

Mr. WYDEN. I thank my colleague from Alaska for all of her work. We await our colleague from Texas who would like to speak.

How much time remains on our side?

The PRESIDING OFFICER. There is 2½ minutes.

Mr. WYDEN. Let me yield 1 minute at this time to our friend who in the House had begun working on this literally years ago. I thank the Senator from Massachusetts for all of his efforts.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I thank the Senator from Oregon. This bill is something that shows we can work across the lines of politics in this institution.

I began this bill with DOC HASTINGS, a Republican from Washington State, in the House of Representatives a year ago. It passed over there. Now it is over here in the Senate, and the same kind of bipartisanship is working to pass this critical bill which is central for companies like Siemens, Philips, and GE just in Massachusetts that support thousands of jobs in the high-tech sector.

There was a shutdown that was looming, but it was a shutdown in the helium industry. This is one shutdown that we are going to make sure does not happen. I thank the chairman for making this possible because it took a lot of leadership to make sure that House bill, the Hastings-Markey bill, is now over here, and it has been solved in a way that every Member should feel very comfortable voting yes for because it really is going to solve a big problem that was going to hit our high-tech industry in the United States.

Mr. WYDEN. Mr. President, I believe we have 1½ minutes left. Let's go to Senator CRUZ, and then hopefully we can vote.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, I am going to be brief and not take my entire time. I think the underlying extension and reform of the Helium Program in this bill is a good provision. It maintains the program. Helium is critical for our businesses, for our industry, for our high-tech community. So I salute the Senator from Oregon and the Senator from Alaska for working together.

As written, the Senate bill raises \$500 million over 10 years in new revenue. The House bill took the revenue raised by this program and put it to deficit reduction and reducing our debt. The Senate bill—I think unfortunately—instead of using the revenue for deficit reduction, uses \$400 of the \$500 million for new spending.

I raised internally an objection and asked my colleagues if they would consider reducing spending in other parts of the budget to balance it given that we have nearly a \$17 trillion national debt. I think the more fiscally responsible thing to do, if we have \$500 million in new revenue, is to use it to pay down the deficit and the debt.

We have worked together in a bipartisan way to allow this to come to a vote. I thank the Senator from Oregon for agreeing to do that. I intend to vote no, but I am hopeful that in conference committee perhaps the House and Senate can work together to take care of the important concerns with the Helium Program but at the same time demonstrate some additional fiscal responsibility, which I think would be a win-win for everyone.

Mr. WYDEN. Mr. President, we have a minute and a half. I will be very brief. I thank the Senator from Texas for his courtesy.

The bottom line is that the House bill, which the Senator is calling for, does not get the government out of the helium business. That is the single most important distinction. We are reaching out to all those hard-hit middle-class workers in aerospace and tech and a whole host of industries. We are doing it in a way that protects taxpayers. It gets the government out of the helium business.

This legislation passed the Energy and Natural Resources Committee unanimously. I urge my colleagues to vote yes.

I ask unanimous consent that all time be yielded back and the Senate now proceed to vote on the passage of the bill, as amended.

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

The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. WYDEN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

The PRESIDING OFFICER (Ms. HIRONO). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 2, as follows:

[Rollcall Vote No. 203 Leg.]

YEAS—97

Alexander	Casey	Flake
Ayotte	Chambliss	Franken
Baldwin	Chiesa	Gillibrand
Barrasso	Coats	Graham
Baucus	Coburn	Grassley
Begich	Cochran	Hagan
Bennet	Collins	Harkin
Blumenthal	Coons	Hatch
Blunt	Corker	Heinrich
Boozman	Cornyn	Heitkamp
Boxer	Crapo	Heller
Brown	Donnelly	Hirono
Burr	Durbin	Hoeven
Cantwell	Enzi	Ihlof
Cardin	Feinstein	Isakson
Carper	Fischer	Johanns

Johnson (SD)	Mikulski	Scott
Johnson (WI)	Moran	Shaheen
Kaine	Murkowski	Shelby
King	Murphy	Stabenow
Kirk	Murray	Tester
Klobuchar	Nelson	Thune
Landrieu	Paul	Toomey
Leahy	Portman	Udall (CO)
Lee	Pryor	Udall (NM)
Levin	Reed	Vitter
Manchin	Reid	Warner
Markey	Risch	Warren
McCain	Roberts	Whitehouse
McCaskill	Rockefeller	Wicker
McConnell	Sanders	Wyden
Menendez	Schatz	
Merkley	Schumer	

NAYS—2

Cruz
Sessions

NOT VOTING—1

Rubio

The bill (H.R. 527), as amended, was passed.

MORNING BUSINESS

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Madam President, I ask unanimous consent that the Senate be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

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

EMISSION STANDARDS

Mr. DONNELLY. Madam President, I am here today with my colleague from Missouri, Senator BLUNT, to talk about our efforts to bring some common sense to the EPA's emission standards.

It is my firm belief that we can establish emission standards that protect our environment without hurting our economy and without hurting the pocketbooks of families in Indiana and across the country.

When the EPA released draft standards in 2012 that would regulate greenhouse gas emissions from powerplants, it was clear that the administration's standards far exceeded the level of carbon reductions that would be available using existing technology. They also failed to acknowledge that different fuel types pose different challenges when trying to reduce emissions.

If we don't address these standards in a commonsense way, the affordable, reliable energy that Hoosier families and businesses depend on will be in doubt. It is absolutely critical that the EPA understand the impact of these standards and the price their proposed regulation would ask Hoosiers to pay.

Our amendment urges the EPA to use common sense when putting together emission regulations by ensuring that efforts to regulate carbon dioxide emissions are realistic about existing technology and do not negatively impact our economy.

Our amendment states that if the EPA puts together regulations to control carbon dioxide emissions from an industrial source, the EPA must develop the regulations using emission

rates based on the efficiencies achievable using existing technology that is commercially available. “Commercially available” is defined as any technology with proven test results in an industrial setting. It also must be subcategorized by fuel type. Different fuel types must have different emission rates to be reflective of what is realistic for fuel producers using all available technologies.

Our amendment develops an NSPS for carbon dioxide emissions to protect our environment while also ensuring that the regulations do not excessively burden Hoosier families and businesses that rely on affordable power. The EPA is scheduled to release its updated standards tomorrow. I urge them to make sure that any NSPS regulation is something that reflects existing technology. We must prevent anything that would jeopardize the affordable, reliable energy that allows many Hoosier families—and families and businesses across our country—to make ends meet.

Again, I thank my friend Senator BLUNT for working with me on this issue.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Madam President, I am pleased to work on this with Senator DONNELLY. This is an amendment which, as he said, requires that we categorize fuel types and that we say what works for various types of fuel as opposed to setting some standard that makes it impossible for other resources we have to be used. It says that the technology has to be commercially available.

We had the Acting EPA Director before the Appropriations Committee earlier this year. I asked the Acting Director: The rule that you are talking about, is this technology available? Can somebody go out and buy this? And the response was something like: Well, parts of it are out there, but nobody has ever quite put it together yet—which, of course, meant that the rule, for the first time ever, set a standard that couldn’t possibly be reached.

In States such as ours, Missouri and Indiana, where Senator DONNELLY and I are from, we are more than 80 percent dependent on coal. Some of our constituents are 100 percent dependent on coal. If you do things that raise their utility bills, families know it and their community knows it.

This amendment simply would force the EPA to use common sense when setting standards for any facility. The new source performance standards, based upon emission limits for powerplants, for refineries, for manufacturing facilities, for whatever else they can cover, simply don’t meet that commonsense standard. In fact, last March when the proposed rule went out, there were more than 2 million comments. You have to work pretty hard to find this rule, and you have to really be dedicated to read it, and 2 million com-

ments said this won’t work. It is so obvious that it won’t work.

The rule said that if someone wants to build a coal plant, they have to install carbon capture technology, which according to the rule would add 80 percent to the cost of electricity. It would overstate it a little bit initially, but not very far in the future—if you get your utility bill and multiply it by two, you will be pretty close to what your utility bill would be if the proponents of this rule—if what they say will happen is what happens. What happens if you double the utility bill? How many jobs go away? How many families find themselves in stress?

When cap and trade failed, the President—who had said earlier that under his cap-and-trade plan electricity rates would necessarily skyrocket—when it failed, the President said that was only one way of skinning the cat. Obviously, the EPA is looking for the second way to skin this cat and to impact families. It would make it expensive to do what can be otherwise done in the country. Businesses and households would need to make a decision about that.

What we need to be doing is looking to use all of our resources in the best possible way. More American energy is critical, and we ought to be doing everything we can to see how we produce more American energy, a more certain supply, easier to transition from one fuel to another, not harder, not putting one electric plant out of business and requiring that you build an entire new electric plant. Do you know how you pay for an electric plant? Somebody gives you the authority to pass all that cost along to the people who are served by it. There is no free electricity out there. It makes a real difference.

The most vulnerable families among us are the ones who are most impacted by the higher utility bill. The Bureau of Labor Statistics said that nearly 40 million American households earn less than \$30,000 a year, and those households spend almost 20 percent of their income on energy. Do you want to make that 30 percent or 40 percent? Surely that is not the answer for vulnerable families.

If you read the press reports today, the EPA will come out with a rule tomorrow. I hope this amendment becomes part of the law that would make that rule, frankly, make common sense.

The American people want the administration to stop picking winners and losers through regulatory policies. If the Congress wants to have that debate and change the law and do that in the open, that is one way to do it, but I think we all know that American consumers have figured out where this road takes their family, and they don’t want to go there.

So I urge support for the amendment Senator DONNELLY and I are working on—common sense and real cost-benefit analysis. New standards that work are essential, not new standards that you know won’t work. I am glad to be

a cosponsor of this amendment and urge my colleagues to join Senator DONNELLY and me if we get a chance to vote on it as part of this bill.

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

The PRESIDING OFFICER (Ms. WARREN). Without objection, it is so ordered.

The Senator from Michigan is recognized.

Mr. LEVIN. I thank the Chair.

(The remarks of Mr. LEVIN pertaining to the introduction of S. 1533 are located in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

Mr. LEAHY. Madam President, are we in morning business?

The PRESIDING OFFICER. Yes, the Senate is in morning business.

TRIBUTE TO WILL GOODMAN

Mr. LEAHY. Madam President, as many of my current and even former staff can tell you, I am fond of saying that I, like other Senators, am merely a constitutional impediment to my staff. But I don’t mind being just a constitutional impediment. Mine is one of the finest staffs on Capitol Hill.

Tomorrow my office will say goodbye to Will Goodman, one of the finest. He is going to be leaving for a challenging new opportunity. Will joined my staff in January of 2010 as a legislative fellow from the Office of the Secretary of Defense. We barely got him to his desk and he had to jump right in with both feet and hit the ground running. He was a valuable member of my legislative team, working on that year’s debate over the repeal of “Don’t Ask, Don’t Tell,” and the ratification of the New START treaty. Importantly, Will was a trusted staffer, a willing ear, and a source of support as the Vermont National Guard prepared to deploy for Afghanistan.

When his fellowship ended, I was pleased when Will accepted my offer to become my senior defense adviser. In that role, he was instrumental in helping to pass the National Guard Empowerment Act, one of my longtime legislative priorities. Will has been a go-to aid for many Members and their staffs, particularly for the more than 80 Members of both parties of the Senate National Guard Caucus, which I am proud to cochair.

I know that Vermonters appreciate Will’s steadfast commitment to the State, to the many veterans who live there, to the Vermont National Guard, and to our State’s economic development. He has always been eager to help and has always been a fierce advocate for Vermonters.

After nearly four decades in the Senate, I have had dozens of staffers come