In addition, passing a short-term CR that will allow agencies to spend money as if the sequester isn't imminent early next year only complicates their situation. This would force agencies to squeeze all the necessary spending reductions in just over 9 months instead of an entire year. We can imagine the burdens that puts on agencies, particularly the Department of Defense, with unique procurement requirements.

A less charitable view of why anyone would seek to ignore, even for a short time, the realities of the BCA would be that they might think deficits have fallen and attention to our fiscal state is no longer needed. In fact, the President recently told an audience that, ''We don't have an urgent deficit crisis. The only crisis we have is one that is manufactured in Washington.''

I beg to differ. Our fiscal problems aren't solved. In fact, we are still on track to add $753 billion to our national debt in 2013. There is no doubt this is an improvement from past years. Yet the trillion-dollar deficits of the past 4 years are hardly appropriate benchmarks for today. Even at $753 billion, this year's deficit is larger than any of those under any previous administration.

Meanwhile, our entitlement programs are still on track to be insolvent, with Social Security Disability set to go broke by 2016, Medicare by 2026, and Social Security by 2033. This is simply not the time to backpedal, by any means, on the agreement we made in 2011.

Congress and the President agree that the Budget Control Act is the first step needed toward budget deficit reduction. We must complete the first stride to set our Nation on the right course and prove to the public we can address the even larger looming challenges we face, such as the solvency of our entitlement programs.

There is no doubt this is going to be a difficult job in the days to come, and we must address it. I urge my colleagues to keep their promise and push for appropriations bills that responsibly respect the spending limits outlined in the Budget Control Act. To that aim, I invite my colleagues to join me in sending a letter to the majority leader asking him to bring to the Senate floor a fiscal year 2014 spending bill that abides by the $967 billion discretionary limit that is required by law.

Let us continue the progress that has been made so far and keep our promise to fight for a more sound fiscal future.

Madam President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. REID. Madam President, I have spoken with the White House, I have spoken with the Republican leader, and we have agreed on a way forward based on the President's speech last night.

As the President told the Nation last night, the President has asked Congress to postpone a vote to authorize the use of force in Syria and pursue instead a diplomatic path to see if that works.

Tomorrow sometime, in Geneva, Secretary Kerry is meeting with Russian Foreign Minister Lavrov. So it is right that the Senate turn from the Syria resolution while the Secretary of State pursues these important diplomatic discussions.

As I said this morning, Congress will be watching these negotiations very closely. If there is any indication that they are not serious, or that they are being used as a ploy for delay, then the Congress stands ready to return to the Syria resolution to give the President the authority to hold the Asad regime accountable for the pain, suffering, and death it caused with those chemical weapons.

In the meantime, the Republican leader and I have agreed the Senate will return to the Shaheen-Portman energy efficiency bill. Senator SHAHEEN, Senator PORTMAN, and the chairman of the committee, Senator WYDEN, have talked to me many times over a period of more than a year to move this legislation forward. So I think it is appropriate that, rather than us sit here and tread water, doing nothing, we should move forward on this legislation.

As the agreement will indicate, so as not to interfere with the diplomatic discussions going on, we have agreed that the Senate will consider no amendments on the energy efficiency bill relative to Syria or the use of force. I have talked to a number of the Republican Senators and that is certainly fine with them.

We look forward to considering amendments on issues domestic in nature and passing this important piece of legislation.

ORDER OF PROCEDURE

Mr. REID. Madam President, I ask unanimous consent that the motion to proceed to S. 1392 be agreed to, that no amendments or motions be in order relative to Syria or the use of military force during the consideration of the legislation, and that the time until 6 p.m. tonight be equally divided between the two leaders or their designees.

I think it would certainly be appropriate that we have at this time statements from the chairman and the ranking member, that is, Senators WYDEN and MURKOWSKI, and Senators SHAHEEN and PORTMAN, the sponsors of this legislation. Then I would hope at that time—how long does the chairman need for his statement?

Mr. WYDEN. Twenty minutes.

Mr. REID. Twenty minutes. We will give Senator MURKOWSKI the same amount of time.

Mr. PORTMAN. Ten minutes for me.

Mr. REID. And 15 minutes for Senator SHAHEEN and 15 minutes for Senator PORTMAN. When that time is expired, we will see if we can have some amendments. So that would be the case. Those four Senators will be recognized for the next 70 minutes. As I have indicated, it is for debate only.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the motion to proceed to S. 1392 is agreed to and the clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 1392) to promote energy savings in residential buildings and industry, and for other purposes.

The PRESIDING OFFICER (Mr. COONS). The Senator from Oregon.

Mr. WYDEN. Mr. President, before he leaves the floor, let me thank the leader for making sure we could have this opportunity to deal with one of the crucial issues of our time. Leader REID has a long history in energy efficiency, in renewable energy. I thank him for his leadership and particularly the opportunity to be on the floor this afternoon.

Mr. President and colleagues, today the Senate has the chance to put more points on the board for the creation of good-paying jobs, a more productive economy, and greater energy security.

Before the August recess, the Congress put some initial points up by passing hydropower legislation. This legislation was called, by the New York Times: The first significant energy legislation to become law since 2009. Those hydropower bills might have been called small by some, but experts say they can generate a large amount of power.

Hydropower is 60 percent of the renewable, clean power in America. And hydropower has the potential to add 60,000 more megawatts of capacity by 2025, according to the National Hydropower Association. That is enough energy to power more than 46 million homes. Hydro helps to make our economy less dependent on fossil fuels, and it does it in a way Democrats and Republicans can come together on.

Today, as we look at another critical part of modernizing energy policy, I want to start by saying it has almost become obligatory for Members of Congress to say they are for an ''all of the

above'' energy policy. It is almost as though a U.S. Senator has to say that on energy they are for ''all of the above'' three or four times every 15, 20 minutes or else it is not a real discussion about energy policy.

But here is what is important and I think critical as we start the debate—where I see my friend from New Hampshire and my friend from Ohio—the reality is, you cannot have an ''all of the above'' energy policy in this country without energy efficiency. It is that simple. If you are serious about an ''all of the above'' energy policy—and we have essentially several Democrats and several Republicans on the floor now to demonstrate the seriousness of this issue—you cannot have an ''all of the above'' energy policy without energy efficiency.

So this legislation is on the floor today thanks to the tireless bipartisan efforts of Senator SHAHEEN and Senator PORTMAN.

I am also very pleased the ranking minority member of the committee is here, Senator MURKOWSKI of Alaska. She consistently meets me halfway in terms of trying to deal with these kinds of issues. As we begin this debate—which I would also mention to colleagues is essentially the first stand-alone energy bill to be debated on the floor of the Senate since 2007—it would not be possible without the cooperation and the good counsel of the ranking minority member, Senator MURKOWSKI. I want her to know how much I appreciate our partnership. We just got through our weekly session this morning as we look at various kinds of businesses. We hope to be able to bring to the Senate helium legislation, which we know a lot of Senators care about, very quickly as well. But there is a reason we are back to energy policy in the Senate, and that is, to a great extent, because of the cooperation Senator MURKOWSKI has shown.

This bill—and one of the reasons it is bipartisan—gives us a chance to cut waste in our energy system and create jobs. This bill would take the biggest step in years toward tapping the potential for energy policy.

The legislation saves about 2.9 billion megawatt hours of electricity by 2030, according to the American Council for an Energy-Efficient Economy. I say to my colleagues, I thought I would start by translating that into something that becomes a little easier to put your arms around.

To generate those kinds of savings in electricity—2.9 billion megawatt hours—the United States would have to build 10 new nuclear powerplants at a cost of billions of dollars each and run them for more than 20 years.

The heart of this bill is updating voluntary building codes to make homes and businesses more efficient, and it is about installing new wires and pipes and machines and insulation. Here is what I want colleagues to know as we start this discussion: There is money to be made in those pipes and that installation. Businesses know that. That is why more than 250 companies and associations have endorsed this bill, including the Chamber of Commerce.

When you look at those who have endorsed this piece of legislation, it is not a who's who of sort of bleeding-heart environmental folks. I was particularly struck by the headline in a Forbes article last month. They say: ''The Shaheen-Portman Energy Savings Act: It's The Economy, Stupid.'' They sure got that right.

If the Congress passes this bill, it is going to immediately become a significant job creator, generating an estimated 136,000 new jobs by 2025.

It will also make a significant difference in our country's energy productivity, and that means savings for families, building fewer powerplants, reducing greenhouse gas emissions.

If we continue business as usual—people say: Oh, gee, we are not really going to pursue this now—the U.S. Energy Information Administration—that is really our statistical arm of the Energy Department—predicts that our country would use 30 percent more electricity by 2040.

But there is an alternative, and that is harnessing the potential of efficiency technologies that actually reduce electricity from today's demand and reduce the use of energy even as our economy and population grows.

The amount of new energy productivity we gain would be like doubling the number of houses in America and then powering all of them without ever adding a new powerplant to the grid.

Choosing the more efficient path we are going to advocate for on the floor of the Senate would mean adding 1.3 million jobs by the middle of the century. Families could shave off one-third of their electricity bills, an average savings of about $600 per year, according to experts in the field, a big increase in productivity.

So already we have talked about job creation, we have talked about productivity, two areas where I do not see some kind of artificial line between Democrats and Republicans here in the Senate. I see areas we all feel strongly about.

On the other hand, meeting our country's projected electricity demand with today's energy mix and 40 percent coal requires building at least 100 new coal-fired powerplants over 25 years.

We are also going to make the case during this debate that the Federal Government ought to be a leader in this. It is one thing to talk about how everybody in America ought to do something, and then say, oh, the Federal Government might get around to it someday. So we are saying, this is a chance for the Federal Government to save taxpayers money and to play a strong role, a strong leadership role, particularly by improving efficiency at the Federal data centers.

As more and more businesses move to the cloud, reducing energy use there is extremely important. Again, the experts estimate these steps on data center efficiency would save about 35 million megawatt hours of electricity by 2030. We would save the same amount of energy by powering down 60 of the NSA's newest data centers for a year, but I am going to save that one for another day.

There is obviously room for Federal agencies to do more. The government owns nearly 500,000 buildings. The Federal Government is the largest landlord in America. Agencies are directed to buy and use highly efficient equipment under two different executive orders. But according to staff at the Energy Department, less than half of commercial building equipment that agencies buy actually even complies with the government's own rules. So I am going to be offering an amendment to the bill that at least will provide some incentive to ensure that agencies actually follow the rules of the government.

This bill, as I have indicated, is bipartisan. We have been able to pass 62 bills out of the Energy and Natural Resources Committee, each one with bipartisan support. This is what Senators have said they care about, this is what the other body has said they care about.

Congressman KEVIN MCCARTHY, the third ranking House Republican, said earlier this year, ''All American energy independence means taking a hard look at energy production, distribution, reliability and efficiency.'' In the House there is a bipartisan companion to this. In other words, we have the good fortune of having Senator SHAHEEN and Senator PORTMAN working in a bipartisan way.

In the other body—and Senator MURKOWSKI and I have met with the House Members interested in this issue—you have Congressman PETER WELCH and Congressman CORY GARDNER actually creating a bipartisan caucus to promote new financing tools that aid energy efficiency projects. Congressman WELCH and Congressman MCKINLEY have introduced companion legislation to the one we debate today.

If anything, one of our challenges is there is a pent-up demand to debate energy issues in this Congress. If we voted for all of the amendments I hear people say they want to do, we would probably be here until New Year's Eve being fed intravenously trying to figure out how to process all of them. We may not have time to address each and every amendment, but I know of at least a dozen bipartisan amendments that colleagues plan to offer that will produce even more energy savings for businesses and consumers, produce more jobs for the U.S. economy.

Nobody is going to be able to say this is part of a dumb Federal mandate or some kind of ''run from Washington, one size fits all'' approach. These are approaches that look to productivity, the private sector for leadership and fresh ideas. For example, Senator BENNET and Senator AYOTTE have a better building amendment. It strikes me as a very sensible one.

Senator INHOFE and Senator CARPER have an amendment on thermal efficiency. Senator KLOBUCHAR and Senator HOEVEN have an amendment to help our nonprofits save energy. How can you make a logical case that we should not try to work that out? Our nonprofits are being stretched to the limit. I saw that when I was in Alaska with Senator MURKOWSKI. We talked to some of the nonprofits. We see it in Oregon as well.

We have a bipartisan amendment from Senators Hoeven and Klobuchar to try to help these nonprofits save energy. These are just a few of the good amendments, in my view, that build on the outstanding work done by Senators SHAHEEN and PORTMAN lo these several years. These amendments and the bill are going to help homes and businesses use less energy, save money, create jobs, without mandates, without spending new Federal money.

It got out of our committee by a 19-to-3 vote. I believe the reason it did is because people said this is a commonsense approach to cutting energy waste and showing folks across the land that there are things you can agree on in the Senate and come together.

I am pleased to be here with Senator MURKOWSKI. We have talked about this a long time, to get the Senate back in the business of a modern energy policy that creates jobs, that promotes energy security and productivity. We started that with the hydropower legislation that was signed into law right after we broke for the August recess. This is the next logical step.

I will say to colleagues, I do not see how a Senator can say they are for an ''all of the above'' energy policy in America without supporting energy efficiency. This is the time. This is the bill.

I look forward to working with our colleagues. I hope they bring us their various and sundry amendments.

I yield the floor. I know Senator MURKOWSKI has important comments to make.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I thank my colleague, the chairman of the Energy Committee, for his comments on not only this very important legislation but his leadership on energy issues as we have worked together on the Energy Committee, a committee that I know the Presiding Officer enjoyed his time on, recognizing that there is so much we can be doing as a Nation on a bipartisan basis to make a difference within our communities, across our regions, not only for the economy and jobs but to make a difference globally in terms of how we handle our energy and our energy resources.

We talk a lot about the ''all of the above'' strategy, and perhaps that has different interpretations depending upon what part of the country you are from. But one of the slogans that was going around a few years back was: Produce more. Use less. Well, now we are talking about the ''use less'' side of that ledger, equally important. I come from a producing State. But let me tell you when you come from a State where our energy costs are some of the highest in the Nation, if not the highest in the Nation, we are also pretty good and wise about how we use less.

I am very pleased that we are at this point today where we are finally taking up the energy efficiency bill. The chairman has mentioned it has been a long time since we have seen energy legislation debated here on the floor. I do find it troubling that we have gone so long without meaningful and sustained debate about energy policy.

Each year our committee sends dozens of bills to the floor with our signature stamp of bipartisan approval which I think is key. Yet for years we have kind of seen the bills come to the floor and that has been the end of the road for those particular efforts. While a small number of our public lands bills are able to pass through by unanimous consent, those that are related to energy, those that often need a little more work to pass this Chamber, are virtually never brought up for further consideration.

I do understand we have all kinds of pressing matters in front of us—obviously the debate over the Syria resolution clearly one of them, the continuing resolution that we will have in front of us as we work to fund the government, critically important. If we do reach agreement on how we should proceed to either of those measures, I will certainly be the first to agree they need to be brought forward for debate. But when we have finished those, I am hopeful we will return, if we have not yet concluded, to energy legislation because it has been too long neglected in this Chamber.

I came to the position as ranking member of the Energy Committee back in 2009. I was very optimistic about what we would accomplish in this area. All of those of us on the committee had worked to deliver three major energy bills during the proceeding years I had been on the committee. We had the Energy Policy Act of 2005, we had the Gulf of Mexico Energy Security Act of 2006, we had the Energy Independence and Security Act of 2007. All of them were partially or entirely written by our committee. They all received strong support in the Chamber, and they all eventually became law.

Fast forward to where we are today. Our floor debate in 2007 remains the last time, the last time the Senate truly engaged on energy policy. In the interim, about the best we have seen are some amendments here and there along the process or perhaps dueling side-by-sides that seem are inevitably voted down.

But the lack of action on energy legislation is not because we have abandoned a bipartisan approach in committee. It is not because we have perhaps run out of good ideas. It is certainly not because we are somehow unable or unwilling to report legislation to the full Senate. We reported a comprehensive bill back in 2009 that sat on the calendar untouched for 17 months. We unanimously reported a bill to help prevent another offshore spill in 2010. That too was ignored.

The reality is we have one of the most bipartisan and active committees in the Senate. But, unfortunately, we are almost regularly in a situation where we are not provided the floor time needed to complete our work.

I am not complaining here, I am just pointing out some facts. But the chairman noted there has been this pent-up demand, this frustration, about not only where we are in the process but the opportunities that are lost. When you think about the changing dynamic in this country since 2009, I think about what has changed in the energy sector during that course. The fact that we have not addressed real, fulsome energy legislation is quite telling.

But I am hopeful the Senate is now finally on the verge of reversing its unfortunate approach to energy policy. As the chairman has noted, we have already ordered more than 50 bills—50 bills—to be reported to the Senate this year alone. Today, as we begin debate on the Energy Savings and Industrial Competitiveness Act—I do not even know why we are calling it that; we just call it Shaheen-Portman around here. The work the authors of this legislation have done I certainly applaud.

But we are here at this point because of the very concerted efforts of the authors of this bill, Senators PORTMAN and SHAHEEN, their great bipartisan work, months and months of negotiation, months of waiting. So to be here today, to stand in support of this bill, is wonderful.

I have spent some time on this floor talking about an energy blueprint I had crafted back at the beginning of the year, Energy 20/20. I said this is 115 pages of energy policy, but it can be summed up in one bumper sticker. It says: Energy is good. The fact we are here on the floor talking about energy efficiency is absolutely key.

When I mentioned that 20/20 blueprint, in it I make the point, I make the push that we need to strive to make our energy more abundant, more affordable, clean, diverse, and secure. While we often focus on the more obvious efforts to advance energy policy, in my case more production on Federal lands, passage of approval of the Keystone XL Pipeline, the restoration of some real balance in new regulation, and I think a much greater focus on innovation, it is also critically important that we look to the efficiency side. It must be a larger part of our energy debate. It deserves to be a larger part of our Nation's energy policy.

The reasons why are no mystery. Efficiency is good for the economy and for our environment. It enables us to waste less and to use our resources

more wisely—great conservative principles.

At the same time it can help create jobs and deliver lasting financial benefits. Study after study—and the chairman has pointed out some of those—has shown we could save billions of dollars every year through reasonable efficiency improvements, whether in small appliances, large buildings, or someplace in between. These potential savings cannot be overlooked at a time when we see so many of our families and businesses are struggling to make ends meet, when our debt is escalating and the price of energy remains well above where most of us want it to be.

As policymakers, I can't think of efficiency as an energy issue alone. It is also a bottom-line issue that affects every one of us and every one of our constituents back home.

While we can all agree on the importance of efficiency, we can also agree there is a legitimate debate over the Federal Government's role in this area. In my judgment, that role should be limited and the costs associated with it should be minimal.

The Federal Government must itself be efficient as it pursues efficiency. I think these are areas we can work to enhance. We cannot simply lavish subsidies, pass bill after bill, or impose mandate after mandate, and suggest that is somehow a pursuit of a greater good.

Instead, I think the Federal Government should strive to fulfill three pretty distinct roles. It can act as a facilitator of information that consumers and businesses need to make sound decisions. It can serve as a breaker of barriers that discourage or prevent rational efficiency improvements from being made. As the largest consumer of energy in our country, it can lead by example by taking steps to reduce its own energy usage.

Those are the criteria by which we can evaluate whether the Federal Government is on the right track on energy efficiency and also the criteria by which we can judge whether this particular bill, the Shaheen-Portman bill, would improve our current policies.

Let me move to the bill for a moment and explain why I support it. First, the scope. The scope is both limited and appropriate. It does not contain new mandates for the private sector, not for buildings, not for appliances, not for anything. The provision on building codes is a good example of what the bill does and does not do.

I would not be supporting a provision if it required the mandatory adoption of those codes, but in this bill it is voluntary, with the Federal Government stepping in to help facilitate new models that others can choose to follow.

The second point here is the cost. We are all focusing on costs nowadays. The costs of this bill are fully offset. It contains no direct spending. The only provision that received a score from the Congressional Budget Office has been dropped. A grants program that passed our committee has now been dropped as well. Some of these things we look at and say we would rather they had been in there, but we are trying to deal with the cost side.

I appreciate both Senators SHAHEEN and PORTMAN for working with us on that. The authorizations that remain in the bill have been fully offset by cutting a provision from the 2007 Energy bill. Any Federal dollars that are ultimately spent on this legislation will have to be secured through a future appropriations process within the context of our larger debate about the overall Federal budget.

The third point here is I support this bill because of the process that was followed to bring it to this point. Again, I wish to give the chairman credit, and clearly Senators SHAHEEN and PORTMAN. It was bipartisan from the beginning. The Senator from New Hampshire got together with the Senator from Ohio to lead its development.

I can remember the conversation years ago when he said: I am working on this. It was long before there was any draft. It was working through in the kind of good old-fashioned, roll up your sleeves, let's work on doing good things in energy policy when it comes to efficiency. I give him full credit.

The committee held a hearing on this bill. We had testimony from the Department of Energy and other experts. We moved through to a markup. This could be considered regular order. We improved the bill in the markup. We reported it favorably by a vote of 19 to 3. Possible amendments have been worked on by members and staff alike over these past several months. I think there are many good amendments we all assume will easily win passage.

At the same time the bill's sponsors have continued to work to refine and improve the legislation leading to the product we have before us today. On scope and substance, on cost and on process, this bill has been a good example. This has been an example of regular order, working as usual, showing how the Senate can work, showing the Senate at its best. The only trouble we have encountered is securing the floor time necessary to try to secure its passage.

It is my hope with the efforts of the sponsors of this bill, with the efforts of the chairman of the Energy Committee continuing to push to build good things—rather than trying to blow up things—we will have an opportunity to see this measure enacted into law.

As I mentioned, we don't have an opportunity here on the floor of the Senate to debate energy often or as often as I would wish. By the looks of what we have pending in front of us, we recognize there may be interruptions. It is my hope we can move quickly and take up many of these bipartisan amendments Chairman WYDEN has mentioned.

Let us make the most of the opportunity we have before us now. Let us weigh the Federal Government's proper role in efficiency. Let us make sure this bill reflects all of that. Let us start working through the amendments that have been filed and move forward with a process that will yield good policy for this country.

Again, I thank the sponsors for their yeoman's work in getting us to this point, and I look forward to the discussion and the debate we will have in the days ahead. I know Senator SHAHEEN, with all the work she has put into this, is anxious to finally discuss her bill in the Chamber.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. As my colleague Senator MURKOWSKI said, I am thrilled to be here on the floor of the Senate today after 3 years of work with Senator PORTMAN and so many other people to be talking about the Energy Savings and Industrial Competitiveness Act.

I wish to begin by thanking Chairman WYDEN and Ranking Member MURKOWSKI for all of the support and great work the Energy Committee has done to help get this bill to the floor.

As they pointed out, and as I know the Presiding Officer knows, the Energy Committee in the Senate has been very bipartisan. I had the opportunity to spend my first 4 years here on the Energy Committee and I can attest to that. I know what great work they have done. The fact they have moved so many bills through the committee already speaks to the consensus they have been able to build on the committee around energy policy. Thank you both very much for all of that great work.

Thank you to my partner in this effort, Senator PORTMAN of Ohio. He is not on floor right now, but I sort of claim him in New Hampshire because he went to Dartmouth, so we figure he has some New Hampshire roots. We have worked in a partnership on this legislation. It has been a very bipartisan effort.

It reflects what I believe is an affordable approach to the use of energy efficiency technologies. It will help create private sector jobs. It will save businesses and consumers money. It will reduce pollution, and it will make our country more energy independent.

I know we are all very aware of the crisis in Syria and how that looms over this discussion. It couldn't be more timely over how we can make this country more energy independent.

This bill, which Senator PORTMAN and I have been working on for 3 years, has been the result of years of meetings and negotiations, of broad stakeholder outreach. It has been an effort to craft the most effective piece of energy legislation, efficiency legislation, with the greatest chance of passing both Chambers of Congress and of being signed into law.

The legislation will have a swift and measurable benefit to our economy and our environment. In fact, as Senator

WYDEN pointed out, we had a recent study by experts at the American Council for an Energy-Efficient Economy, which found this legislation, if it is passed, has the potential to create 136,000 domestic jobs by 2025. They did a study in the last Congress, when we first introduced the bill, which showed in addition to that job creation, it would also save consumers $4 billion by 2020 and be the equivalent of taking 5 million cars off the road. It is a huge benefit to our environment and to job creation, which is probably at the top of our agenda right now, and also for savings to consumers.

Simply put, as my colleagues have said, we need a comprehensive national energy policy. We have been overly dependent on foreign oil. We have been reliant on an outdated energy infrastructure. This is a situation that hurts business and that also gives our overseas competitors an advantage.

We have to think about an ''all of the above'' strategy, as everybody has commented, that utilizes a wide range of energy sources: natural gas, oil, nuclear, and renewables such as wind, biomass, and solar. This will give us a stronger and more stable economy. We can't just focus on the supply side, we also need to think about how we consume the energy once we have it, the demand side.

Efficiency is the cheapest, fastest way to address our energy needs. Energy savings techniques and technologies, lower costs—they free up capital that allows business to expand and our economy to grow. I have been to so many businesses throughout New Hampshire in the last 3 years that, because of their ability to save on their energy costs, have been able to stay competitive and have been able to add jobs. This has a real benefit to our economy and to businesses.

Efficiency, as I said, is the fastest way to address our energy needs. I think a lot of times people think about energy saving and energy efficiency as turning down the thermostat, turning off the lights, putting on a sweater, but energy efficiency today is about a whole lot more than that. We can start by improving our efficiency by installing ready and proven technologies. These are off the shelf. They are already available, such as modern heating and cooling systems, smart meters, computer-controlled thermostats, and low-energy lighting. These are all available today for the benefit of people who wish to save on their energy consumption and their energy bills.

There are substantial opportunities that exist across all sectors of our economy to conserve energy and to create good-paying private sector jobs. As we have already said, I think efficiency has a great shot at passing both the House and Senate and becoming law. Energy efficiency has emerged as an excellent example of bipartisan and affordable opportunity to immediately grow our economy and improve our energy security.

In addition to being affordable, efficiency is widely supported because its benefits aren't confined to a certain fuel source or a particular region of the country. So much of the energy debate over the last few years has been about who benefits, whether it is fossil fuels, alternatives, whether it is the Northeast, the South, the West. Everybody benefits from energy efficiency. It is one of the policy areas where we can come to a real agreement.

It is no wonder that this legislation, Shaheen-Portman, enjoys such large and diverse support. It has received more than 250 endorsements from a wide range of businesses, environmental groups, think tanks, and trade associations, from the U.S. Chamber of Commerce and the National Association of Manufacturers to the National Resources Defense Council. These are the types of nontraditional alliances that have helped us get this bill to the floor.

Senator PORTMAN and I worked with diverse groups to craft this year's bill, and we maintained a transparent and open process in which we tried to make sure all stakeholders had a meaningful opportunity to comment on existing and proposed provisions and to suggest their substantive additions. So using that process of coalition building, we were able to find common ground on a number of important provisions, including commercial and residential building efficiency codes, workforce training, and language that aims to create a more robust public-private partnership between DOE's Advanced Manufacturing Office and industrial energy consumers.

To talk a little about what is actually in the legislation, this bill provides incentives and support but, as we have all said, no mandates for residential and commercial buildings in order to cut energy use. That is very important because buildings consume about 40 percent of the energy used in the United States.

The bill strengthens voluntary national model building codes to make new homes and commercial buildings more energy efficient, and it works with State and private industry to make the code-writing process more transparent.

The legislation trains the next generation of workers in energy efficient commercial building design and operation through university-based building training and research assessment centers.

Shaheen-Portman assists our industrial manufacturing sector, which consumes more energy than any other sector of the U.S. economy. The bill would direct the Department of Energy to work closely with private sector industrial partners to encourage research, development, and commercialization of innovative energy efficient technology and processes for industrial application. This is something we heard very clearly from businesses throughout the country. They really need and they want a more collaborative effort with the Department of Energy. They want to feel as though the Department of Energy is working with them. So hopefully these provisions will help make that happen.

It also helps businesses reduce energy costs and become more competitive by incentivizing the use of more energy efficient electric motors and transformers.

It also establishes a DOE voluntary program called SupplySTAR, which is modeled on something that has been a great success, the ENERGY STAR Program, to help make companies more aware of their supply chains and how to make them more efficient as well.

The legislation requires the Federal Government, which is the single largest user of energy in the country, to adopt more efficient building standards and smart metering technology. The bill would require the Federal Government to adopt energy-saving technologies and operations for computers. Our data centers are huge users of energy. It would allow Federal agencies to use existing funds to update plans for new Federal buildings using the most current building efficiency standards.

Finally, as has been said, this legislation is fully offset, so there is no new spending in this bill. We reallocate authorization from existing programs.

To conclude—and I know we are going to have a lot of amendments to this bill—we have a number of bipartisan amendments that are going to make this bill better, that will make it more substantive, and I look forward to those amendments and to the debate we are going to have. I think this is a bipartisan, affordable, and I believe widely supported first step as we begin addressing our Nation's very real energy needs, particularly not just on the supply side but on the demand side.

As I have said, a lot of people have worked very hard to get this bill to the floor, and while I am not going to walk through who all of those people are, I again thank Chairman WYDEN and Ranking Member MURKOWSKI for all of their support, and I thank Majority Leader REID and Republican Leader MCCONNELL for their support in reaching an agreement to get the bill to the floor.

I also thank three staff members whose hard work has really made this possible—first, someone who was in my office earlier but who has now moved on, Trent Bauserman, who worked very hard to get us started on the legislation; Robert Diznoff, who has now taken over in my office to work on the bill; and Steve Kittredge from the office of Senator PORTMAN. Without the three of them and without all of the other staffers both in my office and in the office of Senator PORTMAN and all of the people on the committee who have worked so hard, we would not be here to have this debate today.

So I thank all of them, and I look forward to hearing the amendments

and the robust discussion on the floor and to continuing to work with my colleague Senator PORTMAN as we try to move this bill through the process.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, we are finally here on the floor, and I would like to thank my colleague Senator SHAHEEN for her comments and for working with me over the last few years to get to this point where we can be talking about something that brings us together, I hope, as a Senate, which is this effort to ensure that we have an energy plan for America that can help bring back jobs, help fix our trade deficit, and help spark an American manufacturing renaissance, and that is the Energy Savings and Industrial Competitiveness Act.

This is about energy efficiency. It is about using what we have more efficiently, and I think that makes a lot of sense for us to move forward. As Senator SHAHEEN said, it is a first step, but it is an important step.

I thank the chair and ranking member of the Senate Energy and Natural Resources Committee—Senator WYDEN, who spoke earlier, and Senator MURKOWSKI, who is with us on the floor and who spoke earlier—for all the support they have given us over the last few years to get this through the committee process and the markup process and to add some important elements to the legislation, and we will see more as the amendment process proceeds. I also thank Leader REID for helping us bring this bipartisan legislation to the floor today, and I thank Senator MCCONNELL, who has been very supportive of us moving this process forward.

As has been said on the floor this afternoon, this is really the first substantive energy legislation we have seen on the floor in a while—maybe 6 years—and it requires help from both sides of the aisle to get to this point. It is bipartisan.

It is also supported, by the way, on both sides of the Capitol. We have people in the House, including some House Members I spoke to earlier today, who are very interested in what we are doing over here on this legislation because they have companion legislation—not identical but similar legislation—in the House they are working on on a bipartisan basis.

So this is one that I think has a good shot of getting through the Senate. I think it also has a good shot of getting through the House and going to the President for signature and helping to move America forward with a more sensible energy policy.

We are going to see a lot of amendments on the floor, and I think a number of these amendments will be bipartisan and will help improve the bill. In fact, I am looking at a list here of about a dozen bipartisan amendments. These are amendments—some of which we talked about in committee, some of which have come since the process—that involve some very thoughtful work done by our colleagues, and I am looking forward to having a debate on some of those. Actually, I have a list of 41 energy efficiency-related relevant amendments here. So this is an opportunity for us to have a broader debate on energy but also to improve the energy efficiency legislation before us.

Those of us on this side of the aisle talk about the need for an ''all of the above'' energy policy, and I certainly believe in it. I think we need to do everything we can to make ourselves more energy independent so that we are not dependent on dangerous and volatile parts of the world, including the Mideast. We have certainly seen that here in the last couple of weeks where what is happening in Syria and what is happening in Egypt affects what goes on here in this country in terms of our energy costs and certainly our economy. So this need for energy efficiency should lead us to want to be sure we are including this legislation in the mix.

We need a policy that harnesses more of our domestic resources. I believe in that. I believe we should be producing more energy in the ground here in America. I am for producing more, but I am also for making sure we don't miss the other part of the equation, which is using less. So I believe producing more and using less is a good policy.

This is part of the using-less part that maybe we don't talk about as much on this side of the aisle, but it is also very important. It is important in part because it creates jobs. It is a bill that is supported, by the way, by over 260 businesses, business association advocacy groups, from the National Association of Manufacturers and the chamber of commerce to the Sierra Club and the Alliance to Save Energy. The Christian Coalition is supporting it.

I have here a list of these 260 trade associations and business organizations because there are too many names to go through on the floor, but it is a very impressive list.

I think the legislation got through the Senate Energy Committee with a vote of 19 to 3 partly because of this support because members realize this will help them and their constituents.

Simply put, I think this legislation that the senior Senator from New Hampshire and I have worked on and proposed makes good environmental sense, I think it makes good energy sense, and I think it makes good economic sense too.

I spent time visiting with businesses throughout my State of Ohio on this bill and on this whole issue of energy, and they all say the same thing, which is pretty obvious, and that is that energy is an important component of their business, it is part of the cost of doing business, and energy efficiency makes them more able to compete in the global economy.

We do live in a global economy, and every day businesses in my State go up against businesses not just in other States but in other countries. We are not going to be able to compete on everything. We don't want to compete on wages with developing countries, for instance. We want to have good wages and good benefits in this country. We can compete on the quality of the goods we produce. We want to keep that quality high. But we have to be sure we are giving these businesses the ability to compete by helping to keep their energy costs low—again producing more and using less.

What this legislation does—and it is very significant—is it helps the private sector develop the energy efficiency techniques, technologies of the future. We make it easier for employers to use tools that will reduce their costs, enabling them to put those savings toward expanding jobs, plants, equipment, and hiring new workers. The proposals contained in our bill are commonsense reforms we have needed for a long time.

The bill contains no mandates. Let me repeat that. There are no mandates in this legislation on the private sector, period. In fact, many of our proposals come as a direct result of conversations we have had with folks in the private sector about how the Federal Government can help them to become more energy efficient and to save money, which they can then reinvest in their businesses and communities.

Here is a brief overview of some of the major parts of the legislation, some of which have already been described ably by my colleague from New Hampshire, but I just want to review them quickly.

First, it does specifically help manufacturing. It reforms what is called the Advanced Manufacturing Office at the Department of Energy by providing clear guidelines on its responsibilities, one of which ought to be to help manufacturers develop energy-saving technologies for their businesses. This is a shift. We think it is important. We think they have gotten away from that a little bit—the Department of Energy—and we need to be sure they get back to it.

It facilitates the already existing efforts of companies around the country that are trying to implement cost-saving energy efficiency policies by streamlining the way government agencies in this arena work with them.

It also increases partnerships with national labs. The national laboratories have a lot of great research, and we want to be sure it is commercialized and shared with the private sector.

Also, it increases partnerships with energy and service technology providers and the national labs together to leverage private sector expertise toward energy efficiency goals.

The legislation strengthens the model building codes so that builders in States that choose to adopt them will have the most up-to-date energy efficient codes developed anywhere—best practices.

The legislation establishes university-based building training and assessment centers. Industrial assessments centers are located around the country.

There is one in Dayton, OH. I had the opportunity to visit with one of the researchers there recently, who was out working with midsized smaller companies, helping make them more energy efficient. They are strongly in support of this legislation because they want to expand the good work they are doing to help more businesses be more energy efficient, be more competitive, and add more jobs.

Under this legislation, these centers also will be helping to train the next generation of workers in energy efficient building design and operation. Not only will these programs save energy, but they will also help provide our students and unemployed workers who need these skills with the skills they will need to compete in this growing energy field.

To repeat, this bill is not about forcing companies to become more energy efficient or imposing mandates. It is about incentives, and it is about giving these companies the help they are asking for. And we can do it at no additional expense to the taxpayer. Why? Because the cost of this legislation is fully offset. In other words, we change other programs at the Department of Energy to pay for the cost of this legislation.

According to the Congressional Budget Office, it has no impact. It is deficit neutral. But in fact it will save taxpayers money, because all of us as taxpayers will save money because of another provision of the legislation, and that is because we go after the largest energy user in the world to try to make them more efficient. That is the United States Government. We want to be sure the United States Government starts to practice what it preaches, because as it talks to the rest of us about the need for more energy efficiency, we find that at the Federal Government there are lots of opportunities to make them less wasteful and more efficient.

It directs the Department of Energy to issue recommendations that employ energy efficiency on everything from computer hardware to operation and maintenance processes.

Senator WYDEN had some good examples earlier of some of the waste in the Federal Government that this bill will go after. This is smart because it is the right thing to do in order to save energy, but also it helps taxpayers because it is going to reduce the cost at the Federal Government.

It also takes an interesting commonsense step of allowing the General Services Administration to actually update the building designs they have to meet energy-efficient standards that have been developed since these designs were finalized, some of them many years ago, and they can't update them. We certainly want to be sure the new Federal buildings that are being constructed are using the most up-to-date efficiency standards. This legislation permits that to happen. The government has been looking for places to tighten its belt. This is one. Energy efficiency is a great place to start.

All this adds up to a piece of legislation that Americans across the spectrum can support. It is fully offset, it contains no mandates, it requires the Federal Government to be more efficient.

According to a recent study of our legislation, in 12 years, by 2025, Shaheen-Portman is estimated to aid in the creation of 136,000 new jobs. The report says it is going to save consumers $13.7 billion a year in reduced energy costs by 2030. A vote on this legislation is a critical step for achieving this goal of a true ''all of the above'' energy strategy. It produces more energy at home, yes, but also uses less energy—and uses it more efficiently.

I urge my colleagues on both sides of the aisle to come down to the floor, offer their amendments, let's have a good debate and discussion, and let's support this underlying bill. Let's be sure it leaves the Senate with a strong vote and, with it, rigorous debate to ensure it can pass the House of Representatives where, as I said earlier, there is a lot of interest, and that it can go to the President for his signature to take this important step toward making this country more competitive, more energy efficient, less dependent on foreign oil, and creating more jobs in the process while improving the environment. It is a win-win-win.

I thank my colleague from New Hampshire and the chair and ranking member of the Energy Committee. We look forward to entertaining some amendments and look forward to being here on the floor talking about a way to move our country forward in a way that provides a model on moving the Senate forward on other bipartisan measures.

Mr. President, I yield back my time.

Mr. WYDEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HEINRICH). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1858

(Purpose: To provide for a study and report on standby usage power standards implemented by States and other industrialized nations)

Mr. WYDEN. Mr. President, I call up amendment No. 1858.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Oregon [Mr. WYDEN] for Mr. MERKLEY, proposes an amendment numbered 1858.

Mr. WYDEN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. WYDEN. Mr. President, in my view, this is a very practical amendment offered by my friend and colleague from Oregon Senator MERKLEY. It involves a study on standby power.

The amendment would, in effect, fund the study at the Department of Energy to look at standby power standards in States and other parts of the world to determine what is the most feasible and practical way to approach it. There is no authorization here.

I think it is pretty obvious to Members of the Senate, there are a large number of electronic products, from televisions, cell phone chargers, to microwaves, that cannot be completely turned off without being unplugged, and we ought to find ways to reduce wasted standby power.

It is my intention to support this amendment. I think it is a practical idea. I yield any time to Senator MERKLEY to explain his thoughtful amendment.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I thank my senior colleague from Oregon. I appreciate very much his calling up this amendment and for his leadership on energy, and specifically energy efficiency.

I would also like to compliment my colleagues from Ohio and New Hampshire, who have worked so hard on this very valuable piece of the energy puzzle: How do we more efficiently utilize energy that we generate?

Specifically, this amendment is related to standby power, the power that is wasted keeping devices ready to use at a moment's notice. I prefer the term ''vampire'' power or ''vampire'' electronics. This is the power our electronics suck out of our power system when they are doing absolutely nothing. So this challenge of loss to vampire electronics is certainly something we ought to take on.

Many electronic devices, from televisions to desktop computers, cell phone chargers, microwaves, use energy when they are turned off but are still plugged in. Often, you will see that little light that tells you it is still plugged in. This wasted energy accounts for roughly 5 percent of residential electricity use. So about 1 kilowatt in every 20 or $1 in every $20 is utilized to keep those little lights blinking.

The United States has yet to establish standards for efficiency in products related to standby power. Some States have done so, and other industrialized nations have taken action. This amendment would simply tell the Department to look at the standards established elsewhere in the world, or in individual States, compare them and analyze them, so we can consider whether a lot more could be done in

the United States to make us more efficient. That efficiency is like producing free, available power by ending the waste. In fact, the EPA estimates 100 billion kilowatt hours of electricity are wasted by vampire electronics each year. That adds up to $10 billion in extra energy costs.

Depending on the age of components, running a cable box or large-screen TV, a DVD player, a gaming console, surround sound setup, could be like running a significant refrigerator, a significant power draw, and DOE believes it is feasible to reduce this waste from standby power by about 75 percent.

The value of that 75-percent reduction would be equivalent to erecting 25,000 3-megawatt wind turbines for free. That is a lot of wind power being utilized. So let's do it.

Under this amendment, the Department of Energy is instructed to conduct a study of standards of standby power appliances and electronic devices that have been implemented by other States or other industrialized nations, and to evaluate which of the standards studied would be feasible and appropriate in the United States. It is a simple idea and an important study that can contribute substantially to the use of power effectively here in our economy.

I thank my colleagues for bringing this amendment forward.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, we are not going to vote on this amendment at this time. But when we do, I hope colleagues will support it. I think it is a very fine amendment.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I think there is a little confusion on the floor. I have an amendment. I have talked to virtually everyone. In fact, I can't find one person opposed to it. It is very simple.

What I would ask is that I be able to set aside the pending amendment for the purpose of considering my amendment No. 1851. Let me make that and see if there is objection to that.

The PRESIDING OFFICER. Is there objection?

Mr. VITTER. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. INHOFE. Mr. President, let me go ahead and tell the floor what it is all about. I know I am going to be wanting to come back to the floor and get this in the queue.

It is very rare in this body that we come up with something everyone is for, something that wasn't a part of the original legislation, for a very good reason. We are talking about geothermal.

Right now we all recall in the Energy Policy Act of 2005, there is a provision that requires the Federal Government have a percentage of its energy be from renewable sources. The problem is this: Geothermal doesn't create any new energy. It lets you use the energy that is there, recover it, heat our homes, cool our homes, put it back, and then reuse it again.

As I say, it is something everyone is for. It is 100 percent renewable. The only oversight originally was that it did not actually create energy. The amendment would change this to allow geothermal heat pumps to be among the renewable energies that could be used by the Federal Government to meet its obligation under the 2005 Energy law.

This amendment doesn't cost anything, it doesn't mandate anything. It simply provides another acceptable way for the Federal Government to meet its obligations in a cost-effective way. It is noncontroversial and something everyone wants.

It would be my hope after that explanation the Senator from Louisiana would be willing to let me bring it up for the purpose of considering it, putting it in the queue, and then going back to where we were, acknowledging objections that he might have to other amendments.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Unfortunately, I am going to have to sustain my objection. But I am very hopeful this can be worked out in short order, as soon as a vote on my amendment is locked down. In fact, I will go this far. It doesn't even have to be on this bill. It does have to be in the near future, because the issue with regard to which I am very concerned happens on October 1. So this is an extremely time-sensitive issue.

I have had good discussions with the majority, and it seems as though we are going to be able to lock down that agreement hopefully very soon. But until then, I am going to have to object.

Mr. WYDEN. Mr. President, I intend to support the Inhofe-Carper amendment. In my view, this is really a commonsense clarification of existing law. I want colleagues to have a sense that this is the kind of bipartisan work that Senator MURKOWSKI talked about earlier, that we have been trying to do to try to come to the Senate with ideas that really pass the smell test. I mean they are common sense, they are practical.

In that context, this amendment modifies the existing definition of renewable energy to provide that thermal energy that is generated from—from renewable energy sources ought to be considered renewable energy for Federal energy purchase requirements. For example, if a Federal agency has access to thermal energy from groundwater to heat or cool its facilities, under the Inhofe-Carper amendment that thermal energy would be considered renewable energy produced just as if the buildings had solar or wind power to produce electricity.

I hope colleagues, in this spirit, will bring us these kinds of suggestions and ideas. Senator INHOFE brought this to us early on. I know we are going to have some more discussion because of its connection to other matters, but I hope we will get a vote. It is common sense. It is practical. I intend to support it. I want the record to reflect that.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, as author, with Senator SHAHEEN, of the underlying bill, I have a list of a dozen or so bipartisan amendments that I would love to see us have a debate on, including the Inhofe amendment. The Inhofe-Carper amendment is a great example, as the chairman just said, of one that actually improves the bill. As I said, there are some amendments we may not find bipartisan, but this is one, and it is common sense. I appreciate him working with the committee and working with us, and I just wish we could get it up for a vote and get it filed today.

I hope we can work out our differences on other amendments that are not relevant to the legislation so we can go ahead with some of this debate. My sense is that we have a good chance of doing that. Let's figure out how to come together with a practical solution to be able to provide a vote but also to allow us to proceed with this debate.

Senator INHOFE came over here to offer his amendment. He wasn't able to. I hope we can, for the next good bipartisan amendment, have that opportunity.

I yield.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, let me offer this truly friendly suggestion. I think we can proceed with this debate. Senator PORTMAN said proceed with the debate. We can proceed with this debate right now. We can bring amendments to the floor, we can talk about them, we can have a full debate on any amendment folks want to bring to the floor. I encourage that. I think that will move the process along because we can basically do all of the substantive debate on these amendments. The only

thing I am talking about is a technicality, which is making the amendment pending. That is a technicality that does not have to stop or delay or prohibit any debate.

My suggestion is to move full forward with that debate as we work out this agreement. I am fully prepared in the same way to discuss and debate my amendment. I am ready to do that whenever it is appropriate.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I don't recall this happening before. Regarding the very amendment that is an obstacle, keeping me from the vote, I ask unanimous consent right now to become a cosponsor of that amendment, the Vitter amendment I am talking about.

I know what he is trying to do. I know he is going to make an effort to get this done maybe in other legislation if it does not happen here. I will be joining him in his cause. I see this as a separate matter here, as I say. We want to move this along. Everyone agrees to. I will stand by and see if anyone changes their mind.

Thank you, I say to the chairman and ranking member. Thank you for the very kind comments on my amendment.

Mr. WYDEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. UDALL of Colorado. Mr. President, I was next going to ask unanimous consent to set aside the pending amendment and call up my amendment No. 1845. I understand the Senate is in an a bit of an impasse, but, if I might, I would like to talk about my amendment without calling it up with the hope that later my friend and colleague Senator WYDEN will be able to call up my amendment and put it on the list of pending amendments.

The PRESIDING OFFICER. The Senator may proceed.

Mr. UDALL of Colorado. I am going to talk a little bit about this important effort which has been authored in partnership with my good friend from the wonderful State of Maine, Senator COLLINS. I wish to take a minute before I do that and say how important it is that we are finally debating, for the first time in years, an energy bill in the Senate. The fact that we are here today beginning this important debate is a huge testament to my colleague from the great State of New Hampshire, Senator SHAHEEN, and my good friend from the days I served in the House and now fellow Senator from the great State of Ohio, Senator PORTMAN, and the leadership of Chairman WYDEN and Ranking Member MURKOWSKI.

I think Senator PORTMAN and Senator SHAHEEN are saying this in every way possible: For our country to truly realize energy independence, energy security, we need to efficiently use the energy we have. That is exactly what Senators PORTMAN and SHAHEEN envision with their legislation. We support energy security, and we save Americans money.

With that background, let me turn to our amendment. Improving the energy efficiency of our schools is a no-brainer, and that is why I am proud to partner with Senator COLLINS to make sure our efforts have the biggest bang for the buck. This is a bipartisan amendment. It will help streamline efforts to improve the energy efficiency of our Nation's schools while, most importantly, strengthening our children's education.

Our schools are often confused by where to go and whom to work with to pursue energy efficiency efforts and education, and this is in part because of how many agencies, departments, State governments, and the like are involved. By providing a coordinating structure for schools to better navigate existing Federal programs and the financing options available to them, we are going to pare back duplicative efforts and make it easier for schools across my State of Colorado and across the United States to save thousands of taxpayer dollars each year that then can be reinvested in strengthening our education system.

The amendment also has the dual benefit of making Federal programs work better for our schools while still leaving decisions to the States, school boards, and local officials to determine what is best for their schools.

This is a commonsense amendment. I truly hope we get a chance to debate it and to have an up-or-down vote on it.

Before I yield the floor, I would also like to point out—I know my colleague Senator WYDEN is well aware of this, as are Senator SHAHEEN, Senator PORTMAN, and Senator MURKOWSKI—that when we have schools that operate on an energy efficient basis, studies show our young people, our children learn more effectively because if you are in an environment that is comfortable, where the light is appropriate, where you can see, where you can take in what is being taught, you are, of course, going to have a better educational experience.

A better educated America means a stronger America, means a more productive America, a more competitive America. This has benefits across the board in every way imaginable—the broader effort that Senators SHAHEEN and PORTMAN brought forth but also that Senators WYDEN and MURKOWSKI are handling here on the floor of the Senate.

I wish to draw attention to this important amendment. I thank my colleague Senator COLLINS. I know she will be here later to talk about her perspectives and the other good work she is going to do when it comes to this important legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, before he leaves the floor of the Senate, I wish to commend my colleague from Colorado, Senator UDALL. This is a practical, commonsense amendment. There is no new expenditure of Federal funds. I am very pleased my colleague brought it to the floor. It is reflective of the approach we see in the Energy Committee in a host of areas where the Senator from Colorado consistently tries to find common ground and act in a bipartisan way.

One of the reasons I wanted to speak for just a minute is now we are seeing these bipartisan amendments are starting to sort of pile up. That is because colleagues are listening to what folks at home are saying. They are saying to Senator UDALL and Senator SHAHEEN and Senator PORTMAN and myself—Senator MURKOWSKI, they are saying when you all are back there in the fall: Try to find some ways to get things done. Get people to work together.

I think we all understand how important energy is—and energy security. It is about jobs. It is about a cleaner environment. It about productivity. When I look at the specifics of this amendment Senator UDALL and Senator COLLINS are pursuing, sometimes I think it is maybe too logical for the beltway. People say it makes too much sense. When schools do retrofits under the Collins-Udall amendment to become more energy efficient and use cleaner power, the kids come out winners, the environment comes out a winner, and the taxpayers come out winners. That is the whole reason the Federal Government provides assistance to schools for these types of projects in the first place.

It is an opportunity for the Federal Government to save money and ensure that we maximize educational opportunities for the kids. The reality is that Federal school efficiency programs are now strewn, really, all over the Federal Government. They are scattered among more than six different agencies. The States have all these different programs and incentives. What Senator COLLINS and Senator UDALL seek to do is to have a straightforward mechanism for improved Federal coordination. In the real world that means we are going to have more energy projects built, and it means more schools are going to save energy and money.

I would also note—because my friend Senator MURKOWSKI is here—that the Udall-Collins amendment pretty much tracks something we have been interested in. The committee has been looking at S. 1048, which was heard by the Energy Subcommittee on June 25.

Again, no authorization. The minimal costs are covered by existing DOE funds. I wish to commend the Senator from Colorado for his good work and particularly the bipartisan focus he has put on this and everything else that has to do with his Senate business. I hope we will be able to vote on it.

As this debate starts, I want colleagues to see that we are going to start stacking up good, commonsense, bipartisan amendments, and that is why there is so much value in energy efficiency.

Before Senator UDALL came to the floor, I said we all get worked up around here by saying we are for ''all of the above'' energy policy. It is almost obligatory for a Senator to say they are for ''all of the above'' three times every 10 or 15 minutes. A Senator can't be for an ''all of the above'' energy policy unless they are for energy efficiency, and Senator UDALL is bringing some of that sensible thinking to the schools.

I am looking forward to getting up this amendment so we can vote on it, and I commend Senator UDALL for his good work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I, too, wish to thank the Senator from Colorado and the Senator from Maine for their leadership in this area. When we talk about being efficient, we think: OK. Let's coordinate, collaborate, and cooperate so we do better with what it is we are utilizing.

I will give an example of how something such as this can make a difference in my State. I have noted before that our energy costs in Alaska are some of the highest in the Nation. Far too often our schools are in remote areas where basically they are not part of anybody's grid. They are in communities that are diesel powered. It is a tough way to heat a community. Think about how expensive it then becomes for the schools. The school has to absorb these energy costs.

Where do these dollars come from? Effectively, they come out of the education budget, and the State does step in. The State provides substantial assistance, but anywhere, anytime or anyplace we can work together to, again, be more collaborative in our approach as to how we deal with our efficiency opportunities will ultimately help our schools.

This is going to help the schools whether they are in Maine or Alaska or Colorado. Why these places are all colder I am not sure, but maybe it forces us to be a little more efficient. Maybe it forces us to figure out ways to work together better. I want to make sure we are able to get the education dollars into the classroom and not basically fueling the boilers to keep the kids warm.

I applaud my colleagues in this effort. The goal to increase coordination and cooperation at Federal, State, and local agencies to be operating more efficiently and utilizing existing relationships is a positive.

Again, I commend my colleagues for their efforts in bringing us forward on this particular aspect of energy efficiency. I look forward to the opportunity where we will be able to show a good bipartisan vote on this amendment and on others.

I thank the Presiding Officer and I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, first, I wish to congratulate the bill's sponsors, Senators SHAHEEN and PORTMAN, for crafting the underlying bipartisan, commonsense energy efficiency bill.

I am proud to be a cosponsor of their legislation, and I am pleased to see that the bill is being considered and look forward to the debate on energy efficiency.

I would hope that as we consider amendments to this bill, we could consider amendments that relate to the issue of energy so we can make real progress and that we don't end up—as happened before the recess when I was managing a bill on the transportation and housing appropriations for the minority side—distracted on two issues that had nothing to do with the underlying bill, important though it was.

I am very pleased to join my colleague, the distinguished Senator from Colorado Mr. UDALL in sponsoring an amendment to help streamline the available Federal Energy Efficiency Financing Program to help improve the health and lower energy costs of our Nation's schools.

There are a number of Federal initiatives already available to schools to help them become more efficient. However, in many cases schools are not taking full advantage of these programs. I think this is particularly a problem in rural States such as Alaska or Maine, where the schools don't have the luxury of having grant writers who can spend all day searching for Federal funding that might allow them to upgrade their energy efficiency or reduce emissions from their energy systems.

Large urban schools may have the ability to hire those full-time grant writers, but I know in my State of Maine it is very difficult for schools to even become aware of these programs. One of the purposes of the amendment that Senator UDALL and I are offering is to help schools, regardless of their size, take advantage of existing programs.

I wish to stress that we are not creating a whole lot of new programs. All we are doing is providing a streamlined coordinating structure for schools to help them better navigate available Federal programs and financing options. I also wish to emphasize—particularly to my Republican colleagues—that our amendment still leaves all the decisions to the States, local school boards, and local officials about how best to meet the energy needs of their schools.

So what does our amendment do? Specifically, the amendment would establish the Department of Energy as the lead agency in coordinating a cross-developmental effort to help initiate, develop, and finance energy efficiency, renewable energy, and retrofitting projects for our schools. It would also require a review of existing Federal programs and financing mechanisms, the formation of a streamlined process of communication and outreach to the States, local education agencies, and schools of these existing programs to make them more aware of their existence, and the development of a mechanism for Governors, State energy programs, and local educational and energy officials to form a peer-to-peer network to support the initiation of these projects.

Finally, the amendment would require the Department of Energy to provide technical assistance to help schools navigate the financing and development of these projects. Assisting our Nation's schools in navigating and tapping into existing Federal programs that will help them lower their energy usage and save the taxpayers' money at a time of very tight and constrained educational budgets simply makes good common sense.

I urge my colleagues on both sides of the aisle to support the Udall-Collins amendment numbered 1845. I thank not only the sponsors of the bill but the leaders of the energy committee, Senator WYDEN and Senator MURKOWSKI, for their help and assistance to us.

I hope we can start the debate on this bill on a positive note by adopting a bipartisan amendment that is going to help our schools save money, reduce energy costs, and also lower emissions. That is the way to start the debate on this bill.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I wish to thank Senators COLLINS and UDALL for coming to the floor with their positive amendment, laying it out, and debating it. I encourage everyone with an interest in this bill—Democrats and Republicans—to do the same. Come to the floor, lay out amendments, and have that debate so we can move forward in a productive way as the first vote agreement is being worked on and finalized, and that is what I am going to proceed to do with regard to my amendment.

My amendment is not related to this bill, but I have to bring it up now because it is very time sensitive. It is about something that is very wrong, in my opinion, that is happening October 1.

Many of us in this Chamber, and certainly myself, regularly talk against the exemptions under ObamaCare that are created for the rich and powerful and politically connected. Many in this body, including myself, regularly talk about the abuses of this administration going beyond their legitimate authority and what is in the law. They are making up stuff through Executive orders, rulemaking, and Executive fiat. As I said, I am certainly in that group.

I believe an action was taken recently that is a horrible, dangerous,

and offensive example of both of those things, and my amendment would correct that situation. I will back up and explain what I am talking about.

Right after all of Congress left for the August recess—a little over 1 month ago—the Office of Personnel Management, part of the Obama administration, issued a draft rule. This draft rule was basically designed to take any of the sting of ObamaCare away for Washington insiders—specifically Members of Congress and congressional staff.

During the ObamaCare debate, we debated an amendment on the Senate floor, and it, to my pleasant surprise, was actually adopted. The amendment said that every Member of Congress and all congressional staff have to go to the exchange. They have to leave their very generous Federal employee health benefit coverage and go to the exchange. They have to go to the fallback position in terms of health care coverage that millions of Americans are dealing with and have to go to them right now or over the next several months. They have to live under those same rules and under those same circumstances of those tens of millions of Americans.

I supported that. I think it is important that the ruling elite, if you will, need to live under the same laws they created across the board. Specifically, under ObamaCare, I think it is very important that everybody in Congress and in Washington—and I think this should be expanded to the administration—live under the same system in terms of the exchange that many of those folks created.

That was the statute that was supposed to govern. After ObamaCare passed, to quote NANCY PELOSI, folks started looking and reading the bill to figure out what was in it. Lots of folks in Washington got very concerned once they read that revision and figured out what was in it. They understood it would create real dislocation and sting, not for America—although it does do that, but they were not concerned enough about that—but for Washington.

For months, many people lobbied the administration to try to get around this and make up some regulation that would take the sting out of that provision. After intense lobbying, sure enough, the Obama administration issued this rule—again, as I mentioned a minute ago—right after we left town and safely away at the start of the August recess.

The rule did a few things, all of which I think are beyond the law, contrary to law, and outrageous. First of all, it says the statute, which says all official staff of Members of Congress need to go to the exchanges—the first thing the rule says is we don't know what official staff means, so we are going to leave it up to each individual Member of Congress to decide if any member of their staff is official staff. So each Member of Congress can decide whether anybody on their staff has to go to the exchange at all. I think that is ludicrous on its face and completely contrary to the statute.

But then the second big thing the rule did is made, out of thin air, the rule that the present subsidy we get from the taxpayer for our present health care coverage is going to somehow miraculously turn into a subsidy on the exchange, which doesn't exist. It doesn't exist for us under the law; it doesn't exist for any American. So they made up out of thin air this rule that the taxpayer-funded subsidy would follow all of these folks—Members of Congress and the staff who are required to go there—to the exchange. Again, that is not in the law. That is contrary to the letter and spirit of this provision. There is a separate provision of ObamaCare that specifically says with regard to all individuals going to the exchange that when they do this, when they go to a plan on the exchange, they lose their employer-provided subsidy. So that is specific about the situation of folks going to the exchange and directly contrary to this law.

As I suggested at the beginning, I think this is a special exemption for Washington, a special bailout for Washington, to ensure Washington doesn't have to live by the same rules, in this case with regard to ObamaCare and the exchanges, that all of America does, and it is beyond the statute and it is beyond the President's constitutional authority. He can't make things up out of thin air. For that reason, I have joined with many colleagues to draft a bill which would make an amendment to this bill to propose that would fix that, and it is no Washington exemption from ObamaCare.

Specifically, the bill would do three things: First of all, it does away with this OPM rule and it clarifies that Members don't get to pick and choose who is official staff. Congressional staff is congressional staff.

Then it says, all Members of Congress, all congressional staff—and we expand it to the President and Vice President and all political appointees of the Obama administration—all of those folks have to go to the exchanges, the clear language of present law with regard to Members of Congress and their staff.

Finally, we fix the other part of this illegal rule. We say this subsidy Members of Congress and staff currently enjoy under their present health care coverage can't follow them to the exchange. That is not the case for any other American. That is not in the law. In fact, in ObamaCare, there is a broader provision completely contrary to that, so we say that cannot happen.

That is what our bill and our amendment is.

I think it is a fundamental, a threshold, and a very important rule of democracy that the governors have to live by the same laws they pass and impose on the governed. I think that should be the case across the board and certainly that should be the case under ObamaCare.

Tens of millions of Americans are experiencing having to go to the exchanges. Many of them didn't want to go there. Many of them had good coverage with their employer that they are losing because of the economics of this new situation, and they are being forced to the exchange. The clear language and intent of that provision in ObamaCare was for Members of Congress and staff to have to experience the same thing, and that is the clear language and that is the clear intent. So we should live by that, not get around it. And, in my opinion, we should expand it to the President, who has volunteered to go to the exchange, to the Vice President, and to all of their political appointees. That is what our amendment does. That is what our bill does.

I wish to thank all of the Members, Senate and House, who were working hard on this proposal, including Senators ENZI, HELLER, JOHNSON, and many others. I know I am missing several. There are several House Members, led by Congressman RON DESANTIS of Florida, who are working on identical House language. They are hard at work, particularly in the context of the CR.

The bottom line is this: There should be no special Washington exemption from ObamaCare. All laws we pass should apply to us every bit as much as other Americans, and certainly we, as is the clear language and is the clear intent, should live under that fallback plan of the exchanges just as every other American does. No other American gets this special subsidy the OPM rule gives to us.

Folks in this class under my amendment and bill would be able to qualify for a subsidy, if it is the same subsidy that is available to other Americans, according to income category. So if a person qualifies by income, fine. But this is way beyond that. This is a special deal, a special exemption for Congress, and we need to say there should be no Washington exemption. This bill, this amendment does that clearly and categorically.

I urge my colleagues, Democrats and Republicans, to support this.

Let me end by talking about a vote. I am bringing up this amendment on this bill. The reason is this issue is very time sensitive. This rule, which was made up out of thin air, in my opinion, goes into effect and all of this is set to happen October 1. So this debate has to happen, a change to this rule has to happen before October 1. That is why I am bringing it up now and demanding a vote. But, actually, that vote doesn't have to be on this bill. I will accept any fair, reasonable, substantive vote before October 1. But we need to lock that down. I think we are well on our way to locking that down, and I look forward to that.

In the meantime, let me again urge my colleagues who have amendments

to this bill on the subject of energy or on any other subject to come down and present those on the floor, talk about them and debate them, as I have, as Senators UDALL and COLLINS have. Let's move forward with the process as we nail down this first vote agreement.

As we get to a vote on this amendment, I urge my colleagues to follow the first and, in many ways, most basic rule of democracy: that the rules we impose on the governed we should live by. That is absolutely essential. That should be the case across the board, certainly including ObamaCare, and in the case of ObamaCare, there is specific language which says that. That is what it says. That is what it is supposed to be about. This illegal OPM rule completely invalidates and gets around that rule, so we need to act to fix that now, well before October 1.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I call up amendment No. 1847.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Colorado [Mr. BENNET] proposes an amendment numbered 1847.

Mr. BENNET. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, as I made clear previously but I will restate, I objected to and I continue to object to laying aside any amendment and making another amendment pending. We made that clear between the floor staff of the minority and majority side. That was crystal clear, so I object.

The PRESIDING OFFICER. We are on the amendment from the Senator from Colorado.

The Senator from Colorado.

Mr. BENNET. Mr. President, I ask unanimous consent that the calling up of the amendment be vitiated out of respect for my colleague from Louisiana.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Louisiana.

Mr. VITTER. Mr. President, I wish to very briefly thank the Senator. That is a very generous and gentlemanly thing to do. This was the understanding between the floor staff. I know apparently it wasn't properly communicated to the Chair, but that was the clear understanding, and I appreciate that gesture.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, through the Chair, I would say to the Senator from Louisiana that my understanding was he would object. He was on the floor when I offered it and I thought he was going to object. So knowing of his objection, I withdraw the amendment.

Having said all of that, I think it is a shame that we can't get going with this bipartisan bill. I wish to thank the chairman and the ranking member for their incredibly great bipartisan work on this energy bill. I wish to thank Senator JEANNE SHAHEEN from New Hampshire and Senator PORTMAN from Ohio for the bipartisan work that has been going on for months, if not years, on this bill.

I am pleased to come to the floor—I wish to introduce my amendment but not today because of the objection, but to at least talk about a bipartisan amendment we would like to get on this bill. I wish to thank my colleague Senator AYOTTE for joining me in this important effort.

Our amendment is based on standalone legislation we have written called the Better Buildings Act, which encourages energy efficiency in commercial buildings. Over the last several years we worked with building owners across Colorado and the country to craft the legislation. The economic and environmental benefits of improving energy efficiency in buildings are clear.

A well-publicized retrofit of the Empire State Building in New York reduced energy usage by 38 percent—almost 40 percent—and it saved an estimated $4.4 million annually for the building owner. The retrofit also created over 250 construction jobs right here in the United States that can't be sent overseas.

It is this example, and these ideas, that helped form the basis for the Better Buildings Act and this amendment.

In crafting the measure, we started to think about efficiency in buildings not only from the top down where a building owner makes the improvements, but also from the bottom up where a tenant would see advantages from designing and configuring their rented office space in an energy-efficient manner. With all of that in mind, the amendment we have introduced accomplishes two principal goals. First, it allows for a first-of-its-kind study by the Department of Energy to chronicle private sector best practices as tenants build out their lease spaces in commercial buildings. This study would then inform a voluntary Department of Energy program to recognize tenants, to acknowledge tenants that design and construct high-performance lease spaces in the future.

The second provision, called Tenant Star, would expand on the popular ENERGY STAR Program and make it available to tenants, not just landlords. Under our amendment, tenants will be recognized for the efficient performance of their leased office space. This will provide value to their customers, their investors, and ultimately to the building owner.

The ENERGY STAR label has proven a very powerful tool to achieve whole building efficiency. Our language takes the next logical step and confers this recognition on tenants as well.

This bipartisan amendment is broadly supported—from the Alliance to Save Energy to the Real Estate Roundtable, to the Sierra Club. It also received a favorable hearing in the Senate Energy Committee in June, and I thank the chairman for that. The Congressional Budget Office has confirmed it has no score.

I urge my colleagues to support this bipartisan and commonsense amendment. I hope we can get to the business of legislating around this incredibly important bipartisan bill.

With that, I thank the Presiding Officer for his patience, I yield the floor, and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BROWN). Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I commend the Senator from Colorado on a fine amendment. I hope we are going to get a chance to vote on it. I think he mentioned that commercial buildings consume almost half of the energy used in the United States.

What I think is important for the Senate to see is the bipartisan amendments are now piling up. We started off with a very good amendment, the Inhofe-Carper amendment in terms of thermal power, Senator UDALL and Senator COLLINS talking about retrofitting schools, getting more for the kids and for a better environment without spending new Federal money, and now we have the Bennet-Ayotte proposal to deal with commercial buildings consuming almost half of the energy consumed in the United States.

You have bipartisan amendments, I say to my colleagues, in effect, stacking up on the floor of the Senate. I think the reason that is the case is because Senators are coming back from the August break. They were home having community meetings and talking to folks, and people said—whether you are from Ohio, like the Presiding Officer, or Oregon or New Hampshire, different parts of the country—you go back there and find a way to deal with some real challenges, and do it in a bipartisan way. So that is what the underlying bill does. That is what the three amendments we seek to be able to vote on do.

In the case of this particular amendment, the voluntary ENERGY STAR Program has created an incentive for commercial building owners to increase the efficiency of their buildings by recognizing the most efficient. So today there are over 20,000 commercial buildings in the country certified as highly efficient ENERGY STAR buildings.

The challenge, however, is that about half of the energy used in commercial buildings is under the control of the tenants, not the owners. This amendment would promote efficiency in commercial buildings by establishing a

Tenant Star program to recognize the energy efficiency achievements of building tenants, as ENERGY STAR does for the owners.

We looked at this in the committee, particularly in the Energy Subcommittee on June 25. To me, again, trying to build on successful approaches is simply what the country wants us to be doing here in the Senate. It is the focus of the underlying bill. It is the focus of the amendments that are pending—each one of them supported in a bipartisan way.

This amendment, as far as I can tell, has a real cross section of businesses interested, for obvious reasons. It constitutes almost half the buildings in the United States.

Mr. President, I ask unanimous consent that a letter of support we received be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUNE 24, 2013.

Re Better Buildings Act (S. 1191—''Tenant Star'').

Hon. RON WYDEN,
Chair, Committee on Energy & Natural Resources, U.S. Senate.
Hon. AL FRANKEN,
Chair, Subcommittee on Energy, U.S. Senate.
Hon. MICHAEL BENNET,
U.S. Senate.
Hon. LISA MURKOWSKI,
Ranking Member, Committee on Energy & Natural Resources,U.S. Senate.
Hon. JIM RISCH,
Ranking Member, Subcommittee on Energy, U.S. Senate.
Hon. KELLY AYOTTE,
U.S. Senate.

DEAR SENATORS: We represent real estate owners, developers, building managers, energy service companies, efficiency financing sources, environmental and efficiency advocates, and other stakeholders who support market-based solutions to lower energy consumption in our built environment. As the Senate considers energy legislation, we support proposals that encourage cooperation by landlords and tenants in our nation's commercial buildings to save energy as leased spaces in these structures are designed, constructed, used, and occupied.

We thus commend Senators Bennet and Ayotte for introducing S. 1191, the ''Better Buildings Act of 2013.'' The act takes a market-driven, voluntary, ''best practices'' approach to align building owners and their tenants to reduce demands on the energy grid. As this proposal fits within existing voluntary programs, it has no regulatory impact and does not require new appropriations.

To date, bills addressing energy efficiency have focused on how real estate owners and developers may lower energy consumption at the ''whole-building'' level. But in fact, owners and managers of large buildings control only about 50% of their structures' total energy; tenants consume at least half. The Better Buildings Act takes a holistic approach by considering office tenants' impact on energy consumption and behaviors. Notably, the act brings the voluntary ENERGY STAR rating for whole-buildings to the next level by authorizing a ''Tenant Star'' program to certify leased spaces in buildings as energy efficient. Considering the overwhelming success and private sector acceptance of ENERGY STAR for buildings—which are located in all 50 states, represent billions of square feet of commercial floorspace, and saved American businesses over $2.7 billion in utility bills in 2012 alone—it is sound energy policy to evolve this program to the ''Tenant Star'' level of leased spaces.

We strongly support the Better Buildings Act and its ''Tenant Star'' provisions. We urge the Senate to enact S. 1191 whether on its own or as part of any energy package that may be put to a vote.

BETTER BUILDINGS ACT (S. 1191/H.R. 2126)—''TENANT STAR'' ENDORSERS

Alliance to Save Energy, American Council for an Energy-Efficient Economy, American Hotel & Lodging Association, American Institute of Architects, American Resort Development Association, American Society of Interior Designers (ASID), ASHRAE, Association of Energy Engineers (AEE), Bayer MaterialScience LLC, Boston Properties, Brandywine Realty Trust, Building Owners and Managers Association (BOMA) International, CBRE, Inc., CCIM Institute, Danfoss, EIFS Industry Members Association (EIMA), Empire State Building Company/Malkin Holdings, Energy Systems Group, First Potomac Realty Trust, Illuminating Engineering Society (IES).

Institute for Market Transformation, Institute of Real Estate Management, International Council of Shopping Centers, Johnson Controls, Inc., Jones Lang LaSalle, LBA Realty, LonMark International, Metrus Energy, Inc., NAIOP, the Commercial Real Estate Development Association, National Apartment Association, National Association of Energy Service Companies (NAESCO), National Association of Home Builders, National Association of Real Estate Investment Trusts, National Association of REALTORS®, National Association of State Energy Officials, National Electrical Manufacturers Association, National Fenestration Rating Council (NFRC), National Multi Housing Council, Natural Resources Defense Council.

OpenADR Alliance, Plumbing-Heating-Cooling Contractors—National Association, Prologis, Inc., Real Estate Board of New York, Related Companies, Rising Realty Partners, Rudin Management Company, Inc., Sheet Metal and Air Conditioning Contractors National Association, Inc., Shorenstein Properties LLC, Sierra Club, Spray Polyurethane Foam Alliance (SPFA), SUN DAY Campaign, The Real Estate Roundtable, The Stella Group, Ltd., Tishman Speyer, Transwestern, U.S. Green Building Council, USAA Real Estate Co., Vinyl Siding Institute, Vornado Realty Trust.

Mr. WYDEN. Mr. President, I am going to stay here to see if other colleagues would like to bring over their amendments. As I indicated in opening comments a couple hours ago, I think there are at least a dozen good amendments here—amendments that are going to be good for American productivity, they are going to create good-paying, high-skill jobs, and they are going to be winners for the environment. That is a trifecta of valuable concerns being addressed with one piece of legislation, being done in a bipartisan way.

I know the popular wisdom is you cannot thread the needle on legislation and that even on something such as energy efficiency, these folks are going to try to see if they can get their bipartisan amendments passed, but at the end of the day, the forces who want to block legislation, because they care about a particular issue, are too strong. I hope Senators are going to see we are going to make sure people have a chance to have their issues heard. But we also want them to see that to lose the ability to have a key part of an ''all of the above'' energy policy—I have said you cannot have an ''all of the above'' energy policy if you are not for energy efficiency. To not advance this particular cause—and we passed the hydropower bill. It is a good bill. People said it was the first major energy bill since 2009. This is the next logical step. We ought to take it.

I see the Senator from Ohio here, who has done so much good work, and I will yield at this time. I know he has a great interest in this topic. I hope, when we get a chance to vote on the Bennet-Ayotte amendment, Senators will support it.

I yield back.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. PORTMAN. Mr. President, I stand to strongly support this amendment. I think it is exactly as the chairman has suggested. It is bipartisan. It helps to solve a problem we have right now, and I applaud Senator BENNET who spoke earlier, and also Senator AYOTTE from New Hampshire, who has joined with him to take a lead on this. They have worked with us. They have, again, by this amendment, I believe, offered a good opportunity to improve the underlying legislation. I think it is consistent with the underlying legislation.

By the way, it is an amendment that makes sense because there is right now a disconnect between those who own commercial buildings and those who are tenants in those buildings. We have heard this around the country as we have talked about efficiency. It kind of gets the landlords and the tenants in sync with lowering energy costs. It is market driven. It is nonregulatory. It takes a ''best practices'' approach to address this issue.

Owners and managers of large commercial buildings report that their tenants consume over 50 percent of the total energy in the structure, but again there is this disconnect because owners lease the space, but they do not pay the bills; therefore, there is often no motivation to cut energy costs by making the space more efficient. The owners do not have that incentive. The tenants do. They pay the bills. But they often have very limited choices in the design or the operation of the energy-consuming aspects of the structure they lease.

This is an attempt to address that issue, and I think it is a smart realistic approach. It encourages tenants to make structural investments when they enter into new leases or renew existing leases. The act asks the Department of Energy to study and learn from private sector ''best practices'' to achieve high-performance, cost-effective measures with viable payback periods on efficiency.

It also builds on the success of the voluntary ENERGY STAR Program

that a lot of folks are familiar with and kind of moves ENERGY STAR into the tenant space, creating a tenant-oriented certification called Tenant Star for leased spaces, again, with the goal of transforming the way building owners and their tenants think about energy.

By the way, this legislation is supported by the Real Estate Roundtable, a group that has looked at this underlying legislation, this amendment, and thinks this helps them to accomplish some of their goals in energy efficiency. It is also supported by the Restaurant Association, the National Association of Manufacturers, and others.

So this better buildings amendment Senator AYOTTE and Senator BENNET have offered I think is strong. I wish they could have actually taken the amendment today off the calendar and actually been able to technically offer it. But we did have a good debate on it, and I am hoping soon we will be able to resolve these other issues and be able to move forward with an actual vote on this because this is a classical example of where we can come together as Republicans and Democrats, finding common ground on how to have a true ''all of the above'' energy strategy, not just produce more energy, which I strongly support, but also use the energy we have more efficiently.

Since buildings are about 40 percent of energy usage, this is very smart legislation, building on the other amendments we heard about today—on using geothermal, being sure it is part of renewable energy; ensuring that our schools have the best information to be able to become more energy efficient; and other amendments. Again, I count about a dozen of them here that are bipartisan amendments that we hope to have on the floor as part of this underlying bill to help create more jobs, have a cleaner environment, make us less dependent on foreign oil, and move forward on this important leg of our national energy strategy.

With that, I yield back my time.

The PRESIDING OFFICER. The senior Senator from Minnesota is recognized.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I call up my amendment No. 1856.

The PRESIDING OFFICER. Is there objection?

Mr. PORTMAN. Mr. President, I object on behalf of my colleague who has an arrangement with the majority staff on this on the basis of his interest in objecting until he gets a unanimous consent agreement that I think is being worked on.

The PRESIDING OFFICER. Objection is heard.

Ms. KLOBUCHAR. Mr. President, I would still like to talk about this amendment. And I want to thank both Senator WYDEN for working with us on this amendment and also Senator MURKOWSKI for working with us on this amendment. I appreciate their support.

This is an amendment Senator HOEVEN and I have submitted together. I will describe it to you because I think it is such a good amendment. We want to make sure we get moving on this very important bill that I support, as well as these amendments.

The Nonprofit Energy Efficiency Act would provide assistance to nonprofit organizations to help make the buildings they own and operate more energy efficient.

Nonprofit organizations are the heart of our country and serve millions of Americans every day. Nonprofits include hospitals, schools, houses of worship—particularly supportive of this amendment—and youth centers. They face the choice of making facility improvements or serving more people, which is also difficult for them.

That choice is clear for so many organizations. Nonprofits often operate in older, less efficient buildings, and because of their nonprofit status, they cannot participate in energy efficiency programs despite the financial benefits of energy efficiency retrofits and other improvements.

This amendment is about allowing the Department of Energy to make grants of up to $200,000 for energy efficiency projects over the next 5 years. The amendment requires a 50-percent cost share and includes provisions to ensure that the projects achieve significant amounts of energy savings and are done in a cost-effective manner.

This amendment, the Klobuchar-Hoeven amendment, is fully offset. I appreciate the work of the committee and the committee staff on this amendment.

I urge my colleagues to support the Nonprofit Energy Efficiency Act amendment.

Before I yield the floor, I again want to thank Senator SHAHEEN and Senator PORTMAN for their tireless efforts to move this important legislation forward. I believe energy efficiency is an area we can all agree is good for the economy, it is good for consumers, and it is an issue where we can find common ground, as you can see by the amendment I have done with Senator HOEVEN.

Senator HOEVEN from North Dakota knows a little bit about producing energy with their oil production, natural gas production, the biofuel production they share with Minnesota. We are some of the top biofuel producers in the country. But in our States we also believe in conserving energy and in energy efficiency. We believe this bill is a good bill and also that this amendment is a very good addition to the bill, as it allows nonprofits, such as places of worship, to also share in the energy efficiency program, and they are very interested in moving ahead with this amendment.

So I thank you. I thank the authors, and I thank the chair and the ranking member of the committee.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from New Hampshire is recognized.

Mrs. SHAHEEN. Thank you, Mr. President.

I want to commend Senator KLOBUCHAR on her efforts. This is another one of the great bipartisan amendments that has been worked on to add to this energy efficiency legislation. It shows how great the opportunity is for this legislation to provide for savings for people, to get people engaged in the idea of how much energy they are using and what the costs of that energy are, and also what the environmental benefits and the benefits to consumers and the benefits to our national security are in encouraging energy efficiency. So I want to commend her and thank her for all of her efforts, and we will continue to have this discussion on the floor as we wait for some kind of an agreement from Senator VITTER.

Thank you.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I am very hopeful that when we get a chance to vote on this amendment the Senate accepts it. I want to put it in the context of where we are, because we are seeing this pattern of Senators—and I was in North Dakota for Senator HOEVEN a few days ago. We were listening to constituents, I am sure very similar to the kinds of concerns reflected by folks in Minnesota. They all were saying: Go back there in September and focus on real problems and come up with real solutions. We have seen all of this bickering. We have seen all of this quarreling. What we want to see is on the concerns that most affect us: our pocketbook, our environment, in this case national security.

Senator SHAHEEN made an excellent point several hours ago when she pointed out that with the backdrop of Syria and national security issues, if there ever was a time while we wait for the next step in this debate to look at another issue, energy and energy efficiency would be a logical one, because we all understand how inextricably linked national security and energy security are.

So, now, after we have had the thoughtful Inhofe-Carper amendment on thermal power, we had the Udall-Collins amendment in terms of school retrofits, we had the Bennet-Ayotte amendment which deals with commercial buildings, which comprise almost half of the energy used in America, we now have a very good bipartisan amendment brought to the floor of the Senate by the senior Senator from Minnesota, Senator KLOBUCHAR, and Senator HOEVEN.

There are literally hundreds of thousands of museums in this country, houses of worship, youth organizations. All of these programs are looking at ways in which they can save energy. The reality is lots of the tools are not available to them because they are tax exempt. So what we have here is a pilot project. Let me kind of underline. Everybody talks about big programs and their ''one size fits all,'' they are ''run

from Washington'' and it is kind of one dastardly plot after another from the Federal Government.

The Senator from North Dakota and the Senator from Minnesota come and say they want to have a pilot project, a pilot project to award grants of up to $200,000, with a match by the Federal Government, to make efficiency improvements to these buildings and these houses of worship, museums, all of these institutions that every Member of the Senate cares a great deal about.

I was especially appreciative, because Senator KLOBUCHAR and Senator HOEVEN were supportive of some of the ideas Senator MURKOWSKI and I had to revise this. This is a good amendment. This is already the fourth in the queue of thoughtful, commonsense, low-cost proposals that have come to the floor of the Senate.

I hope my colleagues will shortly give us the opportunity to get to this bill. This is the Senate. Senators like to address a variety of issues. But the reality is, while we had a very good hydropower bill passed right before the August recess, 60,000 megawatts of hydropower, responsible for 60 percent of the clean energy in the country, this bill is the first major piece of energy legislation on the floor of the Senate since 2007. That is light years ago in terms of the dramatic changes we have made in so many reforms in other areas.

For example, I saw in North Dakota over this weekend dramatic changes in terms of natural gas policies. We have a host of issues to talk about there. We are ready to go on energy efficiency. So I am very appreciative to the Senator from Minnesota who has been working with the Senator from North Dakota.

I would like to see somebody explain to houses of worship and museums and youth organizations why it does not make sense to start a pilot project so they can squeeze more value out of the scarce dollars they have for running their incredibly valuable programs. I do not think any Member of the Senate, Democrat or Republican, can make the case that that makes any sense. I appreciate the Senator from Minnesota coming over. I am prepared to stay here until all hours so Senators who are willing to do what we heard all summer the American people want us to do, which is to address real issues, do it in a bipartisan way. I hope other Senators will come over and approach this the way the Senator from Minnesota and the Senator from North Dakota have done.

I thank my colleague.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I think the chairman outlined it well. This is a thoughtful amendment to the underlying bill. Senator SHAHEEN and I are delighted to accept it and support it, but also to say this sort of fits a part of the overall energy efficiency effort we did not cover in the legislation, which is these nongovernmental organizations that own buildings, where they do not have the ability to get the kind of market-based support that is in our legislation.

This is faith-based organizations, but it is also Boys and Girls Clubs, and it is all kinds of different groups that are interested in doing efficiency retrofits. They need a little help. This gives them a match.

Significantly, what maybe we have not focused on earlier is the fact it is paid for. So we are not talking about any impact on the deficit. It is deficit neutral because they went out of their way to try to find good ways to reduce spending at the Department of Energy to have the offsets.

Having a local match is important because that gets the local buy-in. I think that is important, that it be a full match. But it also does give them access to some of this expertise we talked about earlier to be able to have more energy efficiency and also ultimately to save energy in this country but also save money for those nonprofit organizations. So I commend my colleagues, Senator KLOBUCHAR and Senator HOEVEN. Senator HOEVEN wants to come over and speak on this legislation. He is tied up right now but hopes to come over later. Certainly when it is actually offered and brought up on the floor he will have a chance to talk about it as well.

I commend him and commend his colleague from Minnesota for again offering another bipartisan amendment on top of the geothermal amendment, the schools amendment, the amendment to encourage tenants to be more energy efficient, and now we have this amendment on nonprofits that own buildings that want to do the efficiency retrofits. I appreciate them working with us to find offsets and being sure it does not add to the deficit and that it is a responsible approach on the fiscal side as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I cannot help but join the bouquet tossing that is going on here today, about not only the amendment Senator HOEVEN and Senator KLOBUCHAR have introduced as it relates to our nonprofits, but again the other measures that have been brought up for discussion here this afternoon—geothermal, school efficiency. It really does drive us to the point of this energy efficiency legislation, how it is not just in one section or sector, it is economywide. It is all aspects of our lives.

If we focus on how we live from day to day, the things that are important to us, we can incorporate greater efficiency into all aspects of it and we are better off, whether it is through our schools, our businesses, our government buildings, or through those nonprofits I think we all recognize give so much enrichment to our general lives. But when you think about some of the struggles our nonprofits are currently facing right now, as they are seeing declining budgets, Federal, local, State levels, they are looking to squeeze as much as they can out of every dollar. So when you have proposals such as we have here with pilot programs to award these grants of up to $200,000 to help make these efficiency improvements to their buildings, this is significant stuff, if you will. This translates into real dollars, allowing them to do what it is they are providing so much better, whether it is Boys and Girls Clubs at a clubhouse, the ability to perhaps have other facilities, whether it is your church facilities, your faith-based organization, the outreach and all they are able to do and those they are able to serve. It is all made better when you do not have to spend as much for your energy costs to meet your energy demands. So it does seem somewhat common sense. It does seem rational and reasonable.

Good heavens, what are we doing here on the floor of the Senate promoting something that is rational and reasonable and common sense? We need to do more of this. This is a good amendment and joins several other good amendments we are seeing as we look to the numerous amendments we talked to colleagues about and that we are anticipating will be up here in the next several hours.

I do hope folks realize that what has been put together by the sponsors of this bill, the Senator from Ohio, the Senator from New Hampshire, is worthy of our consideration, not only on these amendments, but, again, the fuller spectrum of how we are more wise in our energy consumption, how we are better stewards of that which we have when it comes to energy and our energy resources. So I will throw the bouquet to those who have got us to this point.

I see the Senator from Wyoming has joined us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I filed an amendment to S. 1392 that will prevent the Environmental Protection Agency from a massive regulatory overreach. It has been cosponsored by Senators BARRASSO and FLAKE.

My amendment is simple and straightforward. It promotes the right of a State to deal with its own problems. It returns the regulation of regional haze to where it properly belongs, in the hands of State officials who are more familiar with the problem and the best ways to address it.

I hope my colleagues will support my effort.

The Environmental Protection Agency's move to partially disapprove the State of Wyoming regional haze plan will create an economic and bureaucratic nightmare that will have a devastating impact on western economies. The proposal by EPA ignores more

than a decade's worth of work on this subject by officials in my home State and seems to be more designed to regulate coal out of existence than to regulate haze. The haze we most need to regulate, in fact, seems to be the one that is clouding the vision of the EPA, as it promotes a plan that imposes onerous regulations on powerplants, that will, in turn, pass those increased costs in the form of higher energy prices on to consumers.

That tells me the EPA's purpose is to ensure no opportunity to impose its chosen agenda on the Nation is wasted. It does not seem to matter to them that their proposed rule flies directly in the face of the States' traditional and legal role in addressing air quality issues.

When Congress passed the 1977 amendments to the Clean Air Act to regulate regional haze, it very clearly gave the States the lead authority. Now the EPA has tossed them in the back seat and grabbed the steering wheel to head this effort in its own previously determined direction.

That is not the kind of teamwork and cooperation Congress intended. The goal of regulating regional haze is to improve visibility in our national parks and wilderness areas. The stated legislative purpose for the authority is purely for aesthetic value and not to regulate public health. Most importantly, the EPA should not be using regulations to pick winners and losers in our national energy market. This is a State issue. Congress recognized that States should know how to determine what the best regulatory approach would be to find and implement a solution to the problem.

The courts reaffirmed this position by ruling in favor of the State's primacy on regional haze several times. Unfortunately, that is not what happened in this case. The EPA ignored all of the clear precedents and instead handed a top-down approach that ignored the will and expertise of the State of Wyoming.

This inexplicable position flies in the face of the strong and commonsense approach of the State of Wyoming to addressing regional haze in a reasonable and cost-effective manner. The EPA's approach would be much more costly, and it would have a tremendous impact on the economy and quality of life not only in Wyoming but in the neighboring States as well. Clearly, we can't allow this to happen.

Preliminary estimates by the State of Wyoming show that the best available retrofit technologies and long-term strategies under the proposed rule would cost well over $1 billion—plus millions more every year in additional operational costs that gets passed on to the consumer.

I mentioned that Cheyenne needed some additional powerplants. They went out and found the best natural gas technology available and then found it wouldn't meet the new requirements. This is the best worldwide technology, and it won't meet the new requirements they wish to put on it. Again, those costs would be passed on to the consumers in the form of higher energy prices. Every family knows that when the price of energy goes up, it is their economic security, as well as their hopes and dreams for the future, that is threatened and all too often destroyed.

The EPA's determination to take such an approach would be understandable if it would create better results than the State plan. It doesn't. It admits that. One billion dollars in costs and then millions more each year, and it isn't going to give any better results than what the State plan is? What sense does that make? This is another reason why it makes no sense for the EPA to overstep its authority under the Clean Air Act to force Wyoming to comply with an all-too-costly plan that in the end will provide the people of Wyoming with no real benefits. Again, it is $1 billion up front, millions a year, and no real benefits.

The plan doesn't even take into account other sources of haze in the State, such as wildfires. We have those every year. They are a problem on Wyoming's plains and mountains. They are a major cause of haze in my home State. It makes no sense for the EPA to draft a plan that fails to take into consideration one of the biggest natural causes of the very problem they are supposed to be solving.

This is one that can be solved. The State of Wyoming has spent over a decade producing a plan that is reasonable, productive, cost-effective, and focused on the problem. The EPA has taken an unnecessary and unreasonable approach that violates the legislatively granted job of State regulators to address this issue. We cannot afford to increase the cost of energy to families, schools, and vital public services by implementing an EPA plan that won't adequately address the issue of regional haze. Again, there will be no noticeable effect—$1 billion up front, millions each year, and no noticeable effect. What sense does that make?

I know my colleagues will see the importance of this matter and support my amendment that will stop the EPA in its tracks and end its interference with Wyoming's efforts to address this very issue. It only makes sense to me that Wyoming's plan, which results from a more than 10-year effort, be given a chance to work. It is not only fair, it is the right thing to do.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I am here on what we are calling the Shaheen-Portman bill, the energy efficiency bill, and I note that the lead sponsor of the bill, Senator SHAHEEN of New Hampshire, as well as the ranking member of the energy committee, Senator MURKOWSKI, are both here. I have been cleared by them to take a minute on the floor right now and talk about an amendment I would like to have offered and voted on and added to this bill. We call it the pay for success amendment. It is amendment No. 1852.

What this amendment would do is something that is quite simple and bombproof for taxpayers. Ultimately, it would save money and save energy; that is, for the properties managed by the Department of Housing and Urban Development, if they do not have the capital to go back into that property and do retrofits and install efficiency measures that will bring down their cost of electricity, this amendment would allow them to contract with the private sector to bring in private capital to achieve those energy savings.

There are significant restrictions in here that will protect taxpayers. Any money that goes back to these investors comes out of energy savings and only out of energy savings. If something goes wrong and the energy savings don't materialize, the investors lose. The taxpayers and the government are held harmless.

Thanks to an amendment by Senator COBURN of Oklahoma, as we were drafting the amendment, we have even specifically exempted the administrative costs of HUD in administering the legislation. Those have to be paid before the investors take their profits. But once the investors are paid back, there is now a more efficient building and savings for taxpayers over the long haul.

In addition, the result is a reduction of our energy footprint, increases our energy independence, and reduces the contribution of ill effects, such as pollution and climate change, by HUD buildings.

Now is not the time to call it up—we are at too early a stage in the proceedings—but I did want to take a moment to urge my colleagues to support this amendment. We discussed it at length with Senator COLLINS of Maine when we were trying to add it to the Transportation and HUD appropriations bill, and I believe we have worked through issues presented by her office and issues presented by Senator COBURN. If anybody else has any concerns, we look forward to hearing from them, but I think this is a bombproof piece of legislation, from the taxpayers' point of view. It opens up a niche for private capital to come in and earn a return on their investment by capitalizing on the opportunity we have for energy savings in these buildings.

With that, I yield the floor and look forward to a future opportunity to discuss the amendment further and, with any luck, call it up for a positive vote. I thank Senator SHAHEEN and yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Before the Senator from Rhode Island leaves, I wanted to commend him for this effort. I think it is a great proposal. I haven't had a chance to look at all the details, so I look forward to that, but using performance contracting to provide for savings on energy costs is a very effective way to address the upfront costs for these kinds of retrofits.

As the Senator points out, the person who is doing the contracting—the private company—is assuming the burden of those costs. Yet the benefits are going to taxpayers. Ultimately, the contractor that does the retrofits is also going to benefit over the long term, and those savings will keep coming back year after year. So once the initial cost is paid off, taxpayers will continue to get those savings year after year.

As Governor, we started retrofitting State buildings exactly this way, and it saved the taxpayers of New Hampshire hundreds of thousands of dollars a year—it is still saving them that—and also thousands of pounds of pollution because, as we know, 40 percent of our energy is used by buildings. So if we save on that energy use in buildings, then that saves not only on those costs, but it also saves on the pollution that comes from heating and cooling those buildings.

So I commend the Senator for his effort and I look forward to having a chance to debate it on the floor and to having a chance to review the proposal in greater detail.

Mr. WHITEHOUSE. I thank the Senator from New Hampshire for those comments. I wish to commend her for her leadership on this bill. This is a wonderful bill to have gotten to, and she and Senator PORTMAN have put in an enormous amount of effort in getting us here. So that is immensely commendable.

I would add something I omitted in my remarks earlier because the Senator from New Hampshire brought this up in a private discussion we had on the floor a moment ago; that is, how does CBO—the Congressional Budget Office—feel about this amendment. We have an e-mail from the Congressional Budget Office saying this will not add to the deficit. It is deficit neutral. In point of fact, it actually is viewed as negative—it shrinks the deficit in the long haul, but all we needed from them was the assurance it was deficit neutral and they would treat it as deficit neutral.

As the Senator from New Hampshire very properly pointed out, the benefit of this isn't just on the energy side or on the pollution side. Somebody goes in and installs the new energy efficiency equipment, installs the new windows, insulates the roof, and does whatever it is that will achieve these savings and that is work and those are jobs and that is helpful to our economy.

I will again yield the floor.

VOLUNTARY CERTIFICATION

Mr. SESSIONS. Mr. President, today I wish to discuss the Sessions-Pryor Amendment No. 1879 to S. 1392, the Energy Savings and Industrial Competitiveness Act. I would like to recognize the excellent work of my friend, the senior Senator from Arkansas, Mr. PRYOR, who is an original co-sponsor of this amendment, and I would ask him for permission to engage in a brief colloquy concerning our amendment.

Mr. PRYOR. I would welcome an exchange for the RECORD.

Mr. SESSIONS. I thank my colleague for his willingness to discuss this amendment. I would ask my colleague, what is the purpose of our amendment?

Mr. PRYOR. I thank the Senator from Alabama for his question. In an effort to encourage energy efficiency compliance, reduce regulatory burdens, and save taxpayer dollars, the Sessions-Pryor amendment would require the Department of Energy to recognize voluntary certification programs for air conditioning, furnace, boiler, heat pump, and water heater products. Federal law requires these heating, cooling, and water heater products to comply with a complex set of Federal energy conservation and efficiency standards. Similar specifications apply to participants in the Energy Star program. The Energy Department currently spends millions of taxpayer dollars annually to conduct verification testing of these covered products. At the same time, U.S. manufacturers of these covered products spend millions of dollars themselves to participate in comprehensive voluntary certification programs that use independent, third-party laboratories to ensure compliance with applicable standards. Our amendment would require the Energy Department, when conducting routine testing to verify product ratings, to rely on data submitted through voluntary, independent certification programs that meet the robust list of criteria set forth in the amendment. To qualify, the voluntary certification program must be (among other things) nationally-recognized, maintain a publicly available list of certified models, and conduct verification testing on at least 20 percent of the product families using an ''independent third-party test laboratory.'' The amendment would require the Energy Department to reduce regulatory burdens for manufacturers participating in a voluntary certification program, as well as require testing of products that are not covered by a voluntary program.

So, I greatly appreciate the leadership of my colleague Senator SESSIONS on this amendment. I would ask him: what are some of the policy reasons for supporting our amendment?

Mr. SESSIONS. I thank the Senator from Arkansas. Our amendment is sound policy for at least three reasons. First, the amendment saves taxpayer dollars by reducing redundant testing of products when already covered by a comprehensive, voluntary third-party testing program. At a time of record debt and deficits, this government needs to consider every option for making government lean and fiscally responsible. We have been informed by the Congressional Budget Office that our amendment does not impact the deficit.

Second, the amendment reduces regulatory burdens on American manufacturers. We need to do all we can to help make U.S. manufacturing more competitive on the world stage. Our amendment promotes domestic manufacturing and competiveness.

Third, our amendment increases DOE's enforcement capabilities to ensure that a greater number of products are verified every year. This will help achieve the kinds of energy efficiency improvements the law was intended to achieve. So I think this amendment should garner the support of this body.

I recently received a letter from Rheem Manufacturing Company, which has a large manufacturing facility in Montgomery, AL that employs over 1,000 people and manufactures heating and cooling products in Fort Smith, AR. The Rheem letter expresses support for our amendment and explains that it ''will enhance our ability to sustain American manufacturing jobs and competitiveness while conserving taxpayer resources and allowing federal agencies to focus enforcement on entities that do not voluntarily participate in rigorous industry-led efficiency certification programs.''

I would, in turn, ask Senator PRYOR: who else is supportive of this amendment?

Mr. PRYOR. I thank the Senator from Alabama for his remarks. I would answer his question by noting that a broad coalition of industry, energy efficiency, and environmental stakeholders are supportive of our amendment. As you referenced, employers in the State of Arkansas, your State of Alabama, and around the country are supportive. We are also pleased to have the support of the leadership of the Senate Energy Committee, Chairman WYDEN and Ranking Member MURKOWSKI. I am pleased that we have been able to work together on this amendment.

Mr. SESSIONS. I would ask Senator PRYOR one additional question. One of the purposes of this amendment is to reduce the testing burden on manufacturers for a number of Federal government programs. For instance, manufacturers who utilize accredited, independent third parties for testing and certification should not be compelled to undertake duplicative testing to demonstrate compliance with other Federal programs so long as the test methods used for evaluating product performance are the same. Additionally, this amendment does not intend to limit competition between private sector testing and certification programs, provided that accreditation and

other legitimate government requirements for recognizing such efforts are clearly defined. Would you agree?

Mr. PRYOR. Yes, I would agree with that characterization.

Mr. SESSIONS. I thank Senator PRYOR for his work on this issue.

Mr. BROWN. I ask unanimous consent to speak as if in morning business for up to 10 minutes.

The PRESIDING OFFICER (Mr. BLUMENTHAL). Without objection, it is so ordered.

HONORING THE LIFE OF JESSE OWENS

Mr. BROWN. Mr. President, I rise to honor the memory of Jesse Owens, an Olympic recordbreaker and pioneer on the track and off the track, who was born 100 years ago tomorrow.

Born in Alabama as the youngest of 10 children, James Cleveland Owens moved with his family to Cleveland, OH, at the age of 9. Leaving the South during the great migration of those several decades between 1910 and 1970, Jesse's family came north seeking economic opportunity and greater personal freedom. His father left his work as a sharecropper in the South—something difficult to do because so often the landowner held those sharecroppers by holding real or imagined debt over their heads—and found a job in the steel industry in Cleveland, OH.

James Cleveland Owens enrolled in Bolton Elementary School on the east side of Cleveland. Because of his strong southern accent, when the teacher asked his name and he said J.C., the teacher misheard it and started calling him Jesse—a name that stuck.

While in junior high, he met Charles Riley, who taught physical education and coached the track team. Charles Riley nurtured Jesse's obvious talent, helping him to grow stronger athletically and to set long-term goals that served him well as he went on to Cleveland East Technical School.

In 1927, my hometown of Mansfield, OH started hosting the storied Mansfield Relays—maybe the biggest in the country—a sporting event that drew athletes from six States and Canada. I remember in the 1960s my family hosting many of the athletes who came to our town to compete.

Obviously prior to my parents doing that, among these many promising athletes none shone brighter than the sprinter from an hour up north. At the Mansfield Relays, Jesse Owens sharpened his focus and won the 1932 and 1933 relays for East Tech, setting records that lasted into my childhood in the 1960s and 1970s.

He later went on to attend the Ohio State University, where he was known as the Buckeye Bullet, winning a record eight individual NCAA championships. The story goes that at the Big 10 track meet 1 year in Ann Arbor, MI, while competing in a 45-minute period, Jesse Owens set 3 world records.

We are used to seeing college athletes who are revered today. But in his day, Owens could not live on campus due to a lack of housing for Black students, and he could not stay at the same hotels when his track team traveled or eat at the same restaurants as the White players on the team who traveled with him. But he achieved global fame and heroism status because of what he did in the 1936 Olympics in Berlin.

While a hateful regime in Germany hoped to use the Olympics to promote the Aryan race and promulgate a wrongheaded, dangerous, and inherently racist belief in the superiority of that race, Jesse Owens turned this theory on its head. He won four gold medals in Berlin, and he set world records in three events while tying for a world record in a fourth event. He showed that talent and sportsmanship transcend race, and he embarrassed an evil dictator who hoped to manipulate the Olympic Games to further his political agenda.

Interestingly, Adolph Hitler refused to shake hands with Jesse Owens when he won one of those events. The International Olympic Committee told the German Government that Hitler must either shake hands with all the winners or none of the winners. The story goes that Hitler refused to come back and observe the Olympics—again, a testament to the heroism, courage, and discipline of James Cleveland ''Jesse'' Owens.

Despite these achievements—and the Rose Garden and Oval Office greetings that today's Olympians are accustomed to—Jesse Owens never received congratulations or recognition by President Roosevelt or President Truman. It was only during the presidency of Dwight Eisenhower, beginning to be a different time in race relations in this country, that a President of the United States actually recognized Jesse Owens' achievements.

He was, by most measures, the best athlete in the world, but he returned to the United States of America a Black man in the 1930s to face economic challenges and racial discrimination that are far too familiar to far too many Americans. But he continued to travel and inspire athletes and fans across the globe. I had the honor of meeting Jesse Owens when he was the speaker at my brother Bob's high school graduation in 1965, when I was 12 years old.

Jesse Owens worked alongside the State Department to promote good will in Asia, and worked in 1950 to promote democracy abroad as part of a Cold War effort.

Think about that. A Black man who is the best athlete in the world, was a hero to large numbers of Americans—Black and White—in 1936, standing up in many ways against the Fascist machine of Adolph Hitler, not being recognized by a President of the United States who was winning a war against Hitler ultimately. Yet he went out 5 years later after that war to promote democracy abroad as part of a Cold War effort, still proud of his country, still knowing our country had work to do.

In 1973 he was appointed to the board of directors of the U.S. Olympic Committee, where he worked to ensure the best training and conditions for U.S. athletes. He lent his skill and his talents to various charitable groups, notably the Boys Club of America.

In 1976 Jesse Owens finally received the Presidential recognition he deserved. He was presented with the Presidential Medal of Freedom from President Ford.

Jesse Owens was a pioneer. Despite facing adversity, he had the strength of mind and the discipline, common to almost all great athletes, to become the most elite of athletes. Despite being treated differently and shamefully from other athletes of his stature, he went on to shatter records. Despite the darkest of days globally, he did his part, standing up to fascism, dispelling racism, and promoting unity.

Tomorrow we celebrate the 100th birthday of a hero to all Americans, James Cleveland ''Jesse'' Owens.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Senate be in a period of morning business until 7 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SHAHEEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. I ask unanimous consent that I be permitted to proceed as in morning business for up to 25 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SYRIA

Ms. COLLINS. Mr. President, the decision on whether to authorize the President of the United States to use the military might of our great Nation against another country is the most significant vote a Senator can cast. The Constitution vests this responsibility in Congress—a duty that rests heavily on the shoulders of each and every Member.

We are now engaged in a serious debate about what the appropriate response should be to the horrific use of