

# Calendar No. 29

113TH CONGRESS  
1ST SESSION

# S. 582

To approve the Keystone XL Pipeline.

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## IN THE SENATE OF THE UNITED STATES

MARCH 14, 2013

Mr. HOEVEN (for himself, Mr. BAUCUS, Mr. ROBERTS, Mr. PRYOR, Mr. VITTER, Ms. HEITKAMP, Mr. CORNYN, Mr. BEGICH, Ms. MURKOWSKI, Ms. LANDRIEU, Mr. RISCH, Mr. MANCHIN, Mr. BARRASSO, Mr. TESTER, Mr. DONNELLY, and Mr. PORTMAN) introduced the following bill; which was read the first time

MARCH 18, 2013

Read the second time and placed on the calendar

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## A BILL

To approve the Keystone XL Pipeline.

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. KEYSTONE XL PERMIT APPROVAL.**

4 (a) IN GENERAL.—In accordance with clause 3 of  
5 section 8 of article I of the Constitution (delegating to  
6 Congress the power to regulate commerce with foreign na-  
7 tions), TransCanada Keystone Pipeline, L.P. is authorized

1 to construct, connect, operate, and maintain pipeline fa-  
2 cilities for the import of crude oil and other hydrocarbons  
3 at the United States-Canada Border at Phillips County,  
4 Montana, in accordance with the application filed with the  
5 Department of State on May 4, 2012.

6 (b) PRESIDENTIAL PERMIT NOT REQUIRED.—Not-  
7 withstanding Executive Order No. 13337 (3 U.S.C. 301  
8 note), Executive Order No. 11423 (3 U.S.C. 301 note),  
9 section 301 of title 3, United States Code, and any other  
10 Executive order or provision of law, no presidential permit  
11 shall be required for the facilities described in subsection  
12 (a).

13 (c) ENVIRONMENTAL IMPACT STATEMENT.—The  
14 final environmental impact statement issued by the Sec-  
15 retary of State on August 26, 2011, the Final Evaluation  
16 Report issued by the Nebraska Department of Environ-  
17 mental Quality on January 3, 2013, and the Draft Supple-  
18 mental Environmental Impact Statement issued on March  
19 1, 2013, regarding the crude oil pipeline and appurtenant  
20 facilities associated with the facilities described in sub-  
21 section (a), shall be considered to satisfy—

22 (1) all requirements of the National Environ-  
23 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.);  
24 and

1           (2) any other provision of law that requires  
2       Federal agency consultation or review with respect  
3       to the facilities described in subsection (a) and the  
4       related facilities in the United States.

5       (d) PERMITS.—Any Federal permit or authorization  
6       issued before the date of enactment of this Act for the  
7       facilities described in subsection (a), and the related facili-  
8       ties in the United States shall remain in effect.

9       (e) FEDERAL JUDICIAL REVIEW.—The facilities de-  
10      scribed in subsection (a), and the related facilities in the  
11      United States, that are approved by this section, and any  
12      permit, right-of-way, or other action taken to construct or  
13      complete the project pursuant to Federal law, shall only  
14      be subject to judicial review on direct appeal to the United  
15      States Court of Appeals for the District of Columbia Cir-  
16      cuit.

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