

be paid the ongoing wages, the minimum wage of America. By bringing these workers into the legal workforce, it will eliminate the unfair competition of the underground economy. And all of these workers will be paying their taxes, which will increase tax revenues by billions of dollars each year.

The President's Executive action is also smart and realistic when it comes to enforcing our immigration laws. It is not humanly possible to deport all of the undocumented immigrants in this country. So every administration has had to set priorities on those who will be deported and those who will not. The government should not waste its limited resources to deport immigrants who have lived and worked here for years, who have children who are citizens or lawful permanent residents, and who do not pose any threat to America's future. Instead, the administration has made it a top priority to deport those who have committed serious crimes or are a threat to safety.

Now, Executive action on deportation is clearly lawful. Every single President—Democrat and Republican—every one of them since President Dwight David Eisenhower has used his Executive authority to improve our immigration system. This argument that it is somehow unconstitutional just does not bear basic scrutiny. The Supreme Court has repeatedly affirmed that the Federal Government has broad authority to decide whom to deport. President Obama is acting well within his legal authority when he establishes policies about whom will be deported by this administration.

The American people have elected us to solve problems. Because the House Republican leadership has failed to reform our immigration system, the President had no choice but to use his authority under the law to improve our economy and security and keep families together and at least do a small part toward solving America's broken immigration system problems.

However you feel about the President's immigration policies, it is hypocritical and counterproductive—it is just wrong—to take out your frustration by putting at risk critical homeland security funding.

I hope the House Republicans will somehow or another overcome this fit of pique that has led us to this moment and realize their first obligation is to this great Nation.

CONGRATULATING GOVERNOR BRUCE RAUNER

Mr. DURBIN. Mr. President, I was unable to attend the inauguration of the new Governor of Illinois today. Bruce Rauner was elected November 4 to serve as the 42nd Governor of the State of Illinois. His wife Diana was by his side when he took the oath of office.

I had a chance to attend some of the receptions last night and called him

over the weekend and said my duties in the Senate made it impossible to accept his invitation to say a few words at his inaugural. But despite the fact that we come from different political parties and despite the fact that we have many differences when it comes to issues before us, I certainly wish our new Governor, Bruce Rauner, the very best in his efforts to lead the Land of Lincoln, the great State of Illinois. He faces an extraordinary number of challenges—broken public pension systems, struggles in coming up with the revenue we need to keep our schools moving forward, and the safety net to protect the most vulnerable people living in our State.

I have given him my personal pledge, and I will renew it on the floor of the Senate today, to stand by him and his administration to solve these problems and to lead Illinois forward.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

KEYSTONE XL PIPELINE ACT— MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1, which the clerk will report.

The bill clerk read as follows:

Motion to proceed to Calendar No. 1, S. 1, a bill to approve the Keystone XL Pipeline.

The PRESIDING OFFICER. Under the previous order, the time until 5:30 p.m. will be equally divided and controlled in the usual form.

The Senator from Maine.

Ms. COLLINS. Mr. President, I ask unanimous consent that I be permitted to proceed for up to 15 minutes as in morning business.

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

Ms. COLLINS. Thank you, Mr. President.

I further request that the time not be charged to either side on the debate on the Keystone pipeline, if that is necessary.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Mr. President, reserving the right to object—I am sorry, I was discussing with the staff. If the Senator will please repeat her request.

Ms. COLLINS. I asked unanimous consent to proceed for up to 15 minutes as in morning business, and since my remarks do not pertain to the debate for the Keystone Pipeline, that the time not be charged to either side in that debate.

Mr. DURBIN. I have no objection.

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

PRIORITIES OF SENATE SPECIAL COMMITTEE ON AGING

Ms. COLLINS. Mr. President, it has been my privilege to serve on the Sen-

ate Special Committee on Aging since my very first days in the Senate, and I am honored to have been elected to chair this committee for the 114th Congress. I wish to welcome the Presiding Officer, Senator COTTON of Arkansas, to the committee. He will be a new member on our committee, and I believe he will enjoy his service as much as I have.

My service on the aging committee is particularly appropriate since Maine is the oldest State in the Nation by median age. Many people would guess that Florida would have that distinction, but, in fact, it is the great State of Maine.

Throughout its history, the aging committee has spurred Congress to action on issues that are important to older Americans through its hearings, its investigations, and its reports. This is the first time a Maine Senator has chaired the committee since the 1990s, when my predecessor, mentor, and friend, Senator Bill Cohen, served as chairman.

I wish to share with my colleagues today my priorities for the committee as we begin this new Congress. I have three major priorities for the committee's work: first, retirement security; second, investments in biomedical research targeting diseases that disproportionately affect older Americans, such as Alzheimer's and diabetes; and, third, protecting seniors against financial exploitation and scams.

I am increasingly concerned that our seniors will not have adequate savings and other financial resources during their retirement years. The committee will, therefore, focus on retirement security and, in particular, on the need to encourage more savings and better financial planning. According to the nonpartisan Center for Retirement Research at Boston College, there currently is an estimated \$6.6 trillion gap between the savings Americans have today and what they should have in order to maintain their standard of living during retirement.

Nationally, one in four Americans has no source of income beyond Social Security. In the State of Maine, the number is one in three. Social Security provides an absolutely vital safety net. However, with an average benefit of just \$16,000 a year, it certainly is not enough to finance a comfortable retirement for many Americans.

According to a Gallup survey published in 2012, more than half of all Americans are worried they will not be able to maintain their standard of living in retirement. That is up sharply from 34 percent two decades ago, and the Boston College analysis demonstrates that their concern is warranted.

There are many reasons for the decline in retirement security facing American seniors, including the demise of many defined benefit pension plans in the private sector; the severity of the recent financial crisis, which wiped out much of the net worth of many

seniors, at least temporarily; rising health care costs; the need for long-term care; and, most of all, the simple fact that Americans are living far longer than we used to. Many Americans reaching retirement age also have more debt than retirees of previous generations.

I remember when my parents paid off the mortgage on their home and had a mortgage-burning party. Well, today, people who are the age my parents were when they paid off their house are taking on new debt and new mortgages. We found in the aging committee that there are seniors who are still paying off their student loans or the student loans of their children. These are all issues I look forward to the committee exploring in depth in this new Congress.

Another priority will be highlighting the importance of biomedical research on diseases such as Alzheimer's and diabetes, which take such a devastating toll on older Americans and their families. Investments in biomedical research not only improve the health and longevity of Americans but also provide benefits to our economy and to the Federal budget.

For example, nearly one out of three Medicare dollars is spent treating people living with diabetes. According to multiple economic analyses, there is roughly a 2-to-1 return on investment in Federal support for biomedical research. This investment at the National Institutes of Health and at research centers across the country spur job creation and are critical to America's competitiveness in the global research environment.

As the Senate cochair of the Congressional Task Force on Alzheimer's Disease, I am particularly committed to helping to spur breakthroughs in Alzheimer's disease, which has had such a devastating impact on 5.2 million Americans and their families. In addition to the suffering it causes, Alzheimer's costs the United States an astonishing \$214 billion a year. That includes \$150 billion in costs to the Medicare and Medicaid programs. These costs will only skyrocket as the baby boom generation ages.

Fortunately, there is promising research that holds hope for Alzheimer's patients and their families. The research community is poised to make important advances through clinical trials and investigating new therapeutic targets. But adequate funding is critical to advance this research and to achieve these breakthroughs.

At a time when the United States is spending more than \$200 billion a year for Alzheimer's patients, we are spending less than three-tenths of 1 percent of that amount—about \$600 million a year—on research. Surely, we can do more for Alzheimer's, given its tremendous human and economic price.

The National Plan to Address Alzheimer's Disease has as its primary goal the prevention and effective treatment of Alzheimer's by the year 2025.

To meet that goal, the chairman of the Federal Alzheimer's Advisory Council says that we need to devote \$2 billion a year to Alzheimer's research. Well, think about that. That is only 1 percent—in fact, it is less than 1 percent—of what we as a society are spending to care for people with Alzheimer's. That investment will lead to better treatments and ultimately to a means of prevention or even a cure for this awful and expensive disease.

The aging committee will also continue its focus on scams that target our seniors, such as the Jamaican lottery phone scam we exposed in the last Congress. This nefarious scheme, which is estimated to have cost Americans as much as \$300 million a year, particularly targeted seniors in the Northeast. Some seniors in my State lost tens of thousands of dollars to the scam which involved a con artist calling a victim to tell him or her that they had won the Jamaican lottery but needed to pay fees to process the winnings. I don't need to tell my colleagues that these seniors had won nothing of the sort. But this was a very sophisticated scheme.

In addition to educating seniors to help them avoid becoming victims of such scams, the hearing resulted in the Jamaican Government passing new laws targeting the scammers and prompted Federal law enforcement to make several arrests. The aging committee will also continue its fraud hotline to help protect seniors from these kinds of scams and financial exploitation, and the phone number for that fraud hotline, which is toll-free, is 1-855-303-9470.

In addition to these three major priorities, it is my hope our committee in the second year will also take a close look—really scrutinize—Federal programs designed to help our seniors, such as those authorized by the Older Americans Act. We want to make sure these programs are as effective and efficient as possible and that their benefits reach those seniors as intended. So we will be performing that oversight function and sharing our findings with the committee of jurisdiction—the Health, Education, Labor, and Pensions Committee—on which I am also privileged to serve.

The Senate Special Committee on Aging has a long history and tradition of bipartisanship, and my work on this committee during the past Congress was particularly rewarding because of the strong partnership I forged with the committee chairman, the senior Senator from Florida, BILL NELSON. I look forward to continuing that bipartisan tradition with my good friend and close colleague, Senator CLAIRE McCASKILL of Missouri, who will be serving as the committee's ranking member in the 114th Congress.

Finally, I encourage the Presiding Officer and all of the other members of the committee not only to be active participants in the committee but also to share with us their thoughts on issues that we should pursue.

Thank you, Mr. President. I yield the floor, and seeing no one seeking recognition, 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. SCHATZ. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

Mr. SCHATZ. Madam President, I rise today in opposition to S. 1, which will circumvent the administration's official review process for projects crossing international borders and approve construction of the Keystone XL Pipeline, a pipeline dedicated to increasing production of some of the dirtiest, most polluting, and most dangerous crude oil in the world.

Supporters of this pipeline in Congress have been relentless. Over the last 2 Congresses they have held 44 votes in the House and Senate intended to approve Keystone. On Tuesday, the very first bill the new Republican majority introduced, traditionally reserved for a party's highest legislative priority, was Keystone. Think about this. Here we stand in what people still call the world's greatest deliberative body, and the first bill we are taking up is not infrastructure generally, not national energy policy, not even national laws as they relate to our pipeline infrastructure. No, we are legislating about a specific pipeline which will move oil from Canada through the United States to be primarily exported from our southern border.

I understand there are people of good will and good faith, including the Presiding Officer, who are on both sides of this issue. But it is hard to imagine why this should be the first piece of legislation we take up in this Congress. We have yet to seriously consider or to clarify our policy with respect to the Islamic State. Income inequality is gutting the middle class. Our national infrastructure needs a jolt of investment. Our immigration policy is a failure and a mess. I do not understand why this would be S. 1.

Supporters of this bill have stood up three main arguments in favor of Keystone and expanding drilling of tar sands oil reserves in Canada. One, they say it will increase energy security; two, they think it will lower oil and gas prices; third, they say it is a jobs bill.

Let's examine these claims, because however tenuous they were, they have been undermined further by facts over the last couple of years.

First, the United States has never during the modern age of global energy trade been more energy secure. We import far less oil from unstable regimes and unfriendly countries than we have in decades. We are continuing to build massive amounts of ever cheaper homegrown clean energy such as wind

and solar, even as we use our energy more efficiently.

The United States will add nearly 10 gigawatts of wind and solar capacity in the next year. Not including hydro, the United States has over 85,000 megawatts of renewable energy capacity and continues to build on that number year over year. The prices for solar have dropped 80 percent since 2008 and prices for wind power, which are already competitive with fossil fuels, have dropped 30 percent since 2008.

These trends are creating jobs right here at home. For example, the wind industry has over 500 manufacturing facilities across 44 States that are responsible for making wind turbines with over 66 percent domestic content.

Second, the recent collapse of crude oil and gasoline prices demonstrates two things. In my home State of Hawaii, energy prices remain far too high. But on the mainland, oil and gas prices are currently very low. The idea that Keystone would make a significant difference was never based in reality, but now it is just obvious. We have low prices and the project has not even started.

Gasoline is now \$2.21 a gallon. Crude oil prices have slipped below \$50 a barrel. The last time gasoline prices were this low was in the aftermath of the financial crisis. As a practical matter, it is not clear to me, and it is certainly not clear to most energy experts, how moving oil from Canada through the United States and exporting refined crude from the Gulf of Mexico would significantly reduce energy prices for us in the United States.

Finally, this is called a jobs bill by some. This is many things. It is anti-clean air; it is anti-clean water; it is anti-public health. It is a regulatory earmark. But it is not a jobs bill. It is not deserving of being the No. 1 priority of the 114th Congress.

We have heard estimates ranging as high as 42,000 indirect or induced jobs during the construction phase. We know, and everyone seems to agree, that Keystone will employ approximately 35 full-time employees when construction is finished. That is not 3,500 employees. That is not 35,000 employees. That is the 35 full-time employees when construction is completed.

If we want to do a real jobs bill worthy of the Senate, we should do a real jobs bill. An infrastructure bank, a highway bill, Shaheen-Portman—all would create orders of magnitude more jobs than this.

The American economy added 353,000 jobs in November alone, which made 2014 the strongest year for job growth since 1999. If we pass a highway bill, we get millions of jobs. If we pass an infrastructure bank, we will get hundreds of thousands of jobs. If we pass the bipartisan Shaheen-Portman energy efficiency bill, we will also get hundreds of thousands of jobs. Look, even one new job is a good thing. But if we want to do a jobs bill, let's do a jobs bill.

There is plenty of room for us to work together on infrastructure, on energy efficiency, and create hundreds of thousands and even millions of jobs. But this is an energy bill. It moves us in the wrong direction. There are colleagues, with whom I agree, who are arguing against this legislation primarily saying they want to allow the administration's process to play out and that we should not supersede the State Department review. I agree.

It is fair to say this is unprecedented, even a little strange, for the Congress to legislate the specifics of a particular infrastructure project. But I want to be clear. This is not a process argument for me. I oppose Keystone because it is a bad idea. Whether it is done through the regular order or in an expedited fashion, whether it is done through the administrative process or the legislative process, I oppose any action, whether through legislation, litigation, or administrative action, that will enable the extraction of Canadian tar sands oil.

My reasons are very simple—climate change and math. Climate change, because it is the greatest and most urgent challenge to the health of our families, to the economy, and to our way of life. I want to preserve the American way of life, not endanger it. Math, because we have crunched the numbers and we know we simply cannot afford to burn the oil from tar sands and put its pollution into the air.

It is simple. We have a budget. Just as every family in this country must stick to its budget and live within its means, we have to do the same as a planet when it comes to carbon pollution. A new study published last week in the scientific journal *Nature* makes this clear. The authors asked the question: If we want to stay within our carbon budget and limit warming to 2 degrees Celsius, which is the limit 167 countries agree we must meet to avoid catastrophic effects of climate change, how much more coal, gas, and oil can we burn?

The study finds that in order to meet this goal, the majority of the world's known reserves of fossil fuel must stay in the ground between now and 2050. This includes one-third of the world's current oil reserves and 80 percent of current coal reserves. It also finds, and this is critical, that:

Any increase in unconventional oil production—

Which includes Canadian tar sands.—is incommensurate with efforts to limit average global warming to 2 degrees Celsius.

As we learn more about climate change amidst a clean energy revolution, we find that moving toward clean energy, taking control of our future, is good for business. Our economy will do better. It will grow faster and it will be more resilient if we embrace the technologies and solutions at our fingertips and end our reliance on fossil fuel. We have a chance to embrace the future here. Our future is not tar sands oil. Our future is wind and solar and geo-

thermal and energy efficiency. Our future is not in adding carbon pollution. Our future is in innovating our way out of this problem. Throughout our history, America always leads when we are needed the most. That is what we have to do, not in the direction of more carbon pollution but toward a clean energy economy.

A report by New Climate Economy, a group chaired by former Mexican President Felipe Calderon, and including Bank of America chairman Chad Holliday, among others, marshals quantitative evidence to show that action on climate change is a requirement for future global economic growth. In other words, those who warn about the EPA regulation or prices on carbon killing jobs have it exactly backward. The truth is that in order to avoid major disruptions to our economy, we have to reduce carbon pollution and work with other countries such as Canada to ensure that they do the same.

I am looking forward to the open amendment process on this bill that the majority leader has promised. It will be an opportunity for the American public to see where Members of the Senate stand on the facts of climate change. Anyone who looks at the facts and does the math ought to oppose this bill and oppose construction of the Keystone XL Pipeline. For me and for many Americans, a vote against this bill is a vote to preserve and protect the air we breathe and the water we drink. It is a vote to ensure that we continue to reduce carbon pollution and fight climate change. It is a vote to leave our children a healthy world.

I urge my colleagues to oppose cloture on the motion to proceed.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

ENTRY-EXIT VISA SYSTEM

Mr. SESSIONS. Madam President, the attacks on the people of France demonstrate in the most chilling terms the threats posed to Western nations by those who are imbued with Islamic terrorism. While there are many factors that play into the spread of this jihadist ideology in the West, it is time for an honest and plain admission that our open immigration policies are ineffective and have failed to meet the minimum standards that are set by existing law in the United States.

This is something I have been dealing with for quite a number of years—a decade really. We have laws that would improve dramatically our ability to identify and block terrorists from entering and staying in the country, but they are not funded and they are not

carried out and it is unacceptable, as I will point out.

Dozens of terrorists and terror plotters have been admitted to the United States on visas or are relying on broader networks to simply enter into our country, taking advantage of lax immigration policies. For instance, the 9/11 attackers all came here on visas. A visa is a document that allows an individual to come for a limited period of time and then return to their home country. This visa system is essential in a modern world, but it needs to be managed and carried out in an effective way.

The Boston bombers came as asylees, people seeking asylum, while their mosque was linked to foreign nationals tied to ISIS and foreign terrorists.

The individual behind the attempted Christmas bombing in Oregon was a refugee. We have a class of individuals we accept each year who claim to be refugees from foreign countries. This one was from Somalia.

The recently foiled plot to bomb a courthouse and school in Connecticut was attempted by a Moroccan national who had a revoked student visa. Many individuals have visas to be students in the United States. We are not managing that well at all. This one had a revoked student visa. It was revoked because of information that came to the attention of officials, but no one made an effort or successfully attempted in any real way to find the individual so he might be deported.

Al Qaeda operatives who were apprehended in Kentucky were on visas from Iraq.

These are only some of the examples that are out there. These individuals use lax visa policies, flawed asylum policies, flawed refugee policies, and flawed border protection policies. In addition, we are not organized in a way that works effectively. In addition to that, the President of the United States has directed his ICE officers, his Citizenship and Immigration Services officers, and his Border Patrol officers, who are the key individuals in this system, to conduct their business in a way that guarantees failure. That is just the fact.

The 9/11 Commission—we all remember that great Commission after the terrible attack on 9/11—zeroed in on our lax immigration policies. Among other things, the Commission demanded implementation of a biometric entry-exit visa system. What does that mean? That means a biometric system where people are identified effectively through fingerprints or some other identifier.

I have been through this for years. Back when President Bush was President and we worked with Homeland Security, Governor Ridge was the Secretary of Homeland Security. I think at the end he was finally convinced, and I worked on him very hard. But he volunteered, the last day in office, to use a fingerprint biometric system. It should have already been done by the

time President Bush left office, but it wasn't, and it hasn't been done yet. We need a system that works.

By the way, police officers have in their cars all over America computer-type screens where they can stop someone on the road, they can ask them to put their hand on the screen, and it reads their fingerprints. It checks the National Crime Information Center to find out whether the person is wanted for murder in New York. He might have caught him in Texas. It lets the officer know whether there are warrants out for these individuals. This is the way the system works in our country, and we need to use it with regard to people who come here on visas.

It is an outrage that this hasn't been done, completed fully, and made operational years ago. It is an outrage. It is in the law of the United States. Congress has funded money for this project and it has not yet been done. It will cost us in the future, as the 9/11 Commission has so warned. The 9/11 Commission demanded this system, and it is designed to track those entering and departing the United States on visas.

By the way, almost half of the people, at least 40-plus percent now of individuals unlawfully in America entered on a visa. In other words, they didn't come across the border unlawfully. They came lawfully—perhaps using false documents, but they got a visa. They came to the United States maybe lawfully, but they just did not return to their home country when the visa expired.

My colleagues have to know no one is checking. We have no idea whether they left the country or stayed in the country. We do not have an operable exit visa system. This is so bizarre because it is not expensive. It can be implemented rapidly. It will work and give us valuable information that we must have if we are serious about this process, and we must be serious about the process.

The individuals in France—I mentioned the ones in the United States—left the country, went through Yemen, apparently, were trained in some sort of terrorist camp, and came back and executed their violent acts in France. So we have to do a better job of this, and we can do it.

President Obama's administration has refused to implement the entry-exit system as required by law. We have talked about this publicly and debated it for years. Just last year the co-chairs of the 9/11 Commission, in an evaluation of how well the recommendations they made back after 9/11 have been carried out—a 10-year review of how their report had been received and how much of it had been accomplished—issued this written statement.

Without exit-tracking, our government does not know when a foreign visitor admitted to the United States on a temporary basis has overstayed his or her admission.

Here is the language. We put it on a chart because it is important that we understand this.

Without exit-tracking, our government does not know when a foreign visitor admitted to the United States on a temporary basis has overstayed his or her admission. Had this system been in place before 9/11, we would have had a better chance of detecting the plotters before they struck. . . . There is no excuse for the fact that 13 years after 9/11 we do not have this much capability in place.

Amen. That is exactly correct. That is from “Reflections on the Tenth Anniversary of the 9/11 Commission Report,” Thomas H. Kean and Lee H. Hamilton, in 2014.

In fact, the original report said this:

The Department of Homeland Security, properly supported by the Congress, should complete, as quickly as possible, a biometric entry-exit screening system.

That was the report from 2004. It is a very important report. They went to great length to help this Nation figure out what is the responsible thing to do to protect ourselves better from those attackers on 9/11, many of whom were visa overstayers. They didn't come across the border unlawfully; they came across on a lawful visa. Some of them I think had false documentation to get that visa, but they came on a visa, for the most part lawfully, and did not go home as they were required to go home. They overstayed their visa. Nobody knew they had overstayed. Nobody made an inquiry about it.

The “Tenth Anniversary Report Card: The Status of the 9/11 Commission Recommendations,” by Thomas H. Kean and Lee H. Hamilton, 2011, said this:

Full deployment of the biometric exit component of US-VISIT should be a high priority. Such a capability would have assisted law enforcement and intelligence officials in August and September 2001 in conducting a search for two of the 9/11 hijackers that were in the U.S. on expired visas.

This would have helped. Indeed, of course, those of us who have some experience in law enforcement know that when you get to one or two of the guys, the whole scheme may get disrupted, and we can penetrate the organization and break it up and stop crime from occurring. To me, it is mind boggling, as the commission leaders have told us, that we haven't completed this.

I am told there are forces that don't like the exit visa system. They think it might slow things down a little bit. First, this is not correct. When you come into the country, you are clocked in and you are biometrically fingerprinted. What would you have to do when you leave? Go to the airport, go in a certain line, go through, show your ticket, show your passport, put your hand on a biometric screener, you are read, and you are approved to leave. It is not going to take any massive amounts of time. One excuse after the other has slowed this down, and it is not acceptable. We have to do better.

In fact, the administration has suspended enforcement of the visa system almost entirely. We have to understand, colleagues: If we don't have even an exit visa system where we know

who left the country, how do we know who overstayed and who stayed in the country? Unless somebody overstays their visa and they are caught for speeding and the police officer identified that, I will ask colleagues, what happens? Under the policy of this President of the United States, directed to the lowest officers in America, nothing happens. If the individual does not commit a serious felony, they will not be processed for deportation, even though they have come to the country on a promise to leave on a certain date and flatly refused to do so.

This is not acceptable. If we don't have a system that has integrity, then everybody gets the message pretty soon: Just get a visa, come to America, you never have to leave. If you don't get a felony charge against you, you are never going to be deported.

This is the policy of this government at this very moment. It is hard for anybody to believe, but that is the truth. We have approximately 5 million visa overstays in the United States. But as the National ICE—Immigration Customs Enforcement—officers Council president Chris Crane has explained:

ICE agents are now prohibited from arresting illegal aliens solely on charges of illegal entry or visa overstay.

What a dramatic statement that is. And not only visa overstays, they are prohibited from arresting and removing people who came across the border illegally. That is what he means by illegal entry or visa overstays.

This of course removes a cornerstone of integrity in any law system. If we can't look people in the eye and say: We give you a visa, you have a 6-month visa, but at 6 months you have to return to your home country, and mean it, and say: Eventually you will be apprehended and deported if you don't—then the system has no integrity. That is where we are today.

Unsurprisingly, ABC News reported that the Obama administration had lost track of 6,000 foreign students who had overstayed their visas and were of "heightened concern."

In other words, these 6,000 had some special concern in their background that made us worry about them, whether it was drugs or terrorism or whatever. Of course they have lost sight of them. They are not attempting to find them.

So the head of the union representing U.S. Citizenship and Immigration Services officers, one of the three major components of the Department of Homeland Security dealing with immigration, Mr. Ken Palinkas, was explicit in his warning to us. It is remarkable what Mr. Crane has said and now what Mr. Palinkas has said:

There is no doubt that there are already many individuals in the United States, on visas—expired or active—who are being targeted for radicalization or who already subscribe to radicalized views. Many millions come legally to the U.S. through our wide open immigration policy every year—whether as temporary visitors, lifetime immigrants, refugees, asylum-seekers, foreign

students, or recipients of our "visa waiver program" which allows people to come and go freely. Yet our government cannot effectively track these foreign visitors and immigrants.

This is the man whose officers do this job. They are the ones who approve the visas and manage this system.

He went on to warn that the President's so-called Executive amnesty would make the situation radically worse, saying:

I write today to warn the general public that this situation is about to get exponentially worse—and more dangerous. . . . Express your concern to your Senators and Congressmen before it is too late.

It is a national security imperative to stop this Executive amnesty. It sends exactly the wrong message. What it says is that if you can get into America—through the border, by boat, by plane, on a visa—any way you get into this country and pass the border, you are not going to be asked to leave unless you commit some felony—some serious felony, for that matter. Many felonies don't qualify. And we have over 100,000 people who have committed serious felonies who have been released into America. We don't know where they are, and they are not going to be deported.

We have to restore immigration enforcement, establish better controls and screening on immigration from high-risk regions of the world. We really should give more attention to that. It is perfectly legitimate.

The visa system, the immigration system of the United States, should serve who? It should serve the interests of the American people. Somebody doesn't have a constitutional right to come to America. The decision is whether America feels like it is in its interests. We have always accepted a large number of people. In fact, we have the largest immigration numbers of any nation in the world. We admit 1 million a year lawfully. When they come from high-risk areas of the world, terrorist states, we should indeed give more scrutiny to those applicants.

Census data shows that legal immigration to the United States from the Middle East is one of the largest and fastest growing categories of new admittances. For the national security of the United States, it is imperative that Congress block Executive amnesty and restore essential enforcement, basic bread-and-butter law enforcement. Anyone who claims to be concerned about our national security should be resolutely focused on this task. There is so much that can be done with relatively little difficulty if we have the leadership and will to get it done.

It would be unthinkable for the President to veto the Homeland Security appropriations bill in order to continue this illegal and dangerous amnesty scheme during a time of growing threats abroad.

Again, let me say that this: the entry-exit visa system is an unappreciated, important part of

American immigration law. It is critical to the national security of the United States, as the 9/11 Commission has so stated on more than one occasion. We can do this. Why is it not being done? What forces, what special interests, are interceding between the people of the United States, the national interests, and their special interests that block this kind of system?

We can make it work. It is not that hard. We need a biometric system, and that system should be founded on the fingerprint. It took us a number of years, but I think the government has finally concluded it must be the fingerprint for a lot of reasons, one of which is if somebody got a visa to the United States and they committed a murder, an armed robbery, a terrorist act, a major fraud, and a warrant was issued for their arrest—if you don't clock it in at the airport, who knows when they are leaving? So this would pick it up and would pick up any warrants that might be outstanding for those individuals anywhere in the United States that are put in the NCIC, National Crime Information Center.

That is the way the system should work. It is long overdue. In the course of the discussions we will have in the weeks and months to come about the necessity of fixing a broken immigration system, the entry-exit visa system has to be implemented. It is long overdue. We can make it happen. It is not that expensive. It is relatively inexpensive, actually, and it will make us much safer in the process.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. 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. SESSIONS. I ask unanimous consent that the time allotted to each side and utilized be counted against both sides equally during quorum calls.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COATS. 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. COATS. Madam President, here we are at the beginning of a new year and a new Congress, and I think we all feel a responsibility to do what the American people voted for in the November 2014 election, which is to come together in this body and in this Congress and work together to find sensible solutions to the very real problems facing Americans.

It is no secret that the last 6 years have been pretty tough for a lot of people who are out of work or doing part-time work; kids graduating from high school, graduating from college, graduating from community schools, 2-year schools; going back and getting new training and still unable to find meaningful jobs; finding jobs that are part time, two or three of those together; parents trying to save money, pay the mortgage, save money to send the kids to postgraduate school. It has not been easy. So we have come to a point where we have legislation in a new session of Congress, with commitments on a bipartisan basis to stand together, to work together, to try to find solutions, to get people back to work and get our economy moving again. Now we come to the very first issue up for discussion and debate and hopefully passage in this new Congress—the Keystone Pipeline.

This is an issue that has been going on for 6 years. The President has been obstinate in his obstruction in letting this go forward, in making a decision. Yet here we are, finally, with an opportunity to not only pass legislation which has passed the House of Representatives, again, just last week with very significant bipartisan support—but now in the Senate to take up this legislation and to move it forward tonight with this vote, to start the process to allow amendments, to allow debate, and to move forward and hopefully enjoy bipartisan support with over 60 votes and then move it to final passage and then send it to the President for, hopefully, signing.

This project is the largest, ready-to-build infrastructure project in the United States. It supports tens of thousands of jobs. The estimate has been well over 42,000. It invests billions of dollars in the American economy. It increases revenue to States and local governments, all without spending one dime of taxpayer money. This is a private sector initiative that can be of great benefit to our country. It can provide meaningful jobs and has many benefits for us in the future.

It is supported by Democrats, by Republicans, and by a number of labor unions. For instance, the Indiana State Building and Construction Trade Council, which represents 75,000 working Hoosiers in my State, reached out to me recently and asked me to support construction of the Keystone Pipeline, calling it “an important job creation and energy security issue.” They are right on the mark. They know I have been a longtime supporter of this effort, but they wanted to put it in writing. I am not sure it was necessary, and they weren’t weighing this on the basis of Republican or Democrat, liberal or conservative; they were saying that this is good for us and we hope all of our Senators can support it. We hope it passes. This is an initiative that puts our people to work. Other labor unions, including the North America’s Building Trade Unions and the Laborers’ Inter-

national Union of North America support this project.

I mentioned the President, for 6 years, has come up with more feeble excuses in terms of why he believes this should not go forward. The last excuse was: We are in a process here and the process has to go forward. That process was waiting, apparently, on the Nebraska Supreme Court approval of the pipeline route through Nebraska, and that was his excuse for why he would have to veto it. I am sure my colleagues now have the word that the Nebraska Supreme Court has upheld State approval of the Keystone Pipeline. In fact, the President’s own State Department, in response to numerous calls for environmental studies—all of which were used as an excuse for not going forward—the President’s own State Department has repeatedly approved this, saying it will not have a negative environmental imprint.

So what could possibly be the reason the President remains intransigent on this particular issue, because every other box has been checked? We have to come down to the inevitable conclusion that it is all political, that an extreme environmental wing of the President’s own party is simply putting untold pressure on him to not go forward with anything having to do with fossil fuels or providing energy security for America from our own resources. After all, a significant portion comes from Montana and North Dakota—and the last time I checked they are in the United States—and from our friendly neighbor to the north, Canada. If this doesn’t go through, we will keep importing large quantities of oil from the Middle East. We know what complications there are in terms of securing that oil and how much volatility occurs there based on what is happening today in the Middle East.

So getting this product from our Northern States of North Dakota and Montana and getting this product from our friend to the north, Canada, simply makes a great deal of sense in terms of our energy security, our energy supplies, and lessening our reliance on the volatility that comes from getting oil from other sources.

To conclude, let me just make it clear what it is we are trying to do. This will help the United States diversify its energy supply. It will offset our dependence on Middle East oil. It will support tens of thousands of American jobs in construction. It will invest billions of dollars in the American economy. It will increase revenue to State and local governments. It will not harm our environment, as numerous studies have indicated—all these benefits without spending a dime of taxpayer money.

So after 6 years of delay, procrastination, and evermore feeble excuses, it is time for the President to make a decision. Soon he will have an opportunity to use that pen he so famously talked about not to sign a veto or to declare a veto but to sign a bill approving the Keystone Pipeline into law.

I strongly support construction of this pipeline and I urge my colleagues to do the same.

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

The PRESIDING OFFICER. Will the Senator withhold his request?

Mr. COATS. I certainly will. I didn’t see my colleague. I am happy to do so.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINES. Madam President, I am happy I was here for the comments of my colleague from Indiana on the Keystone Pipeline and, similar to the Senator from Indiana, I am also happy to finally have this debate. The comments he made are very sincere and passionately believed. I accept that. I only challenge one aspect of the comments, which is the suggestion that opposition of Keystone is feeble or only for political reasons.

I am a pro-energy Senator. The first bill I introduced in the 114th Congress was a bill I am cosponsoring with Senator BARRASSO of Wyoming to expedite American exports of liquid natural gas, but I am an opponent of Keystone on environmental and economic grounds, and I wish to spend a few minutes describing why.

To begin with, it can probably be summed up in a question: Why embrace dirty energy when America is in the midst of a clean energy revolution? That is a primary reason I oppose Keystone. The United States, thank goodness, is on a clean energy roll. Not only are we on a clean energy roll, we are on an energy production roll that is helping our economy, helping our trade deficit, and hurting some of our most significant global adversaries, notably Russia and Iran.

We have embraced over the last few years a set of conservation and efficiency investments, probably most notably the increased CAFE standards that have saved energy use in the vehicle sector as well as helped the American auto industry significantly rebound. Our natural gas revolution, of which I am a strong supporter, has enabled American industry and consumers to get lower priced energy, and it has enabled us to lessen our dependence on dirtier fuels in the production of electric power and other aspects of our power usage. Wind and solar and other noncarbon energy developments have rocketed ahead. Nearly one-third of the energy that has been added to the American electricity grid since 2005 has been in the wind and solar area. We are one of the few nations in the world that in the period from 2005 to 2012 actually saw a reduction in our carbon emissions.

We are on a clean energy roll. We are innovating for the world and we are selling technologies to the rest of the world and that is good for our economy as well as good for the environment.

We are also asserting American energy leadership not just in the advances in clean energy but also in the significant advances in American energy production. I think we should feel

good about the fact that we are a country that has gone from being one of the greatest net importers of energy in the world to now a country that is going to be one of the greatest energy producers in the world, and in many energy areas we are now a net exporter. So emissions are going down. Production and exports are going up.

The other thing that is great for Americans is that prices are going down. A barrel of oil right now is in the \$50-a-barrel range, which is putting about \$1,000 a year back into the pockets of an American family. It is helping American businesses, and it is imposing, as I mentioned earlier, some significant harm upon two of our most persistent global adversaries—Iran and Russia—that rely on energy exports to drive their economy.

This energy revolution—higher production, greater economic efficiency, greater cleanliness—has all been happening without the Keystone Pipeline. It has all been happening without the United States embracing tar sands oil. We are going in the right direction now. I oppose the Keystone Pipeline because accelerating the use of tar sands oil turns us around. Instead of going in the right direction to more production, more national security and greater emissions control, the Keystone Pipeline accelerates tar sands oil and takes us in the wrong direction. Simply put, tar sands oil and the exploitation of that resource is a bad bet for the environment and, I believe, a bad bet for the economy.

Last month, December 2014, a magazine I really like that normally has a lot of articles about the outdoors, Outside magazine, ran a lengthy article on the area of Canada in Alberta where tar sands are mined. The article is called “The High Cost of Oil.”

To anyone who is interested in this debate—pro, con or undecided—go online to Outside magazine, December 2014, “The High Cost of Oil,” and read what the mining of tar sands oil does to this part of Canada and to this planet.

Tar sands oil is not like conventional gas or petroleum. Tar sands oil, the mining and refining and production of it, produces about 15 to 20 percent more greenhouse gas emissions per unit of energy than conventional petroleum. Natural gas produces dramatically less CO₂ than conventional petroleum, but tar sands oil produces dramatically more. If you care about the emissions of CO₂—and I think we should all care about the emissions of CO₂ because I accept the science that says CO₂ emissions cause significant climate effects—if you care about CO₂ emissions, then tar sands oil is absolutely the worst thing that can be done.

Over the 2 years now that I have been in the Senate, I have had a lot of folks come to me and talk to me about Keystone. They never say a word about greenhouse gas or CO₂ emissions—not a word. Senator COATS didn’t say a word in his comments about CO₂ or green-

house gas emissions. I ask individuals, when they come and talk to me about Keystone: What do you think about CO₂ emissions? What do you think about the fact that tar sands oil is significantly more carbon dense than normal petroleum? The response I find myself getting is: I don’t know; I am not a scientist. In fact, I heard that from an energy CEO who employs tons of scientists in his organizations: I don’t know; I am not a scientist.

The scientific consensus I believe is very clear. We have to do what we can—not drastically and dramatically but in an incremental way—every day to bring down our CO₂ emissions. I believe we need to do that in smart ways. Yet, from an emissions standpoint, tar sands oil goes exactly in the wrong direction. It is not just CO₂ emissions. Tar sands oil also involves the mining of it. I would encourage you to read this article. It involves scraping up vast acreages of an arboreal forest in Alberta to get to the tar sands underneath. So far, an area about the size of the State of Rhode Island has been completely despoiled to look like a moonscape to get to tar sands, and this will significantly accelerate the more tar sands are built.

In the area of Alberta where the mining and refining is taking place, there has been a dramatic increase in respiratory illness and other illnesses associated either with airborne emissions or with the contamination of the area’s water supply.

Probably one of the most powerful things about the article is not the lengthy analysis, not the words, it is the pictures. The pictures in that article are staggering. When you see what has to be done to these arboreal forests to mine tar sands oil, you come back to this question: Why would we embrace a dirtier technology when America is on a clean-energy revolution that is driving down prices, driving up production, and also driving down emissions.

Tar sands oil takes us in the wrong direction. It is not so much about the pipeline. We rely on pipelines in this country, but it is about the acceleration of the development of a resource that, frankly, just doesn’t need to be developed.

I will conclude and say this. Some say—and I made this argument—well, look, it is going to be mined anyway and refined anyway. If the pipeline doesn’t go through the United States, it will go westward or eastward through Canada or another direction. I am not completely sure that is correct. The article in Outside discusses the fact that Canadians, who know this better than anybody because they live in the neighborhood, are fighting against pipelines being built in Canada. There is also the matter with oil now at a significantly lower price than it has been. Even the economics of this tar sands oil, which is pretty expensive because of what you have to do to refine it, may not make any sense. But even if we set those arguments aside

and somebody says to me, why shouldn’t the United States just give the big green light to tar sands oil because somebody is going to get it, the reason I think we shouldn’t is the United States is showing the world right now what it means to be an energy leader.

With increased production, lower emissions, lower prices through innovation—through American innovation—we are showing the world what it means to be an energy leader. We are a leader because we have embraced a simple effort.

I am not an engineer, but as I look at what happened in innovation in the last decade, the ethic we have embraced is: Let’s do it cleaner tomorrow than today. That is pretty simple. Let’s do it cleaner tomorrow than today—not dramatically cleaner. It doesn’t have to turn day and night from today to tomorrow. Let’s just get a little bit cleaner tomorrow than today.

That is what we have been doing as a Nation. It has been increasing supply. It has been driving down demand. It has been driving down prices. It has been helping us control emissions. That is what we should keep doing. I am a pro-energy Senator, but I am a deep skeptic about the use of tar sands oil. For that reason, I am glad we are going to have the debate. I think we should finally be at it. But I am going to oppose the Keystone Pipeline because tar sands oil is going backwards and not forwards. We are showing the world what it means to go forward, and that is the direction we should continue to go.

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.

Ms. CANTWELL. I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. CANTWELL. Mr. President, we are going to be voting shortly on the motion to proceed to S. 1, the Keystone XL Pipeline. I am here to urge my colleagues to vote no on that motion to proceed. We had a couple of chances to come to the Senate floor already today and last week and talk about the important issue of energy development in the United States and how we move our country forward with job creation and energy development. The President—we got to hear his remarks and certainly we respect people’s points of view that this issue is an issue we have had a lot of time to discuss.

Mr. President, the issue is whether the American public and people in affected States have had a lot of time to talk about this issue and whether they have had a transparent process to talk about this issue.

I ask unanimous consent to have printed in the RECORD an article that

was in USA TODAY whose headline is “Permit problems plague Keystone XL pipeline’s S.D. leg.”

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

[From USA Today, Jan. 7, 2015]

PERMIT PROBLEMS PLAGUE KEystone XL PIPELINE’S S.D. LEG

(By John Hultjhult)

The South Dakota Public Utilities Commission on Tuesday voted down a move by tribal and environmental groups to force a reboot to the Keystone XL pipeline’s state-level permitting process. (<http://www.argusleader.com/story/news/2015/01/06/sd-permit-keystone-xl-still-question/21359367/>)

PUC commissioners said there are clear questions about whether South Dakota’s stretch of the massive and controversial project is still due the construction permit it earned in 2010, given a series of changes to its original scope.

The 2014 version of the pipeline would be able to carry crude from North Dakota, for example, along with the anticipated crude extracted from tar sands in Alberta, Canada.

Even so, commissioners ruled that forcing pipeline owner TransCanada to start over without being offered a chance to explain how it could make those changes while meeting its old obligations would be a denial of due process.

“We need to go through the process to find out,” Commissioner Chris Nelson said.

TransCanada asked for re-certification of its 2010 construction permit in September. The company had to ask for re-certification because four years had passed since the permit was granted.

The pipeline stalled as President Obama chose Tuesday to delay the issuance of a federal permit indefinitely, a move that has frustrated supporters, who say the project will add jobs and boost energy security. If completed, the Keystone XL pipeline would release more than 800,000 barrels of oil a day.

The GOP-controlled Senate is expected to take up the issue this week.

In a new application for the 313 miles of pipeline planned for South Dakota, the company notes 30 changes to the original project, including the addition of North Dakota oil, minor route changes, alterations to construction plans and costs.

The Yankton Sioux Tribe filed a motion to dismiss the company’s application based on those changes, saying the re-certification process is meant for projects that have been delayed, not those that have altered dramatically in scope.

The permit was issued with a set of 50 conditions, which were based on the project as approved four years ago.

Thomasina Real Bird, a lawyer for the Yankton Sioux Tribe, told commissioners that the changes to the pipeline are simply too significant to allow the company to apply for re-certification.

The company isn’t just asking to re-certify a stalled project, she said.

“They’re going a step beyond, and that step is not allowed by law,” Real Bird said.

Several others spoke in support of the Yankton Sioux Tribe’s motion to dismiss, including Kimberly Craven of the Indigenous Environmental Network.

“I would urge the commission to start over,” Craven said. “It’s a new permit, a new ballgame.”

Bill Taylor, a lawyer for TransCanada, told commissioners that re-certification is meant to determine whether delayed projects still fall within the scope of an old permit. Dropping a re-certification request because a project changes renders the re-certification process pointless.

Keystone XL has changed, but Taylor said the company is prepared to prove that it still meets each of the 50 conditions attached to its 2010 approval. The pipeline is still a pipeline, the product is the same, and the end result is more energy security for the U.S., Taylor said.

“The current iteration of the project can and will meet the conditions upon which the permit is issued,” Taylor said.

The PUC voted 3-0 to deny the motions to dismiss the application brought by the Yankton Sioux Tribe and joined by others. The hearing on the merits of the re-certification is planned for May.

Ms. CANTWELL. This is an article that just recently appeared in the paper about how South Dakota is bringing up objections to the pipeline, and they want to do due process with their public utility commission to make sure this project meets the criteria of environmental and safety concerns and security concerns that State wants to see met.

The reason this is still an issue in South Dakota is because part of the pipeline will go through South Dakota. There have been many changes since the original proposal was put forth, and people in South Dakota want to know exactly what these changes are and exactly how they will go through the process. In fact, one Native American tribe representative who was objecting said:

The company is not just asking to re-certify its old project. They are going a step beyond that is not allowed by law.

So there are people who want them to go through the normal process because siting of a pipeline of this nature is of great concern to local residents, to property owners.

I find it interesting that in the debate on this issue, we on this side of the aisle are the ones who are advocating and standing up for property owners to make sure there is not a taking of their property without a transparent process and input for that process because that is exactly what transpired here when the company, with the help of the State of Nebraska, did not continue to proceed through their public service commission, their public utility commission, and instead tried to pass a law saying that the environmental review and security issues and oversight could be done by the Governor.

Now, my colleagues who are Governors know that when you are Governor, you do not have the most transparent process. It is not as if citizens are going to come to hearings in the Governor’s office. It is not as though all of that is there for review. Certainly those citizens do not have the ability to object and make sure they are getting the right compensation for their property and make sure issues of safety and security are addressed.

So that is why some private property owners sued. Because the legislature and the Governor did not have the right to act; the law taking the power away from the utility commission and giving it to the Governor was unconsti-

tutional. The separation of powers is divided between the Governor and their public service commission. It is the job of those UTCs—utilities and transportation commissions around the country—to protect the interests of the public in the siting of these facilities. That this authority was now moved up through the legislature to the Governor to decide all of that was clearly something that was not constitutional. I find it very interesting that four of the seven supreme court justices said, in fact, yes, that law passed by the legislature was not constitutional.

So my question is, What is the hurry? Now that this issue, based on standing and the other justices not deciding, has the process to move forward, Congress feels some sort of urgency to be a siting commission and site a pipeline that has, No. 1, failed to go through the public process in the State of Nebraska; No. 2, has a public process now being questioned in the State of South Dakota, raising concern and urgency that those issues of the public be addressed; and No. 3, goes over what the President of the United States has said he wants to follow as a due process and make sure all the issues are brought to the table.

I will remind my colleagues that if everybody here had their way, the President would have approved the original Keystone XL pipeline route. Congress thought they should stick their hands in the middle of this siting and land use issue and put in legislative language on a passed bill by the Congress saying the President, if it was a national security interest, must decide and site the Keystone Pipeline. Thank God those at the State Department and the White House decided that was not such a smart idea because that current pipeline went through a major aquifer that served eight States and posed a great deal of concern to landowners, farmers, residents, and various individuals about that particular proposal.

So if this body would have had its way before—those who support this pipeline—they would have pressured the President to approve what is now a defunct, horrible idea of what was proposed by TransCanada. So now I ask my colleagues, are you sure all of the issues have been addressed here at the local level? Because clearly there are people in Nebraska and people in South Dakota who do not think so.

Last I checked, our job is not to site pipelines; our job is to move our country forward on an energy strategy that will produce jobs, diversify our resources, and make the United States a leader in energy.

I know my colleagues feel as if we will get a chance to address a lot of issues if we do move forward in a debate, and I am sure there will be many on many sides. I question whether we shouldn’t be spending our time focusing on a bipartisan energy bill with lots of support on a whole myriad of

others issues we need to work on, as we did in 2007, to make sure we are helping in the transformation of energy policy moving forward that will produce a lot more jobs.

This particular proposal, as many of my colleagues have pointed out, while there are some immediate construction jobs, the long-term jobs are very few compared to many of the other things we have been doing.

I would also like to point out that since Keystone has undertaken more development in the United States, that part of that development in the United States has also come into question lately. The security of the welding on the pipeline that has been done in the southern part of that pipeline has come into question, even to the point where I think the State Department has said to the company: We are going to have a third-party validator approve whether you are actually meeting the standards we would like to see in the development of this pipeline in the United States.

But there are many issues here about safety and security, as my colleagues can point out who have brought up these issues before. My colleague from Michigan suffered one of the most devastating oilspills in her area. That was a tar sands oilspill. My colleague from Michigan, Senator STABENOW, has actually flown over that oilspill and cited that it took 4 years and \$1.2 billion to clean it up and that the tar sands sunk to the bottom of the river and the river had to be dredged.

So this is something my colleagues may not quite understand, that the tar sands, even according to the Commandant of the Coast Guard—we do not really have a solution for its cleanup when it spills in water. That is why I want to make sure that tar sands pay into the oilspill liability trust fund, as any other oil source does, so that we can make sure we are planning for the future and for getting help and response for any of these oilspills that could occur in the future.

But needless to say Michigan and the Kalamazoo spill taught our Nation how dangerous this oilspill process could be. So why are we prematurely trying to cut off the debate on this issue at the local government level and say that we in Congress know better than these utility and transportation commissions and their transparent siting process for the American public? Why do we somehow know better that this is where a pipeline should go and how the process should work?

So I hope my colleagues will stop and think more about how TransCanada proposal. I know some of my colleagues like to talk about being a good neighbor, and I like to say, you know, we in the Pacific Northwest consider British Columbia a very big friend and neighbor. There are many times that people talk about two provinces and five States working together as an organization on economic issues. So that structure has been in place for many

years in the Pacific Northwest. But the people of British Columbia have not been a big supporter of tar sands oil expansion. Something like 60 percent of the public of British Columbia opposes having a tar sands pipeline cross their province. TransCanada knows they are not going to be successful in getting this oil from Alberta across British Columbia out to the Pacific because the people of British Columbia do not want it. So, of course, why not come to the United States? Why not ask them if they want a pipeline going through the middle of their country?

British Columbia Premier Christy Clark laid out five principles that ought to have been met in order to site a pipeline of tar sands. Those conditions have not been met, and the province is officially opposed to the pipeline. So there was a lot of opposition and concern there.

I will note for my colleagues that when a public UTC—a utility commission or public service commission—when they evaluate a project, they have to look at the environmental impact, and that is water supply, wildlife, vegetation, plants, and they have to look at the economic and social impact. They need to look at alternative routes, the impact to future development near the pipeline, and the views of cities and counties. Again, I will note that I think all of those are a part of having a transparent process instead of a political process on siting.

So I am not for moving forward on what I consider special interest legislation, Congress siting for a special interest—this TransCanada company—a project that even people in Canada have raised suspicion about.

I hope that we will allow the President to still do due process on such an important issue of environmental concern and that we will not start setting a standard that if you want to short-circuit the eminent domain and protection rights of individuals, we will just bypass all of that at the local level and somehow go to Congress and they will get that done for you. I think that is a very bad message.

I hope my colleagues will turn down this legislation, I hope that we can move on to other energy issues that will help our country diversify and move forward in the future.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. HOEVEN. Mr. President, I rise to again talk about the Keystone XL Pipeline approval bill. We will be voting on cloture on the motion to proceed in about 15 minutes or so.

I believe we have a bipartisan majority. We have 60 sponsors of the legisla-

tion, and we will have some others join us in voting to proceed on the bill.

That is important, not just because this is bipartisan legislation, important energy legislation for our country but, as I have said before, this is an opportunity for all the Members of this body—Republican and Democrat—to come forward with their amendments in an open amendment process and really have an energy debate.

Let's talk about the energy future of this country and let's bring forward amendments to this legislation that can be good amendments and help us build the right kind of energy plan for our country.

What I would point out about this Keystone Pipeline approval bill is that as we work to build an energy plan for this country, as we work to produce more energy so we are truly energy secure—a lot of people call it energy independence—but the way I define it is energy security for our country where we produce more energy than we consume, so we control our destiny. If we produce more energy than we consume, then we control our destiny when it comes to energy. But to do that, we would not only have to produce that energy, we have to have the infrastructure to move it safely, cost effectively, and efficiently from where it is produced to where it is consumed.

We have this incredible opportunity with Canada to have North American energy security. We are working with our closest friend and ally in the world. We together produce more energy than we consume, and we have the infrastructure in place to move it from where it is produced to where it is consumed in our country. Now we control our own destiny.

When it comes to OPEC or when it comes to Russia or when it comes to China, when it comes to geopolitical events that affect the price of energy, we are in a strong situation. Look at what is going on in Western Europe right now. Look at what is going on in Ukraine. They are in a tremendously difficult situation because they are dependent on Russia for their energy, for their natural gas, at a time when Vladimir Putin is undertaking very aggressive action in Europe. He is invading Ukraine. He has taken Crimea. He continues his aggressive efforts. And at the same time the European Union is trying to support Ukraine, Ukraine is fighting with Russia. This is a situation where Ukraine is depending upon Russia for its energy.

Does America really want to be in that kind of a situation in the future when we have real problems in the Middle East, when we have real problems with fundamentalists, Islamic jihadists conducting terror on our people and other freedom-loving people around the world? Do we want to be in a situation where we continue to depend upon the Middle East for our oil?

Well, the answer to that is no. The American people resoundingly answer that question—no.

Also, the American people well know that the reason gas prices at the pump today are lower is not because OPEC just decided to give us a Christmas present. They know the reason energy prices are low in this country, that when they pull up to the pump they are saving money, is because we are producing so much more energy in this country and we are getting more energy from Canada.

Unless OPEC cuts back their production, more supply drives prices down. So it is not only about low prices now, it is about making sure we are able to control our energy destiny in the future. We have to take a long-term view. It is working.

Of the 18 million barrels of oil a day this country consumes, we now produce 11 million barrels in this country. We are up to 11 million barrels that we produce in this country of the total we consume, so we are still importing about 7 million barrels a day.

Canada is now up to 3 million of those 7 million barrels, so we are down to only importing about 4 million barrels a day, but if we keep working at this, we can continue to produce more in this country. Canada's production is continuing to grow. And if we build the infrastructure, we can make sure that we control that energy—North American energy security.

That means not only now do our consumers and small businesses and our whole Nation benefit from lower energy prices, lower gas prices at the pump, but we have that ability to make sure we control our destiny and that we benefit in the future.

Let's not repeat the mistakes of the past where we return to this dependency on OPEC down the road because we haven't built the infrastructure, we haven't worked with Canada, and we haven't brought our domestic industry to North America so that we truly are energy secure. If we don't build the necessary infrastructure, if we block the necessary infrastructure, we can't build that energy plan for the future.

I have heard my counterparts, some of the critics, say: Well, it is not up to us to issue a building permit for infrastructure.

Really? So you mean it is the President's job and it is Congress's job to block critical energy that will get us to energy security? Our job is to block it? Our job is to prevent the very infrastructure we need to build energy security for this country, to block the private investment, the \$8 billion that private companies want to spend to build this infrastructure, to create jobs, to produce more energy in North America, and to help make this country's energy security? The President's job and this body's job is to block the ability of our country and Canada to build this necessary infrastructure? Well, I don't think so.

If you want to put it in terms of: Oh, well, we are not supposed to issue a building permit—really? So our job is to prevent the building of critical in-

frastructure even when it does not cost one single penny—not one penny—of government money?

This is almost \$8 billion of private investment that will generate hundreds of millions of dollars of revenue—State, local, and Federal. Every State on the route has approved it.

There is an idea somehow we are jumping the gun after 6 years? Let's see, it has been in process for 6 years. Every State on the route has approved it. We are not spending any Federal money. We are saying our job as a Congress and the President is to block that kind of investment, block that kind of job creation, block that kind of energy development, and block our ability to get to energy security for this country.

Then there is this argument: Oh, well, it is TransCanada. It is one company. It is only one company, so it really doesn't matter.

Really? Well, if you were a company—a Canadian company or a U.S. company—and you were about to build infrastructure so that we could continue to produce more energy in this country, would you do it? If, in spite of the process that the Federal Government has to approve this project, where all of the requirements have been met—not once, but over and over again—and Congress and the President continue to block your ability to build that infrastructure, are you going to jump up and spend billions of dollars and do it? I doubt it.

And isn't that really what this is all about? That is what it is about, isn't it? It is for the folks, for the extreme environmental groups that don't want the development of fossil fuels—they are going to block it. This is sending the message and making sure they shut her down here. That has to be music to OPEC's ears. I have to believe that OPEC is going: Boy, that is great; they are not going to build the infrastructure in their country to produce the energy.

That is going to keep OPEC in business.

There is another country that I think will be very pleased, really excited, if this project gets blocked, and that is China. China is so anxious to get this oil, they are trying to buy that production in Canada. Because, make no mistake, if the energy doesn't come to the United States, it is going somewhere else, and it is most likely going to China.

So when we get back in that situation down the road when oil prices move back up, energy demand goes back up, and we have prevented our industry from growing—and Canada is sending all the oil to China, and we have to go back hat in hand to OPEC, Venezuela, and all of these countries, remember—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HOEVEN. I ask unanimous consent to continue for 5 minutes.

The PRESIDING OFFICER. Is there objection?

Ms. CANTWELL. Reserving the right to object. Is the vote scheduled for 4 minutes from now?

The PRESIDING OFFICER. Yes, the vote is scheduled for 5:30 p.m.

Ms. CANTWELL. I am happy if the Senator speaks until the time of the vote, but I think we should keep to the vote schedule.

Mr. HOEVEN. What time is the vote scheduled?

The PRESIDING OFFICER. The vote is scheduled at 5:30 p.m. That would leave the Senator 2 minutes.

Mr. HOEVEN. I note the presence of the chairman of the Energy Committee. I defer to her for some time if she wishes to speak before the vote. That would be my question, whether we could get maybe a couple of minutes for that purpose. I can certainly wrap up in a couple of minutes.

Ms. MURKOWSKI. Mr. President, I defer to my colleague, the sponsor of this legislation, Senator HOEVEN from North Dakota, to conclude his remarks within the remaining time so that we can begin our vote at 5:30 p.m. We appreciate his leadership on this bill.

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. HOEVEN. I will wrap up on this note.

Let's not get back into the same predicament we have gotten ourselves into before. Let's build this vital energy infrastructure so we can develop energy security for our country, together with Canada.

The other point I want to make is on the environmental point: No significant environmental impact. That is the finding of the Obama administration's environmental impact statement done by the State Department. That is their own report: No significant environmental impact.

I look forward to having more discussion on the environmental aspects as well.

I urge my colleagues to vote in favor of this legislation.

CLOTURE MOTION

The PRESIDING OFFICER. All time having expired, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the pending motion to proceed to S. 1, a bill to approve the Keystone XL Pipeline.

Mitch McConnell, Lisa Murkowski, Chuck Grassley, Richard Burr, Tim Scott, John Boozman, Ron Johnson, Lindsey Graham, James Lankford, James M. Inhofe, Dean Heller, Rand Paul, Kelly Ayotte, Bill Cassidy, John Cornyn, David Vitter, John Hoeven.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to

proceed to S. 1, a bill to approve the Keystone XL Pipeline, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Louisiana (Mr. CASSIDY) and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Louisiana (Mr. CASSIDY) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), the Senator from Nevada (Mr. REID), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

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

The yeas and nays resulted—yeas 63, nays 32, as follows:

[Rollcall Vote No. 3 Leg.]

YEAS—63

Alexander	Ernst	Moran
Ayotte	Fischer	Murkowski
Barrasso	Flake	Paul
Bennet	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heitkamp	Rounds
Carper	Heller	Sasse
Casey	Hoeven	Scott
Coats	Inhofe	Sessions
Cochran	Isakson	Shelby
Collins	Johnson	Sullivan
Corker	King	Tester
Cornyn	Kirk	Thune
Cotton	Lankford	Tillis
Crapo	Lee	Toomey
Cruz	Manchin	Udall
Daines	McCain	Vitter
Donnelly	McCaskill	Warner
Enzi	McConnell	Wicker

NAYS—32

Baldwin	Heinrich	Nelson
Blumenthal	Hirono	Peters
Booker	Kaine	Reed
Boxer	Klobuchar	Sanders
Cantwell	Leahy	Schatz
Cardin	Markey	Schumer
Coons	Menendez	Shaheen
Durbin	Merkley	Stabenow
Feinstein	Mikulski	Warren
Franken	Murphy	Whitehouse
Gillibrand	Murray	

NOT VOTING—5

Brown	Reid	Wyden
Cassidy	Rubio	

The PRESIDING OFFICER. On this vote, the yeas are 63, the nays are 32.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Pennsylvania is recognized.

MORNING BUSINESS

Mr. TOOMEY. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each and that that time count postclosure.

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

Mr. TOOMEY. Mr. President, I ask unanimous consent that I be allowed to speak for 15 minutes.

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

The Senator is recognized.

KEYSTONE XL PIPELINE

Mr. TOOMEY. Mr. President, first, I congratulate my colleagues Senator HOEVEN and Senator MANCHIN, the co-sponsors of this legislation. I also commend the energy committee chair, Senator MURKOWSKI. This is important legislation. It is long overdue that we take this up, but it is encouraging that we finally are doing that. So I commend them for that.

Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senate will be in order. Could Senators please take their conversations out of the Chamber. The Senate will be in order.

The Senator is recognized.

Mr. TOOMEY. Thank you, Mr. President.

A couple of things about the Keystone Pipeline, and then I wish to talk about an amendment I am going to be offering.

First, I think one of the encouraging things about approving this pipeline is the benefits for the environment. The fact is we will be moving oil on a pipeline which is a cleaner, safer way to do it than any available alternative. That is good news.

It is good news that it is going to create jobs across our country. The State Department has estimated 42,000 jobs in the development of this pipeline. That is terrific news for everyone who is going to get a chance to benefit from that work.

Clearly it is going to reduce our dependence on non-North American oil, which can only be good from a geopolitical point of view as well as an economic point of view. Of course, the fact is this legislation has bipartisan support and has for a long time. It received 31 Democratic votes in the House, 14 Democratic votes in the Senate, as well as every Republican Senator the last time it was brought up. It is strongly supported by the labor community because they recognize the benefits of the jobs it will create, and I urge my colleagues to support this important legislation.

I also would like to take a moment to thank Leader McCONNELL for doing exactly what he said he would do and what many of us said we needed to do in this Chamber, which is to reopen this body—reopen it and have debate and put legislation on the floor and open it for amendment. Let's have a discussion. Let's change policy in this country in ways that will be constructive. We are beginning this process now as we said we would, and I think that is terrific and I intend to take advantage of the opportunity.

I have several amendments I am going to file and I intend to bring up with respect to this legislation. One is going to be an amendment that will en-

courage a transition of our Federal Government's vehicle fleet from the current practice of burning gasoline mostly, and I encourage the adoption of natural gas as an alternative fuel because natural gas is cleaner, it is domestic, it is actually cheaper. Without any government subsidy or taxpayer help, natural gas is a cheaper source of fuel.

We have a staggering quantity. The United States is the world's No. 1 producer of natural gas. We have 2.2 quadrillion cubic feet of natural gas. That is too big a number for me to wrap my brain around, but let's put it this way: That is the gas we know of, and it is enough to last the next 85 years, based on any plausible projection of our use. It is a staggering amount.

I have another amendment that also has bipartisan support. I thank Senator FEINSTEIN, Senators FLAKE and MANCHIN for supporting the effort to repeal the corn ethanol mandate in our fuel. This is a very bad policy that we have had for far too long. It is time to end this mandate that we grow corn and use it to burn in our gas tanks. It is a practice that is bad for the environment. It raises the cost of filling our tanks. It raises the cost of food because so much of our corn production goes into this, and it is not good for our engines. There is no good reason to continue this, and I look forward to having the debate that will enable us to repeal the corn ethanol mandate.

But the amendment I wish to talk about is another bipartisan amendment. I thank Senator CASEY for being the Democratic cosponsor for this amendment, and I thank Senator HATCH for joining me. This is an amendment that will preserve an important, environmentally beneficial source of alternative energy that we have especially in Pennsylvania and West Virginia, and it is under threat by two new rules that have been proposed by the EPA.

Let me give a little bit of background as to why we have gotten to this place. In Pennsylvania and West Virginia we have been mining coal for well over a century, and for many of the decades, especially in the early years of our coal development, we took the high-energy density coal and our coal miners sold it to the steel industry where it was used in the manufacturing process of making steel, and the low-energy coal was left in piles—huge piles—actually mountains. It is often referred to as waste coal.

The first photograph illustrates one of these waste coal piles. It is in Nanty Glo in Cambria County, PA. It is one of many piles or, as I say, mountains throughout Pennsylvania and West Virginia. The Pennsylvania Department of Environmental Protection estimates that there are 2 billion tons of waste coal such as this covering 180,000 acres in Pennsylvania alone. Think about that. It is a massive scale because of over a century of legacy of coal mining. Some of these piles are literally in people's backyards.