

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TERRY OF NEBRASKA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO
RULES COMMITTEE PRINT 112-24
OFFERED BY MR. TERRY OF NEBRASKA**

Page 6, after line 11, insert the following new section:

1 **SEC. 103. KEYSTONE XL PIPELINE PERMIT.**

2 (a) RESTRICTION.—

3 (1) IN GENERAL.—No person may construct,
4 operate, or maintain the oil pipeline and related fa-
5 cilities described in paragraph (2) except in accord-
6 ance with a permit issued under this section.

7 (2) PIPELINE.—The pipeline and related facili-
8 ties referred to in paragraph (1) are those described
9 in the application filed on May 4, 2012, by Trans-
10 Canada Corporation to the Department of State for
11 the northern portion of the Keystone XL pipeline
12 from the Canadian border to the South Dakota/Ne-
13 braska border, including any modified version of
14 that pipeline and related facilities.

15 (b) ISSUANCE.—

16 (1) BY FERC.—The Federal Energy Regulatory
17 Commission shall, not later than 30 days after re-
18 ceipt of an application therefor, issue a permit with-

1 out additional conditions for the construction, oper-
2 ation, and maintenance of the oil pipeline and re-
3 lated facilities described in subsection (a)(2), to be
4 implemented in accordance with the terms of the
5 Final Environmental Impact Statement for the Key-
6 stone XL Pipeline Project issued by the Department
7 of State on August 26, 2011. The Commission shall
8 not be required to prepare a Record of Decision
9 under section 1505.2 of title 40 of the Code of Fed-
10 eral Regulations with respect to issuance of the per-
11 mit provided for in this section.

12 (2) ISSUANCE IN ABSENCE OF FERC ACTION.—

13 If the Federal Energy Regulatory Commission has
14 not acted on an application for a permit described
15 in paragraph (1) within 30 days after receiving such
16 application, the permit shall be deemed to have been
17 issued under this section upon the expiration of such
18 30-day period.

19 (c) MODIFICATION.—

20 (1) IN GENERAL.—The applicant for or holder
21 of a permit described in subsection (a) may make a
22 substantial modification to the pipeline route or any
23 other term of the Final Environmental Impact
24 Statement described in subsection (b)(1) only with
25 the approval of the Federal Energy Regulatory Com-

1 mission. The Commission shall expedite consider-
2 ation of any such modification proposal.

3 (2) NEBRASKA.—Nothing in this section shall
4 affect the ongoing work of the State of Nebraska
5 with regard to the fully intrastate portion of the
6 Keystone XL pipeline.

7 (d) NATIONAL ENVIRONMENTAL POLICY ACT OF
8 1969.—Except for actions taken under subsection (c)(1),
9 the actions taken pursuant to this section shall be taken
10 without further action under the National Environmental
11 Policy Act of 1969 (42 U.S.C. 4321 et seq.).

