

## Senate amends, passes bill approving Keystone XL

January 30, 2015

The Senate Energy and Natural Resources Committee held a business meeting on January 8 to mark up legislation titled A Bill to Approve the Keystone Pipeline (S.1). The bill passed out of committee without amendment by a 13-9 vote, with all Republicans and one Democrat, Senator Joe Manchin (D-WV), voting in favor. The bill's proponents spoke about its potential benefits for job creation and energy independence; its detractors questioned the magnitude of these benefits for the American public, who they argued will assume the risks associated with the pipeline.

A hearing was scheduled for the previous day to hear witness testimony on the pipeline, but it was cancelled after objections by Senate Democrats. Instead, committee members used the markup, which is traditionally used to amend a bill in question, to make their views on the issue heard. The Senate voted 63-32 to proceed with an extended period of floor debate regarding the bill starting Monday, January 12.

During the markup, Republicans argued that the pipeline would contribute to U.S. energy security by increasing the proportion of oil used by the U.S. that is obtained from friendly countries like Canada. However, many Democrats disagreed, stating that while the pipeline is routed through the U.S., once it reaches coastal ports, there is no incentive for the oil to be sold to U.S. consumers instead of the global market.

The bill's supporters emphasized its job creation potential, citing the U.S. State Department Environmental Impact Statement (EIS) which estimated that the pipeline and related spending would support approximately 42,100 jobs. However, Democrats cited further information in the EIS that clarifies that roughly 4,000 direct jobs would be created during construction, while other so-called "induced" jobs—those in related industries such as oil refining—are highly dependent on unpredictable oil prices and market forces. Once construction is completed, the report estimates that only 50 jobs would be necessary to operate the pipeline. Between January 13 and 20, 240 amendments and secondary amendments were introduced to the bill, and more than two dozen of those were considered by the Senate. Among those that passed were an amendment with slimmed-down language from the Shaheen-Portman energy efficiency bill promoting energy efficiency in federal buildings; an amendment from Senator Sheldon Whitehouse (D-RI) stating that climate change is real and not a hoax; a sense-of-the-Senate that oil sands crude producers should contribute to the Oil Spill Liability Trust Fund; and an amendment clarifying the Keystone XL bill does not supersede the U.S. government's treaties and agreements with Native Americans. On January 29, the Senate approved cloture, bringing debate on amendments to an end, and moved to vote on the bill. S.1 passed the Senate 62-36 with every Republican voting in favor of the bill. Nine Democrats also voted to pass the measure, including Senators Michael Bennet (CO), Bob Casey (PA), Tom Carper (DE), Joe Donnelly (IN), Heidi Heitkamp (ND), Joe Manchin (WV), Claire McCaskill (MO), Jon Tester (MT), and Mark Warner (VA).

The bill has been reported to the House, which passed its own version of a Keystone XL approval bill on January 8, to determine if they will accept the Senate amendments or move the two bills to conference committee to iron out differences.

Sources: Environmental Protection Agency, Senate Energy and Natural Resources Committee, U.S. Department of State

*Updated 2/4/15 to reflect new developments in the story*

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