House of Representatives

The House met at 4 p.m. and was called to order by the Speaker pro tempore (Mr. MESSER).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC, January 16, 2015.

1 hereby appoint the Honorable LUKE MESSER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPPOINTMENT OF MEMBERS TO PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore. The Speaker announces the Speaker's appointment, pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of June 16, 2015, of the following Members to the Permanent Select Committee on Intelligence:

Mr. GUTIERREZ, Illinois
Mr. HINES, Connecticut
Ma. SEWELL, Alabama
Mr. CARSON, Indiana
Ms. SPEEGER, California
Mr. QUIGLEY, Illinois
Mr. SWALWELL, California
Mr. MURPHY, Florida

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon on Tuesday, January 20, 2015, for morning-hour debate. There was no objection.

The SPEAKER pro tempore. Thereupon (at 4 o’clock and 4 minutes p.m.), under its previous order, the House adjourned until Tuesday, January 20, 2015, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

72. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Interagency Working Group on U.S. Government-Sponsored International Exchanges and Training FY 2014 Annual Report, pursuant to 22 U.S.C. 2609(f) and (g); Public Law 97-256, section 112(f) and (g); to the Committee on Foreign Affairs.

73. A letter from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department’s final rule — Cuban Assets Control Regulations received January 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.


75. A letter from the Secretary, Department of the Interior, transmitting the Annual Operating Plan for Colorado River System Reservoirs for 2015, pursuant to 43 U.S.C. 1552(b); to the Committee on Natural Resources.

76. A letter from the Assistant Secretary, U.S. Coast Guard, Department of Homeland Security, transmitting the Department’s interim rule — Regulated Navigation Area; Herbert C. Bonner Bridge, Oregon Inlet, NC (Docket No.: USCG-2014-00677) (RIN: 1625-AA11) received January 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

77. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department’s final rule — Revision of Safety/Security Zone Regulations; 2014 Tampa Bay; Captain of the Port St. Petersburg Zone, FL (Docket No.: USCG-2013-0040) (RIN:1625-AA87) received January 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.
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CONGRESSIONAL RECORD — HOUSE

January 16, 2015

78. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule with request for comments — Eliminating the Air Traffic Control Tower Operator Certificate for Controllers Who Hold a Federal Aviation Administration Credential With a Tower Rating (Docket No.: FAA-2014-1000; Amendment No. 65-56) (RIN: 2120-AK40) received January 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and subsequently referred, as follows:

By Mrs. ELLMERS (for herself and Ms. WASSEMER SCHULTZ):

H.R. 398. A bill to provide for the development and dissemination of evidence-based best practices for health care professionals to recognize victims of a severe form of trafficking and respond to such individuals appropriately, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCCaul (for himself, Mrs. MILLER of Michigan, Mr. SESSIONS, Mr. POE of Texas, Mr. WILLIAMS, Mr. FLORES, Mr. OLSON, Mr. Bishop of Utah, Ms. MccalSally, Mr. HURD of Texas, Mr. CULBERSON, Mr. FARENTHOLD, Mr. RATCLIFFE, Mr. CARter of Texas, and Mr. BUSCH):

H.R. 399. A bill to require the Secretary of Homeland Security to gain and maintain operational control of the international borders of the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Armed Services, Natural Resources, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROYCE (for himself and Mr. ENGEL):

H.R. 400. A bill to require the Secretary of State and the Administrator of the United States Agency for International Development to submit reports on definitions of placement and recruitment fees for purposes of enacting compliance with the Trafficking Victims Protection Act of 2000, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. WALORSKI (for herself and Mr. WENSTRUP):

H.R. 401. A bill to extend and enhance prohibitions and limitations with respect to the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, and for other purposes; to the Committee on Armed Services.

By Mr. NUGENT (for himself, Mr. PETERSON, Mr. BENISHEK, Mrs. BLACK, Mr. CARTER of Texas, Mr. CHABOT, Mr. COOK, Mr. CRAMER, Mr. CRES- SHAW, Mr. RODNEY DAVIS of Illinois, Mr. DESJARLAIS, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Mr. FINCHER, Mr. FRANKS of Arizona, Mr. GIBSON, Mr. HANNA, Mr. HUNTER, Mr. JOLLY, Mr. KELLY of Pennsylvania, Mr. MCCINNICH, Mr. MCKINLEY, Mr. ROE of Tennessee, Mr. ROGERS of Alabama, Mr. ROONNY of Florida, Mr. SESSIONS, Mr. SMITH of Texas, Mr. STEWART, Mr. THOMPSON of Pennsylvania, Mr. Tipton, Mr. WILLIAMS, Mr. Womack, Mr. Young of Alaska, Mr. PompeY, Mr. CRAWFORD, and Mr. NUNES):

H.R. 402. A bill to amend title 18, United States Code, to provide a national standard in accordance with which nonresidents of a State may convey concealed firearms in a State; to the Committee on the Judiciary.

By Mr. RANGEL (for himself, Ms. NOR- TON, Ms. JACKSON LEE, Mr. MEeks, Mr. JOHNSON of Georgia, Mr. ELLISON, Ms. Lee, Mr. THOMPSON of Missis- sippi, Mr. CONVERS, Mr. PETERSON, Mr. BASS, Mr. Nolan, Mr. Polis, Mr. COREN, Mr. CLAY, Mr. FATTAH, Mr. SHRANO, and Ms. Schakowsky):

H.R. 403. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Ways and Means, Energy and Commerce, the Judiciary, Financial Services, Oversight and Government Reform, Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Nebraska:

H.R. 404. A bill to authorize early repayment of obligations to the Bureau of Reclama- tion within the Northport Irrigation District in the State of Nebraska; to the Committee on National Resources.

By Mr. POE of Texas (for himself, Mr. ENGEL, and Mr. ROYCE):

H. Res. 37. A resolution expressing the sense of the House of Representatives condemning the recent terrorist attacks in Paris that resulted in the deaths of seventeen innocent persons and offering condo- lences to those personally affected by this cowardly act; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representa- tives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. ELLMERS:

H.R. 398.

By Mr. MCCaul:

H.R. 399.

By Mr. ROYCE:

H.R. 400.

By Mr. RANGEL:

H.R. 403.

By Mr. NUGENT:

H.R. 402.

By Mr. Mccaul:

H.R. 404.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolu- tions, as follows:

H.R. 132: Mr. BRAT, Mr. MCCINNICH, Mrs. ELLMERS, Mr. Bishop of Utah, Mr. PoseY, Mr. WENSTRUP, Mr. STEWART, Mr. NEUHBAUER, Mr. CONWAY, and Mr. THORNBERY.

H.R. 140: Mr. ZINKE.

H.R. 158: Mr. SESSIONS.

H.R. 169: Mr. HECK of Washington, Mr. TIP- TON, and Mr. WELCH.

H.R. 181: Ms. BASS, Mr. JOLLY, and Mr. KLINE.

H.R. 223: Mr. DUFFY and Mr. BUCHSHON.

H.R. 224: Mr. CONVERS, Ms. NORTON, Ms. JACKSON LEE, Mr. Edwards, and Mr. HONDA.

H.R. 225: Mr. CONVERS, Ms. NORTON, Ms. JACKSON LEE, Mr. Edwards, and Mr. HONDA.

H.R. 238: Mr. JOLLY.

H.R. 300: Mr. MCCINNICH.

H.R. 304: Ms. Wilson of Florida and Ms. MICHELLE LujAN GRISHAM of New Mexico.

H.R. 344: Mr. ELLISON, Mr. RANGEL, Mr. HAStings, and Mr. O’ROURKE.

H.R. 351: Mr. McCaul and Mr. CRAMER.

H.R. 354: Mr. SHENKENBRENNER.

H.R. 390: Mr. EMMER and Mr. DUFFY.

H.R. 391: Mr. GIBBS, Mr. Wilson of South Carolina, and Mrs. ELLMERS.

H. Res. 31: Mr. DUFFY.

H. Res. 33: Mr. ROYCE.

H. Res. 34: Mr. DUFFY.

H. Res. 35: Mr. DUFFY.
The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER
The Chaplain, Dr. Barry C. Black, offered the following prayer:
Let us pray.
Heavenly Father, giver of good gifts, thank You for another day to serve You. Focus the attention of our Senators on Your will and enable them to discover what best pleases You. Help them to debate without quarrelling and to disagree without being disagreeable. Inspire them to become disciplined followers of Your purposes ever eager to obey Your commands. Guide, strengthen, and bless them until they reflect Your image of purity, honesty, humility, generosity, and love.
We pray in Your wonderful Name. Amen.

PLEDGE OF ALLEGIANCE
The President pro tempore led the Pledge of Allegiance, as follows:
I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME
The President pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER
The President pro tempore. The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—H.R. 33
Mr. McCONNELL. Mr. President, I understand there is a bill at the desk that is due for its second reading.

The PRESIDENT pro tempore. The clerk will read the bill by title for the second time.
The assistant legislative clerk read as follows:
A bill (H.R. 33) to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.
Mr. McCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.
The PRESIDENT pro tempore. Objection is heard.
The bill will be placed on the calendar.

SCHEDULE
Mr. McCONNELL. Mr. President, today the Senate is continuing to consider S. 1, a bill to approve the Keystone XL Pipeline. Chairman MURKOWSKI and Senator CANTWELL are here this morning to manage debate, and there are several amendments pending. We will begin voting on those—and any amendments in the queue—around 2:15 p.m. on Tuesday afternoon.
I encourage all Senators who have not already done so to talk to the bill managers about scheduling a time to come down and offer their amendments. It has taken a while to get going on this bill, and the last thing we need at this point is for Members who have been saying they want to have amendments to be reluctant to offer them.

STATE OF THE UNION ADDRESS
Mr. McCONNELL. Mr. President, we are looking forward to welcoming President Obama to the Capitol on Tuesday. The State of the Union is a unique opportunity, not just for the President but for our entire country. If he lays out an agenda that corresponds to the message the voters delivered in November, it could signal a truly productive moment for our country.
In November the American people told us they are tired of Washington's dysfunction. They told us they are tired of Washington's prioritizing the concerns of powerful special interests over their own. They called for a Congress that functions again, and that is just what we have been working toward. They called for Congress to focus on jobs and reform, and that is what we have been doing.
They also called for President Obama to cooperate with Congress to enact a different and better reform agenda for the middle class. On that front, we have some distance to cover, but Tuesday can be a new day. This can be the moment the President pivots to a positive posture. This can be a day he promotes realistic reforms that focus on economic growth instead of spending more money than we have. We are eager for him to do so.
There is much we can accomplish for the American people if the President is willing to work with us. We will be looking for signs of that in the speech he delivers Tuesday night.
I suggest the absence of a quorum.
The PRESIDENT pro tempore. The clerk will call the roll.
The assistant legislative clerk proceeded to call the roll.
Ms. HIRONO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.
The PRESIDENT pro tempore. Without objection, it is so ordered.

KEYSTONE XL PIPELINE ACT
The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1, which the clerk will report.
The assistant legislative clerk read as follows:
A bill (S. 1) to approve the Keystone XL Pipeline.
Secondly, this is not the time to create the instability this amendment would directly cause. After struggling through tough times, America’s shipbuilding industry is coming back. Both this Congress and the administration have long stressed the need for creating and keeping manufacturing jobs here at home in the United States. According to the Navy League, there are 15 tanker ships being built here in the United States right now and slated to be built. Other than China, all the other ships don’t create quick-turnaround jobs but hundreds of thousands of well-paying, long-term manufacturing jobs. If these ships are not built here in U.S. shipyards by U.S. workers, where will they be built? Where will these jobs go? China? Other Asian countries? Europe? The shipbuilding industry in our country is rebounding.

Repealing the Jones Act is a step in the wrong direction. Instead of dismantling American workforce and manufacturing capacity, Congress should be focusing on doing more to promote and grow American jobs and American manufacturing. Repealing the Jones Act’s requirement to build ships here in the United States will unquestionably cost U.S. jobs and weaken our position as a manufacturing leader. Those are two strikes against the amendment. The third and final strike is the fact that the amendment would undermine our national homeland security. The Jones Act’s requirements—along with American shipbuilding and the maritime industries they underpin—provide American-built ships and crews for use by the Department of Defense in times of need. It is easy to see why the Navy and Coast Guard strongly oppose repeal of the Jones Act and all of its components.

The Defense Department has concluded:

We believe that the ability of the nation to build and maintain a U.S. flag fleet is in the national interest, and we also believe it is in the interest of the DOD for U.S. shipbuilders to maintain construction capability for commercial vessels.

Therefore, there are three strikes against this amendment. If adopted, the amendment would dismantle the Jones Act, costing American jobs, hurting American manufacturing, and undermining our national security. I ask my colleagues to stand with me—and I certainly ask the chair of the Armed Services Committee to change his mind on this amendment—and nearly all middle-class Americans and vote against this amendment if it is brought up for a vote.

I yield the floor, and I suggest the absence of a quorum. The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk pro tempore proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent to place the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. CANTWELL. Mr. President, I know my colleagues are coming to the floor to talk about various amendments. It is likely that on Tuesday we will start voting on at least the pending amendments we have discussed so far. I want to talk about the proposal by TransCanada Corporation and about the fact that, obviously, there are some here who want to give an expedited approval to that and usurp the President, who has requested this project in detail to make sure we understand the interests of various people, property owners, and people affected by the pipeline.

One particular issue in this debate is why Congress should be hurrying to give a special interest permitting go-ahead while the President still has issues to address and as do the local communities. I know many of my colleagues are going to come to the floor to talk about those special interest concerns, as well as the issues of energy efficiency, national security and American job creation.

Both of my colleagues, Senator MARKEY and Senator WYDEN, are going to be putting forward amendments to close this loophole. As a country we have made sure that taxpayers aren’t stuck with the tab for the oil spill. The principle behind is to keep our waters safe and to keep our communities from paying the cost of this pollution. It means really to have commonsense laws on the books providing that polluters pay for cleanup. So that is the principle that drives the oilspill liability trust fund. It is something we have had in place for a while. Basically, what the oilspill liability trust fund means is simply that American taxpayers are not responsible for American spills. We believe that the oilspill liability trust fund must be in place when the President makes a decision that the American public needs to review this project in detail to make sure we understand the interests of various people, property owners, and people affected by the pipeline.

Pending: Mr. President, I ask unanimous consent to place the order for the quorum call be rescinded.

Ms. CANTWELL. Mr. President, I know my colleagues are coming to the floor to talk about various amendments. It is likely that on Tuesday we will start voting on at least the pending amendments we have discussed so far. I want to talk about the proposal by TransCanada Corporation and about the fact that, obviously, there are some here who want to give an expedited approval to that and usurp the President, who has requested this project in detail to make sure we understand the interests of various people, property owners, and people affected by the pipeline.

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Pending: Ms. CANTWELL. Mr. President, I ask unanimous consent to place the order for the quorum call be rescinded.
kinds of spills are actually paying into a fund that would help clean up the mess.

That is why it is so important that the Senate take up action on one of these amendments, so that we will be paying into the oil spill liability trust fund for any pipeline that is carrying synthetic. Therefore, according to the IRS, it is not subject to the tax.

synthetic. Therefore, according to the IRS, it is not subject to the tax.

that takes long for those pristine waters of Prince William Sound to be impacted. So the impacts of the Exxon Valdez disaster were devastating not just to Prince William Sound but to the entire Pacific Northwest, and the total cost of that cleanup was $2.5 billion.

Ten years ago, a Federal judge ordered Exxon to pay $6.7 billion to thousands of Alaskans affected by that oil spill. Fishermen in the Northwest lost more than $300 million as a result of that oil spill. At the time, the livability of individuals was impacted and, obviously, the wildlife was impacted. It killed sea otters, harbor seals, and approximately 250,000 birds. The images of all this wildlife are seared into our memories even 25 years after the spill.

When the oil spill just recently happened, we revisited a lot of those issues because we wanted to make sure we were getting things right. It was very interesting to see the environmental effects years later and some of the things that still have not recovered from the oil spill in Prince William Sound.

In 1990, Congress passed the Oil Spill Pollution Act, and it was signed into law by President Bush. It added sweeping new requirements and liabilities to the responsible parties. It established the mechanism actually to invest in the oilspill liability trust fund. Specifically, the bill said: Let’s have a per-barrel tax to raise the revenue for the fund. So today that is an 8 cents per-barrel tax on oil products.

As I mentioned, this was signed into law by President Bush, who specifically praised the funding of the oilspill liability trust fund. He said that “the prevention, response, liability, and compensation components fit together into a compatible and workable system that strengthens the protection of our environment.”

The reason I am bringing that up is because if the oilspill liability trust fund was good enough for oil products promoted by a Republican President, then it ought to be good enough for us in Congress to add tar sands. That literally was fought under the current definition because of the way the definition was written. Because it is a synthetic fuel, they have a loophole. It is a question whether we are going to close this loophole or whether we are going to let them pay zero into the trust fund.

The fund is used to pay for immediate cleanup costs and spills in navigable waters. This is a very important point. Some people might think it wouldn’t be easy to figure out where the oil came from. It is not. When you have a busy waterway like Puget Sound, and all of a sudden somebody sights an oil slick or oil product in the water, they don’t know where it came from. It takes months and months and sometimes, years, to figure out where the pollution came from.

Yes, in the case of Exxon Valdez we had a ship that hit a reef and caused a problem. But in many cases, sometimes you don’t know where the spill is coming from. A lot of people will say: Well, it wasn’t us. Or they start this process. An oil spill needs an immediate response, and that is why we established the oilspill liability trust fund—to have an immediate response so that we are not sitting around waiting for weeks and months and months to figure out who did the oil spill, and so somebody can start the process immediately and work with the Coast Guard to actually clean it up.

You would think this doesn’t happen that frequently, but it happens a lot more frequently than people realize. That is why an immediate fund is important, and that is why everybody who is producing oil should pay into it. Yet there is a loophole in the law, so the per-barrel tax doesn’t apply to tar sands.

In 2011, the IRS issued a ruling stating that the tar sands imported into the United States were not subject to the per-barrel tax. The ruling was actually based on a 1980 House Ways and Means Committee report that crude oil does not include tar sands. As I said earlier, it is considered synthetic. Therefore, according to the IRS, it is not subject to the tax.

We should simply clean this up and have those responsible for their mess also be responsible for paying in to clean it up. When the oilspill liability trust fund was established, it was intended to be a mechanism for all oil spills—not the definition of oil as a product.

Congress should fix this next week when we vote on the bill that is on the floor and figure out exactly how to make sure the Commandant of the Coast Guard would have the tools to deal with this.

I, too, have concerns about the fact that we don’t really have the tools yet in place to immediately clean up tar sands. When the Commandant of the Coast Guard was before a commerce hearing just a year ago—because I have a great deal of concern about the moving of this product on a variety of transportation means—I asked him about tar sands because the last thing we want to see is product out on our waterways. He said: Our technology is not as sophisticated when you have tar sands. They are heavier, they sink into the water, into the ocean bottom, so it is a challenge to assess them once they are in the floor. Our technology is lacking in that regard.

Basically, I am finding that some of the dirtiest oil out there does not pay into the oilspill trust fund, and we are going to have to have a mission for cleaning up. Unfortunately, we learned that lesson very hard in the 2010 Enbridge pipeline, which was owned by another Canadian company, along the Kalamazoo River in Michigan. It ruptured that one went into the Kalamazoo River, and the river was closed for business for 18 months after that spill. More than 36 miles of the river had to be off limits because it was difficult to clean up.

Today, 4 years later, they are still impacted. As I said, the cost was $1.2 billion because they had to dredge the bottom of the river. So any oil spill of that magnitude is damaging. Yet, when we look at this issue, the fact that these tar sands were sinking to the bottom made that dredging even more serious.

It is the reason why we need to make sure these tar sands are taxed just as other oil that we produce in the United States and pays into this trust fund. A Cornell University study found that “this spill affected the health of hundreds of residents, displaced residents, hurt businesses, and caused a loss of jobs” in Kalamazoo. This study is located online at: https://www.ilr.cornell.edu/sites/ ilr.cornell.edu/files/GLI_Impact-of-Tar-Sands-Pipeline-Spills.pdf.

I think it is just the start of what the challenges will be for us when we allow this kind of tar sands development to move through the United States. Our spill responders are very skilled. First, they know we need to do everything we...
can to prevent spills, to begin with. They are developing technologies to respond to the case of an emergency. They are doing everything they can to use this trust fund.

So we need to make sure we are having those who are participating in this debate put into the trust fund. We need to make sure we are closing this loophole. So my colleagues—as I said, Senator WYDEN and MARKEY—have been working on this issue for some time. Senator WYDEN, the ranking member on the Senate Committee on Energy and Natural Resources, feels very strongly they should be paying into the oil spill liability trust fund and paying their fair share of revenue. I know Senator MARKEY has worked on this issue in the House of Representatives before coming to the Senate.

So we need to make sure people understand that dredging is not good enough, that our country needs a plan, that we need not just to rush through this pipeline and basically to think that up-front of the technology, all of the appropriate emergency funds to clean this up. We need to make sure we are not sitting here arguing with a company—a Canadian company—that just wants us to clean up their mess and leave the U.S. taxpayer paying the bill.

In fact, there was some debate in the Kalamazoo spill whether the Enbridge company had hit their liability cap and so the trust fund should pay for it, even though they never paid into the trust fund.

So are we going to let the American taxpayers clean up a Canadian oil mess at our expense—that we paid in—and everybody is affected by that? I think we should slow down this process and make sure we are getting things like the oil spill liability trust fund right and that we are getting this added to this legislation before it moves out of the Senate.

I know my colleagues will get a chance to look at this next week. As I said, we will probably start voting early next week on some of these amendments that are being offered. But I hope my colleagues will close these loopholes and make sure that the U.S. citizen and taxpayer is not left on the hook paying for oil spill responsibility that should be the responsibility of these individual companies. I know we are expecting some of our other colleagues to come to the floor shortly to speak on their amendments.

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

The PRESIDING OFFICER (Ms. Murkowski). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MARKEY. Madam President, when the new Congress opens there is a choice as to which issues we should start to work on. Would it be infrastructure jobs, clean energy jobs, a minimum-wage increase for all of America? No, no. That is not what the new majority decides to bring up. No. Instead, it is a Canadian oil export pipeline.

Next week I am going to offer an amendment that the Senate will consider to ask whether we will put Americans first or oil companies first, whether we will keep this oil and gasoline here for Americans or send it to foreign nations to help them instead.

In the early next week, if this amendment is defeated, if it will make clear this is not an energy plan that is "all of the above," it is oil above all.

My amendment says that if we build the Keystone Pipeline, we keep that oil here. We keep that gasoline here. We keep the diesel, the jet fuel, the heating oil. We keep it all here, because if we send it abroad, what are we doing? We are helping Canadian oil companies get a higher price for their oil. We are acting as middlemen between dirty foreign oil and thirsty foreign markets.

Without my amendment, there is nothing in the bill or U.S. law that would prevent this oil from being exported. Eighty percent of our refined fuel exports go out of the Gulf coast exactly where Keystone would end, and foreign crude oil—including crude oil from Canada—can be freely reexported.

We know what TransCanada’s plan is because I asked him at a congressional hearing a senior TransCanada official—whether he would commit his company to keeping the oil and refined products from Keystone in the United States of America, and he said no.

Why do the oil companies want to export this Canadian tar sands oil? Because they can get a higher price and make more profit.

Tar sands crude in Canada trades for $13 less than the U.S. crude benchmark. The international prices are $3 higher than our prices.

If we do all of this, if we build this pipeline and then we send this oil to foreign countries, then we have turned Uncle Sam into "Uncle Sucker." Because, make no mistake, without my amendment this bill will not do anything to help people at the pump. It will just serve to pump up the profits for oil companies.

We shouldn’t export in oil, even as we are forced to send young men and women to defend oil interests in the most dangerous parts of the world.

Let us have that debate. As we import—still—oil from the Middle East, coming into the United States on tankers, this proposal we are debating next week will actually export oil that is already in the United States. We still import millions of barrels of oil every single day.

What we hear from the Canadians, what we hear from the oil industry is that this is all about energy independence. By definition, include the exportation of oil while the United States of America is still importing millions of barrels of oil per day. That is heading us away from, rather than toward, the goal of energy independence.

That, ladies and gentlemen, is at the heart of the issue of what it is that we must understand about this Keystone pipeline debate. We want lower prices for consumers, lower prices at the gasoline pump, lower prices for home heating oil, lower prices for diesel, and lower prices all across America. It is akin to a tax break that is going into the pockets of every Canadian, giving them more spending money because they are paying much less for oil in all of its forms in the United States of America right now, and it is giving an incredible incentive for economic growth in America.

What makes America great? What makes America strong? What makes us strong is when we are strong at home. What makes us strong at home is our economy, the stronger the United States is in projecting power across this planet.

That is why on this debate the exportation of oil is so central. It goes right to the heart of what we are discussing and debating in our country. This is an incredible opportunity for our country.

Let’s take it to the next step. The next step includes what is the taxation on the Canadian oil. There is a loophole, believe it or not, in the American Tax Code that allows tar sands oil from Canada—such as that that would flow through the Keystone Pipeline—to not pay into the Federal trust funds to respond to oil spills in the United States—understand that?

Canadian oil, the dirtiest in the world, coming through the pipeline that the Canadians want to build through the United States. In the event of an oil spill, will not have paid into the oil spill liability fund for oil spill accidents in the United States.

I wrote to the Treasury Department in May begging them to close this loophole through executive action, but their response indicated that they do not believe they have the authority to close this loophole on their own, and they need legislation to do so.

Yet there is nothing in this bill that would close this tax loophole for Keystone tar sands oil. Tar sands oil can be more difficult to clean up than regular crude but receives a "get out of Canada free" card. That makes absolutely no sense. We are already importing more than 1.2 million barrels per day of tar sands oil into the United States. But oil companies don’t have to pay into our cleanup fund to import that dirty oil.

There are roughly 30 oil companies importing tar sands crude into the United States. If you are one of those 30 companies, you are getting a great deal. But if you are one of the hundreds of other oil companies out there that do pay into the oil spill trust fund, you should hate this loophole, and the American people should hate that loophole as well because the Canadians and...
their oil companies are not paying their fair share of the dues to be able to participate in our great American society. They want to build a pipeline like a straw right through the middle of the United States, send the dirtiest oil right up the middle, like a straw, and if there is a spill, the Canadians have not contributed to the oilspill liability trust fund. Does that make any sense? Does that make any sense? Of course it doesn’t.

That debate is so important. The Congressional Budget Office says this is going to cost the United States of America hundreds of millions of dollars because the Canadians escape their responsibility of paying for the accidents. That is why Senator Wyden and I are working here to make sure we have an ability to close this loophole, and we are working with Senator Cantwell, the ranking member on the committee. Along with Senator Cantwell, we are going to make sure we have this important debate which is in the Senate floor.

I know Senator Cantwell was out here earlier today raising this issue, highlighting this issue, pointing out how unfair and unjust it is that the Canadians escape their responsibility to pay just another giveaway to the oil industry that ensures this is nothing more than a giveaway to those Canadian companies.

I say this on a day when it is being reported there are now 140,000 people in America employed in the wind industry—140,000. There is another 50,000 employed in the wind industry—nearly 200,000 people employed in industries that, for the most part, didn’t really even exist in a meaningful way 7 years ago. That is how quickly our own domestic wind and solar industries have been developed—creating jobs here in the United States, creating growth here in the United States, creating opportunity here in the United States.

So let us get real. This is really the law we should be debating. But once again, when the Republicans are in control, we do not debate all of the above. We don’t debate wind and solar and biomass and energy efficiency and oil and gas and nuclear. The Republicans always make it one subject, and that is oil above all, not all of the above.

So I am looking forward to this debate. It goes right to the heart of the security of our country, the economy of our country, the environment of our country. This is the dirtiest oil in the world. This oil is going to contribute dangerously to the warming of the planet. Last year—2014—was the single warmest year ever recorded in the history of the planet—2014. You don’t have to be Dick Tracy to indicate out this is a problem that we are passing on to the next generations without the debate this issue must have if we are going to discharge our responsibilities to those next generations.

The Keystone Pipeline is the central opportunity we are going to have to raise this issue of global warming, of the national security of our country, of making our economy stronger, and of ensuring we discharge our responsibility to the next generation.

Madam President, 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. UDALL. 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. Mr. President, climate change is one of the greatest challenges of this century. We have a profound choice before us. We can deny that our climate is warming, we can fall behind our economic competitors, we can ignore the danger to our planet and to our security—that is one choice—or we can move forward with the diversified energy portfolio that includes clean energy, with an energy policy that makes sense, that creates jobs, that protects the environment, and that will keep our Nation strong.

There is a lot of work to be done. We can work together, we can find common ground, become energy independent, move us on a path to energy independence, grow our economy, and fight climate change. But instead, unfortunately, our focus today is on the Keystone XL Pipeline. The Keystone XL Pipeline is a proposal to allow the oil industry to use the oil right down that straw, and if that straw breaks, if there is a spill, the Canadians escape their responsibility to pay. That is how unfair and unjust it is that the Canadians escape their responsibility to pay. That is how unfair and unjust it is that the Canadians escape their responsibility to pay.

We have a rare opportunity here in the United States to participate in our great American families can count on for public services. They are an important part of the mix, and so are renewables such as wind and solar. The United States has incredible energy potential, enough to power the Nation 10 times over. New Mexico has some of the best wind resources in the Nation, enough to meet more than 73 times the State’s current electricity needs. Wind power emits almost no carbon pollution. It uses virtually no water. It already saves folks in my State 470 million gallons of water a year. The U.S. wind industry employs more than 143,000 Americans—more than coal and natural gas combined. Solar jobs grew three times faster than the average. The majority are in installation, sales, and distribution. Those are well-paying local jobs. Those are permanent America jobs. That is our future. That should be our priority.

New Mexicans are already seeing the impact of global warming. The Southwest is at the eye of the storm, with historic drought, with severe flooding, with heavy snow, and more wildfires. I talk to farmers and ranchers in my State, and they are struggling. According to a study at Los Alamos National Laboratory, by 2050—not far away—we may not have any forests left in my State. It will be as if New Mexico were dragged 300 miles to the south. Our climate will resemble land that is now in the middle of the Chihuahuan Desert.

I am not a scientist; neither are my colleagues. But the experts at Los Alamos National Laboratory and scientists all over the world are clear: If we do nothing, it will only get worse. We are already seeing the impact. Recently the Government Accountability Office issued a warning: Climate change will continue to increase costs to taxpayers for the Federal Flood and Crop Insurance Programs. FEMA is already $24 billion in debt due to extreme weather events such as Hurricane Sandy and last year’s floods in New Mexico. The cost of the Federal Crop Insurance Program has increased 68 percent just since 2007. If left unchecked, these costs will continue to skyrocket.

But this is more than numbers, disturbing as they are. This is the burden of climate change on farmers, ranchers, and our communities. The damage is real. The threat is here. But so are the solutions and the opportunities, and there are many opportunities. With the right priorities, we can encourage the production of clean energy. We can create a clean energy economy that leads the world. We can create the jobs of the future right here at home and revitalize rural America.

So long said we need a “do it all and do it right” energy policy. That includes traditional energy sources. Oil and gas play an important role in my State. New Mexico is a leading producer of both oil and gas. We have strong, independent companies. They employ over 12,000 New Mexicans. They help pay for our schools and our other public services. They are an important part of the mix, and so are renewables such as wind and solar. The United States has incredible energy potential, enough to power the Nation 10 times over. New Mexico has some of the best wind resources in the Nation, enough to meet more than 73 times the State’s current electricity needs. Wind power emits almost no carbon pollution. It uses virtually no water. It already saves folks in my State 470 million gallons of water a year. The U.S. wind industry employs more than 143,000 Americans—more than coal and natural gas combined. Solar jobs grew three times faster than the average. The majority are in installation, sales, and distribution. Those are well-paying local jobs. Those are permanent
jobs, and they won’t be shipped overseas.

Now is the time to build on the momentum and invest in a clean energy economy. Now is the time to create energy at home and jobs at home. Now. Not later. And we need to do it before we lose too much of the market to our overseas competitors in Germany, China, and elsewhere. They can see the future too, and they are going after it.

A national renewable electricity standard would help us get there. The proposal I have introduced for many years would require utilities to generate 25 percent of electricity from renewable sources by 2025. New Mexico and many other states already have one. The States are moving in that direction. The Nation needs to move in that direction. We need a national standard. Experts have said a national standard could create 300,000 new jobs.

I have pushed for this ever since I came to Congress. The House of Representatives has passed it. The Senate has passed a version of this three times. We have to get it right. We have to do this. Let’s get it done.

America can lead the world in a clean energy economy. We have the technology, and we have the resources. We just need the commitment and the cooperation.

This is a new Congress. Let’s find common ground where we can move forward. Just as we invested in the oil industry, we need to invest in wind, solar, and biofuels. We should support tax credits for renewables. We should encourage important cutting-edge energy research at great institutions such as Sandia and Los Alamos National Laboratories. What we don’t need is Congress simply acting as a permitting agency for a Canadian pipeline.

I understand the frustration that this project has been pending for so long. I believe the President should make a decision now. The necessary studies have been done. The recent litigation is over. We have debated this project extensively in Congress and in several elections. If the President decides to approve it without some strong conditions that mitigate its climate impact, I will be very disappointed. If the President rejects it, the supporters can raise this issue in the next election. But Congress should move on to real issues.

Mr. President, 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.

Ms. MURKOWSKI. 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. MURKOWSKI. Mr. President, it is good to be here on the Senate floor talking about where we are in the process to hopefully finally move toward approval of a permit to allow for construction of the Keystone XL Pipeline.

It has been interesting—the past couple speakers this morning have all asked that we understand why the first order of business in this new Congress should be this measure, that there are a lot of issues out there. And there certainly are. There will always be issues in the Senate. This is what we do. This is why we are Democrats. But I would remind my colleagues that one of the reasons we are moving early to the Keystone XL Pipeline legislation is because in many ways this is a bit of unfinished business.

It was just 6 weeks or so ago that we had this measure before us on the floor of the Senate. It was before this body for debate—a good debate—led by our former colleague from Louisiana who was absolutely passionate—absolutely in love with this idea. This was timely, important, critical that this measure be approved. We had that debate, and unfortunately in the final vote we were shy one vote and so we did not see passage. It was a measure that was important, and it was timely and also because of the work this body had done to advance it. The energy committee had hearings, process, and we had a bill in front of us.

It is the first week of this session, and we have a lot of measures that we will be taking up that are extremely important, but they are perhaps not as prised, if you will, for action on the Senate floor because that legislation hasn’t been drafted. The committees have not met to work through some of the legislation that will be before us. So why not move to advance the Keystone XL Pipeline, a measure that will provide for good-paying jobs in this country; a measure that will work to enhance our relationship with our closest friend and ally to the north, Canada; a measure that will help us from an energy security perspective when we are able to displace oil coming in from places such as Venezuela with oil coming in from Canada. That is a relationship that this Senator would much rather enhance and further.

So for a host of different reasons we are on this measure in the second week of this new Congress. I am pleased we are at this point when we reached unanimous consent earlier to proceed to consideration of amendments on this bipartisan bill. It has been interesting. As I have talked to not only colleagues but reporters out in the hallways—just people having conversations—and there was a fair amount of skepticism that if Republicans were to regain the majority, would we return the Senate to what we know as regular order, where there is a processing of amendments and a regular order of business that is what we are doing, folks. Those who are observing what is going on, beginning today, are seeing something that hasn’t been seen around here in a number of years. It was unfortunate that we hadn’t had that process, but it is never too late to do the right thing. It is never too late to get back to a deliberative process that allows for the open exchange and consideration of ideas on this floor.

When we talk about an open amendment process, clearly it is not just open for amendments for those of us on this side of the aisle. It is an open amendment process for the majority. So Members on both sides can offer their ideas and work to get votes on them. The majority leader has said several times that this process is going to be open, but it is not going to be open-ended. We are not going to be on this measure for a full year or even a full month, but we will be taking the time to do the deliberation that I think is important. I think you have already got some people saying: Oh, we are spending enough time on it. It is a large pipeline, but it is not timely, we shouldn’t be taking it up, and then others complaining that we have been on it now since last week.

I think it is important for Members to know we are expecting to see amendments filed. We are expecting to see Members come to the floor to call up amendments. I would encourage Members not to wait until the last minute because to use the majority leader’s words, this is not going to be open-ended. So let’s get to our business and let’s get it done.

We have three amendments that are currently pending before the body. Before I speak to each of those, I would like to very briefly address my support for the underlying bill from the perspective of Alaska and being one who is immersed in Alaska’s energy process and politics.

I heard from more than a couple of folks back home who have seen the debates, heard the discussions, and I thought, whether it is on C-SPAN or in the media, and I have been asked: We understand Keystone is in the national interest. We get that. But is it truly in Alaska’s best interest? Folks back home are a little worried right now. We are seeing the price for oil sink to lows we have not seen in years, sitting around $46 a barrel today. It has certainly had an impact on our State’s budget—drastically so. It is not just Alaska, I think we are seeing it in other oil-producing States. It is not just a result of lower oil prices, but it is kind of a double-edged sword for some.

The questions that are being asked at home are legitimate, fair, and very important questions such as: OK. How does this fit in with the Alaska piece? We certainly have large-scale infrastructure projects, particularly energy projects of a serious magnitude.

We have a world-class oilfield in Prudhoe Bay and the connector that the TransAlaska Pipeline provides from Prudhoe Bay down to tidewater in Valdez, an 800-mile silver ribbon that bisects our State, is truly a modern
The world view that supports the construction of Keystone XL is the same one that leads to new production in my State of Alaska; that is, the recognition that affordable energy is good. This is my mantra. I keep advertising it. I have a bumper sticker that says "energy is good." Affordable energy is not just good; it is about the idea that low prices result when world markets are well supplied along with the desire to achieve North American energy independence. This is something I feel very strongly about.

Approving the Keystone XL Pipeline is not going to eat into the markets for Alaska's oil. This is an important message for Alaskans to understand. In fact, it is going to help us preserve the markets we have because right now our North Slope crude is shipped predominantly to the west coast—makes sense, it is in closer proximity—where it is refined into gasoline and other petroleum products for use in the lower 48.

We take it down our 800-mile pipeline, and it is refined on the west coast. We enjoy the benefit of it here. But this ANS crude—Alaskan North Slope crude—as we call it, is now finding itself in competition from the shale plays out of the United States. Anything is on the table when we do not have a Keystone XL Pipeline oil, the oil that is being produced out of the Bakken is finding a home somewhere. It is not just sitting there. It is being moved.

Where is it being moved to? It is being moved to refineries that have capacity. It is going west. It is going west to those west coast refineries that are used to getting Alaska crude. Keep in mind that as it moves west, if we don't have the pipeline, how is it moving there? How are we moving it? We are moving it by rail, predominantly.

Again, we will have that discussion about the environmental impacts of rail or truck versus a pipeline and the safety factors. If you would rather have a cleaner way to transport oil, it will be in a pipeline. If you want a safer way to transport oil, it will be in a pipeline. We have had this discussion in the past—and again, so Alaskans understand—and the Keystone XL Pipeline will benefit us in terms of being able to continue to send our crude to those west coast refineries.

We have heard—I believe repeatedly and incorrectly—that the Keystone XL Pipeline is going to carry Canadian oil to the Gulf coast. We know where the name Trans-Canada derives from. We know that much of the oil to be transported will be from Alberta, but I think it is important to acknowledge that we have about 100,000 barrels of Bakken crude that will come from North Dakota and Montana and down through the midcontinent. If we have the Keystone XL Pipeline constructed, it will avoid the west coast.

The last point I will make for the folks back home, for whom I work and who are following this issue, is that I really think the Keystone XL Pipeline is a test for us. It is a test of whether we as a nation can still review, license, permit, and build a large-scale energy infrastructure project. We are looking at that in Alaska. We need to know that can continue to be done in this country, because if we do it here even here in the lower 48, where the costs are lower and there is an existing infrastructure that you tie into, which the Keystone XL will—you have the southern leg already completed—if we cannot get beyond the process of permitting a leg of this pipeline over the Canadian border and into the United States, what confidence do we have that we are going to be able to do other big energy infrastructure projects? That worries me a great deal.

When people say that we are rushing this too quickly or that it is premature or that we need to let everything play out, I think we need to remind ourselves that 6 years is a pretty long time. If companies don't have the wherewithal to wait something out over the course of 6 years because the cost of constructing this pipeline has not gone down during this intervening time period, I think we are solving the wrong problem. We know the costs are going up. We are working on the Keystone XL Pipeline right now, but it is just the first step of many I believe we need to take and to do in order to improve our energy policies.

I will be continuing my conversation with Members to explain how my State has an awful lot to offer our country—whether it is increasing the flow of oil in our Trans-Alaska Pipeline or getting production up so we are not half full and instead are full, so we can share that resource with people throughout the country. As we look to move our natural gas—our amazing quantities of natural gas—that massive infrastructure project is a way in which we can work to advance that resource.

Alaska has so much to offer the country, but we need to have the chance and the opportunity to do so. Our pipeline up north is already built. It was completed just after I got out of high school. In fact, I was privileged to have the opportunity to work up in Prudhoe Bay at that time and saw what actually happened out there in the oil fields. It has operated successfully, profitably, and for decades. It has far surpassed what we believed we would be able to ship through that line, but it remains surrounded by billions and billions of untapped oil that can be brought to market, which would then bring in jobs, generate revenue, and keep prices as low as possible, and increase our security. We all want that.

This is a conversation that will continue until the conditions of Alaska's Statehood—those provisions not done in 1959 when we became a State—are fulfilled and we are allowed to produce our resources as a State.
So watching what is going on with Keystone is something that is of great interest to the folks back home. We will continue to watch it and hopefully be encouraged that we do the right thing from a jobs perspective, from a revenue perspective, from an economic perspective, and an energy-security perspective.

We have three amendments which are pending. I was privileged to be sitting in the Chair a little while ago when the junior Senator from Massachusetts spoke about his amendment. His amendment relates to exports from the Keystone XL Pipeline. My colleague from Massachusetts is not from a big oil-producing State, as I am. It bother[s] me that his State cares a lot about the cost of energy. They have cold winters, infrastructure challenges, and other issues as it relates to energy, and I appreciate that. That is important to understand what my colleague’s amendment would do. It would specifically prohibit the export of oil that is brought into the United States through the Keystone XL Pipeline, as well as the export of the refined products made from that oil. It is not just the raw crude that is put into the line. It is what goes down to the refineries in the gulf coast and is then refined into products—whether it is diesel or some other product. It is saying that the export of that should be prohibited.

Basically, his amendment is a full-on, flat-out statement saying that you can’t have any aspect of it—any drop of that—leave this country. It essentially says that all of this—ever ounce of this new Canadian resource—will be brought into this United States and will stay here.

My colleague has raised the concern that the United States should not be that pass-through entity. He used the terminology that it is similar to a straw from Canada down to the gulf, and then it goes out the back end from there. The President, in a comment, used the conveyor belt metaphor and said the United States should not be that conveyor belt. The argument is that we use the term conveyor belt and that the United States should not be that conveyor belt or tagging Keystone XL as a conveyor belt theory or tagging Keystone XL as a conveyor belt for the oil. He made that statement when he was in Burma in November. His specific words were that it would provide “the ability of Canada to pump their oil, send it through our land, down to the Gulf, which will be sold everywhere else.”

So the fact checkers got on President Obama for that and did a pretty good analysis. I felt it was a pretty good

Department of Energy has looked critically at the issue of the Keystone XL oil being exported and whether or not that makes sense. In their analysis—and they state it pretty succinctly—they say: Without a surplus of heavy oil in PADD 3—that is the gulf coast area—and without an economic incentive to ship Canadian oil sands to Asia via Port Arthur, which is where it is coming out of.

The Department of Energy’s conclusion would be to dis-endorse it about. But their conclusion was then reinforced by the State Department in its final supplemental EIS for Keystone, which is a document that everybody should read—granted that it is 1,090 pages long, and thereabouts, but there is a summary that helps to condense so much of it. In the State Department’s final EIS, they say that “such an option”—that being export—“such an option appears unlikely to be economically justified for any significant volume of exports, given the transport costs and market conditions.” Think about that. I believe these conclusions make some pretty good sense here.

The purpose of the Keystone XL Pipeline is to bring Canadian and American oil to the United States. We would do this by shipping 10,000 barrels coming out of Montana and North Dakota—to the gulf coast. It does not make any sense to bring oil all the way—850 miles—to refineries that can refine it—remember, these refineries are set up to deal with exactly this type of oil. So we have the line that brings it from the north to the south where you have refineries that are able to handle this. So tell me why it would make sense to just use this pipeline as a passthrough—as a conveyor belt or straw—and then ship it to refineries around the world that will add that transport cost to it. As the State Department EIS said, it would not be economically justified for any significant volume.

It is important to understand, again, what is going on down there in the refineries in gulf coast, and the State Department looked at that. What they found was that the traditional sources of heavy oil used on the gulf coast are declining. Why are they declining? What we traditionally see coming in as imports there—coming in from Venezuela and Mexico—has been drawn down or lessened, if you will, for a host of different reasons, but not the least of which is because we are producing more here in the lower 48—so that we can go ahead and export—and this is what we do. It is not any great state secret. We move our refined products, and it is significant to the benefit of our Nation. So how do we fence off everything that comes out of Keystone XL and say: The refined product from this particular pipeline can’t move outside this country. It creates potential havoc, and maybe that is the point.

I think the Senate should recognize that this amendment is not going to improve this bill. I don’t think it will change anybody’s mind. I don’t think it is going to bring new support. I think it is meant to kind of poison the well and perhaps ensure that this pipeline will never be built and that it can’t operate.

I encourage my colleagues to look at a couple different documents. I mentioned the final supplemental environmental impact statement the State Department did. It is an important read for the critical analysis that went into it. I have cited those areas where they speak specifically to the impact of the Keystone Pipeline. There are documents we have reviewed not only that but other documents, other outside facts.

I mentioned that President Obama had made reference to the conveyor belt theory or tagging Keystone XL as being a conveyor belt for the oil. He made that statement when he was in Burma in November. His specific words were that it would provide “the ability of Canada to pump their oil, send it through our land, down to the Gulf, which will be sold everywhere else.”
analysis. They laid it out in clear English and ultimately decided that the President was going to be awarded three Pinocchios for that statement. For those who aren’t familiar, if a person makes a significant factual error or obvious contradiction, they get three Pinocchios.

But it wasn’t just the Washington Post and Glen Kessler who did this assessment. We also had another fact check come out of PolitiFact, and they also rated that statement mostly false on their Truth-O-Meter.

I ask unanimous consent that both of these fact checks be printed in the Record.

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

[From the Washington Post, Nov. 20, 2014]

OBAMA’S CLAIM THAT KEYSTONE XL CRUDE WOULD ‘GO EVERYWHERE ELSE’ BUT THE UNITED STATES

(Though he faces a challenging re-election campaign that could cost him his third term, President Barack Obama has not conceded defeat. Nonetheless, a lot of his rhetoric has been overshadowed by the Keystone XL pipeline.

Obama has repeatedly said that the proposed Keystone XL pipeline would export all of its crude oil production outside the United States.

The White House did not provide an on-the-record comment. Up against Democrats’ Natural Resources Defense Council, in a response to this column, said we were relying on “outdated” information. It noted that in recent months there has been a jump in unrefined crude oil exports from the Gulf Coast, contradicting the conclusions of the State Department. “Data from the Gulf Coast today show that some of the tar sands from Keystone XL will be exported internationally before it sees a U.S. refinery,” the NRDC said. “Some” at the moment amounts to about 200,000 barrels a day; for reference, a supertanker carries 2 million barrels.

We did adjust some of the language concerning exports in response to the NRDC critique.

THE PINOCCHIO TEST

The president seriously overstates the percentage of Canadian crude that might be exported if the Keystone XL pipeline is built. He suggests all of it would be exported, without mentioning that it first would almost certainly stop on the Gulf Coast to be refined into products. On top of that, current trends suggest that about half of that refined product would stay in the United States. Market conditions could change, of course, but there is little basis to claim that virtually all of the product would be exported, based on current market conditions.

THREE PINOCCHIOS

Is this really the case?

THE FACTS

First of all, the president leaves out a very important step. The crude oil would travel to the Gulf Coast in the tanker, and then it would be refined into products such as motor gasoline and diesel fuel (known as a distillate fuel in the trade). As our colleague Steven Mufson reported, the refineries on the Gulf Coast are “eagerly waiting” for the Canadian crude, since there isn’t enough oil in the area anymore to feed the refineries.

“The modernized Valero refinery (in Port Arthur, Tex.) can turn 310,000 barrels a day of some of the world’s worst quality crude—such as the bitumen-laden mixture from Canadian oil sands—into gasoline and diesel fuel for cars and trucks,” Mufson wrote. “Valero, the largest U.S. oil refining company by capacity, said in a recent report that 350,000 barrels a day of oil from the Keystone pipeline, buying about 150,000 barrels a day.”

Indeed, according to the Department’s final environmental impact statement on the Keystone XL project specifically disputed claims that the oil “would pass through the United States and be loaded onto vessels for ultimate sale in markets such as Asia,” saying it was not economically justified. The State Department noted that the traditional sources of refined products, such as Mexico and Venezuela, are declining, and so refiners would have “significant incentive to obtain heavy crude from the oil sands.”

So then the question turns on what happens after the oil leaves the refinery. Is it going to be refined somewhere else?

We nearly made it Four Pinocchios. We asked several energy economics experts, and they believe that quite a bit—if not most—of the Keystone XL crude oil will be bought and used by American refineries.

OIL OUTSIDE THE U.S., EXPERTS DISAGREE

(By Lauren Carroll)

President Barack Obama and many other Democrats think there’s little to be gained by building the Keystone XL pipeline. Some Senate Democrats voted this week against a statement that would stretch from Canada to Steele City, Neb., where it would connect with an existing pipeline that sends Canadian crude oil to the United States for domestic consumption.

But Bill Day, a spokesman for Valero, says “it is a mistake to think it would mean that Gulf Coast products would ONLY go to export markets.” The slide is simply showing the flow of trade, from various refineries; diesel currently is being exported to Europe while gasoline is king in the United States, though demand for diesel is growing in both markets. Day noted that currently the vast majority of the crude oil that passes through the United States is refined there. "It’s a mistake to think that Gulf Coast products would only go to export markets.

Two days later, in Brisbane, Australia, Obama described Keystone XL as “a pipeline shipping Canadian oil to world markets, not to the United States.”

CRUDE OIL

In recent years, the United States has become a net-exporter of refined oil products, like gasoline, jet fuel and asphalt (meaning it exports more products than it imports), according to the U.S. Energy Information Administration. However, it is a net-importer of the crude oil it uses to make those products.

Keystone XL would transport crude oil from Canada’s oil sands to Steele City, Neb. It would meet the criteria of the Midwestern United States down to the Gulf Coast, and there are refineries all along the proposed route.

It’s a mistake to think it would mean that Gulf Coast products would only go to export markets. The slide is simply showing the flow of trade, from various refineries; diesel currently is being exported to Europe while gasoline is king in the United States, though demand for diesel is growing in both markets. Day noted that currently the vast majority of the crude oil that passes through the United States is refined there. "It’s a mistake to think that Gulf Coast products would only go to export markets."
It’s difficult to say with any certainty, but it is most likely that most would be refined in the U.S.,” said Kenneth Medlock, an expert in energy economics at Rice University in Texas.

A recent State Department report argues that it would not be “economically justified” for Canada to primarily export its Keystone XL oil to the U.S., when there are plenty of American refineries to consume it.

Some independent refineries—particularly those in the upper Midwest, but also in Texas—are in desperate need of crude oil, said Charles Ebinger, a senior fellow in energy security at the Brookings Institution. Currently, they have to import crude from places like Venezuela and Mexico—though it would be cheaper and better for overall energy security to buy from a North American resource, rather than pay high transport costs.

On Nov. 17, TransCanada told Reuters, it “makes no business sense for our customers to transport crude from places like Venezuela and Mexico to the U.S., when there are plenty of American refineries to consume it.”

The general consensus among experts, as well as the State Department, is that American refineries would be the primary buyers of crude oil transported through the Keystone XL pipeline. Some experts, however, believe there would likely be some export of the products that they make with crude oil transported through the pipeline.

Unlike the State Department, which says the Keystone XL pipeline would likely increase domestic energy security, some experts believe it would not. They argue that since exports are already increasing, and that trend would likely continue independent of a new pipeline, American refineries will tend to keep more products in the country than they export.

Ms. MURKOWSKI. Again, I think it is important to have a full understanding of what we are talking about when we talk about the export of Keystone XL and the imperative that in order for something to work, as the Senator from Massachusetts has suggested, it has to have this passthrough. It has to make sense for those who are moving this product. There has to be economic justification at the other end. And what makes sense is to move that product to the Gulf coast, where our refineries have the capacity to handle that heavy crude, turn it into product there, and continue to create jobs within that region.

I am not going to support the amendment of the Senators from Massachusetts, which I think is obvious from my statement, but I believe it is important to give some of the background. I would commend to colleagues some of these articles I have referenced.

There are two other amendments that are pending before us, and I will speak very quickly to the amendment that has been offered by the Senators from Ohio and New Hampshire, we have an opportunity to have this measure in front of us once again. There are three other provisions in this amendment that are generally non-controversial. They all relate to voluntary efficiency programs. One focuses on the efficiency of commercial office buildings. Another provides greater information about energy usage in those buildings. The third looks at energy-efficient government technology and practices.

This is one that I hope we will be able to advance without further delay. This is really a commonsense effort to fix a real problem in our buildings. The longer that politicians debate Keystone XL and the imperative that in order for something to work, as the Senator from Massachusetts has suggested, it has to have this passthrough. It has to make sense for those who are moving this product. There has to be economic justification at the other end. And what makes sense is to move that product to the Gulf coast, where our refineries have the capacity to handle that heavy crude, turn it into product there, and continue to create jobs within that region.

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We rate Obama’s claim Mostly False.

OUR RULING

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increased production, which is very real. I started off my comments by talking about Alaska’s desired contribution to the national energy economy, but I view energy from a three-legged stool perspective: We have increased production. We have the technology going to allow us to achieve our potential with our clean and renewable resources, which is hugely important, but we also have the efficiency and the conservation piece. We don’t talk about that enough around here. We need to do more.

The last amendment we have pending is an amendment offered by my colleague from Minnesota on the other side of the aisle, who also serves on the energy committee. He has introduced an amendment that would require that all of the iron, the steel—that all the manufactured goods that are used to construct Keystone XL be produced right here in the United States. I think all of us want to do all we can, certainly, to encourage more jobs and job creation here in this country and to put in place policies that would allow us to do so. I do appreciate that the available amendment inserted language in the amendment that allows—or I guess it avoids a conflict with our international trade agreements because we know that could have really threatened the bill. It would actually have given the President real reason to threaten to veto this bipartisan bill. But they have addressed that within the amendment. I also appreciate that the amendment allows the President to waive the requirements for American materials based on findings he makes. So that is language which is included in it.

But I have to tell my colleagues, we are sitting here at 2,310 days since the initial cross-border application was submitted for the project. Of course, the project was approved and we are looking. They have some pretty tough language in the amendment that has been made, and I understand that more than half of that—about 332,000 tons—is going to come from Arkansas alone.

Again, this is a commitment that has been made to ensure that America does derive benefit, that we do see those direct and indirect—induced jobs. When you make a commitment, you say that we will pledge a full 75 percent of the pipe for the project that is going to come from North America. That is the commitment that has been made, and I understand that more than half of that—about 332,000 tons—is going to come from Arkansas alone.

Again, this is a commitment that has been made to ensure that America does derive benefit, that we do see those direct and indirect—induced jobs. When you make a commitment, you say that we will pledge a full 75 percent of the pipe for the project that is going to come from North America. That is the commitment that has been made, and I understand that more than half of that—about 332,000 tons—is going to come from Arkansas alone.

So this is not just something they have decided in order to help facilitate this—that we are going to help facilitate this—that we are going to help facilitate this. They made this commitment 3 years ago. Here in Congress we passed the Buy American Act, and that act specifically is applied to projects that are Federally funded. But keep in mind here that when we are talking about Keystone XL, this is a private project. Keystone XL gets no subsidies. It will receive no taxpayer dollars. It will be built to the government’s specifications. We have seen that when you look to that final SEIS, where the additional mitigation measures are applied, that the permit was approved. It will be built to government specifications, but I don’t think the government should decide what it is actually built with. We are going to define the parameters in terms of mitigation, but, again, this is a private project. This receives no Federal funds, and it would be somewhat precedent setting. So I asked the Congressional Research Service to see if they can identify for me any other projects where the Congress has sought to force a private company to purchase domestic goods and materials—so all of the materials that go into it and not just the steel but everything else in there. They have been looking. They have some pretty sharp folks over there at CRS. So far, they have not been able to come up with an example in our laws. I am concerned about this, quite honestly. As much as I support “Buy American” and making sure that we receive the benefit of these jobs from creating those good well-paying jobs, I worry that the Congress setting a precedent here. I think it potentially puts us on a pretty slippery slope.

We saw the Nebraska Supreme Court come out with their determination that the decision that came out of Nebraska was not unconstitutional. So it clears away that excuse, if you will, or that reason to say we can’t move forward.

There is really nothing holding up a decision at this point in time other than the President’s unwillingness to move on this issue. I think if we want to move forward and provide good jobs—and we have had the debate about how many jobs are really created. Is it the 42,000 that the final SEIS states in terms of direct and indirect jobs? If we want just to focus on the permanent jobs, that is definitely a much lower number—35 to 50 permanent jobs. But you know what. When you build something, there is the opportunity for good, honest work for well-paying jobs for welders, for truck drivers, for operators. People are looking for an opportunity such as this. They want to be...
Canadian Natural is a company that will "ensure the oil sands will continue adding to the global oil glut for a long time to come, regardless of the price of crude." They go on to say: "It’s not well understood just how robust the oil sands are to price shocks. If you were to add a $10 billion tax cut for hard-working Americans, hard-working taxpayers, consumers, small businesses across this country a break. It happened because we are producing more energy in this country and we are working with our closest friend and ally in the world—Canada—to produce more energy.

On a daily basis we consume about 18 million barrels of oil a day—oil and oil equivalents—and produce about 11 million barrels a day. We are not just leaving the oil in the ground. We are moving it in a pipeline. That is what the States do and rightly so. What this 2-page, 400-word bill does is approve the issuance of that permit to allow for construction, but we are not the ones determining that this is the way the lines go. I would urge colleagues to look critically at the language and see exactly what it does. Understand that when we are talking about the benefits and burdens, that is the true test. Of course, there are environmental criteria and safeguards in this body or across the Chamber object, Canada is accessing their oil sands for decades... But few of the largest producers in Canada envision scaling back production at their oil sands operations.

So what we are seeing is there was big investment up front with the oil sands in Canada and accessing a resource that is plentiful, but if you are to believe some of the statements from some Canadian oil companies, they are going to continue to produce their resource, even in the face of what we are seeing—declining world oil prices. If Canada is going to continue to produce, how is that product going to be moved? I would rather it be moved safely through a pipeline, with fewer emissions through a pipeline, and to a part of the country where we are set up to accommodate that resource in our refineries so we can refine that product to our benefit.

To me, that makes sense. So we will have good and—excuse the pun—energetic debate about amendments in these coming days. I think you can see from my comments we are going to have some amendments that I like and some that I am not supporting. But what I am looking forward to is the fact that we are at a point that we are describing as regular orders. We are making decisions about amendments, perhaps quite a few, as we move toward the final passage of this bipartisan bill. I look forward to the exchange that we will have.

I thank you for your attention, and I yield the floor.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from North Dakota.

Mr. HOEVEN. I am very pleased to join my colleague this morning, the chairman of our energy committee. The Senator from Alaska is doing a fantastic job leading our energy committee. I so appreciate her leadership on the committee, her knowledge of energy. Her words this morning—very well spoken—I think really go to the heart of what we are trying to do with this legislation: not only pass important energy legislation for the country, but have the open process, open dialogue, have a real energy debate, and not just a debate but give people the opportunity to vote.

Republican and Democrat alike, we are saying, come on down here, bring your amendments, let’s have a serious discussion about energy and about building the energy future of this country. Offer your amendments, make your case, and then let’s vote. If you can get 60 people to support your amendment, if you can get 60 votes, that’s what we do. That’s what we do. That’s what this project is all about. That’s the impact of the project. Of course it is about national security with energy security. So I want to emphasize that
again because that is doing the work the American people sent us here to do.

For the opponents—there are a couple of things that I heard this morning and that I hear on an ongoing basis. One is that, oh, gee, we should be doing renewable energy instead of fossil fuels.

Why not do all of it? Why are they mutually exclusive? How does doing this project in any way prevent us from doing any renewable project we ought to do? Let’s do those renewable projects.

In my home State we use steam from coal plants to produce biofuels, power biofuels plants. We use the wastewater from some of our communities in those biofuels plants. We have wind energy. We have geothermal, ethanol, biodiesel. We are now the second largest oil-producing State in the country. We produce 1.2 million barrels a day—second only to Texas.

They are not mutually exclusive. Let’s do it all. How does holding up one enable us to do the other? It does not. So when I hear the argument that “Well, we ought to do all of those other things,” good—let’s do them. But doing this project helps us. It provides more energy. We do the others also.

So arguing that we should do renewables is not an argument against this project. Fine. Let’s do it. Let’s do them both.

The other argument that I heard this morning and that I hear, of course, a lot from the critics is the environmental argument. Again, I say look at the facts. Go back to the science. The report itself says “no significant environmental impact.” That is the report done by the Obama administration, the environmental impact statement that was designed to look specifically at the environmental impacts. That has been done over the course of 6 years; not one, not two, not three, but five reports—three draft reports, two final reports. The results are right in the report: The Keystone XL Pipeline will have no significant environmental impact.

In fact, we will have higher greenhouse emissions without the pipeline than we will with it because it would take 1,400 railcars a day to move all of that crude into our country, which is what will happen. If somehow the critics manage to block that, then it would go to other places, which would have pipelines built to the west coast of Canada. The oil would go to China in tanker ships and be refined in refineries that have higher emissions. So however you slice it, without the pipeline, we would have higher greenhouse gas emissions.

But here is what I want to touch on for just a few minutes today. I will talk about it more next week. Canada is working aggressively to get investment in the oil sands to reduce the greenhouse gas emissions. Exxon has a major project up there. Shell has a major project up there. The Exxon project is the Kearl project. The Shell project is the Quest project. In both cases they are bringing down the greenhouse gas emissions of the oil sands buy investing in new technologies, in cogeneration, and in carbon capture and storage. Hundreds of billions—billions of dollars are being invested by the Canadian Government in carbon reduction technologies. Not only does that reduce the carbon footprint of the oil sands, but think about it—as that technology is developed, what happens? It is adopted in one place and spread here in this country. It might be adopted in China and other places around the world. So the advances they make in technology in reducing greenhouse gas emissions, in reducing the footprint of this oil production and finding better ways, more cost-effective, more efficient ways, more environmentally friendly ways to produce that energy, that technology then is adopted around the world.

In other words, they are finding solutions to some of the concerns that are being raised on the environmental front by the very critics of this project. So instead of stopping that investment and that advancement, why don’t we find ways to continue to develop that, yes, it is a benefit in the oil sands in Alberta, but it is a benefit that we can utilize to produce energy in this country and other places around the world. That is true for oil. That is true for gas. That is true for all fossil fuel energy.

See, that is how America has always worked. We create that business climate. We encourage the investment. We get American ingenuity. We get American companies to use their entrepreneurial genius to make those investments to not only create good jobs but to produce more energy, giving us energy security, and deploy the very technologies that give us the better environmental stewardship that we want.

The other argument that I heard this morning was “How can you approve this project when we prevent the investment, when we will not let them build the infrastructure, we bring all of that to a grinding stop. Why would we do that? It does not make sense.”

There is not one penny of U.S. taxpaying money going into this $8 billion project. It is private investment. Why would we not want the private investment that helps build the infrastructure and develop and deploy the technologies? For example, to import oil from Venezuela that has as high or a higher footprint, and you do not have that kind of investment in new technologies, that kind of investment in better environmental stewardship.

So as we talk about this issue, let’s talk about it in a way where we advance the ball and we do it the right way; where we get the energy, the jobs, the economic growth; where we build a relationship with Canada rather than saying: No, we are not going to work with you guys. At the same time, we will get better environmental stewardship. We can do it. Let’s do it.

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

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

CYBER SECURITY

Mr. HATCH. Mr. President, I rise to discuss the critical need for cyber security legislation.

Computers control nearly everything we use in our daily lives. They control our cars, our phones, our water supply, our power grid, our financial services, our retail networks, our food production and in many respects our military capabilities.

Fortunately, our adversaries have not yet succeeded in inflicting major physical damage on our Nation’s interdependent critical infrastructure.

That is not to say however they are not vulnerable to persistent threats in cyber space. Look no further than in the “2014 U.S. State of Cybercrime Survey.” That is a study prepared by PricewaterhouseCoopers, the U.S. Secret Service, Carnegie-Mellon University, and CSO magazine.

Of the more than 500 U.S. executives and security experts surveyed, 77 percent of businesses detected an attempted security breach in the previous 12 months and 34 percent of these businesses said the number of security incidents detected increased over the previous year, with an average number of 135 incidents per organization.

The report makes many key observations, but let me emphasize a key finding that resonated with me. One thing
is very clear: Most organizations’ cyber security programs do not rival the persistence, tactical skills, and technological prowess of today’s cyber adversaries.

Cyber thieves proved their determination just last week when Russian hackers accessed over 1 billion Internet user names and passwords, the largest known collection of Internet credentials.

In the years following the September 11, 2001, attacks, the U.S. Director of National Intelligence consistently ranked terrorism as our No. 1 threat, but that started to change a few years ago. In 2012 then-FBI Director Robert Mueller predicted that “in the not too distant future, we anticipate that the cyber threat will pose the number one threat to our country’.”

He was right.

In 2013 and 2014 the intelligence community’s Worldwide Threat Assessment lists cyber as the top threat to our nation. Terrorism, nuclear proliferation, and unauthorized leaks of classified information remain grave threats to our country, but cyber is now our No. 1 threat.

Yet I do not believe the lack of major cyber security legislation has been enacted since 2002, when Congress passed the Federal Information Security Management Act—or FISMA—and the Cybersecurity Research and Development Act. Of course, there have been provisions relevant to cyber security enacted in subsequent laws but nothing as significant or comprehensive as the laws passed 12 years ago.

As we begin a new Congress, let me articulate a few guiding principles that should be included in any cyber security legislation.

First, we must acknowledge the need for the government and the private sector to cooperate in order to fend off cyber attacks, but today businesses are reluctant to share critical information out of fear of legal repercussions. Congress must provide proper incentives, such as liability protection, to encourage the private sector to share cyber threat information with our government.

Next, any cyber security legislation must strike the right balance between protecting our nation’s computer infrastructure and protecting individual privacy rights.

The information sharing between businesses and the government must be tailored to the recipient’s actual security responsibilities. Moreover, any legislation should avoid overly broad language that could clash with privacy protections.

Furthermore, a voluntary, non-regulatory approach is most likely to yield consensus legislation. The role of DHS and other government agencies should be to provide advice and resources to improve our Nation’s cyber security posture, not to pile on additional burdensome regulations.

Finally, and perhaps most important, we must build a strong cyber security workforce in the public and the private sectors. Enacting cyber security legislation will mean very little if there are no trained professionals prepared to tackle our Nation’s cyber security challenges.

In order to build the enduring capabilities capable of protecting our cyber infrastructure, we must encourage young people to pursue high-tech careers and attract highly skilled workers from around the world.

Beyond the cyber threats we face present critical new challenges to our national security. Arguably, we have not yet faced a similarly novel catalyst for policy formulation and change since the development of our nuclear deterrence strategy more than 60 years ago.

As we face this new world of cyber threats, the fundamental question remains the same: What is the most efficient and effective means to defend our nation? Terrorism, nuclear proliferation, and unauthorized leaks of classified information remain grave threats to our country, but cyber is now our No. 1 threat.

I was encouraged to hear the President say during his visit to the National Cybersecurity Communications Integration Center earlier this week that “cyber threats are an urgent and growing danger.” I certainly share that assessment of the dire nature of this very real threat to our national security.

While I applaud the White House for its plans to host a conference on cyber security and change since the protection next month, the nature of the cyber security threat demands a comprehensive strategy to protect our Nation.

Much work remains to be done on this front, especially from the standpoint of the Department of Defense and Homeland Security. The urgency of this task was amplified when the Congressional Research Service concluded just this month that “the overarching defense strategy for securing cyberspace is vague and evolving.”

As we face these threats, we must act decisively to ensure that bureaucratic barriers do not hinder the development of an effective strategy to counter threats from cyber space. As it stands, there is not a single agency primarily responsible for cyber defense.

The Department of Homeland Security is charged with protecting civilian networks and the private sector. The FBI and Secret Service are responsible for investigating cyber crime, and the Department of Defense is responsible for defending its own systems and partnering to protect the defense industry’s operations in cyberspace. Such a construct makes sense. Yet unlike a unified combatant command, Cyber Command is a subunified command under U.S. Strategic Command. Though this configuration has been considered and agreed to by the Senate Armed Services Committee, I am still not convinced of its value. Therefore, I also hope the President addresses how our military forces can best be aligned to facilitate the most efficient and effective cyber defense possible.

But returning to the larger question, if concentrating our efforts entirely in the hands of the Defense Department is not advisable, what are we to do? One possible solution has been presented by Richard Clarke, the noted former member of the National Security Council, in his book, “Cyber War.”

To be clear, I am not endorsing Mr. Clarke’s proposal. We surely do not want to duplicate another government agency, but I do believe it is an important concept to be discussed during future debates on cyber security. Specifically, Mr. Clarke argues for a civilian cyber defense administration which would be responsible for protecting “the dot-gov domain and critical infrastructure during an attack.” As well as assigning those Federal law enforcement agencies personnel responsible for cyber crime to this centralized cyber defense administration, it would only be logical to ask if such an agency could provide other cyber defense functions.

Accordingly, addressing proposals such as this as part of answering the
question as to what is the most effective organization we can employ for cyber security should be a focal point of the President’s address.

But we should not just place these questions at the President’s door. The Senate itself must consider modifying the way it considers cyber security legislation and issues.

Currently, there are at least five separate Senate committees which are responsible for various aspects of cyber security. Therefore, we, too, have a unity-of-effort issue, and the Senate should consider means to concentrate this body’s expertise on this critical matter.

In conclusion, there are a myriad of questions which our government must address before we are able to state we have the most effective, efficient, and constitutional cyber security defense possible.

I hope the President fully utilizes the opportunity presented to him in his State of the Union Address to answer these important questions—and if he doesn’t, we have to. So we better solve these problems. I presume the President will speak intelligently on these issues and hopefully in a way that will unify the country, unify the Congress, and get us all working in the same way.

We can’t afford to let this drag any longer. This is one of the most important sets of issues we have in our country. It may be one of the most important issues or sets of issues in the world at large.

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

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

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

SAUDI ARABIA

Mr. LEAHY. Mr. President, on January 12 in Saudi Arabia a prominent human rights lawyer, Mr. Waleed Abu al-Khair, was handed a 5-year extension to his 10-year prison sentence. Mr. Abu al-Khair, who is the founder and director of the watchdog group Monitor of Human Rights in Saudi Arabia, was also fined, banned from travel outside the country for 15 years after his release, and his websites will be shut down. What were the crimes that brought about this sentence? He was charged with harming the kingdom’s reputation and insulting judicial authority, among other violations related to his non-violent activism.

This case and others like it certainly have harmed the kingdom’s reputation, and insured its judicial system, but the fault is not Mr. Abu al-Khair’s.

After a number of defending human rights activists and an advocate in Saudi courts, he was called in front of a terrorism tribunal at the end of 2013 for a trial that from its earliest days was declared a farce by human rights organizations. This was not the first time Mr. Abu al-Khair was targeted with a target of the justice system, having first faced trial in 2011 for signing a petition that called for government reform.

During the fifth hearing in front of the terrorism tribunal he was jailed mid-trial under the January 2014 anti-terrorism law, which covers verbal acts that harm the reputation of the state. Mr. Abu al-Khair was eventually sentenced to 10 years for his activism amid growing international condemnation of Saudi repression. His decision not to disavow his beliefs led to this week’s further sentencing.

Unfortunately, Mr. Abu al-Khair’s case is not unique. As more Saudis have begun to speak out against government repression, the monarchy has responded by escalating its crackdown on dissent, including by using the already dubious terrorism tribunal system to punish human rights defenders.

It is ironic that while Saudi officials condemned the brutal killings of journalists at Charlie Hebdo, and their Ambassador attended the rally in Paris, their Justice Ministry was preparing to carry out the first of 1,000 public lashings of Raif Badawi. Like the cartoonists, Mr. Badawi has been accused of insulting Islam, and like them and his former lawyer, Mr. Abu al-Khair, he was simply exercising his manifest right of freedom of expression. Needless to say, his persecution has drawn international outcry, including by many of those who joined the Saudi government in denouncing the attacks in Paris.

The United States and Saudi Arabia have long been strategic allies, and we want that relationship to continue. But the fundamental right of free expression cannot be a casualty of convenience. The injustices I have described must be addressed. Not only do these actions violate the Saudi government’s stated policy and its commitment as a member of the UN Human Rights Council to protect human rights, but they are a flawed strategy for discourse that, as we have seen in many countries, they may cause critics of the government to resort to violence to achieve their goals.

I urge the Saudi government to release Mr. Abu al-Khair and Mr. Badawi and to dismiss the charges against them. This kind of repression and barbarity have no place in the 21st century.

CORN ETHANOL MANDATE ELIMINATION ACT

Mrs. FEINSTEIN. Mr. President, I wish to submit an amendment with my colleagues, Senators TOOMEY and FLAKE to correct a major problem with the current Renewable Fuel Standard: the mandate for corn ethanol.

The mandate for corn ethanol—now two major problems with continuing to mandate the consumption of so much corn ethanol each year. The statute currently mandates more corn ethanol than can be used by the current vehicle fleet, and gas station sales of per cent of the U.S. corn crop is now used to produce ethanol, artificially pushing up food and feed prices while damaging the environment. This amendment offers a simple fix that addresses both problems: elimination of the corn ethanol mandate.

Also, the amendment leaves in place the requirement that oil companies purchase and use low-carbon advanced biofuels, including cellulosic ethanol and biodiesel. This allows the program to focus on the fuels that best address climate change and do not compete with the food supply.

I highlight the few of the unintended consequences of the corn ethanol mandate. The policy has led us to use roughly 40 percent of the U.S. corn crop not for food but for fuel, nearly twice the rate in 2006. Using more and more corn for ethanol—in drought years as well as years with bumper crops—places unnecessary pressure on the price of corn.

The Congressional Budget Office estimated in June 2014 that escalating the volume of corn ethanol as currently required by statute would raise the average price of corn about 6 percent by 2017. That would increase food expenditures by $3.5 billion per year by 2017, the equivalent of about $10 per person, which most directly affects families living on the margin.

Internationally, according to Tufts University researchers, the corn ethanol mandate has cost exporting countries $11.6 billion in higher corn prices, with more than half that cost, $6.6 billion, borne by developing countries. Higher corn prices also raise prices throughout the food supply chain by raising the cost of animal feed. For the turkey industry alone, the Renewable Fuel Standard raised feed expenses by $1.9 billion in 2013, according to the President of the National Turkey Federation. For the rest of the industry—a recent Price-Waterhouse-Coopers study projects that the corn ethanol mandate would increase costs by up to $3.2 billion a year. For the milk industry, the Western United Dairyman reported in 2013 that a combination of feed costs and low milk prices put 105 dairies out of business in one year alone.

The corn ethanol mandate also has unintended environmental consequences. In 2013, an investigative report from the Associated Press found using government satellite data that 1.2 million acres of virgin land in Nebraska and the Dakotas alone were
converted to fields of corn and soybeans since 2006. Putting virgin land under cultivation has environmental consequences, including greater runoff, greater use of fertilizer, and less land available for conservation.

Another consequence of the corn ethanol mandate is that it places a regulatory requirement on oil refiners that cannot actually be satisfied—it requires more ethanol than the auto fleet and existing gas stations can accommodate, a concept called the blend wall. Under the RFS, oil refiners were required to blend 15 billion gallons of corn ethanol into the fuel supply in 2015. This far exceeds the roughly 13.5 billion gallons that our current infrastructure can accommodate. According to the Environmental Protection Agency’s final 2013 rule, the “EPA does not currently foresee a scenario in which the market could consume enough ethanol to meet the volumes stated in the statute.” The Congressional Budget Office concurred in its June 2014 report, saying that the statutory goal of escalating corn ethanol volumes would be “very hard to meet in future years.”

Chevron, which operates oil refineries in my home State, is also concerned that the statutory mandate requires too much ethanol. It is Chevron’s judgment that “the required volume of renewable fuel exceeds the amount that can be safely blended into transportation fuels used by consumers.” Facing this difficulty, the EPA has been unable to finalize the volume requirements for 2014 or 2015. This leaves the businesses seeking to develop advanced biofuel ventures without any certain prospects to guide their investments and undermines the primary purpose of the Renewable Fuel Standard.

The Corn Ethanol Mandate Elimination Act would address the blend wall problem created by allowing EPA to continue increasing volumes of low carbon advanced biofuel.

The corn industry, by contrast, does not depend on the RFS for its livelihood. In fact, the Congressional Budget Office predicts that refiners will continue to blend corn ethanol into the fuel supply in the absence of a mandate, because ethanol is the oil refiner’s preferred octane booster and oxygenate.

Ultimately, I believe that this bill would better serve the advanced biofuel industry by removing the blend wall as an obstacle to the industry’s expansion, and providing the regulatory certainty that they need to guide their investments. These advanced biofuels have none of the same problems as corn ethanol. They do not compete directly with food, and they reduce greenhouse gas emissions by at least 50 percent compared to petroleum.

I am also fundamentally committed to the continued support of public health and climate protections provided by the Clean Air Act. That is why I would like to make it crystal clear that this legislation is a narrow bill repealing the corn ethanol mandate. The bill’s language explicitly clarifies that the legislation has no effect on the low-carbon advanced biofuel provisions in the Renewable Fuel Standard, and I would oppose any bill that would amend or weaken the advanced biofuel provisions or other public health protections provided by the Clean Air Act.

The elimination of the corn ethanol mandate is a smart, simple reform with support from the dairy, beef, and poultry industries, the oil and gas industries, hunger relief organizations, and environmental groups.

The bill solves the problems of the Renewable Fuel Standard while maintaining the provisions that encourage the development, growth, and deployment of cellulosic ethanol, algae-based fuel, biodiesel, and other low-carbon advanced biofuels.

I urge my colleagues to support this legislation.

ADDITIONAL STATEMENTS

JOHNSON CITY CHAMBER OF COMMERCE CENTENNIAL CELEBRATION

• Mr. ALEXANDER. Mr. President, this year marks the centennial year of the establishment of the Johnson City Chamber of Commerce.

Since its establishment on July 6, 1915, the chamber has served as the voice for its local business and community development. The chamber has been instrumental in transforming Johnson City from a small rail-shipping town in the early 1900s to a distinguished medical community over the past several decades.

The chamber has led the way for new business, trade, and growth in upper East Tennessee.

As we see around the country, the Federal Government has been throwing a big, wet blanket of burdensome regulations on businesses and the economy, and chambers of commerce around the Nation have been leaders in advocating to get Washington out of the way and unleash our free enterprise system. The best thing we can do for job creation is to remove these regulations so businesses and entrepreneurs will be able to get our economy moving again.

We need to be working to help our job creators put people back to work, and we thank the Johnson City chamber for its work to help Tennessee businesses and employees, and for all it has done to help Johnson City succeed and continue to thrive.

With a new Republican majority, we will work with the chamber to advance our shared goals to jump-start our economy from the prepared food industry and for all it has done to help Johnson City succeed and continue to thrive.

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VERMONT ESSAY WINNERS

• Mr. SANDERS. Mr. President, since 2010 I have sponsored a State of the Union essay contest for Vermont students. The contest, now in its fifth year, is an opportunity for Vermont students to articulate what issues they would prioritize if they were President. Last week, I was pleased to learn that the United States National Association of County Legislators has endorsed Vermont's essay contest. We would like to congratulate every finalist, and to specifically acknowledge Leo Lehrer-Small as this year’s winner of the contest. I would also like to recognize Ryan Taggart for placing second and Craig Pelsor and Hadley Menk for placing third. I ask to have printed in the Record the winning essays.

The essays follow.

LEO LEHRER-SMALL, MOUNT MANSFIELD UNION HIGH SCHOOL (WINNER)

VERMONT ESSAY WINNERS
Congressional Record — Senate

January 16, 2015
S237

Randy H. Flowers, Chairman, National Space Council.

The state of our country has seen marked improvement over the last year. Unemployment is at its lowest level since before the recession was even officially declared. The economy is setting record highs, and a manufacturing sector that has added jobs for the first time in nearly two decades. But we are working to regain lost ground and maintain the importance of innovating, creating, and aspiring—the very aspects that once made our country great.

Throughout the 60's and 70's, America was the world's premier superpower. Despite the victory of an aggressive U.S.S.R. looming on the horizon, campus unrest, the conflict in Vietnam, and the civil rights movement playing out in confrontations on the street, we found time to dream about tomorrow. The engine of this growth was the relentless advancement of science and technology. Crowning jewel, NASA, was among the most powerful agencies the world had ever seen, and promised us a future full of plenty. We didn't know it, but no other nation could do what America could. We spawned entire industries built around new inventions. And most importantly, we gained a technological edge, strengthening our military, infrastructure, and economy.

Globalization has many advantages, but one of the most important is that we can innovate on a global scale. The dream of one day sending humans to Mars and journey on to explore asteroids and planets beyond would have been impossible in the absence of an innovative, creating, and aspiring—yes, those aspects that once made our country great.

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EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

The messages received today are printed at the end of the Senate proceedings.

MESSAGE FROM THE HOUSE

At 9:38 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 37. An act to make technical corrections to the Dodd-Frank Wall Street Reform and Consumer Protection Act, to enhance the ability of small and emerging growth companies to access capital through public and private markets, to reduce regulatory burdens, and for other purposes.

H.R. 185. An act to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents.

H.R. 240. An act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

MEASURES REFERRED

The following bills were read the first and second times without异议, and referred as indicated:

H.R. 37. An act to make technical corrections to the Dodd-Frank Wall Street Reform and Consumer Protection Act, to enhance the ability of small and emerging growth companies to access capital through public and private markets, to reduce regulatory burdens, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 185. An act to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents; to the Committee on Homeland Security and Governmental Affairs.

H.R. 240. An act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 33. An act to amend the Internal Revenue Code of 1986 to ensure that emergency revenue Code of 1986 to ensure that emergency revenue funds, funds derived from tar sands are crude oil for purposes of the Federal excise tax on petroleum, and for other purposes; to the Committee on Finance.

H.R. 185. An act to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents; to the Committee on Homeland Security and Governmental Affairs.

H.R. 240. An act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 240. An act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. GILLIBRAND (for herself and Mr. PAUL):

S. 180. A bill to amend the Internal Revenue Code of 1986 to provide an above-the-line deduction for child care expenses, and for other purposes; to the Committee on Finance.

By Mr. MORAN (for himself, Mr. WARRNER, Mr. COONS, Mr. BLUNT, Mr. KLOBUCAR, and Mr. KAINES):

S. 181. A bill to jump-start economic recovery through the formation and growth of new businesses, and for other purposes; to the Committee on Finance.

By Mr. ROBERTS (for himself, Mr. GRASSLEY, Mr. INHOFE, and Mr. PORTMAN):

S. 182. A bill to amend the Elementary and Secondary Education Act of 1965 to prohibit Federal education mandates, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BARRASSO (for himself, Mr. HATCH, Mr. ALEXANDER, Ms. AYOTTE, Mr. BLUNT, Mr. BURS, Mr. COATS, Mr. CRAPO, Mrs. FISCHER, Mr. FLAKE, Mr. GARDNER, Mr. INHOFE, Mr. ISAKSON, Mr. KRAKOFF, Mr. MORA, Mr. ROBERTI, Mr. RURO, Mr. SCOTT, Mr. TOOMEY, Mr. VITTER, and Mr. WICKE):

S. 183. A bill to repeal the annual fee on healthy insurance products enacted by the Patient Protection and Affordable Care Act; to the Committee on Finance.

By Mr. HOEVEN (for himself and Mr. TESTER):

S. 184. A bill to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings, and for other purposes; to the Committee on Indian Affairs.

By Mr. HATCH (for himself and Mr. BENNET):

S. 185. A bill to create a limited population pathway for approval of certain antibacterial drugs; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FISCHER (for herself, Mr. BLUNT, Mr. BOOZMAN, and Mr. INHOFE):

S. 186. A bill to improve transparency and efficiency with respect to audits and communications between taxpayers and the Internal Revenue Service; to the Committee on Finance.

By Mr. MARKEY (for himself, Mr. WHITEHOUSE, and Mr. MERKLEY):

S. 187. A bill to amend the Internal Revenue Code of 1986 to clarify that products derived from tar sands are crude oil for purposes of the Federal excise tax on petroleum, and for other purposes; to the Committee on Finance.

By Mr. MARKEY:

S. 188. A bill to ensure that oil transported through the Keystone XL pipeline into the United States is used to reduce United States dependence on Middle Eastern oil; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read and referred (or acted upon), as indicated:

By Mr. McCONNELL (for himself and Mr. REID):

S. Res. 27. A resolution to authorize testimony and representation in United States v. Jeffrey A. Sterling; considered and agreed to.
At the request of Mr. LEAHY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 125, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2020, and for other purposes.  

At the request of Mr. HATCH, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 153, a bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes.  

At the request of Ms. AYOTTE, the names of the Senator from Illinois (Mr. BOOKER) and the Senator from Nebraska (Mrs. FISCHER), the Senator from Kansas (Mr. MORGAN), the Senator from Kansas (Mr. ROBERTS), the Senator from Oklahoma (Mr. INHOFE), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Texas (Mr. CRUZ) and the Senator from Missouri (Mr. BLUMENTHAL) were added as cosponsors of S. 165, a bill to extend and enhance prohibitions and limitations with respect to the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, and for other purposes.  

At the request of Ms. KLOBUCHAR, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 166, a bill to stop exploitation through trafficking.  

At the request of Mr. BLUMENTHAL, the names of the Senator from Connecticut (Mr. MURPHY), the Senator from Michigan (Mr. PETERS) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 167, a bill to direct the Secretary of Veterans Affairs to provide for the conduct of annual evaluations of mental health care and suicide prevention programs of the Department of Veterans Affairs, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.  

At the request of Mr. TESTER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 170, a bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program, and for other purposes.  

At the request of Mr. TESTER, the name of the Senator from Kansas (Mr. MORGAN) was added as a cosponsor of S. 171, a bill to amend title 38, United States Code, to provide for coverage under the beneficiary travel program of the Department of Veterans Affairs of certain disabled veterans for travel in connection with certain special disabilities rehabilitation, and for other purposes.  

At the request of Mr. MARKY, the names of the Senator from Florida (Mr. NELSON) and the Senator from Michigan (Ms. STARENOW) were added as cosponsors of amendment No. 13 proposed to S. 1, a bill to approve the Keystone XL Pipeline.  

At the request of Mr. FRANKEN, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of amendment No. 17 proposed to S. 1, a bill to approve the Keystone XL Pipeline.  

At the request of Ms. AYOTTE, the names of the Senator from Utah (Mr. HATCH), the Senator from Wyoming (Mr. BARRASSO) and the Senator from Florida (Mr. ENZI) were added as cosponsors of amendment No. 19 intended to be proposed to S. 1, a bill to approve the Keystone XL Pipeline.  

At the request of Mr. MARKY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 25 intended to be proposed to S. 1, a bill to approve the Keystone XL Pipeline.  

Whereas, it appears that evidence has been requested from Julie Katzman, a former employee of the Senate Committee on the Judiciary;  

Whereas, pursuant to sections 708(a) and 708(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current or former employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;  

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative processes, be taken or obtained by process but by permission of the Senate; and  

Whereas, it appears that evidence under the control or in the possession of the Senate relating to the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it  

Resolved, That Julie Katzman is authorized to testify in the case of United States of America v. Jeffrey A. Sterling, to be proposed to amendment intended to be proposed to S. 1, a bill to approve the Keystone XL Pipeline; which was ordered to lie on the table.  

SEC. 2. The Senate Legal Counsel is authorized to represent Ms. Katzman in connection with the production of evidence authorized in section one of this resolution.  

AMENDMENTS SUBMITTED AND PROPOSED  

SA 33. Ms. COLLINS (for herself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HORBEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.  

SA 39. Mr. ENZI (for himself, Mr. BARRASSO, and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.  

SA 40. Mr. TOOMEY (for himself, Mrs. FRANKEN, and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.  

SA 41. Mr. TOOMEY (for himself, Mr. CASKY, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.  

SA 42. Mr. HOEVEN (for himself and Mr. DONNELLY) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HORBEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.  

SA 44. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HORBEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.  

SA 45. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HORBEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.  

SA 46. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HORBEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.
SA 47. Mr. HATCH submitted an amendment intended to be proposed to the bill S. 1, supra; which was ordered to lie on the table.

SA 48. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURkowski (for herself, Mr. HOBEN, Mr. BARASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 49. Mr. SANDERS (for himself, Mr. TESTER, Mr. MARKEY, Ms. BALDWIN, Ms. WARREN, Mr. LEAHY, Mr. FRANKEN, Mr. UNDIAL, and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURkowski (for herself, Mr. HOBEN, Mr. BARASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 50. Mr. HATCH submitted an amendment intended to be proposed to him by the bill S. 1, supra; which was ordered to lie on the table.

SA 51. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 1, supra; which was ordered to lie on the table.

SA 52. Ms. KLOBUCHAR (for herself and Mr. HOBEN) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURkowski (for herself, Mr. HOBEN, Mr. BARASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 53. Ms. COLLINS (for herself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURkowski (for herself, Mr. HOBEN, Mr. BARASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 54. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURkowski (for herself, Mr. HOBEN, Mr. BARASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 55. Mr. PETERS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURkowski (for herself, Mr. HOBEN, Mr. BARASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 56. Mr. TESTER (for himself and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SEC. 2.—APPLICATION OF ENERGY RETROFITTING ASSISTANCE FOR SCHOOLS.

(a) Definitions.—In this section:

(1) SCHOOL.—The term ‘‘school’’ means—

(A) an elementary school or secondary school (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

(B) an institution of higher education (as defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 102(a))); or

(C) a school of the defense dependents’ education system under the Defense Dependents’ Education Act of 1978 (20 U.S.C. 821 et seq.) or established under section 2164 of title 10, United States Code, for U.S. military dependents.

(D) a school operated by the Bureau of Indian Affairs;

(e) a tribally controlled school (as defined in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511)); and

(f) a Tribal College or University (as defined in section 315(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))).

(2) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of Energy.

(b) Designation of lead agency.—The Secretary, acting through the Office of Energy Efficiency and Renewable Energy, shall designate an agency or Federal entity as the lead agency for carrying out the provisions of this section.

(c) Requirement for ―get in the game‖ outreach effort.—The Secretary, acting through the Office of Energy Efficiency and Renewable Energy, shall—

(1) in consultation and coordination with the appropriate Federal agencies, carry out a review of existing programs and financing mechanisms (including revolving loan funds and loan guarantees) available in or from the Department of Agriculture, the Department of Education, the Department of Energy, the Department of the Treasury, the Internal Revenue Service, the Environmental Protection Agency, and other appropriate Federal agencies, to establish partnerships to leverage and expand programs that can finance projects in schools; and

(2) establish a Federal cross-departmental collaborative coordination, education, and outreach effort to streamline communication and promote available Federal opportunities and assistance described in paragraph (1) to energy efficiency, renewable energy, and energy retrofitting projects for schools.

(d) Report.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the implementation of this section.

SA 36. Mr. GARDNER (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURkowski (for herself, Mr. HOBEN, Mr. BARASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

SEC. 3.—USE OF ENERGY AND WATER EFFICIENCY MEASURES IN FEDERAL BUILDINGS.

(a) Findings.—Congress finds that—

(1) private sector funding and expertise can help address the energy efficiency challenges facing the United States;

(2) the Federal Government spends more than $6,000,000,000 annually in energy costs;

(3) reducing Federal energy costs can help save money, create jobs, and reduce waste;

(4) energy savings performance contracts and performance services are tools for using private sector investment to upgrade Federal facilities without any up-front cost to the taxpayer;

(5) performance contracting is a way to retrofit Federal buildings using private sector investment in the absence of appropriated dollars; and

(6) retrofits that reduce energy use also improve infrastructure, protect national security, and cut facility operations and maintenance costs.

(b) Energy Management Requirements.—Section 543(f)(4) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(4)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(2) by striking ‘‘Not later than’’ and inserting the following:

‘‘(A) IN GENERAL.—Not later than’’; and

‘‘(B) MEASURES NOT IMPLEMENTED.—Each agency shall—’’.

(c) ENERGY EFFICIENCY.—Each energy manager, as part of the certification system under paragraph (7) and using guidelines developed by the Secretary, shall provide—

(1) an energy efficiency life-cycle cost-effective measures described in subparagraph (A)(i) that have been implemented;

(2) ENERGY REPORTS.—Section 548(b) of the National Energy Conservation Policy Act (42 U.S.C. 8253(b)) is amended—

(1) by striking subsection (b); and

(2) by redesignating subsection (c) as subsection (b)

SEC. 4.—BUILDINGS.

(b)(i) ENERGY USE.—Any new or existing Federal building that is owned, leased, or constructed by the Federal Government shall—

(1) be energy efficient;

(2) be retrofitted to meet the energy performance standards promulgated under section 130 of the Energy Independence and Security Act of 2007 (42 U.S.C. 629d–1); and

(3) be designed to be zero net energy.

(d) ENERGY REPORTS.—Section 548(b) of the National Energy Conservation Policy Act (42 U.S.C. 8253(b)) is amended—

(1) by striking subsection (b); and

(2) by redesignating subsection (c) as subsection (b).
SEC. 3. APPLICABILITY OF LIMITATIONS ON EX-
PORTATION OF DOMESTIC CRUDE OIL TO FOREIGN CRUDE OIL IM-
PORTED INTO THE UNITED STATES BY PIPELINE.

(a) In General.—On and after the date of the enactment of this Act, crude oil imported into the United States by pipeline shall be subject to the limitations described in subsection (b) and the licensing require-
ments described in subsection (c) to the same extent and in the same manner as those limi-
tations and requirements apply to crude oil produced in the United States.

(b) Limitations.—The limita-
tions described in this subsection are the limi-

(c) Licensing Requirements Described.—The licensing requirements described in this subsection are the licensing requirements applicable to crude oil produced in the United States under the Export Administra-

SA 38. Mr. MANCHIN submitted an amendment in the nature of a substitute proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was or-
dered to lie on the table; as follows:

At the appropriate place, add the fol-
lowing:

SEC. 4. CLARIFICATION OF OIL SANDS AS CRUDE OIL FOR EXCISE TAX PUR-
POSES.

(a) In General.—Paragraph (1) of section 462(a) of the Internal Revenue Code of 1986 is amended to read as follows:

‘‘(1) CRUDE OIL.—The term ‘crude oil’ in-
cludes crude oil condensates, natural gaso-
lime, bitumen, and bituminous mixtures.’’

(b) Technical Amendment.—Paragraph (2) of section 462(a) of such Code is amended by striking ‘‘from a well located’’.

(c) Effective Date.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SA 39. Mr. ENZI (for himself, Mr. BARRASSO, and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was or-
dered to lie on the table; as follows:

At the appropriate place, insert the fol-
lowing:

SEC. 5. REGIONAL HAZE PROGRAM.

(a) In General.—Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency (re-
ferred to in this section as the ‘‘Adminis-
trator’’) shall not reject or disapprove, in whole or in part, a State implementation plan addressing any regional haze regulation or the Environmental Protection Agency (in-
cluding the regulations described in sections 51.308 and 51.309 of title 40, Code of Federal Regulations (or successor regulations), if—

(1) the State or to the private sector of greater than $100,000,000 in any fiscal year or $300,000,000 in the aggregate;

(b) APPLICABILITY.—This portion applies to all State implementation plans described in subsection (a) submitted to the Adminis-
trator before, on, or after the date of enact-
ment of this Act.

SA 40. Mr. TOOMEY (for himself, Mrs. FEINSTEIN, and Mr. FLAKE) sub-
mitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the fol-
lowing:

SEC. 6. ELIMINATION OF CORN ETHANOL MAN-
DATE FOR RENEWABLE FUEL.

(a) Removal of Table.—Section 211(o)(2)(B)(i) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)(i)) is amended by striking ‘‘(i)’’.

(b) Conforming Amendments.—Section 211(o)(2)(B) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)) is amended—

(1) in clause (i)—

(A) by redesignating subclauses (II) through (IV) as subclauses (I) through (III), respectively;

(B) in subclause (I) (as so redesignated), by striking ‘‘the volume of renewable fuel re-
quired under subclause (I),’’;

(C) in subclauses (II) and (III) (as so redes-
ignated), by striking ‘‘subclause (II)’’ each place it appears and inserting ‘‘subclause (I)’’; and

(2) in clause (v), by striking ‘‘ clause (i)(IV)’’ and inserting ‘‘ clause (i)(III)’’.

(c) Administration.—Nothing in this sec-
tion or the amendments made by this section affects the volumes of advanced biofuel, cell-
ulosic biofuel, or biomass-based diesel that are required under section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)).

SA 41. Mr. TOOMEY (for himself, Mr. CASEY, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was or-
dered to lie on the table; as follows:

At the appropriate place, insert the fol-
lowing:

SEC. 7. STANDARDS FOR COAL REFUSE POWER PLANTS.

(a) Findings.—Congress finds that—

(1) 19th-century mining operations left behind more than 2,000,000,000 tons of coal refuse on surface land in various coal mining regions of the United States;

(2) coal refuse piles—

(A) pose significant environmental risks;

(B) have contaminated more than 180,000 acres of land and streams; and

(C) are susceptible to fires that endanger public health and emit an estimated 9,000,000 tons of carbon dioxide equivalent per year, in addition to other uncontrolled pollutants;

(3) the Environmental Protection Agency, the Office of Surface Mining Reclamation and Enforcement, and the Department of En-
vironmental Protection of the State of Penn-
sylvania recognize the significant public
health benefits of power plants that use coal refuse as fuel; 
(4) since the inception of coal refuse power plants, the plants have removed 210,000,000 tons of coal refuse and restored 8,200 acres of contaminated land; and 
(5) due to the unique nature of coal refuse and the power plants that use coal refuse as a fuel, those plants face distinct economic and technical obstacles to achieving compliance with regulatory standards established for traditional coal-fired power plants. 

(c) EMISSION LIMITATIONS FOR certain Electric utility steam generating units.—

(1) IN GENERAL.—The emission limitations established by the Environmental Protection Agency in the final rule entitled “Federal Implementation Plans: Interstate Transport of Fine Particulate Matter and Ozone and Correction of SIP Approvals” (76 Fed. Reg. 48208 (August 8, 2011)) shall apply to electric utility steam generating units described in paragraphs (1) and (2) of such final rule. 

(2) HYDROGEN CHLORIDE AND SULFUR DIOXIDE.—The emission limitations for hydrogen chloride and sulfur dioxide contained in table 2 of subpart UUUUU of part 63 of title 40, Code of Federal Regulations (or successor regulations), entitled “Emission Limits for Existing EGUs” shall not apply to an electric utility steam generating unit described in paragraph (3). 

(3) DESCRIPTION OF ELECTRIC UTILITY steam generating units.—An electric utility steam generating unit referred to in paragraph (1) and (2) of such final rule shall—

(A) be in operation as of the date of enactment of this Act; 
(B) use fluidized bed combustion technology to convert coal refuse into energy; and 
(C) use coal refuse as at least 50 percent of the annual fuel consumed, by weight, of the unit. 

(d) EFFECTIVE DATE.—Notwithstanding any other provision of this Act, this section takes effect on the date of enactment of this Act. 

SA 42. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows: 
At the appropriate place, insert the following: 

SEC. 202. FINDING. 

This title may be cited as the “North American Energy Infrastructure Act”. 

SEC. 203. AUTHORIZATION OF certain ENERGY INFRASTRUCTURE PROJECTS AT THE NATIONAL BOUNDARY OF THE UNITED STATES. 

This section may be cited as the “North American Energy Infrastructure Act Title II—NORTH AMERICAN ENERGY INFRASTRUCTURE SEC. 201. SHORT TITLE. 

This title may be cited as the “North American Energy Infrastructure Act”. 

SEC. 202. FINDING. 

Congress finds that the United States should establish a more uniform, transparent, and modern process for the construction, connection, operation, or maintenance of a cross-border segment of an oil pipeline or electric transmission facility for the import or export of oil or natural gas and the transmission of electricity to or from Canada or Mexico, in pursuit of a more secure and efficient North American energy market. 

SEC. 203. AUTHORIZATION OF certain ENERGY INFRASTRUCTURE PROJECTS AT THE NATIONAL BOUNDARY OF THE UNITED STATES. 

(a) AUTHORIZATION.—Except as provided in subsection (c) and section 207, no person may construct, connect, operate, or maintain a cross-border segment of an oil pipeline or electric transmission facility for the import or export of oil or the transmission of electricity to or from Canada or Mexico without obtaining a certificate of crossing for the construction, connection, operation, or maintenance of the cross-border segment under this section. 

(b) CERTIFICATE OF CROSSING.— 

(1) REQUIREMENT.—Not later than 120 days after final action is taken under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a cross-border segment for which a request is received under this section, the relevant official identified under paragraph (2), in consultation with appropriate Federal agencies, shall issue a certificate of crossing for the cross-border segment unless the relevant official finds that the construction, connection, operation, or maintenance of the cross-border segment is not in the public interest of the United States. 

(2) APPLICATION TO PROJECTS.—Nothing in this section or section 207 shall affect the authority of the President under section 15(a) of the Energy Policy and Conservation Act. 

SEC. 204. IMPORTATION OR EXPORTATION OF NATURAL GAS TO CANADA AND MEXICO. 

Section 3(c) of the Natural Gas Act (15 U.S.C. 1171(c)) is amended— 

(1) by striking, “For purposes of subsection (a) of this section and inserting the following: “(1) IN GENERAL.—For purposes of subsection (a); and” 

(2) by adding at the end the following: “(2) EFFECT OF OTHER LAWS.—Nothing in this section or section 207 shall affect the authority of the President under section 15(a) of the Energy Policy and Conservation Act.” 

SEC. 205. TRANSMISSION OF ELECTRIC ENERGY TO CANADA AND MEXICO. 

(a) REPEAL OF REQUIREMENT TO SECURE ORDER.—Section 202(e) of the Federal Power Act (16 U.S.C. 824a(e) is repealed. 

(b) CONFORMING AMENDMENT. 

(1) STATE REGULATIONS.—Section 202(f) of the Federal Power Act (16 U.S.C. 824a(f)) is amended by striking “insofar as such State regulation does not conflict with the exercise of the Commission’s powers under or relating to subsection 202(e)”. 

(2) SEASONAL DIVERSITY ELECTRICITY EXCHANGE.—Section 622(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a-4(b)) is amended by striking “the Commission has conducted hearings and made the findings required by section 202(e) of the Federal Power Act” and all that follows through the period at the end and inserting “the Secretary has conducted hearings and made the findings required by section 202(e) of the Federal Power Act” and all that follows through the period at the end and inserting “the Secretary has conducted hearings and made the findings required by section 202(e) of the Federal Power Act” and all that follows through the period at the end and inserting “the Secretary has conducted hearings and made the findings required by section 202(e) of the Federal Power Act” and all that follows through the period at the end and inserting “the Secretary has conducted hearings and made the findings required by section 202(e) of the Federal Power Act” and all that follows through the period at the end and inserting “the Secretary has conducted hearings and made the findings required by section 202(e) of the Federal Power Act” and all that follows through the period at the end and inserting “the Secretary has conducted hearings and made the findings required by section 202(e) of the Federal Power Act” and all that follows through the period at the end and inserting “the Secretary has conducted hearings and made the findings required by section 202(e) of the Federal Power Act” and all that follows through the period at the end and inserting “the Secretary has conducted hearings and made the findings required by section 202(e) of the Federal Power Act” and all that follows through the period at the end and inserting “the Secretary has conducted hearings and made the findings required by section 202(e) of the Federal Power Act” and all that follows through the period at the end and inserting “the Secretary has conducted hearings and made the findings required by section 202(e) of the Federal Power Act.”
would not impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Secretary.'’

SEC. 207. MODIFICATIONS TO EXISTING PROJECTS.
No certificate of crossing under section 203, or permit described in section 206, shall be required for a modification to the construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility—

(1) that is operating for the import or export of oil or natural gas or the transmission of electricity to or from Canada or Mexico as of the date of enactment of the Act; or

(2) for which a permit described in section 206 for such construction, connection, operation, or maintenance has been issued; or

(3) for which a certificate of crossing for the cross-border segment of the pipeline or facility has previously been issued under section 203.

SEC. 208. EFFECTIVE DATE; RULEMAKING DEADLINES.

(a) EFFECTIVE DATE.—Sections 203 through 207, and the amendments made by such sections, shall take effect on July 1, 2015.

(b) RULEMAKING DEADLINES.—Each relevant official of the Secretary (as defined in section 203(d)(2)) shall—

(1) not later than 180 days after the date of enactment of this Act, publish in the Federal Register notice of a proposed rulemaking to carry out the applicable requirements of section 203; and

(2) not later than 1 year after the date of enactment of this Act, publish in the Federal Register a final rule to carry out the applicable requirements of section 203.

SEC. 209. DEFINITIONS.

In this title—

(1) the term “cross-border segment” means the portion of an oil or natural gas pipeline or electric transmission facility that is located at the national boundary of the United States or either Canada or Mexico;

(2) the term “modification” includes a change in ownership, volume expansion, downstream or upstream interconnection, or adjustment to maintain flow (such as a reduction or increase in the number of pump or compressor stations);

(3) the term “natural gas” has the meaning given that term in section 2 of the Natural Gas Act (15 U.S.C. 717a);

(4) the term “oil” means petroleum or a petroleum product;

(5) the term “Electric Reliability Organization” and “regional entity” have the meanings given those terms in section 215 of the Federal Power Act (16 U.S.C. 824o); and

(6) the term “Intermediate System Operator” and “Regional Transmission Organization” have the meanings given those terms in section 3 of the Federal Power Act (16 U.S.C. 796).

SA 44. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. Murkowski (for herself, Mr. Hoeven, Mr. Barrasso, Mr. Risch, Mr. Lee, Mr. Flake, Mr. Daines, Mr. Manchin, Mr. Cassidy, Mr. Gardner, Mr. Portman, Mr. Alexander, and Mrs. Capito) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 209. DEFINITIONS.

In this title—

(1) the term “cross-border segment” means the portion of an oil or natural gas pipeline or electric transmission facility—

(1) that is operating for the import or export of oil or natural gas or the transmission of electricity to or from Canada or Mexico as of the date of enactment of the Act; or

(2) for which a certificate of crossing for the cross-border segment of the pipeline or facility has previously been issued under section 203.

SEC. 208. EFFECTIVE DATE; RULEMAKING DEADLINES.

(a) EFFECTIVE DATE.—Sections 203 through 207, and the amendments made by such sections, shall take effect on July 1, 2015.

(b) RULEMAKING DEADLINES.—Each relevant official of the Secretary (as defined in section 203(d)(2)) shall—

(1) not later than 180 days after the date of enactment of this Act, publish in the Federal Register notice of a proposed rulemaking to carry out the applicable requirements of section 203; and

(2) not later than 1 year after the date of enactment of this Act, publish in the Federal Register a final rule to carry out the applicable requirements of section 203.

SEC. 209. DEFINITIONS.

In this title—

(1) the term “cross-border segment” means the portion of an oil or natural gas pipeline or electric transmission facility that is located at the national boundary of the United States or either Canada or Mexico; and

(2) the term “modification” includes a change in ownership, volume expansion, downstream or upstream interconnection, or adjustment to maintain flow (such as a reduction or increase in the number of pump or compressor stations);

(3) the term “natural gas” has the meaning given that term in section 2 of the Natural Gas Act (15 U.S.C. 717a); (4) the term “oil” means petroleum or a petroleum product;

(5) the term “Electric Reliability Organization” and “regional entity” have the meanings given those terms in section 215 of the Federal Power Act (16 U.S.C. 824o); and

(6) the term “Intermediate System Operator” and “Regional Transmission Organization” have the meanings given those terms in section 3 of the Federal Power Act (16 U.S.C. 796).

SA 44. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. Murkowski (for herself, Mr. Hoeven, Mr. Barrasso, Mr. Risch, Mr. Lee, Mr. Flake, Mr. Daines, Mr. Manchin, Mr. Cassidy, Mr. Gardner, Mr. Portman, Mr. Alexander, and Mrs. Capito) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 209. DEFINITIONS.

In this title—

(1) the term “cross-border segment” means the portion of an oil or natural gas pipeline or electric transmission facility—

(1) that is operating for the import or export of oil or natural gas or the transmission of electricity to or from Canada or Mexico as of the date of enactment of the Act; or

(2) for which a certificate of crossing for the cross-border segment of the pipeline or facility has previously been issued under section 203.

SEC. 208. EFFECTIVE DATE; RULEMAKING DEADLINES.

(a) EFFECTIVE DATE.—Sections 203 through 207, and the amendments made by such sections, shall take effect on July 1, 2015.

(b) RULEMAKING DEADLINES.—Each relevant official of the Secretary (as defined in section 203(d)(2)) shall—

(1) not later than 180 days after the date of enactment of this Act, publish in the Federal Register notice of a proposed rulemaking to carry out the applicable requirements of section 203; and

(2) not later than 1 year after the date of enactment of this Act, publish in the Federal Register a final rule to carry out the applicable requirements of section 203.

SEC. 209. DEFINITIONS.

In this title—

(1) the term “cross-border segment” means the portion of an oil or natural gas pipeline or electric transmission facility that is located at the national boundary of the United States or either Canada or Mexico; and

(2) the term “modification” includes a change in ownership, volume expansion, downstream or upstream interconnection, or adjustment to maintain flow (such as a reduction or increase in the number of pump or compressor stations);

(3) the term “natural gas” has the meaning given that term in section 2 of the Natural Gas Act (15 U.S.C. 717a); (4) the term “oil” means petroleum or a petroleum product; (5) the term “Electric Reliability Organization” and “regional entity” have the meanings given those terms in section 215 of the Federal Power Act (16 U.S.C. 824o); and (6) the term “Intermediate System Operator” and “Regional Transmission Organization” have the meanings given those terms in section 3 of the Federal Power Act (16 U.S.C. 796).

SA 44. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. Murkowski (for herself, Mr. Hoeven, Mr. Barrasso, Mr. Risch, Mr. Lee, Mr. Flake, Mr. Daines, Mr. Manchin, Mr. Cassidy, Mr. Gardner, Mr. Portman, Mr. Alexander, and Mrs. Capito) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 209. DEFINITIONS.

In this title—

(1) the term “cross-border segment” means the portion of an oil or natural gas pipeline or electric transmission facility—

(1) that is operating for the import or export of oil or natural gas or the transmission of electricity to or from Canada or Mexico as of the date of enactment of the Act; or

(2) for which a certificate of crossing for the cross-border segment of the pipeline or facility has previously been issued under section 203.

SEC. 208. EFFECTIVE DATE; RULEMAKING DEADLINES.

(a) EFFECTIVE DATE.—Sections 203 through 207, and the amendments made by such sections, shall take effect on July 1, 2015.

(b) RULEMAKING DEADLINES.—Each relevant official of the Secretary (as defined in section 203(d)(2)) shall—

(1) not later than 180 days after the date of enactment of this Act, publish in the Federal Register notice of a proposed rulemaking to carry out the applicable requirements of section 203; and

(2) not later than 1 year after the date of enactment of this Act, publish in the Federal Register a final rule to carry out the applicable requirements of section 203.

SEC. 209. DEFINITIONS.

In this title—

(1) the term “cross-border segment” means the portion of an oil or natural gas pipeline or electric transmission facility that is located at the national boundary of the United States or either Canada or Mexico; and

(2) the term “modification” includes a change in ownership, volume expansion, downstream or upstream interconnection, or adjustment to maintain flow (such as a reduction or increase in the number of pump or compressor stations);

(3) the term “natural gas” has the meaning given that term in section 2 of the Natural Gas Act (15 U.S.C. 717a); (4) the term “oil” means petroleum or a petroleum product; (5) the term “Electric Reliability Organization” and “regional entity” have the meanings given those terms in section 215 of the Federal Power Act (16 U.S.C. 824o); and (6) the term “Intermediate System Operator” and “Regional Transmission Organization” have the meanings given those terms in section 3 of the Federal Power Act (16 U.S.C. 796).
"(b) Prohibition.—The Secretary of the Interior shall not enforce any Federal regulation, guidance, or permit requirement regarding hydraulic fracturing, or any component of hydraulic fracturing, relating to oil, gas, or geothermal production activities on or under any land in any State that has regulations, guidance, or permit requirements for hydraulic fracturing, as follows:

"(c) State Authority.—The Secretary shall recognize and defer to State regulations, guidance, and permitting for all activities regarding hydraulic fracturing, or any component of hydraulic fracturing, relating to oil, gas, or geothermal production activities on Federal land regardless of whether the regulations, guidance, and permitting are duplicative, more or less restrictive, have different requirements, or do not meet Federal regulations, guidance, or permit requirements.

SA 47. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. 2. CATEGORICAL EXCLUSION FOR PINYON-JUNIPER TREE REMOVAL.

Notwithstanding any other provision of law, a vegetation management project by the Director of the Bureau of Land Management or the Chief of the Forest Service involving removal or treatment of any Pinyon or Juniper tree for the purpose of conserving or restoring the habitat of the greater sage-grouse or mule deer shall be eligible to be a categorical exclusion (as defined in section 1508.4 of title 40, Code of Federal Regulations (or a successor regulation)) for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SA 48. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, MR. RISCH, MR. LEE, MR. FLAKE, MR. DAINES, MR. MANCHIN, MR. CASSIDY, MR. GARDNER, MR. PORTMAN, MR. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 3. DEFINITION OF UNDERGROUND INJECTION.

Section 1221(d)(1) of the Safe Drinking Water Act (42 U.S.C. 300h(d)(1)) is amended by striking subparagraph (B) and inserting the following:

"(B) includes the underground injection of natural gas for purposes of storage.''

SA 49. Mr. SANDERS (for himself, Mr. Tester, Mr. Markey, Ms. Baldwin, Ms. Warren, Mr. Leahy, Mr. Franken, Mr. Udall, Ms. Stabenow, and Mr. Murphy) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, MR. RISCH, MR. LEE, MR. FLAKE, MR. DAINES, MR. MANCHIN, MR. CASSIDY, MR. GARDNER, MR. PORTMAN, MR. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 4. PROTECTING THE UNITED STATES POSTAL SERVICE.

(a) MORATORIUM ON CLOSING OR CONSOLIDATING POSTAL FACILITIES.—During the 2-year period beginning on the date of enactment of this Act, the United States Postal Service may not close or consolidate any processing and distribution center, processing and distribution complex, or other facility that is operated by the United States Postal Service, the primary function of which is to sort and process mail.

(b) MORATORIUM ON CHANGES TO SERVICE STANDARDS.—During the 2-year period beginning on the date of enactment of this Act, the United States Postal Service shall apply the service standards for first-class mail and periodicals under part 121 of title 39, Code of Federal Regulations, that were in effect on July 1, 2012.

SA 50. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 5. MODIFICATION OF TAR SANDS AS CRUDE OIL FOR EXCISE TAX PURPOSES.

(a) In General.—Paragraph (1) of section 4612(a) of the Internal Revenue Code of 1986 is amended to read as follows:

"(1) CRUDE OIL.—The term 'crude oil' includes—"

"(A) crude oil condensates and natural gasoline, and"

"(B) in the case of any calendar quarter beginning more than 60 days after the date on which the certification under subsection (g) is made, synthetic petroleum, any bitumen or bituminous mixture, any oil derived from kerogen-bearing sources.''

(b) TECHNICAL AMENDMENT.—Paragraph (2) of section 4612(a) of such Code is amended by adding at the end the following new sentence:

"(2) the theft of which is from and harms critical infrastructure.''

(c) CERTIFICATION THAT MODIFICATION WILL NOT INCREASE PRICE OF GASOLINE.—Section 4612 of such Code is amended by adding at the end the following new subsection:

"(g) SPECIAL RULE RELATING TO DEFINITION OF CRUDE OIL.—The Secretary shall not make a certification under this subsection unless the Secretary, in consultation with the Secretary of Commerce, determines that the provisions of subparagraph (B) of subsection (a)(2) and the second sentence of subsection (a)(2) will not result in any increase in the retail price of gasoline in the United States.''

SA 51. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE II—METAL THEFT

SEC. 201. SHORT TITLE.

This title may be cited as the "Metal Theft Prevention Act of 2015".

SEC. 202. DEFINITIONS.

In this title—

(1) the term ‘‘critical infrastructure’’ has the meaning given the term in section 1016(e) of the USA PATRIOT Act (42 U.S.C. 1595c(e));

(2) the term ‘‘recycling agent’’ means any person engaged in the business of purchasing specified metal for reuse or recycling, without regard to whether that person is engaged in the business of recycling or otherwise processing the purchased specified metal for reuse; and

(3) the term ‘‘specified metal’’ means—

(A) is marked with the name, logo, or initials of a city, county, State, or Federal government entity, a railroad, an electric, gas, or water company, a telephone company, a cable company, a retail establishment, a beer supplier or distributor, or a public utility; or

(B) is has been altered for the purpose of removing, concealing, or obliterating a name, logo, or initials described in clause (i) through burning or cutting of wire sheathing or other means; or

(B) is part of—

(i) a street light pole or street light fixture;

(ii) a road or bridge guard rail;

(iii) a highway or street sign;

(iv) a water meter cover;

(v) a storm water grate;

(vi) unused or undamaged building construction or utility material;

(vii) a historical marker;

(viii) a grave marker or cemetery urn;

(ix) a utility access cover;

(x) a container used to transport or store beer with a capacity of 5 gallons or more;

(C) is a wire or cable commonly used by communications and electrical utilities; or

(D) is copper, aluminum, and other metal (including any metal combined with other materials) that is valuable for recycling or reuse as raw metal, except for—

(i) aluminum cans; and

(ii) motor vehicles, the purchases of which are reported to the National Motor Vehicle Property Identification System and recycled (as defined under section 35062 of title 49, United States Code).

SEC. 203. THEFT OF SPECIFIED METAL.

(a) OFFENSE.—It shall be unlawful to knowingly steal specified metal—

(1) being used in or affecting interstate or foreign commerce; and

(2) the theft of which is from and harms critical infrastructure.

(b) PENALTY.—Any person who commits an offense described in subsection (a) shall be fined under title 18, United States Code, imprisonment not more than 10 years, or both.

SEC. 204. DOCUMENTATION OF OWNERSHIP OR AUTHORITY TO SELL.

(a) OFFENSE.—Except as provided in paragraph (2), it shall be unlawful for a recycling agent to purchase specified metal described in subparagraph (A) or (B) of section 202(3), unless—

(A) the seller, at the time of the transaction, provides documentation of ownership or, of other proof of the authority of the seller to sell, the specified metal for—

(i) a recycling agent, a company, a cable company, a retail establishment, a beer supplier or distributor, or a public utility; or

(ii) a last known owner or transformation agent in the chain of legal title; or

(iii) the person engaged in the business of purchasing specified metal for reuse or recycling;

(B) there is a reasonable basis to believe that the documentation or other proof of authority provided under subparagraph (A) is valid.

(2) EXCEPTION.—Paragraph (1) shall not apply to a recycling agent that is subject to a State or local law that sets forth a requirement on recycling agents to obtain documentation of ownership or proof of authority to sell specified metal before purchasing specified metal.

(3) RESPONSIBILITY OF RECYCLING AGENT.—A recycling agent is not required to independently verify the validity of the documentation or other proof of authority described in paragraph (1).

(4) PURCHASE OF STOLEN METAL.—It shall be unlawful for a recycling agent to purchase
any specified metal that the recycling agent—
(A) knows to be stolen; or
(B) should know or believe, based upon commercial experience and practice, to be stolen.

(c) CIVIL PENALTY.—A person who knowingly violates subsection (a) shall be subject to a civil penalty of not less than $10,000 for each violation.

SEC. 205. TRANSACTION REQUIREMENTS.

(a) RECORDING REQUIREMENTS.—

(1) IN GENERAL.—Except as provided in paragraphs (2) through (4), a recycling agent shall maintain a written or electronic record of each purchase of specified metal.

(2) EXCEPTION.—Paragraph (1) shall not apply to a recycling agent that is subject to a State or local law that sets forth recording requirements that are substantially similar to the requirements described in paragraph (3) for the purchase of specified metal.

(3) CONTENTS.—A record under paragraph (1) shall include—

(A) the name and address of the recycling agent; and

(B) for each purchase of specified metal—

(i) the date of the transaction;

(ii) a description of the specified metal purchased, including its weight and the faces or grades of the metal; and

(iii) the amount paid by the recycling agent;

(iv) the name and address of the person to whom the payment was made; and

(v) the name of the person delivering the specified metal to the recycling agent, including a distinctive number from a Federal or state government-issued photo identification card and a description of the type of the identification card;

(vi) the license plate number and State-of-issue, make, and model, if available, of the vehicle used to deliver the specified metal to the recycling agent;

(4) REPEAT SELLERS.—A recycling agent may comply with the requirements of this subsection with respect to a purchase of specified metal from a person from which the recycling agent has previously purchased specified metal by—

(A) reference to the existing record relating to the sale; and

(B) recording any information for the transaction that is different from the record relating to the previous purchase from that person.

(5) RECORD RETENTION PERIOD.—A recycling agent shall maintain any record required under this subsection for not less than 2 years from the date of the transaction to which the record relates.

(6) CONFIDENTIALITY.—Any information collected or retained under this section may be disclosed to—

(A) any Federal, State, or local law enforcement authority or as otherwise directed by a court of law.

(b) PURCHASES IN EXCESS OF $100.—

(1) IN GENERAL.—Except as provided in paragraph (2), a recycling agent may not pay cash for a single purchase of specified metal of more than $100. For purposes of this paragraph, a purchase in any 48-hour period from the same seller shall be considered to be a single purchase.

(2) EXCEPTION.—Paragraph (1) shall not apply to—

(A) OCCASIONAL SELLERS.—Except as provided in subparagraph (B), for any purchase of specified metal of more than $100 a recycling agent shall make payment by check that—

(i) is payable to the seller; and

(ii) includes the name and address of the seller.

(B) ESTABLISHED COMMERCIAL TRANSACTIONS.—A recycling agent may make payment by check for a single purchase of specified metal of more than $100 from a governmental or commercial supplier of specified metal with which the recycling agent has an established commercial relationship for the purpose of funding electronic funds transfer or other established commercial transaction payment method through a commercial bank if the recycling agent maintains written record of the payment that identifies the seller, the amount paid, and the date of the purchase.

(c) CIVIL PENALTY.—A person who knowingly violates paragraph (2) or (3) shall be subject to a civil penalty of not more than $5,000 for each violation, except that a person who commits a minor violation shall be subject to a penalty not more than $1,000.

SEC. 206. ENFORCEMENT BY ATTORNEY GENERAL.

The Attorney General may bring an enforcement action in an appropriate United States district court against any person that engages in conduct that violates this title.

SEC. 207. ENFORCEMENT BY STATE ATTORNEYS GENERAL.

(a) IN GENERAL.—An attorney general or equivalent regulator of a State may bring a civil action in the name of the State, or a representative of an agency of the State, against any recycling agent that is subject to a penalty of not more than $5,000 for each violation, except that a person who commits a minor violation shall be subject to a penalty not more than $1,000.

(b) NOTICE REQUIRED.—Not later than 30 days before the date on which an action is filed under paragraph (1), the attorney general or equivalent regulator of the State involved shall provide to the Attorney General—

(1) written notice of the action; and

(2) a copy of the complaint for the action.

(c) ATTORNEY GENERAL ACTION.—Upon receiving notice under subsection (b), the Attorney General shall have the right—

(1) to intervene in the action; and

(2) upon so intervening, to be heard on all matters arising therein;

(3) to request a transfer to an appropriate district court of the United States; and

(4) to file petitions for appeal.

(d) PENDING FEDERAL PROCEEDINGS.—If a civil action described in paragraph (1) is pending before the Attorney General for a violation of this title, no State may, during the pendency of the action instituted by the Attorney General, in any district court of a State, in any district court of the United States or other competent court having jurisdiction over the defendant, to secure monetary or equitable relief for a violation of this title.

(e) NOTICE REQUIRED.—Not later than 30 days before the date on which an action is filed under paragraph (1), the attorney general or equivalent regulator of the State involved shall provide to the Attorney General—

(i) written notice of the action; and

(ii) a description of the specified metal involved in the action.

SEC. 208. DIRECTIVE TO SENTENCING COMMISSION.

(a) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, and in the discharge of its duties under this section, the United States Sentencing Commission, shall review and, if appropriate, amend the Federal Sentencing Guidelines and policy statements to account for any additional aggravating or mitigating circumstances that may justify exceptions to the generally applicable sentencing ranges;

(b) EFFECTIVE DATE.

This title shall take effect 180 days after the date of enactment of this Act.

SA 52. Ms. KLOBUCHAR (for herself and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. COURNOYER, Mr. GARDNER, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

(a) the appropriate place, insert the following:

SEC. ENERGY EFFICIENCY RETROFIT PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) APPLICANT.—The term ‘‘applicant’’ means a nonprofit organization that applies for a grant under this section.

(2) ENERGY-EFFICIENCY IMPROVEMENT.—

(A) IN GENERAL.—The term ‘‘energy-efficiency improvement’’ means an installed measure (including a product, equipment, system, service, or practice) that results in a reduction in use by a nonprofit organization for energy or fuel supplied from outside the nonprofit building.

(B) INCLUSIONS.—The term ‘‘energy-efficiency improvement’’ includes an installed measure described in subparagraph (A) involving—

(i) weatherproofing, insulating, or installing—

(A) a roof light or lighting system, or component of a roof or lighting system; and

(ii) a window;

(B) a door, including a security door; or

(iv) a heating, ventilation, or air conditioning system or component of the system

SEC. 802. PILOT PROGRAM.

(a) NATIONAL PILOT PROGRAM.—

(1) $100,000,000.—Nothing in this section shall prevent a grant under subsection (b) that is made to a nonprofit organization from exceeding $100,000,000.

(b) APPLICATIONS.—

(1) APPLICANTS.—The term ‘‘applicant’’ means—
(including insulation and wiring and plumbing improvements needed to serve a more efficient system); (ii) a renewable energy generation or heating development of an area, including a solar, photovoltaic, wind, geothermal, or biomass (including wood pellet) system or component of the system; and
(iii) any other measure taken to modernize, renovate, or repair a nonprofit building to make the nonprofit building more energy efficient.

(b) Nonprofit Building.

(B) In General.—The term ‘nonprofit building’ means a building operated and owned by a nonprofit organization.

(C) The term ‘nonprofit building’ includes a building described in subparagraph (A) that is—
(i) a hospital;
(ii) a youth center;
(iii) a school;
(iv) a social-welfare program facility;
(v) a faith-based organization; and
(vi) any other nonresidential and noncommercial structure.

(d) Administrative Review.

(D) The Secretary shall apply performance-based criteria, which shall give priority to applications based on—
(A) the energy savings achieved;
(B) the cost-effectiveness of the energy-efficiency improvement;
(C) an effective plan for evaluation, measurement, and verification of energy savings;
(D) the financial need of the applicant; and
(E) the percentage of the matching contribution by the applicant.

(e) Limitation on Individual Grant Amount.

(E) Each grant awarded under this section shall not exceed—
(A) $200,000;
(B) $500,000.

(f) Cost Sharing.

(F) In General.—The Secretary shall apply performance-based criteria, which shall give priority to applications based on—
(A) the energy savings achieved; (B) the cost-effectiveness of the energy-efficiency improvement; (C) an effective plan for evaluation, measurement, and verification of energy savings; (D) the financial need of the applicant; and (E) the percentage of the matching contribution by the applicant.

(g) Limitation on Individual Grant Amount.

(G) Each grant awarded under this section shall not exceed—
(A) the energy savings achieved; (B) the cost-effectiveness of the energy-efficiency improvement; (C) an effective plan for evaluation, measurement, and verification of energy savings; (D) the financial need of the applicant; and (E) the percentage of the matching contribution by the applicant.

(h) Limitation on Individual Grant Amount.

(H) Each grant awarded under this section shall not exceed—
(A) the energy savings achieved; (B) the cost-effectiveness of the energy-efficiency improvement; (C) an effective plan for evaluation, measurement, and verification of energy savings; (D) the financial need of the applicant; and (E) the percentage of the matching contribution by the applicant.

(i) Limitation on Individual Grant Amount.

(I) Each grant awarded under this section shall not exceed—
(A) the energy savings achieved; (B) the cost-effectiveness of the energy-efficiency improvement; (C) an effective plan for evaluation, measurement, and verification of energy savings; (D) the financial need of the applicant; and (E) the percentage of the matching contribution by the applicant.

(j) Limitation on Individual Grant Amount.

(J) Each grant awarded under this section shall not exceed—
(A) the energy savings achieved; (B) the cost-effectiveness of the energy-efficiency improvement; (C) an effective plan for evaluation, measurement, and verification of energy savings; (D) the financial need of the applicant; and (E) the percentage of the matching contribution by the applicant.

(k) Limitation on Individual Grant Amount.

(K) Each grant awarded under this section shall not exceed—
(A) the energy savings achieved; (B) the cost-effectiveness of the energy-efficiency improvement; (C) an effective plan for evaluation, measurement, and verification of energy savings; (D) the financial need of the applicant; and (E) the percentage of the matching contribution by the applicant.

(l) Limitation on Individual Grant Amount.

(L) Each grant awarded under this section shall not exceed—
(A) the energy savings achieved; (B) the cost-effectiveness of the energy-efficiency improvement; (C) an effective plan for evaluation, measurement, and verification of energy savings; (D) the financial need of the applicant; and (E) the percentage of the matching contribution by the applicant.

(m) Limitation on Individual Grant Amount.

(M) Each grant awarded under this section shall not exceed—
(A) the energy savings achieved; (B) the cost-effectiveness of the energy-efficiency improvement; (C) an effective plan for evaluation, measurement, and verification of energy savings; (D) the financial need of the applicant; and (E) the percentage of the matching contribution by the applicant.

(n) Limitation on Individual Grant Amount.

(N) Each grant awarded under this section shall not exceed—
(A) the energy savings achieved; (B) the cost-effectiveness of the energy-efficiency improvement; (C) an effective plan for evaluation, measurement, and verification of energy savings; (D) the financial need of the applicant; and (E) the percentage of the matching contribution by the applicant.

(o) Limitation on Individual Grant Amount.

(O) Each grant awarded under this section shall not exceed—
(A) the energy savings achieved; (B) the cost-effectiveness of the energy-efficiency improvement; (C) an effective plan for evaluation, measurement, and verification of energy savings; (D) the financial need of the applicant; and (E) the percentage of the matching contribution by the applicant.

(p) Limitation on Individual Grant Amount.

(P) Each grant awarded under this section shall not exceed—
(A) the energy savings achieved; (B) the cost-effectiveness of the energy-efficiency improvement; (C) an effective plan for evaluation, measurement, and verification of energy savings; (D) the financial need of the applicant; and (E) the percentage of the matching contribution by the applicant.

(q) Limitation on Individual Grant Amount.

(Q) Each grant awarded under this section shall not exceed—
(A) the energy savings achieved; (B) the cost-effectiveness of the energy-efficiency improvement; (C) an effective plan for evaluation, measurement, and verification of energy savings; (D) the financial need of the applicant; and (E) the percentage of the matching contribution by the applicant.

(r) Limitation on Individual Grant Amount.

(R) Each grant awarded under this section shall not exceed—
(A) the energy savings achieved; (B) the cost-effectiveness of the energy-efficiency improvement; (C) an effective plan for evaluation, measurement, and verification of energy savings; (D) the financial need of the applicant; and (E) the percentage of the matching contribution by the applicant.

(s) Limitation on Individual Grant Amount.

(S) Each grant awarded under this section shall not exceed—
(A) the energy savings achieved; (B) the cost-effectiveness of the energy-efficiency improvement; (C) an effective plan for evaluation, measurement, and verification of energy savings; (D) the financial need of the applicant; and (E) the percentage of the matching contribution by the applicant.

(t) Limitation on Individual Grant Amount.

(T) Each grant awarded under this section shall not exceed—
(A) the energy savings achieved; (B) the cost-effectiveness of the energy-efficiency improvement; (C) an effective plan for evaluation, measurement, and verification of energy savings; (D) the financial need of the applicant; and (E) the percentage of the matching contribution by the applicant.
XI Pipeline; which was ordered to lie the bill S. 1, to approve the Keystone.

(CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. BARRASSO, Mr. Risch, Mr. Lee, Mr. Flake, Mr. Daines, Mr. Manchin, Mr. Cassidy, Mr. Gardner, Mr. Portman, Mr. Alexander, and Mrs. Capito) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SA 55. Mr. PETERS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. Murkowski (for herself, Mr. Hoeven, Mr. Barrasso, Mr. Risch, Mr. Lee, Mr. Flake, Mr. Daines, Mr. Manchin, Mr. Cassidy, Mr. Gardner, Mr. Portman, Mr. Alexander, and Mrs. Capito) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SA 54. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 2 proposed by Mr. Markey, Mr. Risch, Mr. Lee, Mr. Flake, Mr. Daines, Mr. Manchin, Mr. Cassidy, Mr. Gardner, Mr. Portman, Mr. Alexander, and Mrs. Capito) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:
the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

AUTHORIZING APPOINTMENT OF ESCORT COMMITTEE

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Presiding Officer of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort the President of the United States into the House Chamber for the joint session to be held at 9 p.m. on Tuesday, January 20, 2015.

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

ORDERS FOR TUESDAY, JANUARY 20, 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, January 20, 2015; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; I further ask that the Senate then proceed to a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the Democrats controlling the first half and the Republicans controlling the final half; that following morning business, the Senate then resume consideration of S. 1; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference lunches.

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

PROGRAM

Mr. McCONNELL. Senators should anticipate votes on pending amendments to the bill starting shortly after lunch on Tuesday. Senators MURKOWSKI and CANTWELL are working with Members on both sides of the aisle to debate and offer amendments to the bill. Now that we have overcome the Democratic filibuster on the motion to proceed to this bill, Senators are free to come to offer their amendments. The tree has not been filled and Chairman MURKOWSKI is managing an orderly process to alternate amendments between the two sides.

ADJOURNMENT UNTIL TUESDAY, JANUARY 20, 2015, AT 10 A.M.

Mr. McCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 1:33 p.m., adjourned until Tuesday, January 20, 2015, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

SECURITIES INVESTOR PROTECTION CORPORATION

JOHN E. MENDEZ, OF CALIFORNIA, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2015, VICE SHARON Y. BOWEN, RESIGNED.

JOHN E. MENDEZ, OF CALIFORNIA, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2018. (RE-APPOINTMENT)

DEPARTMENT OF THE TREASURY

ADEWALE ADEYEMO, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE MARISA LAGO.

DEPARTMENT OF STATE

BRIAN JAMES EGAN, OF MARYLAND, TO BE LEGAL ADVISER OF THE DEPARTMENT OF STATE, VICE HAROLD HONGJU KOH, RESIGNING.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

MATTHEW T. MCGUIRE, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF TWO YEARS, VICE IAN HODDY SOLOMON, TERM EXPIRED.
PERSONAL EXPLANATION

HON. BRIAN HIGGINS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Friday, January 16, 2015

Mr. HIGGINS. Mr. Speaker, on January 6, attended the funeral of the former Governor of New York, Mario Cuomo, in New York City. Consequently I missed several votes in the House of Representatives. I would like to submit how I intended to vote had I been present:

On Roll Call 1, the Quorum Call of the House, I would have voted PRESENT.

On Roll Call 2, the Election of the Speaker of the House of Representatives, I would have voted for Representative NANCY PELOSI of California.

On Roll Call 3, to Table the Motion to Refer H. Res. 5, Adopting rules for the One Hundred Fourteenth Congress, I would have voted NAY.

On Roll Call 4, Ordering the Previous Question on H. Res. 5, I would have voted NAY.

On Roll Call 5, the Motion to Recommit H. Res. 5 with Instructions, I would have voted YEA.

On Roll Call 6, Agreeing to H. Res. 5, I would have voted NAY.

On Roll Call 7, the Motion to Suspend the Rules and Pass H.R. 22, I would have voted YEA.

PERSONAL EXPLANATION

HON. RON KIND
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES

Friday, January 16, 2015

Mr. KIND. Mr. Speaker, I rise today to explain my vote on Wednesday, January 14, 2015 in opposition to H.R. 240, Department of Homeland Security Appropriations Act, 2015. Although I support many aspects of this legislation, I was unable to support the final bill due to a number of troubling amendments.

I am strongly in favor of funding the Department of Homeland Security (DHS), especially with the risk of terrorism we currently face as a nation. I applaud many sections of the DHS funding bill, including increased funding from FY 2014 for Customs & Border Patrol (CBP), the Federal Emergency Management Agency (FEMA), and the Transportation Security Administration (TSA).

However, there are a number of amendments added to this bill which run the risk of tearing families apart, and I could not support the final bill.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015

SPEECH OF

HON. DEBBIE DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2015

The House in Committee of the Whole on the state of the Union had under consideration the bill (H.R. 240) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes:

Mrs. DINGELL. Mr. Chair, I rise in strong opposition to H.R. 240, the Homeland Security Appropriations Act of 2015. Without further action by Congress, the Department of Homeland Security (DHS) will face a shutdown on February 28, 2015. Everyone agrees DHS should receive robust funding to carry out their mission of keeping the American people safe, and I’m pleased to see there is bipartisan, bicameral agreement on funding levels for the agency. However, I am very disappointed that the Republican majority had decided to add poison-pill amendments to this legislation related to the President’s actions on immigration. This is putting the American people at risk and is unacceptable.

Global tensions remain high following the terrorist attacks in France, and we should not be letting down our guard at this critical time. Yet this is exactly what we are doing by passing H.R. 240 today. This legislation has no chance of being signed into law, as President Obama has already said he would veto the bill. If my friends on the other side of the aisle are so concerned about immigration, they should work with Democrats in a bipartisan manner on comprehensive immigration reform.

I stand ready to work with them on this critical issue.

I want to address the DeSantis Amendment to this legislation. As a woman who is active on domestic violence issues, I will always do everything in my power to protect victims of abuse. However, this amendment is misleading and I am afraid it could have unintended consequences if adopted. The U.S. Conference of Catholic Bishops stated that this amendment would discourage victims of domestic violence from reporting abuse to the proper authorities. I also spoke with domestic violence groups in Michigan, and they have pointed out the unintended consequences of this amendment as well. We need to make it easier to report incidents of domestic violence, not harder, which is why I am opposing the DeSantis amendment today.

In the meantime, we should pass a clean DHS appropriations bill so the operations of this critical department can continue uninterrupted. Their mission is simply too important to jeopardize. I urge my colleagues to join me in opposing H.R. 240.

PAYING TRIBUTE TO THE MEMORY OF LEMON HENRY MOSES, JR.

HON. STENY H. HOYER
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES

Friday, January 16, 2015

Mr. HOYER. Mr. Speaker, I rise to pay tribute to Lemon Henry Moses, Jr., a distinguished community leader in Maryland’s Fifth District who passed away on December 10, 2014. He was 94 years old.

Lemon Moses made history as the first African-American to serve as Chairman of the Charles County Liquor Board. All of us who knew Lemon saw how deeply devoted he was to his family, his community, and his country. He gave so much of himself to all three, and he will be fondly remembered by the many whose lives he touched across Charles County and Maryland.

After growing up in Savannah, Georgia, Lemon moved to Pittsburgh in his youth and was a singer and tap dancer in a local Vaudeville troupe called the ‘Kandy Kids,’ where he befriended Gene Kelly before he became famous. Attending Howard University in Washington, DC, Lemon studied mechanical engineering, and when World War II broke out, he joined the U.S. Navy and served his country as a sailor in the Pacific Theater of Operations. When the war ended, he began a career with the U.S. Postal Service that lasted forty-four years, where he served in a number of leadership positions.

Lemon became involved in the Civil Rights Movement in 1947, when he worked to integrate his local school district while serving as president of a parent-teacher association. In the Postal Service, he held the role of Eastern Region Vice President for the Postal Service Supervisors and made equal rights a focus of his work there. President Lyndon Johnson later appointed Lemon as an Equal Employment Opportunity Specialist to handle discrimination complaints in Congress. In 1974, he moved to Waldorf, in Charles County, where he became very active in the County’s chapter of the NAACP. In addition to a trailblazing career as a Director for what is now the University of Maryland Charles Regional Medical Center and was active in Chapter 3885 of the AARP.

Lemon was a devoted husband, father, grandfather, and great-grandfather. He is survived by his wife of seventy-three years, Elaine Moses, as well as his daughter Yvonne Beatrice Buford and her husband Walter; and his son Mike Moses and his wife Delores. In addition to them, four grandchildren, and eight great-grandchildren, Lemon is survived by a community to which he had devoted so much of his time and energy both before and during his retirement. He was an active member of St. Peter’s Catholic Church in Waldorf, where family and friends bade farewell in a moving funeral mass on December 18, 2014.

I join in expressing our condolences to Elaine and to the entire Moses family, and I
thank them for sharing Lemon with all of us for the many years in which he did so much good for the people and communities of Charles County and for our country. As I remarked at his funeral, Lemon Moses was no lemon—he was a peach, a pear, and an apple, and all of our lives were made sweeter because of his.

HONORING DENISE RUSHING
HON. MIKE THOMPSON
OP CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Friday, January 16, 2015

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor and thank Lake County Supervisor Denise Rushing for her eight years of dedicated service to the people of Lake County. Supervisor Rushing championed countless projects that will improve the long-term vitality of our county.

Supervisor Rushing served as the 3rd District Supervisor for Lake County for eight years, during which time she also served as the Chair of the Lake County Board of Supervisors. During her years of service, Supervisor Rushing was instrumental in implementing and finishing a number of projects that will help to protect and sustain our environment.

During her tenure Lake County installed solar power at county facilities, such as the jail and wastewater treatment plant. With Supervisor Rushing’s guidance, the Board of Supervisors transformed the unsightly trailer park known as Clark’s Island into an eco-park, made entirely of natural materials. In fact, Lake County made such tremendous advances in its use of solar power and green building practices that the county received two California Green Summit Environmental Leadership Awards.

Supervisor Rushing also championed the development of Mount Konocti County Park, the Middle Creek Restoration Project and the Konocti Regional Trails. Thanks to her fine work, residents of Lake County will be better able to enjoy the natural beauty and splendor that our county offers for generations to come.

Mr. Speaker, it is appropriate at this time that we honor and thank Supervisor Rushing for her invaluable service to Lake County. Her unyielding dedication to protecting and promoting environmental sustainability and renewable energy is greatly appreciated by the entire community and we wish her the best of luck in her future endeavors.

PROMOTING JOB CREATION AND REDUCING SMALL BUSINESS BURDENS ACT

SPEECH OF
HON. CHRIS VAN HOLLEN
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 13, 2015

Mr. VAN HOLLEN. Mr. Speaker, the legislation we are being asked to vote on today is identical to legislation that failed on the suspension calendar last week—and so is now being brought back to the floor under a closed rule, without possibility of amendment. I opposed this bill on both policy and procedural grounds last week, and because nothing has fundamentally changed on either score, I will do so again today.

Mr. Speaker, this unwieldy legislation is comprised of eleven, mostly unrelated titles—a few of which I have supported in the past, some of which I probably could support on a freestanding basis in the future and several of which either need a lot more work or simply should not be supported. In particular, as an advocate of the Dodd-Frank Wall Street Reform Act, I think we should tread very carefully before modifying or weakening something as central to financial reform as the Volcker Rule, which Title VIII of this legislation would do with respect to collateralized debt obligations. Additionally, while I am strongly in favor of giving employees more ownership opportunities in the companies they work for, I also believe those employees deserve to know the value of the stock they are being offered, and that is something Title XI of this bill fails to do.

For these reasons, I urge a no vote.

CONGRATULATING THE OHIO STATE UNIVERSITY BUCKEYES
HON. MARCIA L. FUDGE
OF OHIO
IN THE HOUSE OF REPRESENTATIVES

Friday, January 16, 2015

Ms. FUDGE. Mr. Speaker, I rise today to congratulate The Ohio State University Buckeyes, the undisputed 2015 NCAA Football National Champions. In the inaugural College Football Playoff National Championship Game on January 12, 2015, the Buckeyes, led by Coach Urban Meyer, beat the Oregon Ducks with a final score of 42–20.

In the state of Ohio, nothing is given. Everything is earned. This year’s Buckeye football team worked hard the entire season in the face of adversity. After the pre-season loss of starting quarterback Braxton Miller, many critics predicted the season would be doomed. Following a 35–21 defeat in the second game of the season to the Virginia Tech Hokies, many questioned whether the Buckeyes could win the Big-10 Championship. When J.T. Barrett broke his ankle in the final regular season game against the University of Michigan, some wondered if the Buckeyes even deserved to be considered for the playoffs despite a 11–1 record.

This year’s team defied all odds, silenced the critics, and finished the season as national champions. In their final 3 games of the season the Buckeyes, led by quarterback Cardale Jones, a constituent of my Congressional District, won the Big 10 Championship against the Wisconsin Badgers, defeated the Alabama Crimson Tide in the Sugar Bowl to advance to the National Championship Game, and capped off the tremendous season with a win over the Oregon Ducks.

As a proud alum of The Ohio State University, I commend these student athletes for their hard work and dedication both on and off the football field. O-H-I-O!

Paying Tribute to the Memory of David L. Levy

HON. STENY H. HOYER
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES

Friday, January 16, 2015

Mr. HOYER. Mr. Speaker, I rise to pay tribute to the life of David Lawrence Levy, a pioneering children’s rights leader and advocate for joint parenting, who passed away last month. A longtime resident of Hyattsville, MD, which is in the Fifth District, David had battled cancer for several years with tenacity, determination, and infectious optimism. Sadly, he lost that battle on December 11, 2014, when he passed away at the age of 78.

David co-founded the National Council for Children’s Rights—now called the Children’s Rights Council—in 1985 and served as its CEO until 2008 and President of its Board until 2009. During that time, he fought for policies at the local, state, and federal level that promoted shared parenting with joint custody of children after divorce and encouraged courts to place the needs and well-being of children first. The title of a book David edited in 1994 summed up well the mission of the organization he had built: “The Best Parent is Both Parents.” He oversaw the creation of the Children’s Rights Council’s access and visitation centers—including its flagship center in Prince George’s County—which provide neutral locations for separated parents to drop off and pick up their children and a place where supervised visitation can take place. In October 2009, David was named as one of the “25 Most Influential People in our Children’s Lives” by Children’s Health magazine, alongside Secretary of Education Arne Duncan, Melinda Gates, and Taylor Swift.

David was a native of New York and received his undergraduate and law degrees from the University of Florida before settling in Hyattsville, which is in Prince George’s County. Early in his career, he spent several years working as a copyright lawyer at the Library of Congress. David was also an accomplished author, having published several works ranging from fiction novels to articles in the Washington Post and other papers. He served as President of the Beth Torah Congregation in Hyattsville and later was an active member of Tifereth Israel Congregation in Washington, DC, where family, friends, and local community leaders gathered on December 14 to pay tribute to David at his funeral service.

David is survived by his wife Ellen, their daughter Diana and her husband Danny, his son Justin and his wife Ilana, and his granddaughter Corina. He also leaves behind many friends, neighbors, and extended family who will fondly remember David for his warmth, his sense of humor, and his enthusiasm for life. I join in offering my condolences to his family, in mourning this loss to our community and our country, and in celebrating his extraordinary life.
Mr. HUFFMAN. Mr. Speaker, I rise today in honor of Dolly Nave, who passed away on December 23, 2014, at her home in San Rafael, California. As a dedicated community organizer and leader, Ms. Nave helped to transform recreational facilities in the City of San Rafael for the benefit of countless Marin County residents.

In the 1980s, on behalf of Ms. Nave’s eight children and the children in the local community, Ms. Nave rallied the support of local contractors and volunteers to donate the equipment, labor, and funding necessary to breathe new life into public schools and city-owned recreation fields and facilities. Ms. Nave continued to improve recreational facilities throughout her life, and founded the Marin Bocce Federation in Albert Park, San Rafael.

Ms. Nave was a skillful community leader who possessed the necessary organizational skills to always put the pieces in place and get the job done. She was the project manager for the construction of Marin Community Fields in Larkspur and was in the forefront of numerous projects at San Rafael High, initiating the successful “Save Night Football” campaign. A volunteer at Albert Park for 35 years, she became known as the “Angel of Albert Park” because she was one of its foremost advocates. In 1993, she was a founding board member and construction chair of the Marin Bocce Federation in Albert Park. The six bocce courts are now used by more than 1,000 players a week.

Ms. Nave’s work did not go unnoticed, and her longstanding commitment to others was recognized by numerous awards including San Rafael Citizen of the Year, the Marv Lechner Award from San Rafael High, and Woman of the Year for California’s Third Senate District in 1991. She was also one of the first women to be inducted into the Marin Athletic Foundation High School Hall of Fame.

Mr. Speaker, Dolly Nave’s selfless efforts have benefited countless residents of San Rafael and Marin County. Her legacy will not soon be forgotten as her accomplishments can be seen all around the City of San Rafael. It is therefore appropriate that we pay tribute to her today and express our deepest condolences to her husband, Rich; three sons, Richard Jr., Paul, and Tom; and three daughters, Sheri, Kathy, and Patti; as well as her forty-two grandchildren and great grandchildren.
Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S221–S248

Measures Introduced: Nine bills and one resolution were introduced, as follows: S. 180–188, and S. Res. 27.

Measures Passed:

Authorizing Testimony and Representation: Senate agreed to S. Res. 27, to authorize testimony and representation in United States of America v. Jeffrey A. Sterling.

Measures Considered:

Keystone XL Pipeline—Agreement: Senate resumed consideration of S. 1, to approve the Keystone XL Pipeline, taking action on the following amendments proposed thereto:

Pending:

Murkowski Amendment No. 2, in the nature of a substitute.

Markey/Baldwin Amendment No. 13 (to Amendment No. 2), to ensure that oil transported through the Keystone XL pipeline into the United States is used to reduce United States dependence on Middle Eastern oil.

Portman/Shaheen Amendment No. 3 (to Amendment No. 2), to promote energy efficiency.

Cantwell (for Franken) Amendment No. 17 (to Amendment No. 2), to require the use of iron, steel, and manufactured goods produced in the United States in the construction of the Keystone XL pipeline and facilities.

A unanimous-consent agreement was reached providing that at approximately 11 a.m., on Tuesday, January 20, 2015, Senate resume consideration of the bill.

Joint Session Escort Committee—Agreement: A unanimous-consent agreement was reached providing that the Presiding Officer of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort the President of the United States into the House Chamber for the joint session to be held at 9 p.m., on Tuesday, January 20, 2015.

Nominations Received: Senate received the following nominations:

John E. Mendez, of California, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2015.

John E. Mendez, of California, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2018.

Adewale A. Adeyemo, of California, to be an Assistant Secretary of the Treasury.

Brian James Egan, of Maryland, to be Legal Adviser of the Department of State.

Matthew T. McGuire, of the District of Columbia, to be United States Executive Director of the International Bank for Reconstruction and Development for a term of two years.

Messages from the House:

Measures Referred:

Measures Placed on the Calendar:

Measures Read the First Time:

Additional Cosponsors:

Additional Statements:

Amendments Submitted:

Adjournment: Senate convened at 9:30 a.m. and adjourned at 1:35 p.m., until 10 a.m. on Tuesday, January 20, 2015. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S248.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Armed Services: Committee announced the following subcommittee assignments:

Subcommittee on AirLand: Senators Cotton (Chair), Inhofe, Sessions, Wicker, Rounds, Ernst, Sullivan, Lee, Manchin, McCaskill, Gillibrand, Blumenthal, Donnelly, Hirono, and Heinrich.
Subcommittee on Emerging Threats and Capabilities: Senators Fischer (Chair), Ayotte, Cotton, Ernst, Tillis, Graham, Cruz, Nelson, Manchin, Shaheen, Gillibrand, Donnelly, and Kaine.

Subcommittee on Personnel: Senators Graham (Chair), Wicker, Cotton, Tillis, Sullivan, Gillibrand, McCaskill, Blumenthal, and King.

Subcommittee on Readiness and Management Support: Senators Ayotte (Chair), Inhofe, Fischer, Rounds, Ernst, Lee, Kaine, McCaskill, Shaheen, Hirono, and Heinrich.

Subcommittee on Seapower: Senators Wicker (Chair), Sessions, Ayotte, Rounds, Tillis, Sullivan, Cruz, Hirono, Nelson, Shaheen, Blumenthal, Kaine, and King.

Subcommittee on Strategic Forces: Senators Sessions (Chair), Inhofe, Fischer, Lee, Graham, Cruz, Donnelly, Nelson, Manchin, King, and Heinrich.

Senators McCain and Reed are ex officio members of each subcommittee.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 7 public bills, H.R. 298–404; and 1 resolution, H. Res. 37, were introduced.

Additional Cosponsors: Page H412

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Messer to act as Speaker pro tempore for today.

Guest Chaplain: Reverend Thomas Petri, Dominican House of Studies, Washington, DC.

Permanent Select Committee on Intelligence—Appointment: The Chair announced the Speaker’s appointment of the following Members of the House to the Permanent Select Committee on Intelligence: Representatives Gutiérrez, Himes, Sewell (AL), Carson (IN), Speier, Quigley, Swalwell (CA), and Murphy (FL).

Quorum Calls—Votes: There were no yea-and-nay votes, and there were no recorded votes. There were no quorum calls.

Adjournment: The House met at 4 p.m. and adjourned at 4:04 p.m.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D1156)

H.R. 26, to extend the termination date of the Terrorism Insurance Program established under the Terrorism Risk Insurance Act of 2002. Signed on January 12, 2015. (Public Law 114–1)

COMMITTEE MEETINGS FOR TUESDAY, JANUARY 20, 2015

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine perspectives on the strategic necessity of Iran sanctions, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: organizational business meeting to consider committee rules of procedure, and an original resolution authorizing expenditures by the committee during the 114th Congress, 2:30 p.m., SR–253.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Rules, Full Committee, hearing on H.R. 36, the “Pain-Capable Unborn Child Protection Act”; and H.R. 161, the “Natural Gas Pipeline Permitting Reform Act”, 2 p.m., H–313 Capitol.

CONGRESSIONAL PROGRAM AHEAD

Week of January 19 through January 23, 2015

Senate Chamber

On Tuesday, at approximately 11 a.m., Senate will resume consideration of S. 1, Keystone XL Pipeline.

During the balance of the week, Senate may consider any cleared legislative and executive business.
Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Armed Services: January 21, to hold hearings to examine global challenges and United States national security strategy, 9:30 a.m., SH–216.
January 22, Full Committee, to receive a closed briefing on training and equipping the vetted Syrian opposition, 9:30 a.m., SVC–217.

Committee on Banking, Housing, and Urban Affairs: January 20, to hold hearings to examine perspectives on the strategic necessity of Iran sanctions, 10 a.m., SD–538.

January 22, Full Committee, business meeting to consider an original bill entitled, “Nuclear Weapon Free Iran Act of 2015”; 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: January 20, organizational business meeting to consider committee rules of procedure, and an original resolution authorizing expenditures by the committee during the 114th Congress, 2:30 p.m., SR–253.
January 21, Full Committee, to hold hearings to examine protecting the Internet and consumers through congressional action, 2:30 p.m., SR–253.

Committee on Environment and Public Works: January 21, organizational business meeting to consider an original resolution authorizing expenditures by the committee during the 114th Congress, 10:30 a.m., SD–406.

January 22, Full Committee, organizational business meeting to continue consideration of an original resolution authorizing expenditures by the committee during the 114th Congress, 9:30 a.m., Room to be announced.

Committee on Finance: January 22, to hold hearings to examine jobs and a healthy economy, 10 a.m., SD–215.

Committee on Foreign Relations: January 22, to hold hearings to examine Iran nuclear negotiations, focusing on the status of talks and the role of Congress, 9:30 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: January 21, to hold hearings to examine fixing No Child Left Behind, focusing on testing and accountability, 10 a.m., SD–430.

January 22, Full Committee, to hold hearings to examine job-based health insurance and defining full-time work, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: January 22, organizational business meeting to consider an original resolution authorizing expenditures by the committee during the 114th Congress, and committee rules of procedure, 10 a.m., SD–342.

Committee on the Judiciary: January 21, to hold hearings to examine the nominations of Michelle K. Lee, of California, to be Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, Daniel Henry Marti, of Virginia, to be Intellectual Property Enforcement Coordinator, Executive Office of the President, Alfred H. Bennett, George C. Hanks, Jr., and Jose Rolando Olvera, Jr., all to be a United States District Judge for the Southern District of Texas, and Jill N. Parrish, to be United States District Judge for the District of Utah, 2:30 p.m., SD–226.

January 22, Full Committee, organizational business meeting to consider an original resolution authorizing expenditures by the committee during the 114th Congress, subcommittee assignments, and committee rules of procedure, 10 a.m., SD–226.

Committee on Veterans’ Affairs: January 21, organizational business meeting to consider an original resolution authorizing expenditures by the committee during the 114th Congress, committee rules of procedure, and H.R. 203, to direct the Secretary of Veterans Affairs to provide for the conduct of annual evaluations of mental health care and suicide prevention programs of the Department of Veterans Affairs, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, 10 a.m., SR–418.

Select Committee on Intelligence: January 20, to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH–219.

January 22, Full Committee, to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH–219.

House Committees

Committee on Agriculture: January 22, Full Committee, organizational meeting for the 114th Congress, 10 a.m., 1300 Longworth.

Committee on the Budget, January 22, Full Committee, organizational meeting for the 114th Congress, 9:30 a.m., 210 Cannon.

Committee on Education and the Workforce, January 21, Full Committee, organizational meeting for the 114th Congress, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, January 21, Subcommittee on Communications and Technology, hearing entitled “Protecting the Internet and Consumers Through Congressional Action”, 10 a.m., 2123 Rayburn.


January 22, Subcommittee on Health, hearing entitled “A Permanent Solution to the SGR: The Time Is Now” (continued), 10:15 a.m., 2322 Rayburn.

Committee on Financial Services, January 21, Full Committee, organizational meeting for the 114th Congress, 2 p.m., HVC–210.

Committee on Foreign Affairs, January 21, Full Committee, organizational meeting for the 114th Congress, 10 a.m., 2172 Rayburn.

Committee on the Judiciary, January 21, Full Committee, organizational meeting for the 114th Congress; hearing on H.R. 181, the “Justice for Victims of Trafficking Act of 2015”; H.R. 350, to direct the Interagency Task Force to Monitor and Combat Trafficking to identify strategies to prevent children from becoming victims of trafficking and review trafficking prevention efforts, to protect and assist in the recovery of victims of trafficking, and for other purposes; H.R. 159, the “Stop Exploitation
Through Trafficking Act of 2015”; and H.R. 285, to amend title 18, United States Code, to provide a penalty for knowingly selling advertising that offers certain commercial sex acts, 10:30 a.m., 2141 Rayburn.

Committee on Science, Space, and Technology, January 21, Full Committee, organizational meeting for the 114th Congress, 11 a.m., 2318 Rayburn.

January 21, Full Committee, hearing entitled “Unmanned Aerial Systems Research and Development”, 2:30 p.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, January 21, Full Committee, hearing entitled “FAA Reauthorization: Reforming and Streamlining the FAA’s Regulatory Certification Processes”, 10 a.m., 2167 Rayburn.

Committee on Veterans’ Affairs, January 21, Full Committee, organizational meeting for the 114th Congress; hearing entitled “Building a Better VA: Assessing Ongoing Major Construction Management Problems within the Department”, 10:30 a.m., 334 Cannon.

January 22, Subcommittee on Disability Assistance and Memorial Affairs, hearing entitled “Veterans’ Dilemma: Navigating the Appeals System for Veterans Claims”, 10:30 a.m., 340 Cannon.

Committee on Ways and Means, January 21, Full Committee, organizational meeting for the 114th Congress, 10:15 a.m., 1300 Longworth.
Next Meeting of the SENATE
10 a.m., Tuesday, January 20

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond one hour), Senate will resume consideration of S. 1, Keystone XL Pipeline. (Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Tuesday, January 20

House Chamber

Program for Tuesday: Joint Session with the Senate to receive the State of the Union Address from the President of the United States.

Extensions of Remarks, as inserted in this issue

HOUSE

Dingell, Debbie, Mich., E75
Fudge, Marcia L., Ohio, E76
Higgins, Brian, N.Y., E75
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Huffman, Jared, Calif., E77
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