

Mr. ROCKEFELLER. Mr. President, today I am introducing two bills, S. 2287 and S. 2288, to help advance commercial deployment of clean coal technologies. The Carbon Capture and Sequestration Deployment Act of 2014 and the Expanding Carbon Capture through Enhanced Oil Recovery Act of 2014. These pieces of legislation would invest in carbon capture and sequestration, CCS, research and development; expand tax credits for companies investing in CCS technologies; and create loan guarantees for construction of new CCS facilities and retrofits of existing facilities.

As I have said many times before, the reality remains for West Virginia and our Nation—we need coal and we simply cannot meet our energy demands without coal.

That being said, it is unrealistic to think that coal is as clean as it could be, or that it will be around forever. Yet to think that we can stop burning coal and shift to cleaner sources of energy immediately is simply not viable. We must place our focus on a feasible alternative, and carbon capture and sequestration technologies can provide just that.

The legislation I am introducing today combines several of my proposals in past years with new ideas for improving CCS deployment, including an expansion of tax credits for companies utilizing and improving upon CCS technology.

The Carbon Capture and Sequestration Deployment Act of 2014 would authorize \$1 billion over 15 years for an industry-government research program through the Department of Energy and authorize \$20 billion in loan guarantees to be used for the construction or retrofitting of facilities utilizing CCS technology, and for the construction of CO₂ transmission pipelines. Moreover, it modifies the existing Carbon Dioxide Sequestration Tax Credit, 45Q, currently capped and available on a first come-first served basis, by allowing projects to apply for an allocation of credits to use in the future, and ensuring that multiple projects will have the opportunity to take advantage of these important credits. Finally, it creates a new investment tax credit. Carbon capture and sequestration facilities that operate with at least a 65 percent capture rate would receive an investment tax credit of 15 percent of their costs. Those operating with a higher capture rate, up to 100 percent of CO₂ emissions, would receive a maximum credit of 30 percent of their costs.

The second piece of legislation, the Expanding Carbon Capture through Enhanced Oil Recovery Act of 2014, expands the Carbon Dioxide Sequestration Tax Credit, 45Q, tax credit to help advance capture technology through the greater use of carbon dioxide enhanced oil recovery, CO₂-EOR, in the United States.

A decades-old and proven practice, CO₂-EOR involves injecting CO₂ into already-developed oil fields to coax addi-

tional production. According to the National Energy Technology Laboratory, increasing the supply of CO₂ captured from man-made sources has the potential to increase American oil production by tens of billions of barrels, while safely storing billions of tons of CO₂ underground.

The existing 45Q tax credit remains insufficient to take advantage of CO₂-EOR's potential. New, additional 45Q credits would be awarded via competitive bidding in a way that will make certain that the government is incentivizing carbon capture to be used in EOR without overpaying, and that credits are available and sufficient for the range of potential man-made sources of CO₂.

According to the National Enhanced Oil Recovery Initiative's analysis, new 45Q credits allocated over ten years would generate more than 8 billion barrels of oil, while storing 4 billion tons of CO₂ over 40 years.

I remain committed to meeting the challenges facing the coal industry while also protecting our environment for current and future generations. I hope that others with a stake in meeting coal's challenges will join me in this effort as well.

By Mr. LEVIN (for himself and Mr. INHOFE) (by request):

S. 2289. A bill to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; to the Committee on Armed Services.

Mr. LEVIN. Mr. President, Senator INHOFE and I are introducing, by request, the administration's proposed National Defense Authorization Act for fiscal year 2015. As is the case with any bill that is introduced by request, we introduce this bill for the purpose of placing the administration's proposals before Congress and the public without expressing our own views on the substance of these proposals. As Chairman and Ranking Member of the Armed Services Committee, we look forward to giving the administration's requested legislation our most careful review and thoughtful consideration.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 434—ELECTING ANDREW B. WILLISON AS THE SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 434

Resolved, That Andrew B. Willison of Ohio be, and he is hereby, elected Sergeant at Arms and Doorkeeper of the Senate.

SENATE RESOLUTION 435—NOTIFYING THE PRESIDENT OF THE UNITED STATES OF THE ELECTION OF A SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 435

Resolved, That the President of the United States be notified of the election of the Honorable Andrew B. Willison as Sergeant at Arms and Doorkeeper of the Senate.

SENATE RESOLUTION 436—NOTIFYING THE HOUSE OF REPRESENTATIVES OF THE ELECTION OF A SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 436

Resolved, That the House of Representatives be notified of the election of the Honorable Andrew B. Willison as Sergeant at Arms and Doorkeeper of the Senate.

SENATE RESOLUTION 437—RECOGNIZING THE HISTORIC SIGNIFICANCE OF THE MEXICAN HOLIDAY OF CINCO DE MAYO

Mr. UDALL of Colorado (for himself, Mr. CORNYN, Mr. HELLER, Mr. MENENDEZ, Mr. UDALL of New Mexico, Mr. REID, Mr. CRUZ, Mr. BENNETT, and Mr. KIRK) submitted the following resolution; which was considered and agreed to:

S. RES. 437

Whereas May 5, or "Cinco de Mayo" in Spanish, is celebrated each year as a date of great importance by the Mexican and Mexican-American communities;

Whereas the Cinco de Mayo holiday commemorates May 5, 1862, the date on which Mexicans who were struggling for independence and freedom fought the Battle of Puebla;

Whereas Cinco de Mayo has become widely celebrated annually by nearly all Mexicans and Mexican-Americans, north and south of the United States-Mexico border;

Whereas the Battle of Puebla was but one of the many battles that the courageous Mexican people won in their long and brave struggle for independence and freedom;

Whereas the French army, confident that its battle-seasoned troops were far superior to the less-seasoned Mexican troops, expected little or no opposition from the Mexican army;

Whereas the French army, which had not experienced defeat against any of the finest troops of Europe in more than half a century, sustained a disastrous loss at the hands of an outnumbered and ill-equipped, but highly spirited and courageous, Mexican army;

Whereas, after 3 bloody assaults on Puebla in which more than 1,000 French soldiers lost their lives, the French troops were finally defeated and driven back by the outnumbered Mexican troops;

Whereas the courageous spirit that Mexican General Ignacio Zaragoza and his men

displayed during that historic battle can never be forgotten;

Whereas many brave Mexicans willingly gave their lives for the causes of justice and freedom in the Battle of Puebla on Cinco de Mayo;

Whereas the sacrifice of the Mexican fighters was instrumental in keeping Mexico from falling under European domination while, in the United States, the Union Army battled Confederate forces in the Civil War;

Whereas Cinco de Mayo serves as a reminder that the foundation of the United States was built by people from many countries and diverse cultures who were willing to fight and die for freedom;

Whereas Cinco de Mayo also serves as a reminder of the close ties between the people of Mexico and the people of the United States;

Whereas, in a larger sense, Cinco de Mayo symbolizes the right of a free people to self-determination, just as Benito Juarez, the president of Mexico during the Battle of Puebla, once said, "El respeto al derecho ajeno es la paz" ("Respect for the rights of others is peace"); and

Whereas many people celebrate Cinco de Mayo during the entire week in which the date falls; Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historic struggle of the people of Mexico for independence and freedom, which Cinco de Mayo commemorates; and

(2) encourages the people of the United States to observe Cinco de Mayo with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2974. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table.

SA 2975. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 2976. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 2977. Mr. INHOFE (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 2978. Mr. INHOFE (for himself and Mr. LEVIN) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 2979. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 2980. Mr. INHOFE (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 2981. Mr. BARRASSO (for himself, Mr. CORNYN, Mr. HOEVEN, Mr. INHOFE, and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 2982. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 2983. Ms. WARREN (for herself and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 2262, supra; which was ordered to lie on the table.

SA 2984. Mr. BENNET submitted an amendment intended to be proposed by him

to the bill S. 2262, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2974. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title V, insert the following:

SEC. 5. REGULATION OF OIL OR NATURAL GAS DEVELOPMENT ON FEDERAL LAND IN STATES.

(a) IN GENERAL.—The Mineral Leasing Act is amended—

(1) by redesignating section 44 (30 U.S.C. 181 note) as section 45; and

(2) by inserting after section 43 (30 U.S.C. 226-3) the following:

"SEC. 44. REGULATION OF OIL OR NATURAL GAS DEVELOPMENT ON FEDERAL LAND IN STATES.

"(a) IN GENERAL.—Subject to subsection (b), the Secretary of the Interior shall not issue or promulgate any guideline or regulation relating to oil or gas exploration or production on Federal land in a State if the State has otherwise met the requirements under this Act or any other applicable Federal law.

"(b) EXCEPTION.—The Secretary may issue or promulgate guidelines and regulations relating to oil or gas exploration or production on Federal land in a State if the Secretary of the Interior determines that as a result of the oil or gas exploration or production there is an imminent and substantial danger to the public health or environment."

(b) REGULATIONS.—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding at the end the following:

"SEC. 1459. REGULATIONS.

"(a) COMMENTS RELATING TO OIL AND GAS EXPLORATION AND PRODUCTION.—Before issuing or promulgating any guideline or regulation relating to oil and gas exploration and production on Federal, State, tribal, or fee land pursuant to this Act, the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), the Act entitled 'An Act to regulate the leasing of certain Indian lands for mining purposes', approved May 11, 1938 (commonly known as the 'Indian Mineral Leasing Act of 1938') (25 U.S.C. 396a et seq.), the Mineral Leasing Act (30 U.S.C. 181 et seq.), or any other provision of law or Executive order, the head of a Federal department or agency shall seek comments from and consult with the head of each affected State, State agency, and Indian tribe at a location within the jurisdiction of the State or Indian tribe, as applicable.

"(b) STATEMENT OF ENERGY AND ECONOMIC IMPACT.—Each Federal department or agency described in subsection (a) shall develop a Statement of Energy and Economic Impact, which shall consist of a detailed statement and analysis supported by credible objective evidence relating to—

"(1) any adverse effects on energy supply, distribution, or use, including a shortfall in supply, price increases, and increased use of foreign supplies; and

"(2) any impact on the domestic economy if the action is taken, including the loss of jobs and decrease of revenue to each of the general and educational funds of the State or affected Indian tribe.

"(c) REGULATIONS.—

"(1) IN GENERAL.—A Federal department or agency shall not impose any new or modified

regulation unless the head of the applicable Federal department or agency determines—

"(A) that the rule is necessary to prevent imminent substantial danger to the public health or the environment; and

"(B) by clear and convincing evidence, that the State or Indian tribe does not have an existing reasonable alternative to the proposed regulation.

"(2) DISCLOSURE.—Any Federal regulation promulgated on or after the date of enactment of this paragraph that requires disclosure of hydraulic fracturing chemicals shall refer to the database managed by the Ground Water Protection Council and the Interstate Oil and Gas Compact Commission (as in effect on the date of enactment of this Act).

"(d) JUDICIAL REVIEW.—

"(1) IN GENERAL.—With respect to any regulation described in this section, a State or Indian tribe adversely affected by an action carried out under the regulation shall be entitled to review by a United States district court located in the State or the District of Columbia of compliance by the applicable Federal department or agency with the requirements of this section.

"(2) ACTION BY COURT.—

"(A) IN GENERAL.—A district court providing review under this subsection may enjoin or mandate any action by a relevant Federal department or agency until the district court determines that the department or agency has complied with the requirements of this section.

"(B) DAMAGES.—The court shall not order money damages.

"(3) SCOPE AND STANDARD OF REVIEW.—In reviewing a regulation under this subsection—

"(A) the court shall not consider any evidence outside of the record that was before the agency; and

"(B) the standard of review shall be *de novo*."

SA 2975. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

DIVISION B—DOMESTIC ENERGY AND JOBS

SEC. 2001. SHORT TITLE.

This division may be cited as the "Domestic Energy and Jobs Act".

TITLE I—IMPACTS OF EPA RULES AND ACTIONS ON ENERGY PRICES

SEC. 2101. SHORT TITLE.

This title may be cited as the "Gasoline Regulations Act of 2014".

SEC. 2102. TRANSPORTATION FUELS REGULATORY COMMITTEE.

(a) ESTABLISHMENT.—The President shall establish a committee, to be known as the Transportation Fuels Regulatory Committee (referred to in this title as the "Committee"), to analyze and report on the cumulative impacts of certain rules and actions of the Environmental Protection Agency on gasoline, diesel fuel, and natural gas prices, in accordance with sections 2103 and 2104.

(b) MEMBERS.—The Committee shall be composed of the following officials (or their designees):

(1) The Secretary of Energy, who shall serve as the Chair of the Committee.

(2) The Secretary of Transportation, acting through the Administrator of the National Highway Traffic Safety Administration.

(3) The Secretary of Commerce, acting through the Chief Economist and the Under Secretary for International Trade.