

**AMENDMENT TO H.R. 1938, AS REPORTED**

**OFFERED BY \_\_\_\_\_**

In section 3 of the bill, redesignate subsections (c) and (d) as subsections (d) and (e), and insert after subsection (b) the following:

1       (c) ENERGY SECURITY.—The Secretary of Energy  
2 shall ensure that a necessary action under subsection (a)  
3 is a requirement that ensures any crude oil and bitumen  
4 transported by the Keystone XL pipeline, and all refined  
5 petroleum products whose origin was via importation of  
6 crude oil or bitumen by the Keystone XL pipeline, will  
7 be entered into domestic commerce for final disposition.  
8 The President may provide for waivers of such require-  
9 ment in the following situations:

10           (1) Where the President determines that such  
11 a waiver is in the national interest because it—

12                   (A) will not lead to an increase in imports  
13 of crude oil or refined petroleum products from  
14 countries hostile to United States interests or  
15 with political and economic instability that com-  
16 promises energy supply security;

17                   (B) will not lead to higher costs to refiners  
18 who purchase the crude oil than such refiners

1           would have to pay for crude oil in the absence  
2           of such a waiver; and

3                   (C) will not lead to higher gasoline costs to  
4           consumers than consumers would have to pay  
5           in the absence of such a waiver.

6           (2) Where crude oil is refined in an adjacent  
7           foreign country and consumed therein in exchange  
8           for the same quantity of crude oil being consumed  
9           in the United States.

10           (3) Where a waiver is necessary under the Con-  
11           stitution, a law, or an international agreement.

