

# Calendar No. 371

113TH CONGRESS  
2D SESSION

# S. 2280

To approve the Keystone XL Pipeline.

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## IN THE SENATE OF THE UNITED STATES

MAY 1, 2014

Mr. HOEVEN (for himself, Ms. LANDRIEU, Mr. McCONNELL, Ms. MURKOWSKI, Mr. PORTMAN, Mr. WICKER, Mr. JOHNSON of Wisconsin, Mr. CRAPO, Mr. THUNE, Mr. JOHANNIS, Mr. BLUNT, Mr. ALEXANDER, Mr. INHOFE, Mr. FLAKE, Mr. ROBERTS, Mr. CHAMBLISS, Mr. ENZI, Mr. TOOMEY, Mr. LEE, Mr. SESSIONS, Mr. SCOTT, Mr. COATS, Mr. CORNYN, Mr. KIRK, Mr. ISAKSON, Mr. GRASSLEY, Mr. RUBIO, Mrs. FISCHER, Mr. COBURN, Mr. MCCAIN, Mr. CORKER, Mr. HATCH, Mr. COCHRAN, Mr. BARRASSO, Mr. VITTER, Mr. RISCH, Mr. BOOZMAN, Mr. BURR, Mr. GRAHAM, Mr. HELLER, Mr. PAUL, Mr. MORAN, Mr. CRUZ, Mr. SHELBY, Ms. AYOTTE, Ms. COLLINS, Mr. BEGICH, Mr. PRYOR, Ms. HEITKAMP, Mr. WARNER, Mr. DONNELLY, Mr. MANCHIN, Mr. WALSH, Mrs. MCCASKILL, Mr. TESTER, and Mrs. HAGAN) introduced the following bill; which was read the first time

MAY 5, 2014

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,*

1 **SECTION 1. KEYSTONE XL APPROVAL.**

2 (a) IN GENERAL.—TransCanada Keystone Pipeline,  
3 L.P. may construct, connect, operate, and maintain the  
4 pipeline and cross-border facilities described in the appli-  
5 cation filed on May 4, 2012, by TransCanada Corporation  
6 to the Department of State (including any subsequent re-  
7 vision to the pipeline route within the State of Nebraska  
8 required or authorized by the State of Nebraska).

9 (b) ENVIRONMENTAL IMPACT STATEMENT.—The  
10 Final Supplemental Environmental Impact Statement  
11 issued by the Secretary of State in January 2014, regard-  
12 ing the pipeline referred to in subsection (a), and the envi-  
13 ronmental analysis, consultation, and review described in  
14 that document (including appendices) shall be considered  
15 to fully satisfy—

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

19 (2) any other provision of law that requires  
20 Federal agency consultation or review (including the  
21 consultation or review required under section 7(a) of  
22 the Endangered Species Act of 1973 (16 U.S.C.  
23 1536(a))) with respect to the pipeline and facilities  
24 referred to in subsection (a).

25 (c) PERMITS.—Any Federal permit or authorization  
26 issued before the date of enactment of this Act for the

1 pipeline and cross-border facilities referred to in sub-  
2 section (a) shall remain in effect.

3 (d) FEDERAL JUDICIAL REVIEW.—Any legal chal-  
4 lenge to a Federal agency action regarding the pipeline  
5 and cross-border facilities described in subsection (a), and  
6 the related facilities in the United States, that are ap-  
7 proved by this Act, and any permit, right-of-way, or other  
8 action taken to construct or complete the project pursuant  
9 to Federal law, shall only be subject to judicial review on  
10 direct appeal to the United States Court of Appeals for  
11 the District of Columbia Circuit.

12 (e) PRIVATE PROPERTY SAVINGS CLAUSE.—Nothing  
13 in this Act alters any Federal, State, or local process or  
14 condition in effect on the date of enactment of this Act  
15 that is necessary to secure access from an owner of private  
16 property to construct the pipeline and cross-border facili-  
17 ties described in subsection (a).

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