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.

I hereby appoint the Honorable LUCY MESSER to act as Speaker pro tempore on this day.

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

PRAYER

Reverend Thomas Petri, Dominican House of Studies, Washington, D.C., offered the following prayer:

Almighty ever-living God, in whose hand lies every human heart and the rights of all peoples, graciously receive the prayers we pour out to You for our country, that, through the wisdom of its leaders and the integrity of its citizens, harmony and justice may be assured and lasting prosperity come with peace.

Look with favor, we pray, on this House, and, in Your mercy, we beg You to grant that its Members may be Your instruments for us and for the whole world, that the flourishing of peoples, the establishment of peace, and the freedom of religion may, through Your gift, be made secure.

Mercifully pour out upon these men and women, O God, the spirit of Your wisdom, that they may decide everything for the well-being and peace of all, and may they never turn aside from Your will.

We ask this through Christ, our Lord. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day’s proceedings and announces to the House his approval thereof. Pursuant to clause 1, rule I, the Journal stands approved.

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.

APPOINTMENT OF MEMBERS TO PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore. The Chair announces the Speaker’s appointment, pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of January 6, 2015, of the following Members to the Permanent Select Committee on Intelligence:

Mr. Gutierrez, Illinois
Mr. Himes, Connecticut
Ms. Sewell, Alabama
Mr. Carson, Indiana
Ms. Speier, 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. 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. 2660(c) 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. 1542(b); to the Committee on Natural Resources.

76. A letter from the Attorney-Advisor, 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-2014-0097] (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.
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. WATERMAN 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. MCSALLY, Mr. Hurd of Texas, Mr. CUBERSON, Mr. PARENTHOLD, Mr. RATCLIFFE, Mr. CARTER of Texas, and Mr. BUESCHON):

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 enabling 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. WENSTROOP):

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. PETTERSON, Mr. BENISHEK, Mrs. BLACK, Mr. CARTER of Texas, Mr. CHABOT, Mr. COOK, Mr. CRAMER, Mr. CRESHAW, Mr. ROBINY DAVIS of Illinois, Mr. DESJARDILS, Mr. DUNCAKN of South Carolina, Mr. DUNCAKN of Tennessee, Mr. FINCHER, Mr. FRANKS of Arizona, Mr. GIBSON, Mr. HANNA, Mr. HUNTER, Mr. JOLLY, Mr. KELLY of Pennsylvania, Mr. MCCLEINTOCK, Mr. McKINLEY, Mr. ROE of Tennessee, Mr. ROGERS of Alabama, Mr. ROONBY of Florida, Mr. SESSIONS, Mr. SMITH of Texas, Mr. STEWART, Mr. THOMPSON of Pennsylvania, Mr. Tipton, Mr. Williams, Mr. WOACK, Mr. YOUNG of Alaska, Mr. POMPEO, 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. NORTON, Ms. JACKSON LEE, Mr. MEKES, Mr. JOHNSON of Georgia, Mr. ELLISON, Ms. LEI, Mr. THOMPSON of Mississippi, Mr. CONVERS, Mr. PETERSON, Mr. BASS, Mr. NOLAN, Mr. POLIS, Mr. COREN, Mr. CLAY, Mr. FATTAH, Mr. SHERANO, 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 Committees 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 Reclamation within the Northport Irrigation District in the State of Nebraska; to the Committee on Natural 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 condolences 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 Representatives, 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.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause Article 1, Section 8, Clause 3 of the U.S. Constitution gives Congress the power “to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.”

By Mr. McCaul:

H.R. 399.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 1; and Article 1, section 8, clause 18 of the Constitution of the United States.

By Mr. ROYCE:

H.R. 400.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution.

“To provide for the common defense,” to raise and support Armies,” “to provide and maintain a Navy,” and “to make rules for the government and regulation of the land and naval forces.”

By Mr. NUGENT:

H.R. 402.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause in Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. RANGEL:

H.R. 403.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 to regulate Commerce with Foreign Nations.

By Mr. SMITH of Nebraska:

H.R. 404.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution.

ADDITIONAL SPONSORS

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

H.R. 132: Mr. BRAT, Mr. MCCLEINTOCK, Mrs. ELLMERS, Mr. Bishop of Utah, Mr. POSSEY, Mr. WENSTROOP, Mr. STEWART, Mr. NEUBAUER, Mr. CONAWAY, and Mr. THORNBERY.

H.R. 140: Mr. ZINKE.

H.R. 158: Mr. SESSIONS.

H.R. 169: Mr. HECK of Washington, Mr. TIPPTON, and Mr. WELCH.

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

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

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

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

H.R. 228: Mr. JOLLY.

H.R. 300: Mr. MCCLEINTOCK.

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. SENSENBRENNER.

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

H.Res. 11: Mr. Gibbs, Mr. Wilson of South Carolina, and Mrs. ELLMERS.

H.Res. 31: 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 MURAWSKI 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 PRESIDENT pro tempore. The PRESIDENT pro tempore. The PRESIDENT pro tempore. Without objection, it is so ordered.

KEYSTONE XL PIPELINE ACT
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 PRESIDENT pro tempore. The PRESIDENT pro tempore. The PRESIDENT pro tempore. Without objection, it is so ordered.

A bill (S. 1) to approve the Keystone XL Pipeline.
Pending:

Mikulski 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 U.S. dependence on Middle Eastern oil.

Pombeck 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.

The PRESIDENT pro tempore. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I rise today to speak in opposition to an amendment offered by Senator MCCAIN pertaining to the Merchant Marine Act of 1920, popularly referred to as the Jones Act.

I will, of course, start by saying that the chairman of the Armed Services Committee, Senator MCCAIN, has a distinguished record of support for our men and women in the military and cares deeply about our national security, but on this amendment I respectfully disagree with our chairman.

I wish to take a few minutes this morning to remind my colleagues why the Jones Act is an essential component of our national security policy and shipbuilding is a foundational component of American manufacturing.

The Jones Act requires that our maritime vessels engaged in shipping goods between U.S. ports must meet three requirements: They must be built in the United States, at least 75-percent owned by U.S. citizens, and operated by U.S. citizens. The Jones Act helps to shore up our national security by providing reliable sealift in times of war. It ensures our ongoing viability as an ocean power by protecting American shipbuilders. As a result, the Jones Act provides solid, well-paying jobs for nearly 300,000 Americans from Virginia to Hawaii in short, the Jones Act promotes national security and American job creation. Therefore, I am unclear why some of my colleagues are opposed to this commonsense law. I don’t say this simply as a Member from an island State where we depend on the reliability offered by American shippers for fresh food, energy, and other everyday goods, but I say this as a Senator who proudly devoted a career to supporting our strong and growing middle class and creating American jobs.

First, shipbuilding is a major job-creating industry. According to the Maritime Administration, there were 107,000 people directly employed by roughly 300 shipyards across 26 States in 2013. Additionally, shipyards indirectly employed nearly 400,000 people across the country. This amendment would specifically knock out the Jones Act provision that requires that U.S.-flagged ships be built and maintained in the United States, jeopardizing good-paying, middle-class jobs. To me, that is reason enough to oppose this amendment.

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 join our Navy. Our American-built 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 maritime industrial capacity, Congress should be focused 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 to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent to put the order for the quorum call to 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, but I would like to talk a little 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 the authority to review 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, property rights, climate change, and a whole host of priorities.

But I am here today to talk about an issue I think is particularly important, which is the fact that tar sands have a loophole and doesn’t pay into the oil spill liability trust fund.

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 of cleaning up oil spills. The principle behind that 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. 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 have to pay into the trust fund to maintain the oilspill liability trust fund. That is the principle behind that.

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 various amendments. It is likely that on Tuesday we will start voting on at least the pending amendments we have discussed so far, but I would like to talk a little 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 the authority to review 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, property rights, climate change, and a whole host of priorities. But I am here today to talk about an issue I think is particularly important, which is the fact that tar sands have a loophole and doesn’t pay into the oil spill liability trust fund.

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 of cleaning up oil spills. The principle behind that 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. 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 have to pay into the trust fund to maintain the oilspill liability trust fund. That is the principle behind that. The principle behind that 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. That is the principle that drives the oilspill liability trust fund. It is something we have had in place for a while.
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 this crude material.

I want to go back to why this trust fund was created and why it was so important. The oilspill liability trust fund was created in 1989 as part of the Comprehensive Environmental Response and Liability Act. This bill was signed by President Reagan, but it took 4 more years and a major disaster before the country actually funded the oilspill liability trust fund, and that disaster was Exxon Valdez. My colleague from Alaska will be on the floor later today, and I am sure she could talk a lot about this issue as well. I had many conversations with the late Senator Ted Stevens about this issue, and that still had not occurred.

When one comes from the State of Washington and Pacific waters and when one comes from Alaska, how we clean up these oil spills is incredibly important to our economies.

What happened in 1989 is that an oil tanker hit a reef and ended up spilling 11 million gallons of crude oil. It didn’t take long for those pristine waters of Prince William Sound in Alaska 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 livelihood 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 gulf 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 we had not anticipated when we were 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 provisions to the Clean Water Act, to the Energy Policy Act, and to the Comprehensive Environmental Response and Liability Act. The bill included provisions for the clean-up of a spill, and for the funding of the oil spill 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 is the definition 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 would say: Well, why do we pay more money into this and not pay into the trust fund? One of the ways we get that is through the oil spilling into the ocean bottom, so it is a challenge for us to clean it up.

I can tell you that in trying to protect Puget Sound and trying to clean up the waters off the coast of Washington, it would 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 is a challenge for us. 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 big 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 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 to be a synthetic fuel, they have a loophole, but they are not sitting around waiting for the oil to spill. It is not. When you have a busy waterway, it is a challenge for us. Once it spills into our seas, there is technology 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 revisit amendments 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, and they spilled 8 million gallons of tar sands into the river.

This is a picture of that cleanup and the process, which was $1.2 billion that was spent. So for those of you who don’t know Kalamazoo, it was an incredible economic, environmental, and historic issue for the people of Michigan. The river was closed for business for 18 months after that spill. More than 35 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 the other oil that is produced 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 available online at: https://www.irs.cornell.edu/sites/irs.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 the conversation we are proposing to conduct put into this 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 Finance Committee, now 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 we have the technology, all of the methods, 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.

As my colleagues have been working on this issue for some time, Senator Wyden, the ranking member on the Senate Finance Committee, of course feels very strongly they should be paying into the oil spill liability trust fund and making sure we are closing this loophole.

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 the middleman 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 $3 less than the U.S. crude benchmark. The international prices are $3 higher than the Canadian.

If we do all of this, if we build this pipeline and then 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. Energy independence cannot, 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. Who are we paying 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 executives in Vancouver, 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 fund to respond to oilspills 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 oilspill, will not have paid into the oilspill liability fund for oilspill accidents in the United States.

I wrote to the Treasury Department inquiring about 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 tax-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 oilspill 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 and gas to the rest of the world, and straw breaks, if there is a spill, the Canadians have not contributed to the oil spill 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 national debate here in the Senate. 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 their fair share of the dues to be able to participate in our great American society. The majority are in installation, 10 times faster than the national average. The natural gas combined. Solar jobs grew 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 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 warmest year ever recorded in the history of the planet—2014. You don’t have to be Dick Tracy to figure 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 (Mr. Sasse). 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 a comprehensive strategy 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 new majority has chosen to move forward with energy policy as a whole or innovation or manufacturing policy or our response to climate change. Instead, we are debating on the floor of the Senate just one pipeline project, which primarily benefits another Nation.

There is really one basic question. Is the Keystone Pipeline in our Nation’s interest—not Canada’s interest or Wall Street’s interest but our Nation’s interest. I do not believe it is. I say this for two reasons. First, we are being asked to do something I believe is unprecedented—for Congress to step in and promote a bill for one private-sector energy project, to waive ahead a private pipeline for a private foreign company so that Canadian oil can be piped to Texas for export to other nations. Again, how does this serve our Nation?

This brings me to my second point. We are at a crossroads in our energy policy. We can still lead the world in clean energy production. We can still lead the world in solar, advanced biofuels—to reduce global warming pollution, to become energy independent, and to create permanent American 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 when it does rain, 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.

New Mexico 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 should issue a warning: Climate change 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.
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 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 for 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, pressing policy debates.

Let’s get our heads out of the sand and work together for our economy, for our energy independence, and for our future.

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 mentioned this. I 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. That is why we are here. 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 right. That issue had not passed. 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. It was a measure that 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 primed, 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. Let’s set aside the politics—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—dramatically so. It is not just Alaska, I think we are seeing it in other oil-producing states. If we get away with 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 Trans-Alaska Pipeline provides from Prudhoe Bay down to tidewater in Valdez, an 800-mile silver ribbon that bisects our State, is truly a modern
One day we deal with the variations and variables in price is to have sufficient production. Alaska is suffering from this economic anxiety because our oil production, which was over 2 million barrels a day, has dropped precipitously over the past couple decades. We have also had an oil pipeline that is less than half full. What does that mean to a State such as Alaska when the artery for the State’s revenues is not pumping at an optimum level? We are in that place right now. As a consequence, we are working at an angle to make it clear that we do make a difference when it comes to production because there will be price variables. As long as OPEC is in play there will be price variables we are not able to affect as much as we would like.

We have the resource. We have an estimated 40 billion barrels of oil in our Federal areas, offshore in the Chukchi and Beaufort, on our coastal plain within the NPRs. We are not looking at a situation in Alaska where we are running out of oil or about to run out of oil. Our problem straight up is our limited ability to be able to access it. The holdback we get, the pushback we get from our own Federal Government, the project that keep us from being able to access that resource has been our challenge.

Now back to the Keystone XL Pipeline. The Keystone Pipeline is not going to be carrying any Alaskan crude. Don’t get a mixed message. We have a pipeline. We have already built it. It is waiting to be filled back up. The need isn’t infrastructure in Alaska but permission—consent from the Federal Government to access our lands, access our waters to achieve that energy potential.

When I am talking to Alaskans about the imperative for Keystone and how it intersects with Alaska, there are a couple of messages. The first one is simple. There is plenty of demand within just the United States for all the oil Canada and Alaska can produce at the same time. The demand is there, even with the surge we have seen coming out of the Bakken and the amount of increased production we have seen domestically in this country. We are working on the Keystone XL Pipeline. We are continuing to import that oil. Again, it is better for us to rely more on ourselves. 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 good because it is 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. We are still moving ANS crude. Don’t get a mixed message. We are not going to eat into the markets for Alaska’s oil. This is an important message for Alaskans to understand. But this ANS crude—Alaskan North Slope crude—as we call it, is now refining itself in competition from the shale plays out of the Bakken. So what we are seeing is, without a Keystone XL Pipeline, 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 of it. If you have a West Coast State that wants 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, that is, the portion of the pipeline that is going to carry Canadian oil to the Gulf Coast. We know where the name TransCanada 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 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 we can continue to be done in this country because we do it here. We don’t do it 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 were to look 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 when it comes to things. 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. 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 projects? That worries me a great deal.

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, and we have been able to continue to do so. It has run from Prudhoe Bay to Valdez, and from Valdez to the oil field. It is still going today and 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. We are looking at that in Alaska. We need to know that we can continue to be done in this country because we do it here. We don’t do it 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 were to look 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.
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 bothers me to say 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, but I think it 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 fuels 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—every 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 passthrough 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 theory or tagging Keystone XL as being a conveyor belt for the oil. He had made reference to the conveyor belt theory or tagging Keystone XL as being 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 to do that.

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 of that imported oil. There are other outside facts. There are comments, other outside facts.

I think it is important to recognize that this amendment offered by my colleague from Massachusetts would not just block the export of the crude, it would block the export of finished products. As he said, it would be everything. It would be the crude, and it would be everything that is then produced in the United States. So watching what is going on with 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 pipeline. There are comments that 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.”

So the fact checkers got on President Obama for that and did a pretty good analysis. I felt it was a pretty good
January 16, 2015

CONGRESSIONAL RECORD — SENATE

S229

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 made a determination 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]

OBA MA’S CLAI M THAT K Eystone XL CRUDE WOULD GO ‘EVERY WHER E ELSE’ BUT THE U NITED STATES

(by Glenn Kessler)

“I won’t hide my opinion about this, which is that one major determinant of whether we should approve pipeline shipping Canadian oil to the United States, is does it contribute to the greenhouse gases that are causing climate change?” President Obama, news conference at G20 summit, Brisbane, Australia, Nov. 16, 2014.

“Understand what this project is. It is providing the ability of Canada to pump their oil, send it through our land, down to the Gulf, where it will be sold everywhere else.”—Obama, news conference, Rangeen, Burma, Nov. 14.

Twice during his recent overseas trip, President Obama asserted that the proposed Keystone XL pipeline was designed to take Canadian crude oil to the world markets.

The implication of the president’s words is that the United States would be simply a conveyor belt for the oil.

The pipeline would allow the Canadians “to pump their oil, send it through our land, down to the Gulf, where it will be sold everywhere else.”—Obama, news conference, Rangeen, Burma, Nov. 14.

The White House did not provide an on-the-record comment.

Upon request, 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 noting 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 be exported.

The president leaves out a very important step. The crude oil would travel to the Gulf Coast and be refined into products such as motor gasoline and diesel fuel (known as a distillate fuel in the trade). As our colleague Steve 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 into products such as Mexico and Venezuela, are declining, and so refineries would have “significant incentive to obtain heavy crude from the oil sands.”

So then the question turns on what happens to that oil after it leaves the refinery. Oil is a global commodity, and where it travels often depends on market conditions. In Obama’s telling, however, the refined Canadian oil goes “everywhere else” and “not to the United States.”

But that’s not right either, according to the State Department. “Some, U.S. exports are not affected by various pipeline scenarios but instead by market conditions, such as ‘domestic demand versus domestic refining capacity, the cost of natural gas, and refining capacity abroad, including in foreign markets currently importing U.S. refined products such as Mexico, Brazil, Chile, and Europe,’” the report said.

For the sake of argument, let’s look at the percentage of exports currently from the Gulf Coast area, using data for refining output and products exported from the Energy Information Administration. Depending on how you crunch the numbers, the percentage of exports for refined products ranges between 35 percent and 50 percent. The State Department pegged the rate of exports at just over 50 percent, noting “this increased volume of refined products is being exported by refineries as they respond to lower domestic gasline demand and continued higher demand and prices in overseas markets.”

In other words, at least half of the oil that is refined in Texas and the Gulf of Mexico 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. That is precisely what they believed. But if we recall that noted, contrary to the claims of advocates of the project, Keystone XL is unlikely to have much impact on gasoline prices.)

Opponents of the Keystone project have seized on slides, such as the one below, from one of Valerie’s presentations to investors, to suggest the plan ultimately is to export the production from Canadian oil sands.

Bill Day, a spokesman for Valero, says “It’s a mistake to think this means 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 growing in both 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 is being used in the United States for domestic consumption.

[From PolitiFact, Nov. 20, 2014]

OBA MA SAYS K Eystone XL IS FOR EXPOR TING OIL OUT OF 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.

Senator Edward Markey, Democrat from Massachusetts, introduced a proposal to build the oil pipeline—which would stretch from Canada to Steele City, Neb., where it would connect with an existing pipeline to the Gulf Coast. But the issue isn’t going anywhere. When the new Republican-led Senate takes over in January, it will likely be at the top of their priorities list.

Obama and other Senate Democrats have argued that the pipeline would have a negative environmental impact, while having little benefit for the United States. For example, constructing the pipeline would result in few permanent American jobs.

“Understand what this project is,” Obama said at a Nov. 14 press conference in Burma. “‘It is providing the ability of Canada to pump their oil, send it through our land, down to the Gulf, where it will be sold everywhere else. That doesn’t have an impact on U.S. gas prices.”

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

Predicting the effect of the pipeline on gas prices is a little tricky. Experts tend to agree that it could have little effect but that the effect would be indirect and minimal. But in this fact check, we’re going to focus on the export question—whether or not, as Obama says, Keystone XL’s primary destination is beyond the United States.

We found that Obama’s off the mark.

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 vast resource to refineries in the Midwestern United States down to the Gulf Coast, and there are refineries all along the proposed route.

It’s a mistake to think this means that Gulf Coast crude oil will be bought and used by American refineries.
“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 pipeline to the United States, when there are plenty of American refineries to consume it.

Some independent refineries—particularly those on the upper Midwest, but also 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 source, rather than pay high transport costs.

On Nov. 17, TransCanada told Reuters, it “makes no business sense for our customers to trade it would to the U.S. Gulf Coast, pay to export it overseas but then pay to transport millions of barrels of higher-priced oil back to the U.S. refiners to create the product we rely on.”

Ebinger added that many American refineries are geared to use heavy crude, which is what Keystone XL would transport from Canada’s tar sands.

There would, though, likely be oil coming through the Keystone XL pipeline in excess of what American refineries would be able to use, noted Eric Smith, an energy economist at Tulane University. This excess oil could go to other countries capable of refining it. Still, most Keystone oil would stay in North America.

Refined Products

Some Keystone XL critics have focused on the fact that American refineries could export some of the products they make with the Canadian crude oil, such as gasoline, diesel fuel or asphalt. They argue that because products made in the United States, using Keystone XL oil, will leave the country, the pipeline wouldn’t improve the U.S. Gulf Coast, and then it is sold elsewhere.

However, American oil refiners’ product exports are “not sensitive” to the addition of a new pipeline, the State Department study said in a Keystone XL fact sheet, that American refineries will process the oil but, “much of the fuel refined from the pipeline’s heavy crude oil will never reach U.S. drivers’ tanks.”

American oil refiners’ product exports are not sensitive to the addition of a new pipeline, the State Department study says. Export trends are more dependent on demand—both domestically and abroad—as well as the cost of natural gas and foreign refining capacity. American oil refiners are already increasing their exports, and that trend could continue independent of Keystone XL.

Refined product export levels have already increased and some of the crude used is from foreign sources,” the report says. “As this may already be occurring, it may continue with or without Keystone XL.”

Further, the report says, “The economic viability of exports does increase the demand for crude in the United States,” but, “this demand does not depend on the proposed project.”

Even if exports are increasing, the majority of oil products refined in the United States are used in the United States. For example, in 2013, Gulf Coast area refineries produced about 946,000 barrels of finished motor gasoline per day. They exported about one-third of that—323,000 barrels per day.

In January, Our friends at the Washington Post’s Fact Checker looked at an ad by liberal PAC NextGen Climate that said, “(China) is counting on the U.S. to approve TransCanada’s pipeline to ship oil through America’s heartland and out to foreign countries like China.”

Even if Keystone XL isn’t built, experts said Canada will find other ways to transport their oil to the United States. Canada already sends crude oil into the United States by rail and other pipelines.

“The no doubt that Canada will develop alternative means of moving the crude oil round whether that be via expanded rail shipments or by building pipelines to one or both of its coasts,” Smith said.

The longer that politicians debate Keystone XL, the more time Canada has to figure out these alternate means. "Keystone XL is rapidly becoming irrelevant," said Charles Ebinger, a senior fellow in energy economics at the University of Texas’ Bureau of Economic Geology.

Our Ruling

Obama said, Keystone allows “Canada to pump their oil, sell it through our land, down to the Gulf, where it will be sold everywhere else.”

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 say Keystone XL critics have a point that American refineries would likely export some of the products that they make with crude oil transported through the pipeline. The State Department says, however, that product exports are already increasing, and that trend would likely continue independent of a new pipeline. American refineries tend to keep more products in the country than they export.

We rate Obama’s claim Mostly False.

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, we test it to have to work this past. 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 Senator 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. They have once again teamed up to offer this bipartisan amendment on energy efficiency closely on these issues over the years. We are to the point where we can’t think about energy efficiency without thinking fortman or Shaheen, so I commend my colleagues for their diligence. I have been happy to support them in their efforts, and I am happy, quite honestly, that we will have an opportunity to vote on an amendment that does relate to energy efficiency. It is part of full-on energy bill my colleagues introduced previously, but it is an amendment with text that is identical to the measure that came out of the House, the Energy Efficiency Improvement Act. This is a bill that was introduced through the Energy and Natural Resources Committee in the last Congress toward the end. We tried to move it through in the Senate, and we came close to advancing it by unanimous consent, but there were still a few outstanding concerns we couldn’t get around, so it is back before us once again. But really nothing has changed since then, and in my view this is a good reason why this proposal is really regarded as important and noncontroversial. It is cost-neutral. It contains four provisions, one of which is extremely timely.

Sometimes people don’t want to get down into the weeds of certain aspects of what we are dealing with. The time-sensitive provision we are dealing with is the energy efficiency standards related to water heaters where we have a consent decree from back in 2010 that our water heater manufacturers have until April 16 of this year—so actually 3 months from today—to meet these revised minimum efficiency standards for DOEs.

The problem we have is that DOE’s standards effectively ban production of these grid-enabled water heaters that many of our rural co-ops use for electrical thermal storage or demand response programs. So instead of saving energy, these revised standards now threaten to actually work against these goals. So we have a bizarre, unintended consequence in this situation.

We have worked for a couple of years now to address this and to fix it, and now it is urgent. Now we have to deal with it because, again, we are at 3 short months. The manufacturers are worried about what the Congress is going to do. Is it going to be resolved? Should I be building any of these? Thanks to the cooperation of 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 extremely noncontroversial. 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 current energy laws.

More importantly, let’s embrace energy efficiency around here. We are now involved in the discussion about...
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 more. So the technique of 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. To do something like this, we need to see it. We need all the help we can get there, albeit in a very small way.

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 Franken amendment inserts 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 Keystone XL project. That is a reminder that when the initial application was first presented, the President was then Senator Obama. That much time has elapsed. So I see this language, and I think it is included in this amendment in good faith, but I just can’t be convinced that the President would actually exercise this type of a waiver in a timely manner. He certainly hasn’t demonstrated it at any point throughout this whole, long, drawn-out process. We have been on with Keystone XL after 6 years.

So I am going to be opposing this amendment for the same reasons I opposed it when we had it in front of us in 2012. It was included as part of a broader amendment at that time, but it didn’t all on a pretty strong bipartisan basis.

These are important issues to be thinking about and considering, and I did take good time to review this. Again, I think all of us want to do more to encourage job production, job creation. I buy American and I buy local wherever and whenever I can. I strongly support the use of American materials in American projects, whether it is in my State or around the country. I know the Presiding Officer probably does as well, as does the Senator from Minnesota. But in considering whether we here in Congress should mandate specific materials for the Keystone XL Pipeline, I have come down on the side that we should not mandate that.

I think we need to look at several things. First off is the commitment that has been made by TransCanada that that is it all be built with—without any sort of mandate, without any requirement coming out of Congress. Fully 75 percent of the pipe from this project 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. I think that is important. TransCanada enough that TransCanada announced this 3 years ago. So this is not just something they have decided in order to help facilitate this—that we are going to say 75 percent. They made this commitment a while 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 were not 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 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 jobs, as well as those jobs in the ‘Congress’ setting a precedent here. I think it potentially puts us on a pretty slippery slope.

If we are going to set the precedent here for Keystone XL and say, well, you have to do it for pipelines, why wouldn’t we do it for other energy sources? Is that going to be a requirement we are going to place on wind turbines?

Again, some of my colleagues are in some States where they are manufacturing good made-in-America wind turbines. I am all for that, but is that a policy we are going to take on—where we are going to these farms is an important industry, it is an important sector, and so we are going to require that it all be made in America? If that is the case, why not on our vehicles? Why not everything?

I worry about that. I worry about the precedent. I worry about where we go beyond Keystone XL if that is the requirement. I think it is also important to listen to the industry’s perspective on this position. The American Iron and Steel Institute have been a huge supporter of Keystone XL for years now. They have 19 different member companies, major producers such as U.S. Steel. They have 125 associate members.

On January 8—actually, right after we came into session—before this amendment was even filed, the American Iron and Steel Institute sent every one of us a Steelgram reiterating their support for Keystone XL, and their letter is pretty definite. They are not new about it.

It is essential that Congress act to ensure the approval of the Keystone XL Pipeline without further delay.

I think we should listen to those words. Those words aren’t coming from a TransCanada. They are not coming from an oil company. They are coming from associations and workers around the country who believe earnestly and honestly that construction of this pipeline will be good for this country and it will benefit at least these families. So let’s listen to them. Let’s agree that 2,310 days and counting is more than enough time to make a decision.

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 42,100 that the final SEIS states in terms of direct and indirect jobs?

If you 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
part of building something. I can tell you that in Alaska, when we are debating how we are going to move our natural gas to market and how we are going to build this natural gas pipeline that will move this, nobody is saying that we aren't going to do this because we are only going to provide temporary construction jobs. That is not what we are talking about. They know that there is benefit there. They are hoping they are going to be part of that benefit.

When we talk about where we are with some of these amendments coming forward, I think it is good to have this debate. I think it is good to have this discussion, whether it is talking about exports, because that is a legitimate part of the discussion, talking about requirements that may be placed on construction. But I think we have to remember we are not the zoning board here in the Senate or in the Congress. This bill doesn't have anything to do with siting. We are not determining the route. 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 line goes.

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 of this bill, not that it is true that pipelines are not 100 percent fail-safe. Not much that we build is 100 percent fail-safe, but what we try to do at every turn and at every opportunity is to make it as close as possible. But when you look from a safety perspective, from an environmental perspective, the safest and most environmentally sound way to move this oil is in a pipeline. It is not putting it in rail to other parts of the country. It is not putting it on the roads as we are seeing. Those are the obvious energy sources. Whether people in this body or across the Chamber here object, Canada is accessing their resource. They are accessing their resource, and they will move their resource. Right now the way they are moving it is in a way, quite honestly, that adds to emissions, has greater potential for a spill and for an environmental incident. So I am looking at it from the perspective that Canada is going to move that. They have made that clear.

In fact, there was an article just a couple of days now, in the Wall Street Journal—and it is talking about the impact of lower oil prices and the impact on what is happening in Canada as an oil producer. Are they slowing down their production in response to lower oil prices? Absolutely not. What we are seeing is almost—I don't want to describe it as a doubling down because that is an inaccurate phrase—but what we are seeing is continued effort within Canada to produce their oil resource. Some of the statements that are made by some of the Canadian oil companies are really quite telling. They say that 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, and how dependent they are to the development of the oil sands tomorrow, you would have no decline in the production base 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 these Canadian 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 coming to this committee to vote on 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. HAYEFEN, 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 that this 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 and 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 gets attached to the legislation. That is the way it is supposed to work around here.

So we are encouraging our colleagues to join with us and get the work done that the American people want done. So I thank our energy chairman for setting that in motion. That is the right way to do business. That is what we are elected to do. We are not going to get something done for the American people, who sent us here for that very reason.

When you look at what is going on in energy today, you have to feel pretty good about it. If you drive over to the gas station to fill your car. Gas prices at the pump are about a dollar lower than they were this time a year ago. If you equated that savings our consumers are receiving at the pump to a tax cut, it would be more than a $100 billion tax cut for hard-working Americans. That is pretty exciting. That did not just happen. It certainly did not happen because OPEC or anyone else—Venezuela or Russia or anybody—decided they wanted to cut us a break. That is we are 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—a oil and oil equivalents—and produce about 11 million. We are producing domestically. We are up to about 3 million, so of the 7 million we import, about 3 million comes from Canada. So we are down to only importing about 4 million barrels a day from other sources. If we stay on this track, if we build the necessary energy infrastructure—such as the Keystone XL Pipeline—and we continue to build good business climates and get our companies to invest, to create jobs, and produce more energy, we can get to a point where we truly have North American energy security, meaning we produce more energy here at home and with Canada than we consume. Boy, then we will be in the driver's seat—not OPEC; America will be in the driver's seat. If we don't do it, if we block projects like we are debating right now, then we will put OPEC back in the driver's seat. So when they hear our President say he is going to continue to block this project, to veto this legislation if we are able to pass it with the bipartisan support that is music to OPEC's ears because that puts them right back in the saddle. That is what they want.

But we work for America. That is why we need to continue to move forward and build this exciting energy future for our country that we are building. It is energy. It is jobs. It is economic growth. This project will create hundreds of millions of dollars of revenue—State, local, and Federal revenue that will help reduce the debt and deficit. That is a big part of this, 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. There are no 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, it provides the other benefits. 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 gas 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 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 into carbon reduction technologies, and 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 other parts of the world. 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, and to adopt it which is going to 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 was 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. tax payer 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? Isn’t that what we are doing in countries around the world, where in many cases they are still using third world-type energy approaches? Let’s lead the way forward in technology. Let’s empower that to happen. Because I note that the time is wrapping up here, I will come back to the floor next week. But I am going to talk about the hundreds of millions that are being invested in the Kearl project—Exxon is doing that project—and also in the Quest project, and Shell is doing that project. They are working with the provincial government in Alberta to develop carbon capture and storage. That is something we talk all the time about wanting to do. Here we have private companies working to put hundreds of millions into developing that very technology.

Since 1990 the greenhouse gas emissions for the production of oil in the oil sands has come down 28 percent—been reduced almost by one-third. They are continuing to find ways to improve the environmental stewardship and reduce the greenhouse gas emissions. Isn’t that what we want versus continuing, 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 relationships 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, terrorist attacks, the United States faced a new form of terrorism, nuclear proliferation, and unauthorized leaks of classified information remain grave threats to our country, but cyber is now our No. 1 threat.

Yet it is hard to believe no 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 threats from cyber space, 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 cyber defense system.

Critical, the Defense Department is responsible for defending 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, 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 industrial base.

Critically, the Defense Department is only tasked with supporting DHS when the cyber attack is directed at our homeland. Yet these differences of responsibility can operate as artificial barriers to the efficient and effective cyber defense system.

Indeed, the lack of a single organization with direct responsibility runs counter to the basic leadership principle of unity of command. It bears remembering that these boundaries only exist for our agencies, not the hackers which seek to exploit the limitless terrain of cyber space. In a world in which the lines between cyber crime and warfare are blurred, we need to ensure that all of our defensive cyber capabilities are brought to bear against the wide variety of threats facing our infrastructure, private and public, and military and civilian.

Beyond the cyber threat, the primary agency of responsibility does not necessarily mean the Department of Defense should be that agency, even despite its remarkable capabilities. Such a course would raise both legal and practical concerns.

Beginning with the legal issue, as the Supreme Court has stated, there is a "traditional and strong resistance of Americans to any military intrusion into civilian affairs.

The use of the military to enforce the law, with respect to domestic hackers or to virtually patrol on private networks is problematic because of the provisions of 18 U.S.C. section 1836.

In addition, the Defense Department's organization for cyber attacks might not be the most efficient. Currently, U.S. Cyber Command, which is responsible for the training and equipping of our cyber warriors, is also entrusted with the Department's operational activities in cyber space. Such a construct makes sense. Yet unlike a unified combatant command, Cyber Command is a subunified command under U.S. Strategic Command.

As we face this new world of cyber threats, the fundamental question remains the same: What is the most efficient and effective cyber defense system.

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 need 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 organization 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 conducts 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 extended sentence 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 5 years after his release, and his websites were 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 insulted its judicial system, but the fault is not Mr. Abu al-Khair’s.

After several years of defending human rights activists and their right to 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 faced 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 dissent led to his 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 fundamental right of freedom of expression. Needless to say, his persecution has drawn an 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 dissuading dissent. As we see 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 all those detained for exercising their rights. I also ask the Administration to clarify why it continues to support the current state of affairs in Saudi Arabia.

CORN ETHANOL MANDATE ELIMINATION ACT

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

I submit that there are 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. In 2014, 8.8 percent 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 a 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 restaurant industry, 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 Dairymen reported in 2013 that a combination of feed costs and low milk prices put 106 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
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 leading voice for 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 continues to lead the way for new business, trade, and growth in upper East Tennessee.

As we see around the country, the Federal Government has been throwing away our energy projects. Government subsidies which are currently being given to the oil and gas industries should be given to the renewable energy industry. This year will be a new renewal and clean energy sources such as wind and solar to provide more of the nation's energy, and in return lower our usage in the US would not only play a role in climate change reversal, but also provide millions of safe jobs for American workers.

Furthermore, our government should heavily tax the large greenhouse gas producers; companies that burn cheap fossil fuels to make massive amounts of money. These are the main contributors to climate change. These are the corporations that we must limit through a tax on carbon dioxide. Such a tax would not only limit the burning of fossil fuels, but the money may also be invested in the redevelopment of clean energy.

As one of the leaders in our global economy, the rest of the world looks to us to initiate the transition towards clean energy usage. We have the opportunity to
globally legitimate renewable energy, which is a vital step towards ending climate change. The action that our country takes on this problem will be a model for the rest of the world. We must seize the moment to make sure that the United States is not a laggard, but a leader in this global effort.

The state of our country has seen marked improvement over the last year. Unemployment is at its lowest level since before the recession, the stock market is setting record highs, and a manufacturing sector that has added jobs for the first time in nearly two decades. But we're working to regain lost ground, and 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 planet's premier superpower. Despite the threat 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 in science and technology, the crowned 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 because 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. MRIs, GPS receivers, cochlear implants, Lasik surgery, catalytic converters, the first fuel cell car, cell phones, fuel cells, cordless tools, microprocessors that enable our lives are all direct results of our first forays into the abyss of space. Due to our curiosity, hundreds of billions of dollars were spent, and the patients who were born deaf were given the ability to hear. The blind could see. The environment was restored in numerous and invaluable ways, and communication became constant and universal. Curiosity enabled our nation to perform miracles.

Unfortunately for our nation, NASA was formed in the midst of a panic induced by the launch of the Soviet's Sputnik. Once the American government saw that the U.S.S.R. wasn't the moon, they decided to push their move to forwards. Today NASA's spending represents 0.49% of our federal budget. This half a penny off the tax dollar pays for all of NASA's operations: the International Space Station, Hubble telescope, and national Space Station. Hubble telescope is not taking care of the people. The United States must make sure the people's basic needs are met. And nothing is more basic or essential than food.

The United Nations Food and Agriculture Organization estimates that the world's population will reach 9 billion people within the next 40 years. To meet this need, global agriculture must be transformed by 2050. Elected officials of the United States must take this seriously. Fortunately, agriculture is a subject in which Vermont is well versed. In a letter to George Washington dated October 13, 1790, Thomas Jefferson stated that “Agriculture . . . is our wisest pursuit, one of the great necessaries of life, and perhaps the greatest blessing that we receive from nature. Industry will supply the want of labor, but it will never supply the want of good land; industry will only increase the value of good land.”

Agriculture is the only sector of the economy that can fully employ the population; it is a source of real jobs, good morals and happiness. It is time for Vermont to lead the way in addressing this problem. As the economy has recovered and grown, we could go back to the moon, send men to Mars, and journey on to explore asteroids and alien worlds.

The incentives for raising NASA's budget are diverse, powerful, and irrespective of party. As well as providing an opportunity for our government to assume a leadership position, the economic stimulus that accompanies these industries would yield new jobs, the technologies developed would improve our lives, and the cultural shift that occurred in the 60's and 70's would once again become a model for the way we live. As scientists, engineers, mathematicians, and technologists, we as a nation must do something to stop the tide of this growing inequality. To do this we must raise the minimum wage until it is a livable wage in all fifty states, as well as ensuring that those with the most wealth are contributing more than those without. There is also the issue of massive student loan debts which depress credit scores and keep graduates from buying homes. With the average student loan debt growing, there are a number of steps we could take to make paying for higher education less of a financial burden. Expanding student loan programs to grant more money to those who need it, while at the same time ensuring public colleges and universities do not raise their tuitions. The system of federally subsidized Universities used in Canada and some European nations could easily be adopted in the United States in order to keep the working costs of our colleges and universities at a level where they will not need to raise their tuition costs every year.

On a global front, there continues the troubling rise in developing countries for which America has a duty to respond with both humanitarian aid and military force to ensure a lasting peace in the region. The arming of Israel and other states in the Middle East by the U.S., which has become a massively unnecessary expenditure. In light of this, America should adopt a renewed focus on bettering education opportunities and the general standards of living in the Middle East and avoid joining any new conflicts. The containment and defeat of ISIS is a priority, although the commitment of ground troops to the area should be withheld unless the situation gets far worse. A Chasm of trust has grown between American citizens and those put in charge of our protection, law enforcement, due to a lack of transparency and discretion. To that end, the U.S. should use American dollars to provide the states with incentive to equip local law enforcement with things such as body cameras, which has become a massively unnecessary expenditure. In light of this, America should adopt a renewed focus on bettering education opportunities and the general standards of living in the Middle East and avoid joining any new conflicts. The containment and defeat of ISIS is a priority, although the commitment of ground troops to the area should be withheld unless the situation gets far worse. A Chasm of trust has grown between American citizens and those put in charge of our protection, law enforcement, due to a lack of transparency and discretion. To that end, the U.S. should use American dollars to provide the states with incentive to equip local law enforcement with things such as body cameras, which is a step in the right direction.

The United States of America is without a doubt in a better position now than it was ten years ago. We have rebounded from the Great Recession and the few lingering effects of the “Great Recession” are being mended. The national unemployment rate stands at 5.9% as of September, the lowest it's been since 2008. The United States is producing more oil, natural gas and energy from renewable resources than ever before, which seeks to further the eventual dream of an energy independent America. In addition, rates for violent and property crimes continue to decline and our national GDP continues to outpace every other nation.

Even with the future seeming so bright, there remains still pressing issues which we must give our full attention. As the economy has recovered and grown, so has the gap between the rich and the poor, and even the rich and the super-rich. We hear of the wealthiest one percent's still growing fortunes while those in the 30th or 10th percentile are still waiting for the wealth to trickle down. That has not happened. We must make sure that those with the most wealth are contributing more than those without. There is also the issue of massive student loan debts which depress credit scores and keep graduates from buying homes. With the average student loan debt growing, there are a number of steps we could take to make paying for higher education less of a financial burden. Expanding student loan programs to grant more money to those who need it, while at the same time ensuring public colleges and universities do not raise their tuitions. The system of federally subsidized Universities used in Canada and some European nations could easily be adopted in the United States in order to keep the working costs of our colleges and universities at a level where they will not need to raise their tuition costs every year.

On a global front, there continues the troubling rise in developing countries for which America has a duty to respond with both humanitarian aid and military force to ensure a lasting peace in the region. The arming of Israel and other states in the Middle East by the U.S., which has become a massively unnecessary expenditure. In light of this, America should adopt a renewed focus on bettering education opportunities and the general standards of living in the Middle East and avoid joining any new conflicts. The containment and defeat of ISIS is a priority, although the commitment of ground troops to the area should be withheld unless the situation gets far worse. A Chasm of trust has grown between American citizens and those put in charge of our protection, law enforcement, due to a lack of transparency and discretion. To that end, the U.S. should use American dollars to provide the states with incentive to equip local law enforcement with things such as body cameras, which is a step in the right direction.

The United States of America is without a doubt in a better position now than it was ten years ago. We have rebounded from the Great Recession and the few lingering effects of the “Great Recession” are being mended. The national unemployment rate stands at 5.9% as of September, the lowest it's been since 2008. The United States is producing more oil, natural gas and energy from renewable resources than ever before, which seeks to further the eventual dream of an energy independent America. In addition, rates for violent and property crimes continue to decline and our national GDP continues to outpace every other nation.

Even with the future seeming so bright, there remains still pressing issues which we must give our full attention. As the economy has recovered and grown, so has the gap between the rich and the poor, and even the rich and the super-rich. We hear of the wealthiest one percent's still growing fortunes while those in the 30th or 10th percentile are still waiting for the wealth to trickle down. That has not happened. We must make sure that those with the most wealth are contributing more than those without. There is also the issue of massive student loan debts which depress credit scores and keep graduates from buying homes. With the average student loan debt growing, there are a number of steps we could take to make paying for higher education less of a financial burden. Expanding student loan programs to grant more money to those who need it, while at the same time ensuring public colleges and universities do not raise their tuitions. The system of federally subsidized Universities used in Canada and some European nations could easily be adopted in the United States in order to keep the working costs of our colleges and universities at a level where they will not need to raise their tuition costs every year.

On a global front, there continues the troubling rise in developing countries for which America has a duty to respond with both humanitarian aid and military force to ensure a lasting peace in the region. The arming of Israel and other states in the Middle East by the U.S., which has become a massively unnecessary expenditure. In light of this, America should adopt a renewed focus on bettering education opportunities and the general standards of living in the Middle East and avoid joining any new conflicts. The containment and defeat of ISIS is a priority, although the commitment of ground troops to the area should be withheld unless the situation gets far worse. A Chasm of trust has grown between American citizens and those put in charge of our protection, law enforcement, due to a lack of transparency and discretion. To that end, the U.S. should use American dollars to provide the states with incentive to equip local law enforcement with things such as body cameras, which is a step in the right direction.

The United States of America is without a doubt in a better position now than it was ten years ago. We have rebounded from the Great Recession and the few lingering effects of the “Great Recession” are being mended. The national unemployment rate stands at 5.9% as of September, the lowest it's been since 2008. The United States is producing more oil, natural gas and energy from renewable resources than ever before, which seeks to further the eventual dream of an energy independent America. In addition, rates for violent and property crimes continue to decline and our national GDP continues to outpace every other nation.

Even with the future seeming so bright, there remains still pressing issues which we must give our full attention. As the economy has recovered and grown, so has the gap between the rich and the poor, and even the rich and the super-rich. We hear of the wealthiest one percent's still growing fortunes while those in the 30th or 10th percentile are still waiting for the wealth to trickle down. That has not happened. We must make sure that those with the most wealth are contributing more than those without. There is also the issue of massive student loan debts which depress credit scores and keep graduates from buying homes. With the average student loan debt growing, there are a number of steps we could take to make paying for higher education less of a financial burden. Expanding student loan programs to grant more money to those who need it, while at the same time ensuring public colleges and universities do not raise their tuitions. The system of federally subsidized Universities used in Canada and some European nations could easily be adopted in the United States in order to keep the working costs of our colleges and universities at a level where they will not need to raise their tuition costs every year.
the most qualified to truly recognize and meet the needs of their local
gen refreral. Having a local presence can make all the difference when it comes
to the second Small Business of the Week. I am honored to recognize S & W Wholesale Foods for its success and commitment to serving southeast Louisiana and parts of the Mississippi Gulf Coast.

Family owned and operated, Frank Spalitta and Richard Williams opened S & W Wholesale Foods in 1978. Over the years, it has grown from a 5,000 square foot operation to two locations in Hammond, LA, and Baton Rouge, LA. While S & W Wholesale Foods is well-known for distributing fresh food products such as meats, seafood, and produce, it also stocks complementary supplies, including plasticware, chemical and cleaning supplies, and paper products to surrounding restaurants, bakeries, childcare centers, convenience stores, and other local businesses. When Frank retired in 2006, his son and daughter-in-law, Paul and Tiffany Spalitta, purchased the business in order to keep the family tradition alive.

S & W Wholesale Foods has made a commitment to provide the best available products to its customers, while also supporting an environment in which local restaurants and businesses work together to succeed. As a shareholder in one of the largest foodservice distribution cooperatives, Unipro Foodservice, S & W Wholesale Foods is able to supply high-quality products and services for its customers, which in turn supply Louisianans and residents of the Mississippi Gulf Coast. Even more inspiring is that S & W Wholesale Foods incorporates Louisiana brands, including New Orleans Roast and Zatarain’s, to its larger product base. One of the more unique aspects of the company is the quarterly quarterly newsletter that shares seasonal recipes and localized tips and ideas to help readers build up and maintain their own businesses.

S & W Wholesale Foods is a great example of how hard work and quality products can lead to a successful small business. The company’s motto truly sums up the undeniable foundation of its priorities, “Large Enough to Serve . . . Small Enough to Care.” It is my honor to recognize this company that works so diligently to promote the businesses of the customers they serve. Once again, I congratulate S & W Wholesale Foods for being recognized as this week’s “Small Business of the Week” and wish them all of the best in the future.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

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 by unanimous consent, 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.

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 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 services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

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. 186. 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. WARNER, Mr. COONS, Mr. BLUNT, Mr. KLOBUCAR, and Mr. Kaine):

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. GLASSLEY, 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, Ms. FISCHER, Mr. FLAKE, Mr. GARDNER, Mr. INHOFE, Mr. ISAKSON, Mr. KIRK, Mr. MORAN, Mr. ROBETS, Mr. RUHIO, Mr. SCOTT, Mr. TOOMEY, Mr. VITTER, and Mr. WICKER):

S. 183. A bill to repeal the annual fee on health 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. Bennett):

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 of the United States of America v. Jeffrey A. Sterling; considered and agreed to.
ADDITIONAL COSPONSORS

S. 125
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.

S. 133
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.

S. 165
At the request of Ms. Ayotte, the names of the Senator from Illinois (Mr. Kirk), the Senator from Nebraska (Mrs. Fischer), 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. Blunt) 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 debarred from immigration, and for other purposes.

S. 166
At the request of Ms. Ayotte, the name of the Senator from Nevada (Mr. Heller) was added as a cosponsor of S. 166, a bill to stop exploitation through trafficking.

S. 167
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.

S. 170
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.

S. 171
At the request of Mr. Tester, the name of the Senator from Kansas (Mr. Moran) 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.

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

AMENDMENT NO. 17
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.

AMENDMENT NO. 19
At the request of Mr. Hatch, the Senator from Utah (Mr. HATCH), the Senator from Wyoming (Mr. Barrasso) and the Senator from Vermont (Ms. Ayotte) were added as cosponsors of amendment No. 19 intended to be proposed to S. 1, a bill to approve the Keystone XL Pipeline.

AMENDMENT NO. 25
At the request of Mr. Markley, 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.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 27—TO AUTHORIZE TESTIMONY AND REPRESENTATION IN UNITED STATES OF AMERICA V. JEFFREY A. STERLING

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

WHEREAS, in the case of United States of America v. Jeffrey A. Sterling, Cr. No. 10–485, pending in the United States District Court for the District ofVirginia, testimony has been requested from Julie Katzman, a former employee of the Senate Committee on the Judiciary;
WHEREAS, pursuant to sections 703(a) and 706(a)(3) 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 process, be taken or obtained in connection with a pending criminal prosecution without the consent of the Senate and
WHEREAS, when it appears that evidence under the control or in the possession of the Senate would not be available to the courts in the exercise of their judicial functions, 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 concerning matters for which a privilege should be asserted.

SNC. 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. Hoven, 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 38. 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. Hoven, 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 to amendment SA 2 proposed by Ms. Murkowski (for herself, Mr. Hoven, 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 40. Mr. Toomey (for himself, Mrs. Feinstein, and Mr. Flake) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. Murkowski (for herself, Mr. Hoven, 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 41. Mr. Toomey (for himself, Mr. Casey, 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. Toomey submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 43. 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. Hoven, 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. Hoven, 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. Hoven, 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 by him 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 him by 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. UNDVALD, 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. DAINE, 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. 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. DAINE, 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 53. Mr. WARNER (for himself and Mr. ALEXANDER) 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. DAINE, 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. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINE, 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. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINE, 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.

TEXT OF AMENDMENTS

SA 35. Ms. COLLINS (for herself and Mr. WARNER) 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:

After section 2, insert the following:

SEC. 3. COOPERATION 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. 2801))

(B) an institution of higher education (as defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1020(a)));

(C) a school of the defense dependents’ education system under the Defense Dependents’ Education Act of 1978 (20 U.S.C. 121 et seq.) or established under section 2316 of title 10, United States Code.

(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. 2551)); and

(F) a Tribal College or University (as defined in section 3156(b) of the Higher Education Act of 1965 (20 U.S.C. 1059(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 act as the lead Federal agency for coordinating and facilitating information on existing Federal programs and assistance that may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools.

(c) REQUIREMENTS.—In carrying out coordination and outreach under subsection (b), the Secretary shall—

(1) in consultation and coordination with the appropriate Federal agencies, carry out a review of existing programs and financial assistance 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 Treasury, the Environmental Protection Agency, and other appropriate Federal agencies, and ensure that programs and assistance are current and used or may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools;

(2) establish a Federal cross-departmental collaborative coordination, education, and outreach activities to communicate and promote available Federal opportunities and assistance described in paragraph (1) for energy efficiency, renewable energy, and energy retrofitting projects that enables States, local educational agencies, and schools—

(A) to use existing Federal opportunities more effectively;

(B) to form partnerships with Governors, State energy programs, local educational, financial, and energy officials, State and local government officials, nonprofit organizations, and other appropriate entities to support the initiation of the projects;

(C) provide technical assistance for States, local educational agencies, and schools to help develop and finance energy efficiency, renewable energy, and energy retrofitting projects;

(D) to increase the energy efficiency of buildings or facilities;

(E) to install systems that individually generate energy from renewable energy sources;

(F) to establish partnerships to leverage economies of scale and additional financing mechanisms available to larger clean energy initiatives;

(G) to promote—

(i) the maintenance of health, environmental quality, and safety in schools, including the obligation through energy efficiency, renewable energy, and energy retrofit projects; and

(ii) the achievement of expected energy savings and renewable energy production through proper operations and maintenance practices;

(H) to develop and maintain a single online resource website with contact information for relevant technical assistance and support staff in the Office of Energy Efficiency and Renewable Energy for educational agencies, and schools to effectively access and use Federal opportunities and assistance described in paragraph (1) to develop, improve, and implement energy efficient, renewable energy, and energy retrofitting projects; and

(3) establish a process for recognition of schools that—

(A) have successfully implemented energy efficiency, renewable energy, and energy retrofitting projects; and

(B) are willing to serve as resources for other local educational agencies and schools to assist initiation of similar efforts.

(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. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINE, 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. 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 save money, create jobs, and reduce waste;

(4) energy savings performance contracts and other energy service contracts 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. 8233(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’’;

(3) by adding at the end the following:

‘‘(B) MEASURES NOT IMPLEMENTED.—Each energy manager, as part of the certification system under paragraph (7) and using guidelines developed by the Secretary, shall provide evidence that one or more of the life cycle cost-effective measures described in subparagraph (A)(i) that have not been implemented—

(1) Energy Efficiency Performance Reports.—Section 548(b) of the National Energy Conservation Policy Act (42 U.S.C. 8233(b) is amended—
(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 requirements described in subsection (c) to the same extent and in the same manner as those limitations and requirements apply to crude oil produced in the United States.

(b) LIMITATIONS.—The limitations described in this subsection are the limitations on the exportation of crude oil produced in the United States under section 211(o)(2)(B) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)), and sections 28(a) of the Mineral Leasing Act (30 U.S.C. 185(u)), and section 28 of the Outer Continental Shelf Lands Act (43 U.S.C. 1334).

(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 Administration Act of 1979 (50 U.S.C. App. 2401 et seq.) (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

SEC. 3A. APPLICABILITY OF LIMITATIONS ON EXPORTATION OF DOMESTIC CRUDE OIL TO FOREIGN CRUDE OIL IMPORT 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 requirements described in subsection (c) to the same extent and in the same manner as those limitations and requirements apply to crude oil produced in the United States.

(b) LIMITATIONS.—The limitations described in this subsection are the limitations on the exportation of crude oil produced in the United States under section 211(o)(2)(B) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)), and sections 28(a) of the Mineral Leasing Act (30 U.S.C. 185(u)), and section 28 of the Outer Continental Shelf Lands Act (43 U.S.C. 1334).

(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 Administration Act of 1979 (50 U.S.C. App. 2401 et seq.) (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

SEC. 38. Mr. MANCHIN submitted an amendment in the nature of a substitute, as 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, add the following:

SEC. 3A. APPLICABILITY OF LIMITATIONS ON EXPORTATION OF DOMESTIC CRUDE OIL TO FOREIGN CRUDE OIL IMPORT 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 requirements described in subsection (c) to the same extent and in the same manner as those limitations and requirements apply to crude oil produced in the United States.

(b) LIMITATIONS.—The limitations described in this subsection are the limitations on the exportation of crude oil produced in the United States under section 211(o)(2)(B) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)), and sections 28(a) of the Mineral Leasing Act (30 U.S.C. 185(u)), and section 28 of the Outer Continental Shelf Lands Act (43 U.S.C. 1334).

(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 Administration Act of 1979 (50 U.S.C. App. 2401 et seq.) (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

SEC. 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 ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 3A. APPLICABILITY OF LIMITATIONS ON EXPORTATION OF DOMESTIC CRUDE OIL TO FOREIGN CRUDE OIL IMPORT 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 requirements described in subsection (c) to the same extent and in the same manner as those limitations and requirements apply to crude oil produced in the United States.

(b) LIMITATIONS.—The limitations described in this subsection are the limitations on the exportation of crude oil produced in the United States under section 211(o)(2)(B) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)), and sections 28(a) of the Mineral Leasing Act (30 U.S.C. 185(u)), and section 28 of the Outer Continental Shelf Lands Act (43 U.S.C. 1334).

(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 Administration Act of 1979 (50 U.S.C. App. 2401 et seq.) (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

SEC. 40. Mr. TOOMEY (for himself, Mrs. FEINSTEIN, 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 ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 3A. APPLICABILITY OF LIMITATIONS ON EXPORTATION OF DOMESTIC CRUDE OIL TO FOREIGN CRUDE OIL IMPORT 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 requirements described in subsection (c) to the same extent and in the same manner as those limitations and requirements apply to crude oil produced in the United States.

(b) LIMITATIONS.—The limitations described in this subsection are the limitations on the exportation of crude oil produced in the United States under section 211(o)(2)(B) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)), and sections 28(a) of the Mineral Leasing Act (30 U.S.C. 185(u)), and section 28 of the Outer Continental Shelf Lands Act (43 U.S.C. 1334).

(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 Administration Act of 1979 (50 U.S.C. App. 2401 et seq.) (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

SEC. 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 ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 3A. APPLICABILITY OF LIMITATIONS ON EXPORTATION OF DOMESTIC CRUDE OIL TO FOREIGN CRUDE OIL IMPORT 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 requirements described in subsection (c) to the same extent and in the same manner as those limitations and requirements apply to crude oil produced in the United States.

(b) LIMITATIONS.—The limitations described in this subsection are the limitations on the exportation of crude oil produced in the United States under section 211(o)(2)(B) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)), and sections 28(a) of the Mineral Leasing Act (30 U.S.C. 185(u)), and section 28 of the Outer Continental Shelf Lands Act (43 U.S.C. 1334).

(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 Administration Act of 1979 (50 U.S.C. App. 2401 et seq.) (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).
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.

(b) 
REPORT.—On completion of the study required under subsection (a), the Comptroller General of the United States shall submit to Congress a report on the results of the study.

SA 43. Mr. HOEVEN (for himself and Mr. DONNELLY) submitted an amendment that was ordered to lie on the table.

SA 44. 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:

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 energy transmission facilities for the import or export of oil and natural gas and for the transmission of electricity to or from Canada or Mexico, in pursuant 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.
(1) 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 the date on which such application is received under this section, 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 and that a certificate of crossing for the construction, connection, operation, or maintenance of the cross-border segment is not in the public interest of Canada or Mexico.

(2) CERTIFICATE OF CROSSING.—
(1) REQUIREMENT.—Not later than 120 days after the date on which such application is received under this section, 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 and that a certificate of crossing for the construction, connection, operation, or maintenance of the cross-border segment is not in the public interest of Canada or Mexico.

(2) EFFECT OF OTHER LAWS.—
(1) APPLICATION TO PROJECTS.—Nothing in this section shall affect the application of any other Federal statute to a project for which a certificate of crossing is required for the construction, connection, operation, or maintenance of a cross-border segment is sought under this section.

(2) ENERGY POLICY AND CONSERVATION ACT.—Nothing in this section shall affect the authority of the President under section 162(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. 717(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) of this section”;

(2) by adding at the end the following:

“(2) CERTIFICATE OF CROSSING.—
(1) REQUIREMENT.—Not later than 120 days after the date on which such application is received under this section, 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 and that a certificate of crossing for the construction, connection, operation, or maintenance of the cross-border segment is not in the public interest of Canada or Mexico. In the case of an application for the importation or exportation of natural gas to or from Canada or Mexico, the President shall approve the application not later than 30 days after the date of receipt of the application.”.

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 602(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” and inserting “the Commission has conducted hearings and made”.

(3) ADDITIONAL REQUIREMENT FOR ELECTRIC TRANSMISSION FACILITIES.—In the case of a request for a certificate of crossing for the construction, connection, operation, or maintenance of a cross-border segment of an electric transmission facility, the Secretary of Energy shall require, as a condition of issuing the certificate of crossing for the request under paragraph (1), that the cross-border segment of the electric transmission facility be fully interconnected, operated, or maintained consistent with all applicable policies and standards of—

(A) the Electric Reliability Organization and the applicable regional entity; and
(B) any Regional Transmission Organization or Independent System Operator with operational or functional control over the cross-border segment of the electric transmission facility.

(c) EXCLUSIONS.—This section shall not apply to any 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 the transmission of electricity to or from Canada or Mexico—
(1) if the cross-border segment is operating for such import, export, or transmission as of the date of enactment of this Act; and
(2) if a permit described in section 206 for such construction, connection, operation, or maintenance has been issued;

(3) if a certificate of crossing for such construction, connection, operation, or maintenance has been previously issued under this section; or

(4) if an application for a permit described in section 206 for such construction, connection, operation, or maintenance is pending on the date of enactment of this Act, until the earlier of—
(A) the date on which such application is denied; or
(B) July 1, 2016.

(d) EFFECT OF OTHER LAWS.—
(1) APPLICATION TO PROJECTS.—Nothing in this section shall affect the application of any other Federal statute to a project for which a certificate of crossing is required for the construction, connection, operation, or maintenance of a cross-border segment is sought under this section.

(2) ENERGY POLICY AND CONSERVATION ACT.—Nothing in this section shall affect the authority of the President under section 152(a) of the Energy Policy and Conservation Act.
would not impede or tend to impede the co-
ordination in the public interest of facilities
subject to the jurisdiction of the Sec-
ratey.''.

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 construc-
tion, connection, operation, or maintenance of
an oil or natural gas pipeline or electric trans-
mission facility, or any cross-border segment
thereof.

SEC. 208. EFFECTIVE DATE; RULEMAKING
DEADLINES.
(a) EFFECTIVE DATE.—Sections 203 through
207, and the amendments made by such sec-
tions, shall take effect on July 1, 2015.
(b) RULEMAKING DEADLINES.—Each relevant
official described in section 203(b)(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 sec-
tion 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 applica-
tible 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 with either Canada or Mexico;
(2) the term ‘‘modification’’ includes a
change in ownership, volume expansion,
downstream or upstream interconnection,
adjacent to a public power or nuclear facility
(such as a re-
duction or increase in the number of pump or
compressor stations);
(3) the term ‘‘natural gas’’ has the meaning
given in 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 terms ‘‘Electric Reliability Organi-
zation’’ 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 terms ‘‘Independent System Oper-
ator’’ and ‘‘Regional Transmission Organiza-
tion’’ 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. MUR-
KOWSKI (for herself, Mr. HOOVEN, 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 fol-
lowing:

SEC. 204. PROTECTION OF EXISTING
GRAZING RIGHTS.
In this title—
(a) DISPOSITION.—Notwithstanding any rule
or regulation of the Bureau of Land Manage-
ment, within the Grand Staircase-Escalante
National Monument, in areas administered
by the Bureau of Land Management, any
grazing of livestock that was established as
of September 17, 1996, or the date that is 1
day before the designation of the Grand
Staircase-Escalante National Monument in
accordance with Presidential Proclamation
Number 6920 (whichever is earlier), and any
grazing of livestock that has been estab-
lished since that date, shall be allowed to
continue subject to such reasonable regula-
tions, policies, and practices as the Sec-
ratey of the Interior considers to be nec-
essary, on the condition that the Secretary
shall allow the grazing levels to continue at
current levels to the maximum extent prac-
ticable.
(b) PERMITS.—In carrying out subsection
(a), the Secretary of the Interior may issue
permits (or renew permits) for the grazing
of livestock in the areas described in sub-
section (a).

SA 45. Mr. HATCH submitted an
amendment intended to be proposed to
amendment SA 2 proposed by Ms. MUR-
KOWSKI (for herself, Mr. HOOVEN, 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 fol-
lowing:

SEC. 205. PRIORITIZATION OF CERTAIN
FEDERAL REVENUES.
Section 35 of the Mineral Leasing Act (30
U.S.C. 191) is amended—
(1) by striking the section designation and
all that follows through ‘‘All money re-
cieved’’ in the first sentence of subsection (a)
and inserting the following:

SEC. 35. DISPOSITION OF MONEY RECEIVED.
(a) DISPOSITION.—
(1) IN GENERAL.—All money received
by the [Secretary of the Interior] shall be
used to—
(A) DISPOSITION.—
(i) In general.—Notwithstanding any
other provision of this Act, if, after the date
of enactment of the Keystone XL Pipeline
Act, the Secretary or Congress increases a
royalty rate under this Act (as effective on
the day before the date of enactment of the
Keystone XL Pipeline Act), of the money
deposited in the Fund under subparagraph (A)(i),
only such funds as are necessary from the
amount described in clause (i) shall be used
to fulfill the staffing requirements of the
agencies responsible for activities relating to—

(1) coordinating or permitting Federal oil
and gas leases;
(2) permits to drill and applications for
permits to drill (APDs); and
(3) compliance with the National Envi-
seq.).
(b) DESCRIPTION OF AMOUNT.—The amount
referred to in clause (i) is an amount equal
to the difference between—

(1) the amounts deposited in the Fund
under subparagraph (A)(i),
only such funds as are necessary from the
amount described in clause (i) shall be used
to fulfill the staffing requirements of the
agencies responsible for activities relating to—

(1) coordinating or permitting Federal oil
and gas leases;
(2) permits to drill and applications for
permits to drill (APDs); and
(3) compliance with the National Envi-
seq.).

(c) PRIORITIZATION OF REVENUES.—
(1) GENERAL.—Notwithstanding any
other provision of this Act, if, after the date
of enactment of the Keystone XL Pipeline
Act, the Secretary or Congress increases a
royalty rate under this Act (as effective on
the day before the date of enactment of the
Keystone XL Pipeline Act), of the amount
described in clause (i), there shall be depos-
it equally among the agencies responsible for
activities relating to—

SEC. 44. STATE AUTHORITY FOR HYDRAULIC
FRACTURING REGULATION.
The Mineral Leasing Act is amended—
(1) by redesignating section 61 (30 U.S.C.
181 note) as section 45; and
(2) by inserting after section 43 (30 U.S.C.
226) the following:

SEC. 44. STATE AUTHORITY FOR HYDRAULIC
FRACTURING REGULATION.
(a) DEFINITION OF HYDRAULIC FRAC-
turing.—In this section the term ‘‘hydraulic
fracturing’’ means the process by which frac-
turing fluids (or a fracturing fluid system) are
injected into a natural fracture or into a
pre-existing fracture. The hydraulic fracturing
fluids are designed to result in the forma-
tion of one or more hydraulic fractures in
the rock near the wellbore and improve produc-

(b) Prohibition.—The Secretary of the Interior shall not enjoin 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, 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. 3. 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 re-storing 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. 4. LIMITATION ON EMBARGO ON ENERGY EXPORTS.

Section 12121(c)(2) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17121(c)(2)) is amended by striking subparagraph (A) and inserting the following:

"(B) the term 'critical infrastructure' means any person engaged in the business of purchasing specified metal for reuse or recycling, without regard to whether that person is engaged in a business of recycling or otherwise processing the purchased specified metal for reuse; and"

(3) the term "specified metal" means metals—

(A)(i) 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 part of—

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

(ii) a road or bridge guardrail;

(iii) a highway or street sign;

(iv) a water meter cover;

(v) a storm water grate;

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

(vii) a historical marker;

(viii) a grave marker or cemetery urn;

(ix) a utility access point; or

(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 Recycling Information System established under section 33502 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, imprisoned 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(a), unless—

(1) the seller, at the time of the transaction, provides documentation of ownership of, or other proof of the authority of the seller, to sell the specified metal before purchasing specified metal.

(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 of 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.

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

SEC. 205. TRANSACTION REQUIREMENTS.

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

(2) EXCEPTION.—Paragraph (1) shall not apply if the 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 (1) for the purchase of specified metal.

(b) 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 the weight or volume of the specified metal and the name of any foundry or smelter that produced or refined the specified metal; such description may include industry terminology;
(iii) the amount paid by the recycling agent; and
(iv) the name and address of the person to whom the payment was made;

(c) RECORD RETENTION PERIOD.—A recycling agent shall maintain a written or electronic record of each purchase of specified metal for a period of not less than 2 years from the date of the transaction to which the record relates.

(d) CONFIDENTIALITY.—Any information collected or retained under this section may be disclosed to any Federal, State, or local law enforcement authority or as otherwise directed by a court of law.

(e) PENALTIES.—(1) PUNITIVE PENALTY.—A recycling agent that fails to comply with the requirements of this section shall be subject to a civil penalty of not more than $5,000 for each violation.

(2) CIVIL PENALTY.—A person who knowingly violates paragraph (1) shall be subject to a civil penalty of not more than $10,000 for each violation, except that a person who commits a minor violation shall be subject to a penalty of 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, as parens patriae, against any person or entity residing in the 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.

(b) NOTICE REQUIRED.—Not later than 30 days before the date on which an 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;

(d) PENALTY.—(1) TO BE DETERMINED.—The amount of the penalty for a violation of this title, including a civil penalty, shall be determined by the United States or other competent court having jurisdiction over the defendant.

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

(3) Notwithstanding subsection (a)(2), 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 (2) for the purchase of specified metal shall not be subject to the civil penalty under subsection (a)(2).

SEC. 210. 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. 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. 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.—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) improving, replacing, or installing—

(aa) a roof or lighting system, or component of a roof or lighting system;

(bb) a window;

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

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

(II) a window;
(improving insulation and wiring and plumbing improvements needed to serve a more efficient system); (ii) a renewable energy generation or heating system, 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.—
(A) IN GENERAL.—The term ‘nonprofit building’ means a building operated and owned by a nonprofit organization.
(B) THE SECRETARY.—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.

(c) GRANTS.—
(1) IN GENERAL.—The Secretary may award grants under subsection (b) to nonprofit buildings meeting each of the following criteria:

(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.

(2) LIMITATION ON INDIVIDUAL GRANT AMOUNT.—Each grant awarded under this subsection shall not exceed—

(A) an amount equal to 50 percent of the energy-efficiency improvement; and

(B) $200,000.

(3) CRITERIA FOR GRANT.—In determining whether to award a grant under this section, the Secretary shall apply performance-based criteria, which shall give priority to grants 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.

(4) LIMITATION ON INDIVIDUAL GRANT AMOUNT.—Each grant awarded under this section shall not exceed—

(A) an amount equal to 50 percent of the energy-efficiency improvement; and

(B) $200,000.

(D) IN-KIND CONTRIBUTIONS.—
(A) IN GENERAL.—A grant awarded under this section may include in-kind contributions from Federal agencies, States, and local governments.

(B) IN KIND CONTRIBUTIONS.—The non-Federal share may be provided in the form of in-kind contributions of materials or services.

(C) AUTHORIZATION OF APPROPRIATIONS.—There is appropriated to be authorized to carry out this section $10,000,000 for each of fiscal years 2016 through 2020, to remain available until expended.

(e) OFFSET.—
Section 921(f) of the Energy Policy Act of 2005 (42 U.S.C. 16291(f)) is amended by striking ‘‘$250,000,000’’ and inserting ‘‘$200,000,000’’.

SA 53. Mr. WARNER (for himself and Mr. AXELANDER) submitted an amendment to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOREVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. AXELANDER, 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:

SECTION 801. QUADRENNIAL ENERGY REVIEW.

(a) FINDINGS.—Congress finds that—

(1) the President’s Council on Advisors on Science and Technology recommends that the United States develop a Governmentwide Federal energy policy and update the policy regularly with strategic Quadrennial Energy Reviews, since laws conducted by the Department of Defense;

(2) as the lead agency in support of energy science and technology innovation, the Department of Energy has conducted a Quadrennial Energy Technology Review of the energy technology policies and programs of the Department;

(3) the Quadrennial Energy Review of the Department of Energy serves as the basis for coordination with other agencies and on other programs for which the Department has a key role;

(4) a Quadrennial Energy Review would—

(A) establish integrated, Governmentwide national energy objectives in the context of economic, environmental, and security priorities;

(B) coordinate actions across Federal agencies;

(C) identify the resources needed for the invention, adoption, and diffusion of energy technologies; and

(D) provide a strong analytical base for Federal energy policy decisions;

(5) a Quadrennial Energy Review should be established taking into account estimated Federal budgetary resources;

(b) the development of the energy policy resulting from a Quadrennial Energy Review would—

(A) enhance the energy security of the United States;

(B) create jobs; and

(C) mitigate environmental harm; and

(7) while a Quadrennial Energy Review will be a product of the executive branch, the review will have substantial input from—

(A) Congress;

(B) the energy industry;

(C) academia;

(D) nongovernmental organizations; and

(E) the public.

(b) QUADRENNIAL ENERGY REVIEW.—

(1) IN GENERAL.—Section 801 of the Department of Energy Organization Act (42 U.S.C. 7321) is amended to read as follows:

SEC. 801. QUADRENNIAL ENERGY REVIEW.

(a) DEFINITIONS.—In this section:

‘‘(1) DIRECTOR.—The term ‘Director’ means the Director of the Office of Science and Technology Policy within the Executive Office of the President.

‘‘(2) FEDERAL LABORATORY.—

(A) IN GENERAL.—The term ‘Federal laboratory’ has the meaning given the term ‘laboratory’ in section 12(d) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)).

(B) INCLUSION.—The term ‘Federal laboratory’ includes a federally funded research and development center sponsored by a Federal agency.

(3) INTERAGENCY ENERGY COORDINATION COUNCIL.—The term ‘Interagency energy coordination council’ means a council established under subsection (b)(1).

(4) QUADRENNIAL ENERGY REVIEW.—The term ‘Quadrennial Energy Review’ means a comprehensive multiyear review, coordinated across Federal agencies, that—

(A) focuses on energy programs and technologies;

(B) establishes energy objectives across the Federal Government; and

(C) covers results of the areas described in subsection (d)(2).

(b) INTERAGENCY ENERGY COORDINATION COUNCIL.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of the Keystone XL Pipeline Approval Act, and every 4 years thereafter, the President shall establish an interagency energy coordination council to coordinate the Quadrennial Energy Review.

(2) CO-CHAIRPERSONS.—The appropriate secretaries of the Federal Government shall be designated by the President and the Director shall be co-chairpersons of the interagency energy coordination council.

(3) MEMBERSHIP.—The interagency energy coordination council shall be comprised of representatives at level I or II of the Executive Schedule of—

(A) the Department of Energy;

(B) the Department of Commerce;

(C) the Department of Defense;

(D) the Department of State;

(E) the Department of the Interior;

(F) the Department of Agriculture;

(G) the Department of the Treasury;

(H) the Department of Transportation;

(I) the Office of Management and Budget;

(J) the National Science Foundation;

(K) the Environmental Protection Agency; and

(L) such other Federal agencies, departments, and agencies that the President considers to be appropriate.

(c) CONDUCT OF REVIEW.—Each Quadrennial Energy Review shall be conducted to provide an integrated view of important national energy objectives and Federal energy policy, including the maximum practicable alignment of research programs, incentives, regulations, and partnerships.

(d) SUBMISSION OF QUADRENNIAL ENERGY REVIEW TO CONGRESS.—

(1) IN GENERAL.—Not later than August 1, 2016, and every 4 years thereafter, the President shall publish and submit to Congress a report on the Quadrennial Energy Review. The report described in paragraph (1) shall include, as appropriate—

(A) an integrated view of short-, intermediate-term, and long-term Federal energy policy in the context of economic, environmental, and security priorities;

(B) anticipated Federal actions (including programmatic, regulatory, and fiscal actions) and resource requirements—

(i) to achieve the objectives described in subparagraph (A); and

(ii) to be coordinated across multiple agencies;

(C) an analysis of the prospective roles of private parties (including academia, industry, consumers, the public, and Federal agencies) in achieving the objectives described in subparagraph (A); and

(D) an analysis, by energy use sector, including—

(i) commercial and residential buildings;

(ii) the industrial sector;

(iii) transportation; and

(iv) electric power;

(E) requirements for invention, adoption, development, and diffusion of energy technologies that are mapped onto each of the energy use sectors; and

(F) other research that inform strategies to incentivize desired actions;

(G) an analysis of options to increase domestic energy supplies and energy efficiency;
SA 55. Mr. PETERS (for himself and Ms. STABENOW) submitted an amendment 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. 5. STUDY OF BY-PRODUCT ENVIRONMENTAL IMPACT.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall complete and make publicly available on the Internet a study assessing the potential environmental impact of by-products generated from the refining of oil transported through the pipeline referred to in section (2)(a), including petroleum coke.

(b) REPORT.—On completion of the study required under subsection (a), the Administrator of the Environmental Protection Agency shall submit to Congress a report on the results of the study, including a summary of best practices for the transportation, storage, and handling of petroleum coke.

SA 54. Mr. MARKEY submitted an amendment intended to be proposed by amendment SA 2 proposed by Mr. 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. ESTABLISHMENT OF WIND PRODUCTION TAX CREDIT.

This Act shall not take effect prior to the date that, pursuant to an Act of Congress, the credit allowed under section 45 of the Internal Revenue Code of 1986 is permanently extended for the purposes described in subsection (d)(1) of such section.

SEC. 3. PROHIBITION ON PROPOSED POWDER RIVER 3 LOW MILITARY OPERATIONS AREA.

The Secretary of the Air Force may not approve the proposed Powder River 3 Low Military Operations Area (MOA), described in the final environmental impact statement for the Powder River Training Complex as '900 feet altitude above ground level (AGL) up to, but not including, 12,000 feet MSL' in the Powder River 3 section of the Powder River Training Complex.

NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for the 2014 fourth quarter Mass Mailing report is Monday, January 26, 2015. If your office did no mass mailings during this period, please submit a form that states “none.”

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510–2243.

AUTHORIZING SENATE LEGAL COUNSEL

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to consider the resolution. Mr. McCONNELL. Mr. President, this resolution concerns a request for testimony in a criminal case under way in the United States District Court for the Eastern District of Virginia. In this case, a former CIA officer has been charged with unlawfully disclosing classified information. In 2010, the Senate agreed to S. Res. 600, in the 111th Congress, which authorized the Senate Select Committee on Intelligence to provide evidence in the investigation that preceded this indictment.

In addition to Senate Intelligence Committee staff, testimony as a fact witness has been requested from a former employee of the Senate Judiciary Committee. The chairman and ranking minority member of the Judiciary Committee would like to cooperate with the request for testimony in this case.

Accordingly, this resolution would authorize the former Judiciary Committee employee to testify at trial with representation by the Senate Legal Counsel.

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 27) was agreed to.

The preamble was agreed to.

MEASURE READ THE FIRST TIME—H.R. 240

Mr. McCONNELL. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The bill clerk read as follows:

A bill (H.R. 240) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

Mr. McCONNELL. I now ask for a second reading and, in order to place
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 KIM, RESIGNED.

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 HODY 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

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 with the U.S. Postal Service, Lemon also spent five years on the board of directors 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.

In memory of Lemon, I join in expressing my 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
OF 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.
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 Àdeyemo, 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:

Statements on Introduced Bills/Resolutions:

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:

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
Hoyer, Steny H., Md., E75, E76
Huffman, Jared, Calif., E77
Kind., Ron, Wisc., E75
Thompson, Mike, Calif., E76
Van Hollen, Chris, Md., E76