

113TH CONGRESS
1ST SESSION

H. R. 334

To approve the Keystone XL pipeline project permit.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 22, 2013

Mr. POE of Texas (for himself, Mr. CONAWAY, Mr. CHABOT, Mrs. MILLER of Michigan, Mr. CULBERSON, Mr. HALL, Mr. DUNCAN of South Carolina, Mrs. BLACKBURN, Mr. KING of Iowa, Mr. FARENTHOLD, and Mr. WEBER of Texas) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce 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 approve the Keystone XL pipeline project permit.

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 “Keystone For a Secure
5 Tomorrow Act”.

6 **SEC. 2. FINDING.**

7 The Congress finds that the delivery of oil from Al-
8 berta, Canada, to domestic markets in the United States

1 is in the national interest of the United States, and the
2 earliest possible completion of the Keystone XL pipeline
3 will best serve the national interest.

4 **SEC. 3. KEYSTONE XL PIPELINE PERMIT APPROVAL.**

5 (a) PERMIT APPROVAL.—The permit described in
6 subsection (b) is hereby approved.

7 (b) DESCRIPTION OF PERMIT.—The permit approved
8 under subsection (a) is the permit with respect to certain
9 energy-related facilities and land transportation crossings
10 on the international boundaries of the United States for
11 the Keystone XL pipeline project, an application for which
12 was filed on September 19, 2008 (including amendments).
13 Such permit shall also include the Nebraska reroute evalu-
14 ated in the Final Evaluation Report issued the Nebraska
15 Department of Environmental Quality in January 2013.

16 (c) REQUIREMENTS.—The permit granted under sub-
17 section (a) shall require the following:

18 (1) The permittee shall comply with all applica-
19 ble Federal and State laws (including regulations)
20 and all applicable industrial codes regarding the con-
21 struction, connection, operation, and maintenance of
22 the United States facilities.

23 (2) The permittee shall take all appropriate
24 measures to prevent or mitigate any adverse envi-
25 ronmental impact or disruption of historic properties

1 in connection with the construction, operation, and
2 maintenance of the United States facilities.

3 (3) For the purpose of the permit approved
4 under subsection (a)—

5 (A) the final environmental impact state-
6 ment issued by the Secretary of State on Au-
7 gust 26, 2011, and the Final Evaluation Report
8 described in subsection (b) satisfy all require-
9 ments of the National Environmental Policy
10 Act of 1969 (42 U.S.C. 4321 et seq.) and sec-
11 tion 106 of the National Historic Preservation
12 Act (16 U.S.C. 470f);

13 (B) any modification required by the Sec-
14 retary of State to the Plan described in para-
15 graph (4)(A) shall not require supplementation
16 of the final environmental impact statement de-
17 scribed in that paragraph; and

18 (C) no further Federal environmental re-
19 view shall be required.

20 (4) The construction, operation, and mainte-
21 nance of the facilities shall be in all material re-
22 spects similar to that described in the application
23 and the Final Evaluation Report described in sub-
24 section (b) and in accordance with—

1 (A) the construction, mitigation, and rec-
2 lamation measures agreed to by the permittee
3 in the Construction Mitigation and Reclamation
4 Plan found in appendix B of the final environ-
5 mental impact statement issued by the Sec-
6 retary of State on August 26, 2011;

7 (B) the special conditions agreed to be-
8 tween the permittee and the Administrator of
9 the Pipeline Hazardous Materials Safety Ad-
10 ministration of the Department of Transpor-
11 tation found in appendix U of the final environ-
12 mental impact statement described in subpara-
13 graph (A); and

14 (C) the stipulations identified in appendix
15 S of the final environmental impact statement
16 described in subparagraph (A).

17 (5) Other requirements that are standard in-
18 dustry practice or commonly included in Federal
19 permits that are similar to a permit approved under
20 subsection (a).

21 (d) PRIVATE PROPERTY SAVINGS CLAUSE.—Nothing
22 in this section alters the Federal, State, or local processes
23 or conditions in effect on the date of enactment of this

- 1 Act that are necessary to secure access from private prop-
- 2 erty owners to construct the Keystone XL pipeline.

○