SA 69. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEY, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra.

SA 70. 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. LEY, 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 71. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 72. Mr. MENENDEZ (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEY, 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 73. Mr. MORAN (for himself and Mr. CRUZ) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEY, 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 74. Mr. REED (for himself, Ms. COLLINS, Mr. SANDERS, Mr. WHITEHOUSE, Mr. CASHY, Mr. COHEN, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 75. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 76. 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. LEY, 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 77. Mr. UDALL (for himself, Mr. MARKEY, and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 57. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. EFFECTIVE DATE.
This Act shall not take effect until the date prescribed by subsection (a). The date prescribed by subsection (a) shall be determined by the President, in consultation with other relevant Federal agencies, by the date the President of the United States designated in the Presidential Action in consultation with other relevant Federal agencies, has completed a comprehensive study analyzing the human health impacts of the Pipeline described in section 2(a), including:

(1) increased air pollution in communities near refineries that will process the up to $30,000,000,000 per day of tar sands crude that will be transported through the pipeline, including assessment of the cumulative air pollution impacts on the communities;

(2) increased exposure of communities to particulate matter and heavy metals from the disposal, storage, and use of petroleum coke that results from the refining of the tar sands crude that will be transported through the pipeline;

(3) increased exposures in communities to benzene, volatile organic compounds, hydrocyanic acid, hydrogen sulfide, and other toxic substances that may result from spills or the contamination of water supplies from tar sands crude transported through the pipeline; and

(4) increased cancer rates and exposures to elevated levels of polycyclic aromatic hydrocarbons ("PAHs"), mercury, and other toxic pollutants, where the tar sands crude that will be transported through the pipeline is mined, extracted, upgraded, or refined.

SA 58. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEY, 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; as follows:

At the appropriate place, insert the following:

SEC. 2. SENSE OF CONGRESS REGARDING FEDERAL TRANSPORTATION INFRASTRUCTURE INVESTMENT.

(a) FINDINGS.—Congress finds that:

(1) the transportation sector accounts for 9 percent of the gross domestic product of the United States;

(2) in 2012, the transportation infrastructure of the United States supported the shipment of 19,662,000,000 tons of freight valued at $17,352,000,000,000; and

(3) in 2012, 12,047,000 people were employed in transportation-related industries in the United States;

(4) every dollar invested in the transportation infrastructure of the United States returns $3.54 in economic impact; and

(5) every $1,000,000,000 in public infrastructure spending creates 21,671 jobs.

(b) SENSE OF CONGRESS.—It is the sense of Congress that:

(1) transportation infrastructure is essential to the economy of the United States; and

(2) increased Federal transportation infrastructure investment could create millions of jobs and help businesses grow.

SA 60. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEY, 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. 2. SENSE OF CONGRESS REGARDING FEDERAL TRANSPORTATION INFRASTRUCTURE INVESTMENT.

(a) FINDINGS.—Congress finds that:

(1) the transportation sector accounts for 9 percent of the gross domestic product of the United States;

(2) in 2012, the transportation infrastructure of the United States supported the shipment of 19,662,000,000 tons of freight valued at $17,352,000,000,000; and

(3) in 2012, 12,047,000 people were employed in transportation-related industries in the United States;

(4) every dollar invested in the transportation infrastructure of the United States returns $3.54 in economic impact; and

(5) every $1,000,000,000 in public infrastructure spending creates 21,671 jobs.
SEC. 201. SHORT TITLE.

Subtitle A—Close Big Oil Tax Loopholes

SEC. 211. MODIFICATIONS OF FOREIGN TAX CREDIT RULES APPLICABLE TO MAJOR INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.

(a) In General.—Section 901 of the Internal Revenue Code of 1986 is amended by redesignating subsection (a) as subsection (e) and by inserting after subsection (m) the following new subsection:

(1) GENERAL RULE.—Notwithstanding any other provision of this title or the Code, any amount paid or incurred in any taxable year by reason of subsection (d)(9) thereof.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 212. LIMITATION ON DEDUCTION FOR INTANGIBLE DRILLING AND DEVELOPMENT COSTS; AMORTIZATION OF DISALLOWED AMOUNTS.

(a) In General.—Section 263(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 213. LIMITATION ON DEDUCTION FOR INTEGRATED OIL COMPANIES.

SEC. 214. LIMITATION ON PERCENTAGE DEPLETION ALLOWANCE FOR OIL AND GAS WELLS.

(a) In General.—Section 613A of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 215. LIMITATION ON DEDUCTION FOR TERTIARY INJECTANTS.

(a) In General.—Section 199 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 216. MODIFICATION OF DEFINITION OF MAJOR INTEGRATED OIL COMPANY.

(a) In General.—Paragraph (5) of section 167(h) of the Internal Revenue Code of 1986 is amended by inserting “exceeding 15 percent of the crude oil production or natural gas production of such company.”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2015.

Subtitle B—Outer Continental Shelf Oil and Natural Gas

SEC. 221. REPEAL OF OUTER CONTINENTAL SHELF DEEP WATER AND DEEP GAS ROYALTY RELIEF.

(a) In General.—Sections 344 and 345 of the Energy Policy Act of 2005 (42 U.S.C. 15904, 15905) are repealed.

(b) Administration.—The Secretary of the Interior shall not be required to provide for royalty relief in the lease sale terms beginning with the first lease held on or after the date of enactment of this Act for which a final notice of sale has not been published.
SEC. 231. DEFICIT REDUCTION. The net amount of any savings realized as a result of the enactment of this title and the amendments made by this title (after any expenditures authorized by this title and the amendments made by this title) shall be deposited in the Treasury and used for Federal budget deficit reduction or, if there is no Federal budget deficit, for reducing the Federal debt in the manner as the Secretary of the Treasury considers appropriate.

SEC. 232. BUDGETARY EFFECTS. The budgetary effects of this title, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this title, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

Subtitle D—Extension of Certain Energy Tax Benefits

SEC. 241. PERMANENT EXTENSION OF CREDITS WITHOUT RESPECT TO FACILITIES PRODUCING ELECTRICITY FROM CERTAIN RENEWABLE RESOURCES.

(a) IN GENERAL.—Paragraph (1) of section 45(d) of the Internal Revenue Code of 1986 is amended by striking “,” and the construction of which begins before January 1, 2015.”.

(1) CLOSING LOOP BIOMASS.—Paragraph (2) of section 45(d) of such Code is amended—

(A) by striking “,” and the construction of which begins before January 1, 2015” in clause (i)(1), and

(B) by striking clause (ii) and inserting the following:

“(ii) any facility owned by the taxpayer which”,

(2) GEOTHERMAL ENERGY.—Paragraph (4) of such section 45(d) is amended by striking “any facility using solar energy,” which is placed in service before January 1, 2006. Such term shall not.”.

(3) LANDFILL GAS.—Paragraph (6) of such section 45(d) is amended by striking “and the construction of which begins before January 1, 2015” in clause (i)(1), and

(4) QUALIFIED HYDROPOWER.—Paragraph (7) of section 45(d) of such Code is amended by striking “and the construction of which begins before January 1, 2015.”.

(5) OPEN-LOOP BIOMASS.—Paragraph (8) of such section 45(d) of such Code is amended—

(A) by striking “any facility owned by the taxpayer which”,

(B) by inserting “owned by the taxpayer and” after “facility using solar energy,” which is placed in service before January 1, 2006. Such term shall not.”.

(6) QUALIFIED ORGANIC-BANANAS.—Paragraph (9) of such section 45(d) of such Code is amended—

(A) by striking “any facility using solar energy,” which is placed in service before January 1, 2006. Such term shall not.”

(B) by striking clause (ii) and inserting the following:

“(ii) any other facility owned by the taxpayer which begins before January 1, 2015.”.

(7) QUALIFIED HYDROPOWER.—Paragraph (9) of such section 45(d) of such Code is amended—

(A) by striking “and the construction of which begins before January 1, 2015” in subparagraph (A)(i), and

(B) by striking “and the construction of which begins before January 1, 2015.”.

(8) QUALIFIED ORGANIC-BANANAS.—Paragraph (11)(B) of such section 45(d) of such Code is amended by striking “and the construction of which begins before January 1, 2015.”.

(9) QUALIFIED ORGANIC-BANANAS.—Paragraph (11)(C) of such section 45(d) of such Code is amended—

(A) by striking “and the construction of which begins before January 1, 2015.”.

SEC. 242. PERMANENT EXTENSION OF ENERGY INVESTMENT CREDIT.

(a) EXTENSION OF ENERGY PERCENTAGE FOR CERTAIN SOLAR PROPERTY.—(1) Section 48(a)(24)(A)(i) of the Internal Revenue Code of 1986 is amended by striking “but only with respect to periods ending before January 1,”.

(b) EXTENSION OF ENERGY PROPERTY.—

(1) SOLAR PROPERTY.—Clause (ii) of section 48(a)(3) of such Code is amended by striking “but only with respect to periods ending before January 1, 2017”.

(2) THERMAL ENERGY.—Clause (vii) of section 48(a)(3) of such Code is amended by striking “,” by inserting “,” and “,” and by striking clause (iv).

(3) QUALIFIED FUEL CELL PROPERTY.—Paragraph (1) of section 48(c) of such Code is amended by striking subparagraph (D).

(4) QUALIFIED MICROTURBINE PROPERTY.—Paragraph (2) of section 48(c) of such Code is amended by striking subparagraph (D).

(5) LANDFILL GAS.—Paragraph (6) of section 48(c) of such Code is amended by striking paragraph (2). (6) QUALIFIED SMALL WIND ENERGY PROPERTY.—Paragraph (4) of section 48(c) of such Code is amended by striking subparagraph (C).

(b) ELECTION TO TREAT QUALIFIED FACILITIES AS ENERGY PROPERTY.—Clause (ii) of section 48(a)(3) of such Code is amended by striking “and the construction of which begins before January 1, 2015.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2015.

SA 64. Mr. MENENDEZ 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. GATTONI, Mr. FORSTEN, 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 end, add the following:

TITLE I—CLOSING BIG OIL LOOPHOLES

SEC. 201. MODIFICATIONS OF FOREIGN TAX CREDIT RULES APPLICABLE TO MAJOR INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.

(a) IN GENERAL.—Section 901 of the Internal Revenue Code of 1986 is amended by adding after subsection (b) the following new subsection:

“(4) SPECIAL RULES RELATING TO MAJOR INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.—

“(1) GENERAL RULE.—Notwithstanding any other provision of this chapter, any amount paid or accrued by a dual capacity taxpayer which is a major integrated oil company (within the meaning of section 167(h)(5)) to a foreign country or possession of the United States, or to a foreign country or possession of any foreign country or possession with respect to any property with respect to which the foreign country or possession imposes a generally applicable income tax, shall be treated as an expense to the extent that such amount exceeds the amount (determined in accordance with regulations) which—

“(i) is paid by such dual capacity taxpayer pursuant to the generally applicable income tax imposed by the country or possession, or

“(ii) would be paid if the generally applicable income tax imposed by the country or possession were applicable to such dual capacity taxpayer.

Nothing in this paragraph shall be construed to imply the proper treatment of any such amount paid and the amount determined under subparagraph (B).

“(2) DUAL CAPACITY TAXPAYER.—For purposes of this subsection, the term ‘dual capacity taxpayer’ means a taxpayer owning or possessing a facility using solar energy, or primary product (within the meaning of section 167(h)(5)), which is generally imposed on the foreign country or possession on income derived from the conduct of a trade or business within in such country or possession.

“(B) EXCEPTIONS.—Such term shall not include a tax unless it has substantial application, by its terms and as a matter of fact, to—

“(i) persons who are dual capacity taxpayers, and

“(ii) persons who are citizens or residents of the foreign country or possession.”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply only with respect to periods beginning after the date of the enactment of this Act.

(2) CONTRARY TREATY OBLIGATIONS UPHOLDED.—The amendments made by this section shall not apply to the extent contrary to any treaty obligation of the United States.

SEC. 212. LIMITATION ON SECTION 199 DEDUCTION ATTRIBUTABLE TO OIL, NATURAL GAS, OR PRIMARY PRODUCTS THEREOF.

(a) DENIAL OF DEDUCTION.—Paragraph (4) of section 199(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(2) SPECIAL RULE FOR MAJOR INTEGRATED OIL COMPANY, GAS COMPANY, OR PRIMARY PRODUCTS THEREOF.—In the case of any taxpayer who is a major integrated oil company (within the meaning of section 167(h)(5)) for the taxable year, the term ‘domestic production gross receipts’ shall not include gross receipts from the production, refining, processing, transportation, or distribution of oil, gas, or any primary product (within the meaning of section 167(h)(9)) thereof.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 213. LIMITATION ON DEDUCTION FOR INTANGIBLE DRILLING AND DEVELOPMENT COSTS; AMORTIZATION OF DISALLOWED AMOUNTS.

(a) IN GENERAL.—Section 263(c) of the Internal Revenue Code of 1986 is amended to read as follows:

“INTANGIBLE DRILLING AND DEVELOPMENT COSTS IN THE CASE OF OIL AND GAS WELLS AND GEOTHERMAL WELLS.—

“(1) IN GENERAL.—Notwithstanding subsection (a), and except as provided in subsection (i), regulations shall be prescribed by the Secretary under this subtitle corresponding to the regulations which granted the deduction for intangible drilling and development costs in the case of oil and gas wells and which were recognized
and approved by the Congress in House Concurrent Resolution 50. Seventy-ninth Congress. Such regulations shall also grant the option to deduct as expenses intangible drilling and development costs in the case of wells drilled for any geothermal deposit (as defined in section 613(e)(2)) to the same extent and in the same manner as such expenses are deductible in the case of natural gas wells. This subsection shall not apply with respect to any costs to which any deduction is allowed under section 56(e) or 291.

(2) Effective Date.—The amendments made by this section shall apply to amounts paid or incurred in taxable years beginning after December 31, 2015.

SEC. 214. LIMITATION ON PERCENTAGE DEPLETION ALLOWANCE FOR OIL AND GAS WELLS.

(a) In General.—Section 613A of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

``(f) Application With Respect to Major Integrated Oil Companies.—In the case of any taxable year in which a taxpayer is a major integrated oil company (within the meaning of section 167(h)(5)), the allowance for purposes of paragraph (2) and (3) shall be zero.

(b) Effective Date.—The amendment made by this section shall apply to amounts paid or incurred in taxable years beginning after December 31, 2015.

SEC. 215. LIMITATION ON DEDUCTION FOR TERTIARY INJECTANTS.

(a) In General.—Section 193 of the Internal Revenue Code of 1986 is amended by adding after the following subsection:

``(d) Application With Respect to Major Integrated Oil Companies.—

(1) in general.—This section shall not apply with respect to amounts paid or incurred by a taxpayer in any taxable year in which such taxpayer is a major integrated oil company (within the meaning of section 167(h)(5)).

(2) Limitation On Amounts Not Allowable As Deductions Under Paragraph (1).—The amount not allowable as a deduction for any taxable year by reason of subparagraph (A) shall be allowable as a deduction ratably over the 60-month period beginning with the month in which the costs are paid or incurred. For purposes of section 1234, any deduction under this subparagraph shall be treated as a deduction under this subsection.

(b) Effective Date.—The amendment made by this section shall apply to amounts paid or incurred in taxable years beginning after December 31, 2015.

SEC. 216. MODIFICATION OF DEFINITION OF MAJOR INTEGRATED OIL COMPANY.

(a) In General.—Paragraph (5) of section 167(h) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

``(C) certain successors in interest.—For purposes of this paragraph, the term ‘major integrated oil company’ includes any successor in interest of a company that was described in subparagraph (B) in any taxable year, if such successor controls more than 50 percent of the oil and gas production of such company.”.

(b) Conforming Amendments.—

(1) In General.—Subparagraph (B) of section 167(h)(5) of the Internal Revenue Code of 1986 is amended by inserting “except as provided in subparagraph (C),” after “for purposes of section 1234.”

(2) Taxable Years Tested.—Clause (iii) of section 167(h)(5)(B) of such Code is amended—

(A) by striking “does not apply by reason of paragraph (4) of section 613A(d)” and inserting “did not apply by reason of paragraph (4) of section 613A(d) for any taxable year after 2015,” and

(B) by striking “does not apply” in subclause (II) and inserting “did not apply for the taxable year.”

(c) Effective Date.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

Subtitle B—Outer Continental Shelf Oil and Natural Gas Royalties

SEC. 221. REPEAL OF OUTER CONTINENTAL SHELF DEEP WATER AND DEEP GAS ROYALTY RELIEF.

(a) In General.—Sections 344 and 345 of the Energy Policy Act of 2005 (42 U.S.C. 15904, 15905) are repealed.

(b) Administration.—The Secretary of the Interior shall be required to provide for royalty relief in the lease sale terms beginning with the first lease sale held on or after the date of enactment of this Act for which a final notice of sale has not been published.

Subtitle C—Miscellaneous

SEC. 231. DEFICIT REDUCTION.

The net amount of any savings realized as a result of the enactment of this Act and the amendments made by this title (after any expenditures authorized by this title (after any expenditures authorized by this title and the amendments made by this title) shall be deposited in the Treasury and used for Federal deficit reduction. If there is a Federal budget deficit, for reducing the Federal debt in such manner as the Secretary of the Treasury considers appropriate.

SEC. 232. BUDGETARY EFFECTS.

The budgetary effects of this title for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYG Legislation” for this title, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 65. Mr. MENENDEZ (for himself and Mrs. GILLIBRAND) 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. 3063a. POWERS OF ENVIRONMENTAL PROTECTION AGENCY.

Section 3063a of title 18, United States Code, is amended—

(1) by striking paragraph (1); and

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

SA 66. Mr. CARDIN 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. 312. COMMUNITY RIGHT TO PROTECT LOCAL WATER SUPPLIES.

(a) Findings.—Congress finds that—

(1) there are 2,537 wells within 1 mile of the proposed Keystone XL pipeline, including 39 public water supply wells and 20 private water wells within 100 feet of the pipeline right of way;

(2) 254 miles of the proposed Keystone XL pipeline would traverse over the shallow Ogallala Aquifer, the largest underground fresh water source in the United States, underlyng 8 States and 2,000,000 people, including 10.5 miles where the groundwater lies at depths between 5 and 10 feet and another 12.4 miles where the water table is at a depth of 10 to 15 feet;

(3) on July 26, 2010, a pipeline ruptured near Marshall, Michigan, releasing 1,000,000 gallons of tar sands diluted bitumen into Talmadge Creek, flowing into the Kalamazoo River;

(4) the Talmadge Creek tar sands spill is the costliest inland oil spill cleanup in United States history, and the Kalamazoo River continues to be contaminated from the spill; and

(5) on March 29, 2013, the first pipeline of the United States to transport Canadian tar sands to the Gulf Coast, the ExxonMobil Pipeline, ruptured, spilling 219,000 gallons of tar sands diluted bitumen in Mayflower, Arkansas; and

(6) following the Pegasus Pipeline tar sands spill, the Mayflower community experienced severe headaches, nausea, and respiratory infections.
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. 7. REGULATION OF TRANSPORTATION AND STORAGE OF PETROLEUM COKE.

This Act shall not take effect prior to the date that—

(1) the Administrator of the Environmental Protection Agency, in consultation with the Secretary of Transportation, promulgates rules concerning the storage and transportation of petroleum coke that ensure the protection of public and ecological health; and

(2) petroleum coke is no longer exempt from regulation under section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601(14)), which may be established either by an Act of Congress or any regulations, rules, or guidance issued by the Administrator of the Environmental Protection Agency.

SEC. 7A. MR. DURBIN submitted an amendment intended to be proposed to amendment S 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; as follows:

At the appropriate place, insert the following:

(a) FINDINGS.—The Senate finds the following:

(1) the Administrator of the Environmental Protection Agency, in consultation with the Secretary of Transportation, has not made a decision on the application by the end of the 60-day period beginning on the date the application is received by the Secretary, and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) is incomplete.


(iii) failure to complete. —If all existing reviews are not completed during the 180-day period described in clause (i), the project subject to the application shall be considered to have no significant impact in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C) and section 7(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)) and that classification shall be considered to be a final agency action.
drinking water from a source that may be affected by a tar sands spill from the pipeline an analysis of the potential risks to public health and the environment from a leak or rupture of the pipeline.

(2) NOTIFICATION TO GOVERNORS.—The President shall provide a copy of the analysis described in paragraph (1) to the Governor of each State in which an affected municipality or county is located.

(3) EFFECT ON CONSTRUCTION.—Construction of the pipeline described in section 2(a) may not be permitted if the Governor of a State with an affected municipality or county submits, not later than 30 days after receiving an analysis under paragraph (2), a petition to the President requesting the pipeline not be located in the affected municipality or county.

(4) WITHDRAWAL.—A Governor may withdraw a petition submitted under paragraph (3) at any time.

(5) RIGHT OF ACTION.—A property owner with a private water well drilled into any portion of an aquifer that is below the proposed pipeline described in section 2(a) may sue the owner of the pipeline for damages if—

(A) the well water of the property owner becomes contaminated as a result of—

(i) construction activities associated with the pipeline; or

(ii) a rupture in the pipeline; and

(B) the property owner demonstrates that the well water was safe prior to construction and operation of the pipeline.

SA 76. Mrs. GILLIBRAND 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:

SECT. 2. COMMUNITY RIGHT TO PROTECT LOCAL WATER SUPPLIES.

(a) FINDINGS.—Congress finds that—

(1) there are 2,367 wells within 1 mile of the proposed Keystone XL pipeline, including 39 public water supply wells and 20 private wells within 100 feet of the pipeline right of way;

(2) 254 miles of the proposed Keystone XL pipeline would traverse over the shallow Ogallala Aquifer, the largest underground fresh water aquifer in the United States, underlaying 8 States and 2,000,000 people, including 10.5 miles where the groundwater lies at depth of 10 feet or less and 10 and another 12.4 miles where the water table is at a depth of 10 to 15 feet;

(3) on July 26, 2010, a pipeline ruptured near Marshall, Michigan, releasing 843,000 gallons of tar sands diluted bitumen into Talmadge Creek, flowing into the Kalamazoo River;

(4) the Talmadge Creek tar sands spill is the costliest inland oil spill cleanup in United States history, and the Kalamazoo River continues to be contaminated from the spill;

(5) on March 29, 2013, the first pipeline of the United States to transport Canadian tar sands to the Gulf Coast, the ExxonMobil Pegasus Pipeline, ruptured, spilling 210,000 gallons of tar sands diluted bitumen in Mayflower, Arkansas; and

(6) following the Pegasus Pipeline tar sands spill, individuals in the Mayflower community experienced severe headaches, nausea, and respiratory infections.

(b) PETITION TO PROTECT LOCAL WATER SUPPLIES.

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act and prior to construction of the pipeline described in this Act, or the designee of the President, shall provide to each municipality or county that relies on public water supply wells and 20 private wells within 100 feet of the pipeline right of way; and with fewer resources available to meet other essential needs.

(3) Access to affordable home energy is a matter of health and safety for many low-income families and senior citizens struggling to pay their utility bills and veterans can meet basic home energy needs.

SA 75. Mr. CARDIN 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:

SECT. 3. RENEWABLE ELECTRICITY STANDARD.

(a) IN GENERAL.—Title VI of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2601 et seq.) is amended by adding at the end the following:

SEC. 610. RENEWABLE ELECTRICITY STANDARD.

(1) BASE QUANTITY OF ELECTRICITY.—

(A) IN GENERAL.—The term ‘base quantity of electricity’ means the total quantity of electric energy sold by a retail electric supplier, expressed in terms of kilowatt hours, to all Class I customers exclusively for purposes other than resale during the most recent calendar year for which information is available.

(B) BIOMASS.—

(i) cellulosic (plant fiber) organic materials from a plant that is planted for the purpose of being used to produce energy;

(ii) nonhazardous plant or algal material that is derived from—

(I) an agricultural crop, crop byproduct, or residue resource; or

(II) waste, such as landscape or right-of-way trimmings (but not including municipal solid waste, recyclable postconsumer waste paper, painted, treated wood, wood contaminated with plastic, or metals);

(iii) animal waste or animal byproducts; and

(iv) landfill methane.

(C) NATIONAL FOREST LAND AND CERTAIN OTHER PUBLIC LAND.—In the case of organic material removed from National Forest System land or from public land administered by the Secretary of the Interior, the term ‘biomass’ means only organic material from—

(I) ecological forest restoration;

(ii) precommercial thinning;

(iii) brush;

(iv) mill residues; or

(v) slash.

(D) EXCLUSION OF CERTAIN FEDERAL LAND.—Notwithstanding subparagraph (B), the term ‘biomass’ does not include material or matter that would otherwise qualify as biomass if the material or matter is located on the following Federal land:

(I) Federal land containing old growth forest or late successional forest unless the Secretary of the Interior or the Secretary of Agriculture determines that the removal of organic material from the land

(II) is appropriate for the applicable forest type; and

(i) maximizes the retention of—

(aa) late-successional and large and old growth forest; and

(bb) late-successional and old growth forest structure; and
(cc) late-successional and old growth forest composition.

(ii) Federal land on which the removal of vegetation is prohibited, including components of the National Wilderness Preservation System.

(iii) Wilderness study areas.

(iv) Inventoried roadless areas.

(v) the National Landscape Conservation System.

(vi) National Monuments.

(i) EXISTING FACILITY.—The term ‘existing facility’ means a facility for the generation of electric energy from a renewable energy resource that is not an eligible facility.

(ii) INCREMENTAL HYDROPOWER.—The term ‘incremental hydropower’ means additional generation that is achieved from increased efficiency or additions of capacity made on or after—

(A) the date of enactment of this section; or

(B) the effective date of an existing applicable State renewable portfolio standard program at a hydroelectric facility that was placed in service before that date.

(i) INDIAN LAND.—The term ‘Indian land’ means—

(A) any land within the limits of any Indian reservation, pueblo, or rancheria;

(B) any land not within the limits of any Indian reservation, pueblo, or rancheria title to which on the date of enactment of this section was held by—

(i) the United States for the benefit of any Indian tribe or individual; or

(ii) any Indian tribe or individual subject to restriction by the United States against alienation;

(C) any dependent Indian community; or

(D) any land conveyed to any Alaska Native Corporation under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(i) INDIAN TRIBE.—The term ‘Indian tribe’ means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(ii) RENEWABLE ENERGY.—The term ‘renewable energy’ means electric energy generated by a renewable energy resource.

(iii) RENEWABLE ENERGY RESOURCE.—The term ‘renewable energy resource’ means solar, wind, ocean, tidal, geothermal energy, biomass, landfills, incremental hydropower, or hydrokinetic energy.

(iv) REPOWERING OR COFIRING INCENTIVE.—The term ‘repowering or cofiring incentive’ means—

(A) the additional generation from a modification that is placed in service on or after the date of enactment of this section, to expand electricity production at a facility used to generate electric energy from a renewable energy resource;

(B) the additional generation above the average generation during the 3-year period ending on the date of enactment of this section at a facility used to generate electric energy from a renewable energy resource or to cofire biomass that was placed in service before the date of enactment of this section; or

(C) the portion of the electric generation from in service on or after the date of enactment of this section, or a modification to a facility placed in service before the date of enactment of this section made on or after the date of enactment of this section, associated with January 1, 2001, associated with cofiring biomass.

(v) RETAIL ELECTRIC SUPPLIER.—

(A) IN GENERAL.—The term ‘retail electric supplier’ means a person that sells electric energy to electric consumers that sold not less than 1,000,000 megawatt hours of electric energy to electric consumers for purposes other than resale during the preceding calendar year.

(B) INCLUSION.—The term ‘retail electric supplier’ includes a person that sells electric energy to electric consumers that, in combination with the sales of any affiliate organization after the date of enactment of this section, sells not less than 1,000,000 megawatt hours of electric energy to consumers for purposes other than resale.

(C) SALES TO PARENT COMPANIES OR AFFILIATES.—For purposes of paragraph, sales by any person to a parent company or to other affiliates of the person shall not be treated as sales to electric consumers.

(D) GOVERNMENTAL AGENCIES.—

(i) IN GENERAL.—Except as provided in clause (ii), the term ‘retail electric supplier’ does not include—

(A) the United States, a State, any political subdivision of a State, or any agency, authority, or instrumentality of the United States, State, or political subdivision; or

(B) a rural electric cooperative.

(ii) EXISTING RENEWABLE ENERGY CREDITS.—

(A) IN GENERAL.—For calendar year 2015 and each calendar year thereafter, each retail electric supplier shall meet the requirement pursuant to the funds associated with State compliance payments as specified in subsection (e)(4)(G).

(B) ALTERNATIVE COMPLIANCE PAYMENTS PURSUANT TO SUBSECTION (h).—

(A) REQUIRED ANNUAL PERCENTAGE.—For each calendar year 2015 through 2024, the minimum annual percentage of the quantity of electricity that a retail electric supplier shall be required to purchase from an eligible facility; and

(B) QUANTITY OF FEDERAL RENEWABLE ENERGY CREDITS.—

(i) IN GENERAL.—Except as otherwise provided in this paragraph, Federal renewable energy credits shall be based on the increase in average annual generation resulting from the improvement in energy efficiency and capacity additions.

(ii) WATER FLOW INFORMATION.—The incremental generation shall be calculated using the same water flow information that is used to determine a historic average annual generation baseline for the hydroelectric facility; and

(iii) CERTIFICATION.—The Secretary shall certify by the Secretary or the Federal Energy Regulatory Commission.

(iv) OPERATIONAL CHANGES.—The calculation of the Federal renewable energy credits for incremental hydropower shall be based on the increase in average annual generation resulting from the improvement in energy efficiency and capacity additions.

(v) IN GENERAL.—The Secretary shall issue 2 renewable energy credits for each kilowatt hour of electric energy generated and sold by a retail electric supplier under subsection (b)(1) through the submission of Federal renewable energy credits to the grid.

(V) INDIAN LAND.—

(i) IN GENERAL.—The Secretary shall issue 2 renewable energy credits for each kilowatt hour of electric energy generated and sold by a retail electric supplier that sells electric energy to electric consumers that sold not less than 1,000,000 megawatt hours of electric energy to electric consumers for purposes other than resale during the preceding calendar year.

(ii) INCLUSION.—The term ‘retail electric supplier’ includes a person that sells electric energy to electric consumers that, in combination with the sales of any affiliate organization after the date of enactment of this section, sells not less than 1,000,000 megawatt hours of electric energy to consumers for purposes other than resale.

(iii) SALES TO PARENT COMPANIES OR AFFILIATES.—For purposes of paragraph, sales by any person to a parent company or to other affiliates of the person shall not be treated as sales to electric consumers.

(iv) GOVERNMENTAL AGENCIES.—

(A) IN GENERAL.—For calendar year 2015 and each calendar year thereafter, each retail electric supplier shall meet the requirement pursuant to the funds associated with State compliance payments as specified in subsection (e)(4)(G).

(B) ALTERNATIVE COMPLIANCE PAYMENTS PURSUANT TO SUBSECTION (h).—

(A) REQUIRED ANNUAL PERCENTAGE.—For each calendar year 2015 through 2024, the minimum annual percentage of the quantity of electricity that a retail electric supplier shall be required to purchase from an eligible facility; and

(B) QUANTITY OF FEDERAL RENEWABLE ENERGY CREDITS.—

(i) IN GENERAL.—Except as otherwise provided in this paragraph, Federal renewable energy credits shall be based on the increase in average annual generation resulting from the improvement in energy efficiency and capacity additions.

(ii) WATER FLOW INFORMATION.—The incremental generation shall be calculated using the same water flow information that is used to determine a historic average annual generation baseline for the hydroelectric facility; and

(iii) CERTIFICATION.—The Secretary shall certify by the Secretary or the Federal Energy Regulatory Commission.

(iv) OPERATIONAL CHANGES.—The calculation of the Federal renewable energy credits for incremental hydropower shall be based on the increase in average annual generation resulting from the improvement in energy efficiency and capacity additions.

(v) IN GENERAL.—The Secretary shall issue 2 renewable energy credits for each kilowatt hour of electric energy generated and sold by a retail electric supplier under subsection (b)(1) only once.

(C) ISSUANCE OF FEDERAL RENEWABLE ENERGY CREDITS.—

(i) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall establish by rule a program—

(A) to verify and issue Federal renewable energy credits to generators of renewable energy.

(B) to track the sale, exchange, and retirement of the credits; and

(C) to enforce the requirements of this section.

(ii) EXISTING NON-FEDERAL TRACKING SYSTEMS.—To the maximum extent practicable, in establishing any program, the Secretary shall rely on existing and emerging State or regional tracking systems that issue and track non-Federal renewable energy credits.

(iii) APPLICATION.—

(A) IN GENERAL.—An entity that generates electric energy through the use of a renewable energy resource may apply to the Secretary for the issuance of renewable energy credits.

(B) ELIGIBILITY.—To be eligible for the issuance of the credits, the applicant shall demonstrate to the Secretary that—

(i) the electric energy will be transmitted onto the grid; or

(ii) in the case of a generation offset, the electric energy offset would have otherwise been consumed onsite.

(C) CONTENTS.—The application shall include—

(i) the type of renewable energy resource that is used to produce the electricity;

(ii) the location at which the electric energy will be produced; and

(iii) any other information the Secretary determines appropriate.

(iv) QUANTITY OF FEDERAL RENEWABLE ENERGY CREDITS.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, Federal renewable energy credits shall be based on the increase in average annual generation resulting from the improvement in energy efficiency and capacity additions.

(B) INCREMENTAL HYDROPOWER.—

(i) IN GENERAL.—For purpose of compliance with this section, Federal renewable energy credits for incremental hydropower shall be based on the increase in average annual generation resulting from the improvement in energy efficiency and capacity additions.

(ii) WATER FLOW INFORMATION.—The incremental generation shall be calculated using the same water flow information that is used to determine a historic average annual generation baseline for the hydroelectric facility; and

(iii) CERTIFICATION.—The Secretary shall certify by the Secretary or the Federal Energy Regulatory Commission.

(iv) OPERATIONAL CHANGES.—The calculation of the Federal renewable energy credits for incremental hydropower shall be based on the increase in average annual generation resulting from the improvement in energy efficiency and capacity additions.

(v) INDIAN LAND.—

(i) IN GENERAL.—The Secretary shall issue 2 renewable energy credits for each kilowatt hour of electric energy generated and sold by a retail electric supplier under subsection (b)(1) only once.
ROSS, and NISMS.—At least 75 percent of the funds provided to each State for each fiscal year shall be used to provide matching funds to match the funds collected pursuant to subsection (l) and described in subsection (m). 

(2) DEPOSITS.—All money collected by the Secretary from the alternative compliance payments under subsection (b) shall be deposited into the State renewable energy account established under paragraph (1).

(3) GRANTS.—

(A) IN GENERAL.—Proceeds deposited in the State renewable energy account shall be used by the Secretary, subject to annual appropriations, for a program to provide grants—

(i) to the State agency responsible for administering a fund to promote renewable energy generation for customers of the State or an alternative agency designated by the Secretary;

(ii) if no agency described in clause (i), to the State agency developing State energy conservation plans under section 362 of the Energy Policy and Conservation Act (42 U.S.C. 6322).

(B) USE.—The grants shall be used for the purpose of promoting renewable energy production; and

(ii) providing energy assistance and weatherization services to low-income consumers. 

(C) CRITERIA.—The Secretary may issue guidelines and criteria for grants awarded under this paragraph.

(3) PROGRAM REVIEW.—

(A) IN GENERAL.—The Secretary shall enter into an arrangement with the National Academy of Sciences to which the Academy shall conduct a comprehensive evaluation of all aspects of the program established under this section.

(B) EVALUATION.—The study shall include an evaluation of—

(A) the effectiveness of the program in increasing the market penetration and lowering the cost of the eligible renewable energy technologies;

(B) the opportunities for any additional technologies and sources of renewable energy technologies; and

(C) the impact on the regional diversity and reliability of supply sources, including the power quality benefits of distributed generation;

(D) the regional resource development relative to renewable potential and reasons for any investment in renewable resources; and

(E) the net cost/benefit of the renewable electricity standard to the national and State economies, including—

(i) retail power costs;

(ii) the economic development benefits of investment; and

(iii) avoided costs related to environmental and congestion mitigation investments that would otherwise have been required;

(iv) the impact on natural gas demand and price; and

(v) the effectiveness of green marketing programs at reducing the cost of renewable resources.

(4) REPORT.—Not later than January 1, 2019, the Secretary shall transmit to Congress a report describing the results of the evaluation and any recommendations for modifications and improvements to the program.

(5) STATE RENEWABLE ENERGY ACCOUNT.—

(A) IN GENERAL.—There is established in the Treasury a State renewable energy account.

(B) USE.—The grants shall be used to administer and support the programs described in paragraph (3).

(C) CRITERIA.—The Secretary may issue guidelines and criteria for grants awarded under this paragraph.

(D) STATE-APPROVED FUNDING MECHANISMS.—At least 75 percent of the funds provided to each State for each fiscal year shall

(6) PROGRAMS.—In the regulations establishing the program under this section, the Secretary shall incorporate common elements of existing renewable energy programs, including State programs to encourage administrative ease, market transparency and effective enforcement.

(7) MINIMIZATION OF ADMINISTRATIVE BURDENS AND COSTS.—In carrying out this section, the Secretary shall work with the States to minimize administrative burdens and costs associated with renewable energy programs.

(A) RECOVERY OF COSTS.—An electric utility that has sales of electric energy that are subject to rate regulation (including any utility regulated by the Commission and any State regulated electric utilities) shall not be denied the opportunity to recover the full amount of the prudently incurred incremental cost of renewable energy obtained to comply with the requirements of subsection (b).

(2) REVIEW.—The Secretary shall incorporate common elements of existing renewable energy programs, including State programs to encourage administrative ease, market transparency and effective enforcement. 

(3) CRITERIA.—The Secretary may issue guidelines and criteria for grants awarded under this paragraph.

(4) PROGRAM REVIEW.—

(A) IN GENERAL.—The Secretary shall enter into an arrangement with the National Academy of Sciences to which the Academy shall conduct a comprehensive evaluation of all aspects of the program established under this section.

(B) EVALUATION.—The study shall include an evaluation of—

(A) the effectiveness of the program in increasing the market penetration and lowering the cost of the eligible renewable energy technologies;

(B) the opportunities for any additional technologies and sources of renewable energy technologies; and

(C) the impact on the regional diversity and reliability of supply sources, including the power quality benefits of distributed generation;

(D) the regional resource development relative to renewable potential and reasons for any investment in renewable resources; and

(E) the net cost/benefit of the renewable electricity standard to the national and State economies, including—

(i) retail power costs;

(ii) the economic development benefits of investment; and

(iii) avoided costs related to environmental and congestion mitigation investments that would otherwise have been required;

(iv) the impact on natural gas demand and price; and

(v) the effectiveness of green marketing programs at reducing the cost of renewable resources.

(2) REPORT.—Not later than January 1, 2019, the Secretary shall transmit to Congress a report describing the results of the evaluation and any recommendations for modifications and improvements to the program.

(3) STATE RENEWABLE ENERGY ACCOUNT.—

(A) IN GENERAL.—There is established in the Treasury a State renewable energy account.

(B) USE.—The grants shall be used to administer and support the programs described in paragraph (3).

(C) CRITERIA.—The Secretary may issue guidelines and criteria for grants awarded under this paragraph.

(D) STATE-APPROVED FUNDING MECHANISMS.—At least 75 percent of the funds provided to each State for each fiscal year shall

(2) REVIEW.—The Secretary shall incorporate common elements of existing renewable energy programs, including State programs to encourage administrative ease, market transparency and effective enforcement. 

(3) CRITERIA.—The Secretary may issue guidelines and criteria for grants awarded under this paragraph.

(4) PROGRAM REVIEW.—

(A) IN GENERAL.—The Secretary shall enter into an arrangement with the National Academy of Sciences to which the Academy shall conduct a comprehensive evaluation of all aspects of the program established under this section.

(B) EVALUATION.—The study shall include an evaluation of—

(A) the effectiveness of the program in increasing the market penetration and lowering the cost of the eligible renewable energy technologies;

(B) the opportunities for any additional technologies and sources of renewable energy technologies; and

(C) the impact on the regional diversity and reliability of supply sources, including the power quality benefits of distributed generation;

(D) the regional resource development relative to renewable potential and reasons for any investment in renewable resources; and

(E) the net cost/benefit of the renewable electricity standard to the national and State economies, including—

(i) retail power costs;

(ii) the economic development benefits of investment; and

(iii) avoided costs related to environmental and congestion mitigation investments that would otherwise have been required;

(iv) the impact on natural gas demand and price; and

(v) the effectiveness of green marketing programs at reducing the cost of renewable resources.

(2) REPORT.—Not later than January 1, 2019, the Secretary shall transmit to Congress a report describing the results of the evaluation and any recommendations for modifications and improvements to the program.

(3) STATE RENEWABLE ENERGY ACCOUNT.—

(A) IN GENERAL.—There is established in the Treasury a State renewable energy account.

(B) USE.—The grants shall be used to administer and support the programs described in paragraph (3).

(C) CRITERIA.—The Secretary may issue guidelines and criteria for grants awarded under this paragraph.

(D) STATE-APPROVED FUNDING MECHANISMS.—At least 75 percent of the funds provided to each State for each fiscal year shall

(2) REVIEW.—The Secretary shall incorporate common elements of existing renewable energy programs, including State programs to encourage administrative ease, market transparency and effective enforcement. 

(3) CRITERIA.—The Secretary may issue guidelines and criteria for grants awarded under this paragraph.

(4) PROGRAM REVIEW.—

(A) IN GENERAL.—The Secretary shall enter into an arrangement with the National Academy of Sciences to which the Academy shall conduct a comprehensive evaluation of all aspects of the program established under this section.

(B) EVALUATION.—The study shall include an evaluation of—

(A) the effectiveness of the program in increasing the market penetration and lowering the cost of the eligible renewable energy technologies;

(B) the opportunities for any additional technologies and sources of renewable energy technologies; and

(C) the impact on the regional diversity and reliability of supply sources, including the power quality benefits of distributed generation;

(D) the regional resource development relative to renewable potential and reasons for any investment in renewable resources; and

(E) the net cost/benefit of the renewable electricity standard to the national and State economies, including—

(i) retail power costs;

(ii) the economic development benefits of investment; and

(iii) avoided costs related to environmental and congestion mitigation investments that would otherwise have been required;

(iv) the impact on natural gas demand and price; and

(v) the effectiveness of green marketing programs at reducing the cost of renewable resources.
be used to promote renewable energy production through grants, production incentives, or other State-approved funding mechanisms.

"(E) ALLOCATION.—The funds shall be allocated to the States on the basis of retail electric sales subject to the renewable electricity standard under this section or through voluntary participation.

"(F) RECORDS.—State agencies receiving grants under this paragraph shall maintain such records and evidence of compliance as the Secretary may require.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. prec. 2601) is amended by adding at the end of the items relating to title VI the following:

"Sec. 610. Renewable electricity standard.

"Sec. 609. Rural and remote communities

items relating to title VI the following:

2601) is amended by adding at the end of the


table of contents of the Public Utility Regu-


the Secretary may require.''.

such records and evidence of compliance as

grants under this paragraph shall maintain

objection, it is so ordered.

The PRESIDING OFFICER. Without

objection, it is so ordered.

The resolution (S. Res. 29) was agreed to.

The preamble was agreed to.

"The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

NATIONAL SCHOOL CHOICE WEEK

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to consider the resolution.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to consider the resolution.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to consider the resolution.

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

The resolution (S. Res. 30) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

ORDER FOR RECESS AND ORDERS FOR WEDNESDAY, JANUARY 21, 2015

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate recess until 9:25 p.m. tonight and upon reconvening proceed as a body to the Hall of the House of Representatives for the joint session of Congress provided under the provisions of H. Con. Res. 7; that upon the dissolution of the joint session, the Senate adjourn until 9:30 a.m., Wednesday, January 21; I ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; I further ask that the Senate then be in a period of morning business for up to 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the Republicans controlling the first half and the Democrats controlling the final half; that following morning business the Senate then resume consideration of S. 1.

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

PROGRAM

Mr. MCCONNELL. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand in recess under the previous order.

There being no objection, the Senate, at 4:38 p.m., recessed until 8:25 p.m. and reassembled when called to order by the Presiding Officer (Mr. ROUNDS).

JOINT SESSION OF THE TWO HOUSES—ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the Hall of the House of Representatives to hear a message from the President of the United States.

Thereupon, the Senate, preceded by the Deputy Sergeant at Arms, James Morhard, the Secretary of the Senate, Julie E. Adams, and the Vice President of the United States, JOSEPH R. BIDEN, Jr., proceeded to the Hall of the House of Representatives to hear the address by the President of the United States, Barack H. Obama.

(The address delivered by the President of the United States to the joint session of the two Houses of Congress is printed in the proceedings of the House of Representatives in today’s RECORD.)

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

At the conclusion of the joint session of the two Houses, and in accordance with the order previously entered, at 10:20 p.m., the Senate adjourned until Wednesday, January 21, 2015, at 9:30 a.m.