

Senate on January 6, 2015; to the Committee on Energy and Natural Resources.

EC-243. A communication from the Federal Register Liaison Officer, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled “Extension of Expiration Dates for Several Body Systems Listings” (RIN0960-AH72) received in the Office of the President of the Senate on January 7, 2015; to the Committee on Finance.

EC-244. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled “Revisions to Direct Fee Payment Rules” (RIN0960-AH21) received in the Office of the President of the Senate on January 7, 2015; to the Committee on Finance.

EC-245. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “The Center for Medicare and Medicaid Innovation: Report to Congress”; to the Committee on Finance.

EC-246. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Reallocation of Section 48B Credits Under the Qualifying Gasification Project Program” (Notice 2014-81) received during adjournment of the Senate in the Office of the President of the Senate on December 19, 2014; to the Committee on Finance.

EC-247. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Base Period T-Bill Rate” (Rev. Rul. 2014-33) received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2015; to the Committee on Finance.

EC-248. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Additional Requirements for Charitable Hospitals; Community Health Needs Assessments for Charitable Hospitals; Requirement of a Section 4959 Excise Tax Return and Time for Filing the Return” (RIN1545-BK57; RIN1545-BL30; and RIN1545-BL58) (TD 9708) received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2015; to the Committee on Finance.

EC-249. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Safe Harbor Methods of Accounting for Cable System Operators” (Rev. Proc. 2015-12) received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2015; to the Committee on Finance.

EC-250. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Filing of Form 5472” (RIN1545-BM08) (TD 9707) received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2015; to the Committee on Finance.

EC-251. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled “Title IV Treatment of Rollovers From Defined Contribution Plans to Defined Benefit Plans” (RIN1212-AB23) received during adjournment of the Senate in the Office of the President of the

Senate on January 5, 2015; to the Committee on Finance.

EC-252. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Changes to Employee Plans Determination Letter Processing” (Announcement 2015-1) received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2015; to the Committee on Finance.

EC-253. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to discretionary appropriations legislation; to the Committee on the Budget.

EC-254. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone, Elizabeth River; Portsmouth, VA” (RIN1625-AA00) (Docket No. USCG-2014-1032) received in the Office of the President of the Senate on January 7, 2015; to the Committee on Commerce, Science, and Transportation.

EC-255. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “List of Fisheries for 2015” (RIN0648-BE13) received in the Office of the President of the Senate on January 7, 2015; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-1. A resolution adopted by the Legislature of the State of Louisiana urging the Congress of the United States, pursuant to Article V of the United States Constitution, to call a convention of the states for the sole and exclusive purpose of proposing an amendment to the United States Constitution that would provide for a balanced budget; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 70

Whereas, the failure of the federal budget process has produced an enormous federal budget deficit, and growing national debt presently burdens the American people and threatens to burden their descendants for generations to come; and

Whereas, the congressional practice of deficit spending and repeated raising of the ceiling on the federal debt has had the effect of endangering the jobs, incomes, retirement security, welfare, and future of American citizens; and

Whereas, such debt diverts scarce resources from crucial programs to pay interest on the national debt, constricts the ability of the federal government to address long-standing national problems and to respond to new needs, and increases pressures to raise taxes on the American people; and

Whereas, Article V of the Constitution of the United States provides that an amendment to the constitution may be proposed by congress, or on the application of the legislatures of two-thirds of the states, congress is required to call a constitutional convention for the purpose of proposing an amendment, which, in either case, shall become part of the constitution when ratified by three-fourths of the several states: Now, therefore be it

Resolved, That the Legislature of Louisiana does hereby make application to the Con-

gress of the United States to call a convention pursuant to Article V of the Constitution of the United States of America for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States, for submission to the states for ratification, to require that in the absence of a national emergency the total of all federal outlays made by congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints; and be it further

Resolved, That this application is to be considered as covering the same subject matter as the presently outstanding balanced budget applications from other states, including but not limited to previously adopted applications from Alabama, Alaska, Arkansas, Colorado, Delaware, Florida, Georgia, Indiana, Iowa, Kansas, Maryland, Mississippi, Missouri, Nebraska, Ohio, Nevada, New Hampshire, New Mexico, North Carolina, Pennsylvania, Tennessee, and Texas; and that this application shall be aggregated with such applications for the purpose of attaining the two-thirds of states necessary to require the calling of a convention but shall not be aggregated with applications on any other subject; and be it further

Resolved, That certified copies of this Concurrent Resolution be transmitted by the secretary of state to the president and the secretary of the United States Senate, to the speaker and clerk of the United States House of Representatives, to each member of this state's delegation to the congress, and to the presiding officer of each house of each state legislature in the United States, requesting their cooperation; and be it further

Resolved, That this application by this legislature supersedes all previous applications by this legislature on this same subject matter and that this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made application for a similar convention pursuant to Article V.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 147. An original bill to approve the Keystone XL Pipeline (Rept. No. 114-1).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. FLAKE (for himself, Mr. ALEXANDER, Mr. BENNET, Mr. CORKER, Mr. GARDNER, Mr. LEE, Mr. McCAIN, Mr. HATCH, and Mr. THUNE):

S. 145. A bill to require the Director of the National Park Service to refund to States all State funds that were used to reopen and temporarily operate a unit of the National Park System during the October 2013 shutdown; to the Committee on Energy and Natural Resources.

By Mr. FLAKE (for himself, Mr. LEE, Mr. McCAIN, and Mr. HATCH):

S. 146. A bill to authorize the Secretary of the Interior or the Secretary of Agriculture to enter into agreements with States and political subdivisions of States providing for

the continued operation, in whole or in part, of public land units of the National Park System, units of the National Wildlife Refuge System, and units of the National Forest System in the State during any period in which the Secretary of the Interior or the Secretary of Agriculture is unable to maintain normal level of operations at the units due to a lapse in appropriations, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 147. An original bill to approve the Keystone XL Pipeline; from the Committee on Energy and Natural Resources; placed on the calendar.

By Mr. PORTMAN (for himself, Mr. CARDIN, Mr. HOEVEN, Mr. CASEY, and Mr. BENNET):

S. 148. A bill to amend title XVIII of the Social Security Act to require State licensure and bid surety bonds for entities submitting bids under the Medicare durable medical equipment, prosthetics, orthotics, and supplies (DMEPOS) competitive acquisition program, and for other purposes; to the Committee on Finance.

By Mr. LEAHY:

S.J. Res. 3. A joint resolution providing for the reappointment of David M. Rubenstein as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 11

At the request of Mr. BLUNT, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 11, a bill to protect the separation of powers in the Constitution of the United States by ensuring that the President takes care that the laws be faithfully executed, and for other purposes.

S. 12

At the request of Mr. BLUNT, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 12, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

S. 30

At the request of Ms. COLLINS, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Indiana (Mr. COATS) were added as cosponsors of S. 30, a bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the employer mandate in the Patient Protection and Affordable Care Act.

S. 55

At the request of Mr. VITTER, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 55, a bill to extend the seaward boundaries of certain States, and for other purposes.

S. 117

At the request of Mr. HELLER, the names of the Senator from Pennsyl-

vania (Mr. TOOMEY) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 117, a bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes.

S. 125

At the request of Mr. LEAHY, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 125, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2020, and for other purposes.

S. 128

At the request of Mr. PORTMAN, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Minnesota (Mr. FRANKEN), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Maine (Ms. COLLINS) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 128, a bill to promote energy efficiency, and for other purposes.

S. 141

At the request of Mr. CORNYN, the names of the Senator from Alabama (Mr. SHELBY), the Senator from Oklahoma (Mr. LANKFORD) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 141, a bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board.

S.J. RES. 2

At the request of Mr. LEE, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S.J. Res. 2, a joint resolution proposing an amendment to the Constitution of the United States requiring that the Federal budget be balanced.

AMENDMENTS SUBMITTED AND PROPOSED

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

SA 3. Mr. PORTMAN (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 2 submitted by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) and intended to be proposed to the bill S. 1, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

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

Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO submitted an amendment intended to be proposed by her to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Keystone XL Pipeline Approval Act”.

SEC. 2. KEYSTONE XL APPROVAL.

(a) IN GENERAL.—TransCanada Keystone Pipeline, L.P. may construct, connect, operate, and maintain the pipeline and cross-border facilities described in the application filed on May 4, 2012, by TransCanada Corporation to the Department of State (including any subsequent revision to the pipeline route within the State of Nebraska required or authorized by the State of Nebraska).

(b) ENVIRONMENTAL IMPACT STATEMENT.—The Final Supplemental Environmental Impact Statement issued by the Secretary of State in January 2014, regarding the pipeline referred to in subsection (a), and the environmental analysis, consultation, and review described in that document (including appendices) shall be considered to fully satisfy—

(1) all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(2) any other provision of law that requires Federal agency consultation or review (including the consultation or review required under section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a))) with respect to the pipeline and facilities referred to in subsection (a).

(c) PERMITS.—Any Federal permit or authorization issued before the date of enactment of this Act for the pipeline and cross-border facilities referred to in subsection (a) shall remain in effect.

(d) JUDICIAL REVIEW.—Except for review in the Supreme Court of the United States, the United States Court of Appeals for the District of Columbia Circuit shall have original and exclusive jurisdiction over any civil action for the review of an order or action of a Federal agency regarding the pipeline and cross-border facilities described in subsection (a), and the related facilities in the United States, that are approved by this Act (including any order granting a permit or right-of-way, or any other agency action taken to construct or complete the project pursuant to Federal law).

(e) PRIVATE PROPERTY SAVINGS CLAUSE.—Nothing in this Act alters any Federal, State, or local process or condition in effect on the date of enactment of this Act that is necessary to secure access from an owner of private property to construct the pipeline and cross-border facilities described in subsection (a).

SA 3. Mr. PORTMAN (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 2 submitted by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) and intended to be proposed to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

DIVISION B—ENERGY EFFICIENCY IMPROVEMENT

SECTION 1. SHORT TITLE.

This division may be cited as the “Energy Efficiency Improvement Act of 2015”.