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Calendar No. 29

113TH CONGRESS
1ST SESSION

S. 582

To approve the Keystone XL Pipeline.

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

A BILL

To approve the Keystone XL Pipeline.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. KEYSTONE XL PERMIT APPROVAL.

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

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

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

(c) ENVIRONMENTAL IMPACT STATEMENT.—The final environmental impact statement issued by the Secretary of State on August 26, 2011, the Final Evaluation Report issued by the Nebraska Department of Environmental Quality on January 3, 2013, and the Draft Supplemental Environmental Impact Statement issued on March 1, 2013, regarding the crude oil pipeline and appurtenant facilities associated with the facilities described in subsection (a), shall be considered to satisfy—

(1) all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

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

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

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

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