

119TH CONGRESS
2D SESSION

H. R. 9838

To provide for the expedited approval of interstate oil and natural gas pipelines that are critical to the national security of the United States.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2026

Mr. CALVERT (for himself, Mr. STRONG, Mr. GALLAGHER, Mr. VALADAO, Mr. SHREVE, Mr. FONG, Mr. ISSA, and Mr. MORAN) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for the expedited approval of interstate oil and natural gas pipelines that are critical to the national security of the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Security
5 Interstate Pipeline Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Reliable transportation of oil and natural
2 gas across the United States is essential to national
3 defense, military readiness, and the defense indus-
4 trial base.

5 (2) Constraints in regional energy supply create
6 vulnerabilities for military installations, critical in-
7 frastructure, and industrial capacity.

8 (3) Interstate pipeline infrastructure is the
9 most efficient, secure, and scalable method for trans-
10 porting large volumes of energy resources.

11 (4) Fragmented Federal, State, and local per-
12 mitting processes create delays that undermine the
13 timely development of critical energy infrastructure.

14 (5) It is in the national interest to ensure the
15 rapid development of interstate energy transpor-
16 tation systems necessary to support national security
17 objectives.

18 **SEC. 3. EXPEDITED APPROVAL OF INTERSTATE OIL AND**
19 **NATURAL GAS PIPELINES CRITICAL TO THE**
20 **NATIONAL SECURITY OF THE UNITED**
21 **STATES.**

22 (a) DESIGNATION OF COVERED PIPELINE
23 PROJECTS.—

24 (1) AUTHORITY.—The President may designate
25 an interstate pipeline as a covered pipeline project if

1 the President determines that the interstate pipeline
2 is necessary to ensure energy supply for military in-
3 stallations, the defense industrial base, or critical in-
4 frastructure resilience.

5 (2) PUBLICATION.—Each designation of an
6 interstate pipeline as a covered pipeline project
7 under this section shall be transmitted to Congress
8 and published in the Federal Register.

9 (b) EXCLUSIVE FEDERAL SITING AND PERMITTING
10 AUTHORITY.—

11 (1) EXCLUSIVE AUTHORITY.—Notwithstanding
12 any other provision of law, the Commission shall
13 have exclusive authority to approve or deny an appli-
14 cation for the siting, construction, expansion, or op-
15 eration of a covered pipeline project.

16 (2) CERTIFICATE.—Upon the filing of an appli-
17 cation to site, construct, expand, or operate a cov-
18 ered pipeline project, the Commission shall issue or
19 deny a certificate authorizing such siting, construc-
20 tion, expansion, or operation accordingly.

21 (3) LEAD AGENCY.—The Commission shall act
22 as the lead agency for purposes of coordinating all
23 applicable Federal authorizations and related envi-
24 ronmental reviews of a covered pipeline project.

25 (c) ACQUISITION OF PROPERTY INTERESTS.—

1 (1) AUTHORITY TO ACQUIRE.—A holder of a
2 certificate issued under subsection (b) may acquire
3 any right-of-way, easement, or other interest in real
4 property necessary for the siting, construction, ex-
5 pansion, or operation of the covered pipeline project
6 for which the certificate was issued, by—

7 (A) negotiation and purchase; or

8 (B) the exercise of the right of eminent do-
9 main in the district court of the United States
10 for the district in which the property is located,
11 or in the appropriate court of the State in
12 which the property is located, in accordance
13 with paragraph (2).

14 (2) CONDITIONS ON EMINENT DOMAIN.—

15 (A) GOOD FAITH NEGOTIATION RE-
16 QUIRED.—A certificate holder may not com-
17 mence a proceeding under paragraph (1)(B)
18 unless the certificate holder has made a good-
19 faith effort to acquire the necessary property
20 interest by negotiation, including a written offer
21 of just compensation to the owner of record not
22 later than 60 days before commencing such pro-
23 ceeding.

24 (B) JUST COMPENSATION.—Any acquisi-
25 tion under this subsection shall be subject to

1 the payment of just compensation, as deter-
2 mined in accordance with the fair market value
3 of the property interest acquired.

4 (C) TEMPORARY WORKSPACE DISTIN-
5 GUISHED.—Compensation for a temporary con-
6 struction easement shall be calculated sepa-
7 rately from, and shall not be based on, the valu-
8 ation methodology applied to a permanent
9 right-of-way or easement, and shall account for
10 the duration and scope of the temporary use.

11 (D) SEVERANCE DAMAGES.—Where an ac-
12 quisition under this subsection affects less than
13 the entirety of a parcel of real property, just
14 compensation shall include any diminution in
15 the fair market value of the remaining property
16 proximately caused by the acquisition.

17 (E) DATE OF VALUATION.—Fair market
18 value under this subsection shall be determined
19 as of the date on which the certificate holder
20 files a complaint in condemnation under para-
21 graph (1)(B), or the date of taking, whichever
22 is earlier.

23 (3) PROCEDURE.—Except as otherwise provided
24 in this subsection, a proceeding under paragraph
25 (1)(B) shall be conducted in accordance with rule

1 71.1 of the Federal Rules of Civil Procedure, or the
2 applicable procedure of the State in which the prop-
3 erty is located, as appropriate.

4 (4) NOTICE TO LANDOWNERS.—Not later than
5 30 days before filing a complaint in condemnation
6 under paragraph (1)(B), a certificate holder shall
7 provide written notice to the owner of record of the
8 affected property, which shall include—

9 (A) a description of the property interest
10 sought;

11 (B) a written appraisal of the fair market
12 value of the property interest, prepared by a
13 qualified independent appraiser; and

14 (C) a statement of the owner’s right to ob-
15 tain an independent appraisal and to contest
16 the amount of compensation offered.

17 (d) EXPEDITED REVIEW.—

18 (1) TIMELINES.—Notwithstanding any other
19 provision of law, if—

20 (A) not later than 180 days after an appli-
21 cation for a certificate is submitted under sub-
22 section (b), a Federal agency does not complete
23 an action that is required with respect to a
24 Federal authorization, including any pro-
25 ceeding, opinion, review, or decision, or related

1 environmental review, such requirement shall be
2 deemed satisfied and, if applicable, such Fed-
3 eral authorization shall be deemed approved;
4 and

5 (B) not later than 60 days after an appli-
6 cation for a certificate is submitted under sub-
7 section (b), a State, local, or Tribal agency does
8 not complete an action that is required with re-
9 spect to a Federal authorization, including any
10 proceeding, opinion, review, or decision, or re-
11 lated environmental review, such requirement
12 shall be deemed satisfied and, if applicable,
13 such Federal authorization shall be deemed ap-
14 proved.

15 (2) LIMITATION ON ALTERNATIVES.—Notwith-
16 standing any other provision of law, in conducting
17 any action with respect to a Federal authorization,
18 including any proceeding, opinion, review, or deci-
19 sion, or related environmental review with respect to
20 a covered pipeline project that requires the consider-
21 ation of alternatives, including reviews under the
22 National Environmental Policy Act of 1969, Federal
23 and State agencies shall consider alternatives that
24 are technically and economically feasible and con-
25 sistent with national security objectives, as deter-

1 mined by the Commission, in consultation with the
2 Secretary of Energy and the Secretary of Defense.

3 (e) FEDERAL PREEMPTION OF STATE AND LOCAL
4 REQUIREMENTS.—

5 (1) IN GENERAL.—No State, Tribal, or local
6 government may enforce any law or regulation
7 that—

8 (A) prohibits the siting, construction, ex-
9 pansion, or operation of a covered pipeline
10 project or imposes any requirement, condition,
11 limitation, or standard that would reasonably be
12 expected to delay, increase the cost of, or other-
13 wise impede the siting, construction, expansion,
14 or operation, of a covered pipeline project; or

15 (B) imposes any requirement, condition,
16 limitation, or standard on the siting, construc-
17 tion, expansion, or operation of a covered pipe-
18 line project that is inconsistent with a certifi-
19 cate issued under subsection (b).

20 (2) LIMITATION ON STATE PERMITTING.—No
21 State, Tribal, or local permit, approval, or certifi-
22 cation shall be required for a covered pipeline
23 project. Any such permit, approval, or certification
24 may be issued for advisory purposes only and shall
25 have no binding effect on the siting, construction,

1 expansion or operation of the covered pipeline
2 project.

3 (3) RULE OF CONSTRUCTION.—Nothing in the
4 section shall be construed to revise or alter the du-
5 ties or authorities of the Commission with respect to
6 any pipeline project that is not a covered pipeline
7 project.

8 (f) NATIONAL SECURITY WAIVER AUTHORITY.—The
9 President may waive compliance any requirement of the
10 National Environmental Policy Act of 1969 (42 U.S.C.
11 4321 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.),
12 the Federal Water Pollution Control Act (33 U.S.C. 1251
13 et seq.), or the Endangered Species Act of 1973 (16
14 U.S.C. 1531 et seq.), if necessary to prevent unacceptable
15 delay, as determined by the President, of the siting, con-
16 struction, expansion, or operation of a covered pipeline
17 project.

18 (g) CONGRESSIONAL NOTIFICATION AND OVER-
19 SIGHT.—

20 (1) NOTIFICATION.—The President shall notify
21 Congress not later than 7 days after any designation
22 under subsection (a) or waiver under subsection (f).

23 (2) QUARTERLY REPORTS.—The President shall
24 submit to Congress quarterly reports on all covered
25 pipeline projects, including any waiver with respect

1 to a covered pipeline project under subsection (f),
2 and the status of each such covered pipeline project.

3 (h) DELEGATION.—

4 (1) IN GENERAL.—The President may delegate
5 any authority or responsibility under subsection (a),
6 subsection (f), or subsection (g) to the Secretary of
7 Energy.

8 (2) CONSULTATION.—If the Secretary of En-
9 ergy is delegated authority or responsibility pursuant
10 to subparagraph (A), the Secretary of Energy shall
11 exercise such authority or responsibility in consulta-
12 tion with the Secretary of Defense.

13 (i) JUDICIAL REVIEW.—

14 (1) EXCLUSIVE JURISDICTION.—Any claim aris-
15 ing under this Act shall be filed exclusively in the
16 United States Court of Appeals for the District of
17 Columbia Circuit.

18 (2) EXPEDITED REVIEW.—The United States
19 Court of Appeals for the District of Columbia Cir-
20 cuit shall expedite review of any claim arising under
21 this Act to the maximum extent practicable.

22 (3) STANDARD OF REVIEW.—Federal agency
23 actions taken pursuant to this Act shall be upheld
24 unless found to be arbitrary, capricious, or contrary
25 to law.

1 (j) DEFINITIONS.—In this Act:

2 (1) COMMISSION.—The term “Commission”
3 means the Federal Energy Regulatory Commission.

4 (2) COVERED PIPELINE PROJECT.—The term
5 “covered pipeline project” means any interstate
6 pipeline for the transportation of crude oil, refined
7 petroleum products, or natural gas, that is des-
8 ignated under subsection (a).

9 (3) CRITICAL INFRASTRUCTURE RESILIENCE.—
10 The term “critical infrastructure resilience” means
11 resilience of systems and assets, whether physical or
12 virtual, so vital to the United States that the inca-
13 pacity or destruction of such systems and assets
14 would have a debilitating impact on security, na-
15 tional economic security, national public health or
16 safety, or any combination of those matters.

17 (4) DEFENSE INDUSTRIAL BASE.—The term
18 “defense industrial base” has the meaning given
19 such term in section 236.2 of title 32, Code of Fed-
20 eral Regulations (as in effect on the date of enact-
21 ment of this Act).

22 (5) FEDERAL AUTHORIZATION.—The term
23 “Federal authorization”—

1 (A) means any authorization required
2 under Federal law with respect to an applica-
3 tion for a certificate under subsection (b); and

4 (B) includes any permits, special use au-
5 thorizations, certifications, opinions, or other
6 approvals as may be required under Federal law
7 with respect to an application for a certificate
8 under subsection (b).

9 (6) MILITARY INSTALLATION.—The term “mili-
10 tary installation” means a base, camp, post, station,
11 yard, center, or other activity under the jurisdiction
12 of the Secretary of a military department under the
13 operational control of the Secretary of a military de-
14 partment or the Secretary of Defense, without re-
15 gard to the duration of operational control.

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