded production in the tar sands and more carbon pollution. It would increase our dependence on the dirtiest petroleum product currently available and lock in that dependence for decades.

And even with the pipeline’s new route, leaks from the highly corrosive crude in the pipeline would still threaten the Ogallala aquifer, a critical resource for drinking water and irrigation.

We don’t need this dirty oil. Since Keystone XL was proposed in 2008, we have cut U.S. oil demand with new vehicle standards and have dramatically boosted less-carbon intensive U.S. oil production from shale deposits. In fact, much of the tar sands oil will not go to America, but will go through America and be exported overseas. This leaves the United States with all the risks and no reward.

But even if you support the Keystone XL pipeline, you should oppose this bill. H.R. 3 tramples on our system of law. It creates a special exemption for one favored project from all of the federal protections that would otherwise apply, including mitigation of avoidable environmental harm. There is no reason to exempt TransCanada from requirements to take reasonable precautions to minimize loss of wetlands and harm to migratory birds.

Nor is this bill necessary. The State Department has issued a Supplemental Environmental Impact Statement (EIS) on the new project application, and the public comment period has closed. The State Department expects to issue a Final EIS within several months, followed by a 90 day period for the President to make the public interest determination and final decision. More than one million Americans submitted comments on the Supplemental EIS. They deserve to have their views considered.

I urge you to oppose H.R. 3 and reject this unfair, harmful, and unnecessary special exemption for TransCanada Corporation.

Sincerely,

HENRY A. WAXMAN
Ranking Member
Committee on Energy and Commerce
May 21, 2013