

produced here at home. In fact, as recently as 2013 Congress passed a provision in the WRDA Act—the Water Resources Development Act—to require the use of iron, steel, and other domestically produced goods in water infrastructure projects. That is important because it means that we keep jobs and profits here at home instead of sending them abroad.

Unfortunately, there is no such requirement when it comes to construction of the Keystone XL Pipeline. In fact, according to TransCanada itself, half of the pipe for the U.S. portion of the pipeline would be sourced from foreign countries. And for the other half that would be put together here in the United States, much of the raw material, such as the steel that goes into the pipe, could be sourced from overseas. This is the problem our amendment addresses. Our amendment would require the use of domestic iron, steel, and other manufactured goods in the construction of the Keystone XL Pipeline, provided the material is readily available and affordable.

If adopted, the amendment would create jobs for iron ore miners, such as the ones across the Iron Range in my State of Minnesota. It would create more jobs for shippers who ship the ore across the Great Lakes or by rail or down the Mississippi River. It would create more jobs for our steelworkers who work in steel mills across this country.

At the same time, we specify in our amendment that these requirements would be implemented consistent with our trade agreements.

Some of my colleagues on the other side of the aisle have said we shouldn't put such restrictions on a private company. But we have to remember that this isn't your typical private company. The underlying bill to authorize the pipeline would throw out the established approval process for the construction of a cross-border pipeline by a foreign corporation. That means all of the important assessments regarding things such as safety and the environment that our Federal agencies might have made on this project are tossed by the wayside. So if Congress is going to intervene on behalf of this foreign company, then the least we can do is to make sure the company building the pipeline uses American-made iron and steel.

This is a very pragmatic amendment. We all have different views on the approval process for this pipeline, and while I believe Congress should not circumvent the approval process we have in place, I think we can all agree that we want jobs here in America. So I invite my colleagues to stand up for our domestic iron and steel producers by supporting my amendment.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Thank you very much, Mr. President.

I come to the floor to support the amendment which is the pending business on the floor today.

This is only my second session in the Senate, but I imagine that it means something to be Senate bill 1. It probably means something even more to be Senate bill 1 in the new Republican-majority Senate. Why? Because my colleagues on the other side of the aisle had 8 years in the minority to think about what should be the first bill, the No. 1 priority of this new Republican Senate, 8 years to think about every problem American families are facing, to vet every possible solution to these problems and decide what is going to be the first bill we are going to debate to make this country a better place. There were a lot of measures the new majority could have chosen. We could have been sitting here talking about a tax cut for the middle class or we could have been talking about a proposal to make college more affordable. We could have been talking about a proposal to grow small businesses all across the country. But we are not talking about those things. After 8 years of stewing over the problems America faces, Senate bill 1 is an oil pipeline.

As my colleagues who are in opposition to the underlying bill have said, this isn't just any oil pipeline; this is a pipeline to ship foreign oil right through the heartland of the United States, most likely on its way to foreign customers. And it is not just any oil; it is the dirtiest oil you can dream up.

Building this pipeline and increasing the development of tar sands in Canada is the pollution equivalent, according to one study, of putting 4 million new cars on North American roads. But not to worry, say many of the proponents of the bill. Admittedly, many dispute some of those underlying studies. But the real point here is jobs. It is about creating jobs here in the United States.

This is a sight which is familiar to every single American. It is a McDonald's franchise. On average, a McDonald's franchise employs about 30 to 40 people. That is nothing to sneeze at. Thirty to forty people having jobs is a big deal. But the Senate doesn't normally worry itself with debating the establishment of a new McDonald's franchise. It is a big deal to a local community, but it is not something that necessarily moves the needle in terms of the national economy. Yet the Keystone Pipeline would create the same number of permanent full-time jobs as the average McDonald's franchise. Yes, it creates construction jobs, and I don't want to discount the fact that it puts a lot of people to work building the pipeline. But do you know what also puts people to work? Building a new high school. Building a new rail line. Improving our crumbling infrastructure. That puts a lot of people to work as well. In the end, the added value to the economy of a new school or a new bridge or a new rail line

dwarfs that of a pipeline which, without the adoption of the Markey amendment to be offered later, will quite possibly just take the oil from one country and send it through the United States to another country—never mind all of the environmental side effects of continuing to develop this oil.

So I am going to oppose the underlying bill, but I am here to support Senator FRANKEN's amendment because if we are going to approve this pipeline, let's do everything we can to ensure that even though we are only going to create 40 full-time jobs, that we are creating as many part-time jobs as possible. That is why it makes sense to require that the iron and steel that are going into this pipeline come from America. And we know we need to pass this amendment because Keystone has already promised that half of the steel and half of the iron is going to come from overseas companies. Mr. President, 330,000 tons of pipeline is going to come from overseas companies.

This concept is not new. We do it all the time. We just passed the WRDA bill with bipartisan consensus. "Buy American" provisions were in there. The American Recovery Act—"Buy American" provisions were in there. We have had laws on the books for a long time that apply "Buy American" provisions to private companies that are doing business in and around industries regulated or funded by the U.S. Government.

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

Mr. MURPHY. So this amendment will just make sure that at least in the short-term we are going to put a few more Americans to work, even if we are not going to do anything about the rather paltry economic numbers in the long run.

I am supporting the Franken amendment, and I encourage my colleagues to support it as well.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. I would like to make a couple of points. One is that in regard to this amendment, to my knowledge, they are talking about situations where a project is publicly funded, funded with taxpayer dollars. In this case, I would point out by way of closing that this is roughly an \$8 billion project, but it is privately financed. This isn't a publicly funded project; it is financed by private companies and, in fact, will create hundreds of millions of dollars in revenue—State, local, and Federal Government level—to provide dollars back to the taxpayers, with absolutely no tax increase.

With that, Mr. President, I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:43 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. MCCAIN).

KEYSTONE XL PIPELINE ACT—  
Continued

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, parliamentary inquiry: I understand we are on the bill.

The PRESIDING OFFICER. We are on the bill.

Mr. MENENDEZ. I thank the Presiding Officer.

Mr. President, let me say that I rise in general opposition to the Keystone Pipeline, and I rise in favor of Senator MARKEY's amendment. After long and careful deliberation—and after having had the benefit of a hearing on the pipeline in the Senate Foreign Relations Committee—I have decided to oppose this bill for four basic reasons.

First, on the bill, I am deeply concerned that if approved this pipeline will be the first of many pipelines opening one of the largest sources of carbon on Earth to exploitation.

Second, contrary to what many believe, I am convinced this pipeline will simply not enhance, help or—in any positive way—improve our energy profile.

Third, in my view, it is completely absurd for Congress to take the role of permitting pipelines. It is a role we have never assumed and should not assume now.

Fourth, I believe it is ridiculous that our Republican colleagues insist on language banning eminent domain for national parks legislation but oppose it when it comes to foreign or private projects such as Keystone.

Furthermore, we cannot underestimate the environmental impacts of this pipeline. The facts are clear. The resource in Alberta is enormous; the tar sands formation is the size of Iowa; tar sands oil is 17 percent more greenhouse gas intensive than other forms of oil because it takes an enormous industrial process to extract it.

It has been estimated that if this resource were fully exploited, it would release more carbon dioxide in the air than the United States has emitted in its entire history.

As James Hansen, one of the foremost climate scientists in the world, has said, building the Keystone pipeline would be “game over for the planet.”

There are also more local risks. Over the weekend, landowners are seeing the pipeline spill in the Yellowstone River in Montana. It is happening right now, and landowners are wondering if their family farm will be the victim of a similar spill, wondering if property that has been in their family for generations can still be farmed and passed on to the next generation.

While some jobs will be created by the pipeline, the fact is—after 2 years

of construction—it will create only 35 permanent jobs—35. That is not a lot of jobs.

If we want to create millions of permanent infrastructure jobs, I urge the supporters of the pipeline to support our efforts to increase transportation funding. I urge them to continue incentives for clean energy. I ask them to do all they can to help local governments rebuild local infrastructure systems. That is how we create permanent jobs that build our economy and help us keep our competitive advantage.

By comparison, the number of jobs created by Keystone is hardly an argument for passage of this legislation. As you all know, we also have the issue of eminent domain—the power of any governmental entity to take private property and convert it to public use subject to reasonable compensation.

Many, including some of my most conservative friends on the other side, were outraged by the idea that eminent domain proceedings could be used to seize private property for private gain. I have been working very closely with Senator CANTWELL on an amendment, and we agree with our conservative colleagues that using eminent domain proceedings for private gain is pretty outrageous. Here, on the issue of Keystone, a foreign-owned company is using eminent domain to seize private property so it can better export Canadian oil—a foreign-owned company using eminent domain to seize private property so it can better export Canadian oil. The project is not in the public interest but clearly in the private interest. Senator CANTWELL and I feel this amendment should be a no-brainer—an easy amendment every Senator can support.

In recent years Republicans have insisted on similar language prohibiting the use of eminent domain when we establish national parks. If eminent domain cannot be used to establish a national park in the public interest to conserve our national treasures and preserve America's beauty for future generations, then surely—surely—it should not be used to benefit private interests; in this case, in the interest of a foreign-owned oil company seeking to ship its product around the world, which brings me to the amendment of the Senator from Massachusetts.

AMENDMENT NO. 13

We know the oil that will flow through this pipeline will flow directly to foreign markets. That is why I support the amendment from the Senator from Massachusetts. Foreign oil is not subject to America's crude oil export ban, but whether it is shipped as crude or refined here and then exported, we all know this oil is not going to help the American consumers.

The intent of the Markey amendment can be summed up very simply, using an old adage that President Reagan was fond of: “Trust but verify.”

For months now supporters of the Keystone XL Pipeline have been telling us the tar sands that will travel

through the United States will help advance our energy security. They have been telling us the pipeline will bring a reliable source of fuel from a close ally and that it will reduce prices at the pump, helping U.S. consumers and businesses.

The Markey amendment does nothing more than confirm the promises made—time and time again—by supporters of the pipeline. It would require the tar sands that travel through the United States stay in the United States. It says that if Americans are to accept all of the downsides of the pipeline, if U.S. property owners are to have their lands taken away for TransCanada's benefit, if Americans are forced to live with the risk of an oilspill of dirty tar sands that we do not even know how to clean up properly, then the very least we can do is get a guarantee in law that the United States will reap the benefits that come with all of these risks.

So all this amendment does is put into writing the promises we have heard over and over again from supporters of the pipeline. It codifies in law what we previously had to take on faith.

I thank my colleague from Massachusetts for offering the amendment, and I would note he has a long history of working to improve America's energy security. He and I have worked closely since he came to the Senate to protect the longstanding requirement that U.S.-produced crude oil stay here at home to benefit the U.S. consumer rather than being shipped across the globe.

This amendment is another commonsense protection to make sure our Nation's energy policy is aimed at helping consumers rather than helping oil companies' bottom line, and I encourage my colleagues to support it.

For the last several Congresses I have introduced the American Oil for American Families Act, a bill to ensure that oil or petroleum products that originate within America's public lands or waters are not exported as crude or in refined form. That bill would increase our energy supply at home, lowering prices for consumers and businesses, and I intend to reintroduce that legislation in this Congress.

For these reasons, I urge my colleagues to support the Markey amendment. I intend to vote against the bill, which in my view is nothing more than an earmark for Big Oil. The pipeline will have enormous environmental impacts, it will not significantly help the American economy, it will not benefit American consumers, and it will needlessly harm landowners for generations.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

STATE OF THE UNION ADDRESS

Mr. CORNYN. Mr. President, tonight the President of the United States will address the Nation on the state of our Union and talk a little bit about his priorities for the coming year.