



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

May 21, 2013
(House Rules)

STATEMENT OF ADMINISTRATION POLICY

H.R. 3 – Northern Route Approval Act

(Rep. Terry, R-NE, and 134 cosponsors)

The Administration strongly opposes H.R. 3, which among other things, would: (1) declare that a Presidential Permit is not required for the Keystone XL crude oil, cross-border pipeline, including the Nebraska reroute evaluated by the Nebraska Department of Environmental Quality; (2) deem that the final Environmental Impact Statement issued by the Department of State on August 26, 2011, satisfies all National Environmental Policy Act and National Historic Preservation Act requirements; and (3) deem that Secretary of the Interior actions satisfy Endangered Species Act requirements enabling the needed right-of-way. Further, the bill would require the Secretary of the Army to issue project-related permits pursuant to the Rivers and Harbors Appropriation Act and Section 404 of the Clean Water Act, and prohibit the EPA Administrator from restricting or disallowing any activities or uses of areas authorized by the bill.

H.R. 3 conflicts with longstanding Executive branch procedures regarding the authority of the President, the Secretaries of State, the Interior, and the Army, and the EPA Administrator. In addition, the bill is unnecessary because the Department of State is working diligently to complete the permit decision process for the Keystone XL pipeline. The bill prevents the thorough consideration of complex issues that could have serious security, safety, environmental, and other ramifications.

Because H.R. 3 seeks to circumvent longstanding and proven processes for determining whether cross-border pipelines are in the national interest by removing the Presidential Permitting requirement for the Keystone XL pipeline project, if presented to the President, his senior advisors would recommend that he veto this bill.

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