

Congressional Roll Call Votes on the Keystone XL Pipeline

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Summary

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The Congressional Research Service (CRS) receives frequent requests for congressional votes taken on Keystone XL Pipeline legislation. This report provides roll call vote data on Keystone XL Pipeline legislation identified by CRS using CQ.com's Roll Call Vote Report database as well as the Congress.gov legislative database.

Roll call votes listed in the tables are broken down by chamber, Congress, and type of legislation—substantive votes (i.e., votes on amendments or passage of bills) versus procedural votes (e.g., votes to recommit the bill to a committee or to provide for the consideration of a bill). Votes are also listed in chronological order for each Congress.

This report will be updated as events warrant.

Contents

Introduction.....	1
House Roll Call Votes: 112 th Congress-Present	1
Senate Roll Call Votes: 112 th Congress-Present.....	10

Tables

Table 1. House Roll Call Votes on Keystone XL Pipeline-112 th Congress	1
Table 2. Procedural House Roll Call Votes on Keystone XL Pipeline-112 th Congress.....	4
Table 3. House Roll Call Votes on Keystone XL Pipeline – 113 th Congress	5
Table 4. Procedural House Roll Call Votes on Keystone XL Pipeline-113 th Congress.....	8
Table 5. House Roll Call Votes on Keystone XL Pipeline-114 th Congress	9
Table 6. Procedural House Roll Call Votes on Keystone XL Pipeline-114 th Congress.....	9
Table 7. Senate Record Votes on Keystone XL Pipeline-112 th Congress	10
Table 8. Senate Record Votes on Keystone XL Pipeline-113 th Congress	11
Table 9. Procedural Senate Record Votes on Keystone XL Pipeline-114 th Congress	12

Contacts

Author Contact Information.....	12
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Introduction

TransCanada's proposed Keystone XL Pipeline would transport oil sands crude from Canada and shale oil produced in North Dakota and Montana to a market hub in Nebraska for further delivery to Gulf Coast refineries. The pipeline would consist of 875 miles of 36-inch pipe with the capacity to transport 830,000 barrels per day.¹

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Roll call votes listed in the following tables are broken down by chamber, Congress, and type of legislation—substantive votes (i.e., votes on amendments or passage of bills) versus procedural votes (e.g., votes to recommit the bill to a committee or to provide for the consideration of a bill). Votes are also listed in chronological order for each Congress.

House Roll Call Votes: 112th Congress-Present

According to both CQ.com and Congress.gov, the House of Representatives first introduced Keystone XL Pipeline legislation in the 112th Congress. The first recorded votes in the House also took place in that Congress.

Table 1. House Roll Call Votes on Keystone XL Pipeline—112th Congress

Bill/Amendment No.	Vote Summary	House Roll Call Vote No.	Vote Results/Date (yeas-nays)
H.Amdt. 720 to H.R. 1938	Amendment sought to add language describing an environmental finding, which states that the Keystone XL Pipeline would run through the Ogallala Aquifer and which would explain the risks involved with the proposed route.	Roll no. 640	Failed (164-260) 7/26/2011
H.Amdt. 721 to H.R. 1938	Amendment sought to strike paragraph 15 of the findings section, which says that analysis using EPA models shows that the Keystone XL Pipeline will result in no significant change in total United States or global greenhouse gas emissions.	Roll no. 641	Failed (164-261) 7/26/2011

¹ For more information about the Keystone XL Pipeline, see CRS Report R43787, *Keystone XL Pipeline: Overview and Recent Developments*, by Paul W. Parfomak et al.

Bill/Amendment No.	Vote Summary	House Roll Call Vote No.	Vote Results/Date (yeas-nays)
H.Amdt. 722 to H.R. 1938	Amendment sought to include a finding stating that the Pipeline and Hazardous Materials Safety Administration (PHMSA) Administrator testified at a congressional hearing and said that PHMSA had not done a study analyzing the risks associated with transporting diluted bitumen. The amendment also sought to require PHMSA to complete a review of the risks associated with transporting diluted bitumen, and whether current pipeline regulations are sufficient.	Roll no. 642	Failed (163-264) 7/26/2011
H.Amdt. 724 to H.R. 1938	Amendment sought to strike language in the findings section of the bill describing the pipeline's safety standards and replace it with language declaring that another pipeline operated by the applicant has leaked more than a dozen times in the United States and 21 times in Canada in less than one year of operation.	Roll no. 643	Failed (155-272) 7/26/2011
H.Amdt. 725 to H.R. 1938	Amendment sought to strike language in the findings section of the bill declaring that increased Canadian exports of oil to China would increase U.S. reliance on oil from other foreign sources, especially the Middle East. The amendment would replace it with language that would highlight conclusions by Canadian oil consultants saying the pipeline would allow crude oil from the Canadian tar-sands to be exported to other countries, particularly China.	Roll no. 644	Failed (152-275) 7/26/2011
H.Amdt. 726 to H.R. 1938	Amendment sought to allow for 120 days after the final environmental impact statement or no later than January 1, 2012, for the President to issue a final decision on the Keystone XL Pipeline.	Roll no. 645	Failed (161-265) 7/26/2011
H.Amdt. 727 to H.R. 1938	Amendment sought to allow a Presidential permit approving the pipeline to be issued only if the applicant has received a certification from the Energy Secretary and the Pipeline and Hazardous Materials Safety Administration stating that the applicant is prepared to respond to a "worst-case oil spill scenario."	Roll no. 646	Failed (168-260) 7/26/2011
H.Amdt. 728 to H.R. 1938	Amendment sought to require a study on the health impacts of increased air pollution in communities surrounding the refineries that will process oil transported through the proposed Keystone XL Pipeline before any approval of the pipeline could be granted.	Roll no. 647	Failed (163-263) 7/26/2011
H.Amdt. 730 to H.R. 1938	Amendment sought to block the President from issuing or denying a permit for the pipeline until the Energy Secretary, in consultation with the Federal Trade Commission, certified that permitting of the pipeline would not lead to manipulation of the U.S. oil market.	Roll. no. 648	Failed (164-261) 7/26/2011

Bill/Amendment No.	Vote Summary	House Roll Call Vote No.	Vote Results/Date (yeas-nays)
H.R. 1938	Passage of the bill that would require the Administration to make a permitting decision on the Keystone XL Pipeline within 30 days after the final environmental impact statement is issued or by Nov. 1, whichever is earlier. It would direct the President, working through the Energy Secretary, to coordinate with federal agencies to make sure necessary review stages are expedited.	Roll no. 650	Passed (279-147) 7/26/2011
H.R. 3630	In part, the bill would require the President to approve the Keystone XL Pipeline permit application within 60 days of the bill's enactment unless it is determined that the pipeline is not in the national interest.	Roll no. 923	Passed (234-193) 12/13/2011
H.Res. 501	In part, the resolution expresses the sense of the House that that any final measure to extend the payroll tax holiday, extend federally funded unemployment insurance benefits, or prevent decreases in reimbursement for physicians who provide care to Medicare beneficiaries should include final approval of the Keystone XL oil pipeline.	Roll no. 949	Passed (226-185) 12/20/2011
H.Amdt. 932 to H.R. 3408	Amendment sought to require the Federal Energy Regulatory Commission to review the results of the PHMSA study, as required by the bipartisan pipeline safety bill (P.L. 112-90), before issuing a permit for the Keystone XL Pipeline.	Roll no. 55	Failed (173-249) 2/15/2012
H.Amdt. 933 to H.R. 3408	Amendment sought to ensure that if the Keystone XL Pipeline is built, the oil that it transports to the Gulf of Mexico and the fuels made from that oil remain in this country for use in domestic commerce. The amendment allows the President to waive this requirement if it can be shown that an export of the oil or fuels will not increase U.S. dependence on oil or fuels the U.S. buys from hostile nations; that prices for refiners and consumers will not go up if the export occurs; or if an export is needed to comply with any international treaties or other U.S. agreements have to export oil or fuels.	Roll no. 56	Failed (173-254) 2/15/2012
H.Amdt. 934 to H.R. 3408	Amendment sought to prohibit the issuance of a permit absent conditions that restrict the ability of the permit recipient from initiating or threatening to initiate proceedings to invoke the power of eminent domain against the will of a property's owner for the purposes of constructing or operating the Keystone XL Pipeline.	Roll no. 57	Failed (149-276) 2/15/2012

Bill/Amendment No.	Vote Summary	House Roll Call Vote No.	Vote Results/Date (yeas-nays)
H.Amdt. 935 to H.R. 3408	Amendment sought to require that a permit for the Keystone XL Pipeline is not to be issued or deemed issued unless the permit applicant can certify and provide adequate documentation to Federal Energy Regulatory Commission (FERC) that at least 75% of the iron and steel to be used in domestic portion of the pipeline is produced in North America.	Roll no. 58	Failed (193-234) 2/15/2012
H.R. 3408	Passage of the bill would, in part, provide for approval of the 1,700-mile Keystone XL Pipeline and shift permitting authority for the project from the State Department to the Federal Energy Regulatory Commission.	Roll no. 71	Passed (237-187) 2/16/2012
H.R. 4348	Passage of the bill to extend the authorization for surface transportation programs would, in part, transfer authority to approve the Keystone XL pipeline project from the State Department to the FERC, which would be required to issue the permit within 30 days of receiving an application.	Roll no. 170	Passed (293-127) 4/18/2012

Source: Congress.gov; CQ.com's Roll Call Vote Report database.

Table 2. Procedural House Roll Call Votes on Keystone XL Pipeline—112th Congress

Bill/Amendment No.	Vote Summary	House Roll Call Vote No.	Vote Results/Date (yeas-nays)
H.Res. 370	Providing for consideration of the bill (H.R. 1938) to direct the President to expedite the consideration and approval of the construction and operation of the Keystone XL oil pipeline, and for other purposes.	Roll no. 637	Passed (246-171) 7/26/2011
H.R. 1938	Motion to recommit the bill to the Energy and Commerce Committee with instructions that it be reported back immediately with an amendment that would direct the President to ensure federal agencies take any feasible step to prevent an increase in gas prices and limit seizures of American farm and ranch land. It also would add language to the findings section of the bill declaring that the applicant has threatened to condemn the land of farmers and ranchers along the pipeline route and has projected that the pipeline will increase oil prices.	Roll no. 649	Failed (181-248) 7/26/2011
H.R. 3630	Motion to disagree with the Senate amendments and request a conference on a bill (H.R. 3630) that would, in part, require the President to approve the Keystone XL oil pipeline within 60 days of the bill's enactment unless he certifies that doing so is not in the national interest.	Roll no. 946	Passed (229-193) 12/20/2011

Bill/Amendment No.	Vote Summary	House Roll Call Vote No.	Vote Results/Date (yeas-nays)
H.R. 4348	Motion to instruct House conferees to insist on House-passed provisions that would transfer authority to approve the Keystone XL Pipeline project from the State Department to FERC, and provide that if FERC does not approve the pipeline within 30 days that it be deemed approved.	Roll no. 292	Passed (261-152) 5/18/2012

Source: Congress.gov; CQ.com's Roll Call Vote Report database.

Table 3. House Roll Call Votes on Keystone XL Pipeline—I 113th Congress

Bill/Amendment No.	Vote Summary	House Roll Call Vote No.	Vote Results/Date (yeas-nays)
H.Amdt. 66 to H.R. 3	Amendment sought to add language to the findings section of the bill regarding the impact of the Keystone XL Pipeline on the development of crude oil, the projected increase in greenhouse gases, the impact to land and water resources, an assessment of the spill risk, and the projected safety of the pipeline.	Roll no. 169	Passed (246-168) 5/22/2013
H.Amdt. 67 to H.R. 3	Amendment sought to add a finding that the reliance on oil sands crudes for transportation fuels would likely result in an increase in incremental greenhouse gas emissions in the United States equivalent to approximately that of 4.3 million passenger vehicles. The amendment also sought to provide that the bill would not go into effect unless the President found that TransCanada or oil sands producers could fully offset the additional greenhouse gas emissions produced annually.	Roll no. 170	Failed (146-269) 5/22/2013
H.Amdt. 68 to H.R. 3	Amendment sought to prohibit final approval and construction of the Keystone XL Pipeline until a study of the health impacts of increased air pollution in communities surrounding the refineries has been completed.	Roll no. 171	Failed (177-239) 5/22/2013
H.Amdt. 69 to H.R. 3	Amendment sought to require that the Pipeline and Hazardous Materials Safety Administration, in consultation with the Department of Homeland Security, conduct a study of the vulnerabilities of the Keystone XL Pipeline to a terrorist attack and certify that necessary protections have been put in place.	Roll no. 172	Failed (176-239) 5/22/2013
H.Amdt. 70 to H.R. 3	Amendment sought to strike Section 3 of the bill (Keystone XL Permit Approval), which states that the Keystone XL Pipeline does not require a permit to cross the international border between Canada and the United States.	Roll no. 173	Failed (177-238) 5/22/2013

Bill/Amendment No.	Vote Summary	House Roll Call Vote No.	Vote Results/Date (yeas-nays)
H.Amdt. 71 to H.R. 3	Amendment sought to remove the mandate to allow one specifically named company [TransCanada] to never receive appropriate oversight through the permit process for operation and/or maintenance—in perpetuity, while allowing construction permit fast-track.	Roll no. 174	Failed (182-234) 5/22/2013
H.Amdt. 72 to H.R. 3	Amendment sought to lengthen the time period for a person to file a claim against pipeline operators from 60 days to one year.	Roll no. 175	Failed (182-234) 5/22/2013
H.Amdt. 73 to H.R. 3	Amendment sought to require the Government Accountability Office (GAO) to conduct a study and prepare a report of the Keystone XL Pipeline to determine the total projected costs of pipeline spill cleanup, including the potential impacts of a petroleum spill on public health and the environment and the quantity and quality of water available for agricultural and municipal purposes.	Roll. no. 176	Failed (185-231) 5/22/2013
H.Amdt. 75 to H.R. 3	Amendment sought to require that all oil and refined fuels transported through the Keystone XL Pipeline be used in the United States and not exported, unless the President finds that an exception is required by law or in the national interest.	Roll no. 177	Failed (162-255) 5/22/2013
H.R. 3	Passage of the bill sought to declare that a Presidential permit is not required for approval of the Keystone XL Pipeline's northern route from the Canadian border through Nebraska. Under the bill, environmental impact statements issued to date would be considered sufficient to satisfy all requirements of the National Environmental Policy Act and the National Historic Preservation Act, and the Interior Department, and the U.S. Army Corps of Engineers would be deemed to have granted all the necessary permits. It would grant the U.S. Court of Appeals for the District of Columbia exclusive jurisdiction regarding pipeline legal disputes. Claims would have to be brought within 60 days of the action that gives rise to the claim. As amended it would require TransCanada to submit its oil spill response plan and any updates to the governors of each state where the pipeline operates.	Roll no. 179	Passed (241-175) 5/22/2013

Bill/Amendment No.	Vote Summary	House Roll Call Vote No.	Vote Results/Date (yeas-nays)
H.R. 2	<p>Passage of the bill that would allow for construction of the Keystone XL Pipeline and require that more federal lands and offshore areas be made available each year for oil and gas leasing. It also would streamline the process for approving drilling permits and limit the Environmental Protection Agency's (EPA's) ability to regulate greenhouse gas emissions from fossil-fueled power plants under the Clean Air Act. It would prohibit the EPA from finalizing energy-related regulations estimated to cost more than \$1 billion if the Energy Department determines that the regulations will cause significant adverse effects to the economy. It would block federal rules related to hydraulic fracturing for natural gas and set statutory deadlines for FERC and other federal agencies to act when considering certification or permits for the construction or expansion of natural gas pipelines. It also would require the Energy Department to expedite decisions on applications to export liquefied natural gas and establish a new system for the approval and permitting of oil and gas pipelines and electrical transmission lines that cross the U.S. border into Canada and Mexico.</p>	Roll no. 515	<p>Passed (226-191) 9/18/2014</p>
H.R. 5682	<p>Passage of the bill sought to immediately allow TransCanada to construct, connect, operate, and maintain the pipeline and cross-border facilities known as the Keystone XL Pipeline, including any revision to the pipeline route within Nebraska as required or authorized by the state. It also would consider the January 2014 environmental impact statement issued by the State Department sufficient to satisfy all requirements of the National Environmental Policy Act and the Endangered Species Act. It also would grant the U.S. Court of Appeals for the District of Columbia exclusive jurisdiction regarding legal disputes over the pipeline or the constitutionality of the bill.</p>	Roll No. 519	<p>Passed (252-161) 11/14/2014</p>

Source: Congress.gov; CQ.com's Roll Call Vote Report database.

Table 4. Procedural House Roll Call Votes on Keystone XL Pipeline—113th Congress

Bill/Amendment No.	Vote Summary	House Roll Call Vote No.	Vote Results/Date (yeas-nays)
H.Res. 228	Motion to order the previous question (thus ending debate and the possibility of amendment) on the rule (H.Res. 228) that would provide for House floor consideration of the bill (H.R. 3) that would declare a Presidential permit is not required for approval of the Keystone XL Pipeline's northern route from the Canadian border through Nebraska.	Roll no. 167	Passed (223-194) 5/22/2013
H.Res. 228	Adoption of the rule (H.Res. 228) that would provide for House floor consideration of the bill (H.R. 3) that would declare a Presidential permit is not required for approval of the Keystone XL Pipeline's northern route from the Canadian border through Nebraska.	Roll no. 168	Passed (228-185) 5/22/2013
H.R. 3	Motion to recommit the bill to the House Transportation and Infrastructure Committee and report it back immediately with an amendment that would require TransCanada to pay for cleanup of oil spills on U.S. soil.	Roll no. 178	Failed (194-223) 5/22/2013
H.Res. 748	Adoption of the rule (H.Res. 748) that sought to provide for House floor consideration of a bill (H.R. 5682) to immediately allow TransCanada to construct, connect, operate, and maintain the pipeline and cross-border facilities known as the Keystone XL Pipeline, including any revision to the pipeline route within Nebraska as required or authorized by the state. It also would consider sufficient the January 2014 environmental impact statement issued by the State Department to satisfy all requirements of the National Environmental Policy Act and the Endangered Species Act. It also would grant the U.S. Court of Appeals for the District of Columbia exclusive jurisdiction regarding legal disputes over the pipeline or the constitutionality of this bill.	Roll no. 517	Passed (233-185) 11/13/2014
H.R. 5682	Motion to recommit the bill to the House Transportation and Infrastructure Committee and report it back immediately with an amendment that would require that oil transported by the TransCanada Keystone Pipeline be considered crude oil for the purposes of determining its contributions to the Oil Spill Liability Trust Fund.	Roll no. 518	Failed (192-224) 11/14/2014

Source: Congress.gov; CQ.com's Roll Call Vote Report database.

Table 5. House Roll Call Votes on Keystone XL Pipeline—I 14th Congress

Bill/Amendment No.	Vote Summary	House Roll Call Vote No.	Vote Results/Date (yeas-nays)
H.R. 3	Passage of the bill sought to immediately allow TransCanada to construct, connect, operate, and maintain the pipeline and cross-border facilities known as the Keystone XL Pipeline, including any revision to the pipeline route within Nebraska as required or authorized by the state. It also would consider the January 2014 environmental impact statement issued by the State Department sufficient to satisfy all requirements of the National Environmental Policy Act and the Endangered Species Act. It also would grant the U.S. Court of Appeals for the District of Columbia exclusive jurisdiction regarding legal disputes over the pipeline or the constitutionality of the bill.	Roll no. 16	Passed (266-153) 1/9/2015

Source: Congress.gov; CQ.com's Roll Call Vote Report database.

Table 6. Procedural House Roll Call Votes on Keystone XL Pipeline—I 14th Congress

Bill/Amendment No.	Vote Summary	House Roll Call Vote No.	Vote Results/Date (yeas-nays)
H.Res. 19	Motion to order the previous question (thus ending debate and possibility of amendment) on the rule (H.Res. 19) that would provide for House floor consideration on the bill (H.R. 3) that would allow for the construction of the cross-border Keystone XL Pipeline.	Roll no. 11	Passed (240-180) 1/8/2015
H.Res. 19	Adoption of the rule (H.Res. 19) that would provide for House floor consideration of the bill (H.R. 3) that would allow for the construction of the cross-border Keystone XL Pipeline.	Roll no. 12	Passed (244-181) 1/8/2015
H.R. 3	Motion to recommit the bill to the House Transportation and Infrastructure Committee and report it back immediately with an amendment that would require TransCanada Keystone Pipeline, L.P., to certify to the president that diluted bitumen and other materials derived from oil sands transported through the Keystone XL Pipeline will be treated as crude oil for the purposes of determining contributions for the Oil Spill Liability Trust Fund.	Roll no. 15	Failed (180-237) 1/9/2015

Source: Congress.gov; CQ.com's Roll Call Vote Report database.

Senate Roll Call Votes: 112th Congress-Present

Similar to the House of Representatives, both CQ.com and Congress.gov indicate that the Senate first introduced Keystone XL Pipeline legislation during the 112th Congress. The chamber's first recorded votes on Keystone XL took place in that Congress as well.

Table 7. Senate Record Votes on Keystone XL Pipeline—112th Congress

Bill/Amendment No.	Vote Summary	Senate Record Vote No.	Vote Results/Date (yeas-nays)
S.Amdt. 1537 to S. 1813	<p>Amendment sought to provide for approval of the Keystone XL Pipeline between Canada and the United States. It would require that the route for the pipeline in Nebraska be submitted by the state of Nebraska. It also would provide for certain environmental protections.</p> <p>Note: By unanimous consent, the Senate agreed to raise the majority requirement for adoption of the amendment to 60 votes.</p>	Vote no. 34	Failed (56-42) 3/8/2012
S.Amdt. 1817 to S. 1813	<p>Amendment sought to prohibit the export of crude oil transported by the Keystone XL Pipeline and related facilities unless the prohibition is waived by the president, and require the use of U.S. iron, steel, and manufactured goods in the construction of the pipeline, with certain exceptions.</p> <p>Note: By unanimous consent, the Senate agreed to raise the majority requirement for adoption of the amendment to 60 votes.</p>	Vote no. 33	Failed (33-65) 3/8/2012
S.Amdt. 1826 to S. 1813	<p>Amendment sought to extend energy tax credit programs, excluding the production credit and the stimulus grant program that expired in 2011. It also would approve the Keystone XL Pipeline and expand oil and gas drilling in new areas, including the Arctic National Wildlife Refuge in Alaska. Provisions would be partially offset by extending the federal employee pay freeze through 2013.</p> <p>Note: By unanimous consent, the Senate agreed to raise the majority requirement for adoption of the amendment to 60 votes</p>	Vote no. 38	Failed (41-57) 3/13/2012

Source: Congress.gov; CQ.com's Roll Call Vote Report database.

Table 8. Senate Record Votes on Keystone XL Pipeline—I 13th Congress

Bill/Amendment No.	Vote Summary	Senate Record Vote No.	Vote Results/Date (yeas-nays)
S.Amdt. 622 to S.Con.Res. 8	Amendment sought to create a deficit-neutral reserve fund to allow for legislation to provide for an analysis of the impact of approving the Keystone XL Pipeline, including whether it would raise oil prices, harm domestic energy security, use material not manufactured in the United States, or adversely affect individual property rights, job creation, or national security.	Vote no. 60	Failed (33-66) 3/22/2013
S.Amdt. 494 to S.Con.Res. 8	Amendment sought to create a deficit-neutral reserve fund to allow for legislation that would provide for the approval and construction of the Keystone XL Pipeline as long as the legislation's costs are offset without raising revenue.	Vote no. 61	Passed (62-37) 3/22/2013
S. 2280	<p>Passage of the bill would immediately allow TransCanada to construct, connect, operate, and maintain the pipeline and cross-border facilities known as the Keystone XL Pipeline, including any revision to the pipeline route within Nebraska as required or authorized by the state. The 2014 environmental impact statement issued by the State Department would be declared sufficient to satisfy all requirements for review under the National Environmental Policy Act and the Endangered Species Act. It would grant the U.S. Court of Appeals for the District of Columbia exclusive jurisdiction regarding legal disputes over the pipeline or the constitutionality of the bill.</p> <p>Note: By unanimous consent, the Senate agreed to raise the majority requirement for passage of the bill to 60 votes.</p>	Vote no. 280	Failed (59-41) 11/18/2014

Source: Congress.gov; CQ.com's Roll Call Vote Report database.

Table 9. Procedural Senate Record Votes on Keystone XL Pipeline—114th Congress

Bill/Amendment No.	Vote Summary	Senate Record Vote No.	Vote Results/Date (yeas-nays)
S. 1	Motion to invoke cloture (thus limiting debate) on the motion to proceed to the bill that would immediately allow TransCanada to construct, connect, operate, and maintain the pipeline and cross-border facilities known as the Keystone XL Pipeline.	Vote no. 3	Passed (63-32) 1/12/2015
S. 1	Motion to table amendment no. 13 to the substitute amendment no. 2. Amendment no. 13 would ban the export of crude oil, bitumen, or refined petroleum fuel products transported in the United States by the operation of the Keystone XL pipeline, unless a presidential waiver is obtained. The substitute amendment would immediately allow TransCanada to construct, connect, operate, and maintain the pipeline and cross-border facilities known as the Keystone XL Pipeline.	Vote no. 4	Passed (57-42) 1/20/2015
S. 1	Motion to table amendment no. 17 to the substitute amendment no. 2. Amendment no. 17 would require that the iron, steel, or manufactured goods used in the construction of the Keystone XL Pipeline originate in the United States, unless such products are not sufficiently available with satisfactory quality or the use of such products would increase the cost of construction by more than 25%. The substitute amendment would immediately allow TransCanada to construct, connect, operate, and maintain the pipeline and cross-border facilities known as the Keystone XL Pipeline.	Vote no. 5	Passed (53-46) 1/20/2015

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