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Subject: Senators back bill to OK Keystone

POLITICO

Senators back bill to OK Keystone

By: Darren Goode

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Senate Republicans on Monday introduced a bill that would have Congress approve the Keystone XL pipeline instead of waiting for President Barack Obama to grant a permit.

The proposal puts the senators on a similar but distinct track from House GOP leaders seeking to take control of the issue away from the White House.

The Senate bill — co-sponsored by 43 Republicans and Sen. Joe Manchin (D-W.Va.) — would greenlight the pipeline outside of Nebraska. Inside the Cornhusker State, Nebraskan officials would have as long as they need to find an alternative route.

"We tried to address any and all concerns that have been raised," Sen. John Hoeven (R-N.D.), one of the bill's lead sponsors, told POLITICO last week. Hoeven said Congress has the authority under the Constitution's Commerce Clause to oversee commerce with foreign powers.

The Congressional Research Service this month ruled that Hoeven's bill — and by extension a similar bill introduced Tuesday by Rep. Ted Poe (R-Texas) — meets constitutional muster. "And so we have the constitutional authority to do it and this just says, 'OK, we move forward with the project, it's deemed approved,'" Hoeven said.

The bill's sponsors include Senate Minority Leader Mitch McConnell (R-Ky.), Foreign Relations ranking member Dick Lugar (R-Ind.) and Energy and Natural Resources ranking member Lisa Murkowski (R-Alaska). In the House, Poe has attracted 11 co-sponsors so far, including Oklahoma Democrat Dan Boren.

But House Republican leaders are rallying behind a bill from Rep. Lee Terry (R-Neb.) that would allow the independent Federal Energy Regulatory Commission to approve the permit while still taking it out of the hands of the White House and State Department.

"I think either bill holds up to constitutional scrutiny," Terry said last week. "I think [the] public would be more in favor of giving it to an agency that's experts in pipelines than just having Congress making that decision."

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