

**AMENDMENT TO H.R. 4348**  
**OFFERED BY MR. MARKEY OF MASSACHUSETTS**  
**AND MR. WELCH OF VERMONT**

Page 29, after line 13, 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           title to include provisions that ensure that any crude  
5           oil and bitumen transported by the Keystone XL  
6           pipeline, and all refined petroleum fuel products  
7           whose origin was via importation of crude oil or bi-  
8           tumen by the Keystone XL pipeline, will be entered  
9           into domestic commerce for use as a fuel, or for the  
10          manufacture of another product, in the United  
11          States. The President may provide for waivers of  
12          such requirement in the following situations:

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

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

1           tries hostile to United States interests or  
2           with political and economic instability that  
3           compromises energy supply security;

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

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

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

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

