AMENDMENT TO H.R. 3
OFFERED BY MR. BEN RAY LUJÁN OF NEW MEXICO

At the end of the bill, insert the following new section:

SEC. 9. ENERGY SECURITY.

This Act shall not take effect until the President determines that any crude oil and bitumen transported by the Keystone XL pipeline, and all refined petroleum products whose origin was via importation of crude oil or bitumen by the Keystone XL pipeline, will be entered into domestic commerce for use as a fuel, or for the manufacture of another product, in the United States, except in the following situations:

(1) Where the President determines that providing an exception is in the national interest because it—

(A) will not lead to an increase in domestic consumption of crude oil or refined petroleum products obtained from countries hostile to United States interests or with political and economic instability that compromises energy supply security;
(B) will not lead to higher costs to refiners who purchase the crude oil than such refiners would otherwise have to pay for crude oil; and

(C) will not lead to higher gasoline costs to consumers than consumers would otherwise have to pay.

(2) Where an exchange of crude oil or refined product provides for no net loss of crude oil or refined product consumed domestically.

(3) Where providing an exception is necessary under the Constitution, a law, or an international agreement.