

**AMENDMENT TO H.R. 3548**

**OFFERED BY MR. MARKEY OF MASSACHUSETTS**

At the end of section 3(a), insert the following new paragraph:

1           (3)   ENERGY   SECURITY.—Notwithstanding  
2           paragraph (1), the Federal Energy Regulatory Com-  
3           mission shall require every permit issued under this  
4           Act to include provisions that ensure that any crude  
5           oil and bitumen transported by the Keystone XL  
6           pipeline, and all refined petroleum products whose  
7           origin was via importation of crude oil or bitumen  
8           by the Keystone XL pipeline, will be entered into do-  
9           mestic commerce for final disposition. The President  
10          may provide for waivers of such requirement in the  
11          following situations:

12                   (A) Where the President determines that  
13                   such a waiver is in the national interest because  
14                   it—

15                           (i) will not lead to an increase in do-  
16                           mestic consumption of crude oil or refined  
17                           petroleum products obtained from coun-  
18                           tries hostile to United States interests or

1 with political and economic instability that  
2 compromises energy supply security;

3 (ii) will not lead to higher costs to re-  
4 finers who purchase the crude oil than  
5 such refiners would have to pay for crude  
6 oil in the absence of such a waiver; and

7 (iii) will not lead to higher gasoline  
8 costs to consumers than consumers would  
9 have to pay in the absence of such a waiv-  
10 er.

11 (B) Where an exchange of crude oil or re-  
12 fined product provides for no net loss of crude  
13 oil or refined product consumed domestically.

14 (C) Where a waiver is necessary under the  
15 Constitution, a law, or an international agree-  
16 ment.

