SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28. 2017.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2015 through September 30, 2015;

(2) for the period October 1, 2015 through September 30, 2016; and

(3) for the period October 1, 2016 through February 28, 2017.

AMENDMENTS SUBMITTED AND PROPOSED

SA 78. Mr. BLUNT (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table.

SA 79. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 80. Mr. VITTER (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 81. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 82. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 83. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 84. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 85. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 1, supra; which was ordered to lie on the table.

SA 86. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 87. Mr. HOEVEN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra.

SA 88. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 89. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 90. Mr. CASSIDY (for himself and Mr. HELLER) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 91. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 92. Mr. BURR (for himself, Ms. AYOTTE, and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 93. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 94. Ms. HEITKAMP (for herself, Mr. DONNELLY, Mr. CASEY, Mr. CARPER, Mr. MANCHIN, and Mr. COONS) submitted an amendment to be proposed by her to the bill S.1, supra; which was ordered to lie on the table.

SA 95. Ms. HEITKAMP (for herself, Mr. DONNELLY, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 96. Ms. HEITKAMP submitted an amendment to be proposed by her to the bill S. 1, supra; which ordered to lie on the table.

SA 97. Ms. HEITKAMP submitted an amendment to be proposed by her to the bill S. 1, supra; which ordered to lie on the table.

SA 98. Ms. MURKOWSKI submitted an amendment to be proposed by her to the bill S. 1, supra; which ordered to lie on the table.

TEXT OF AMENDMENTS

SA 78. Mr. BLUNT (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. SENSE OF THE SENATE REGARDING BILATERAL OR OTHER INTERNATIONAL AGREEMENTS REGARDING GREENHOUSE GAS EMISSIONS.

(a) FINDINGS.—The Senate makes the following findings:

(1) On November 11, 2014, President Barack Obama and President Xi Jinping of the People's Republic of China announced the ''U.S.-China Joint Announcement on Climate Change and Clean Energy Cooperation'' (in this section referred to as the ''Agreement'') reflecting ''the principle of common but differentiated responsibilities and respective capabilities, in light of different national circumstances''.

(2) The Agreement stated the United States intention to reduce its greenhouse gas emissions by one-quarter by 2025 while allowing the People's Republic of China to double its greenhouse gas emissions between now and 2030.

(3) While coal fired electricity remains the least expensive energy alternative, the reduction of coal use because of the Agreement would result in a 25 percent increase in electricity prices in the United States in 2025, according to analysis conducted by the Energy Information Administration.

(4) The people of China will not see similar electricity price increases as they continue to use low cost coal without limit for the foreseeable future, at least until 2030.

(5) Increases in the price of electricity can cause job losses in the United States industrial sector, which includes manufacturing, agriculture, and construction.

(6) The price of electricity is a top consideration for job creators when locating manufacturing facilities, especially in energy-intensive manufacturing such as steel and aluminum production.

(7) Requiring mandatory cuts in greenhouse gas emissions in the United States while allowing nations such as China and India to increase their greenhouse gas emissions results in jobs moving from the United States to other countries, especially to China and India, and is economically unfair.

(8) Imposing disparate greenhouse gas emissions commitments for the United States and countries such as China and India is environmentally irresponsible because it results in greater emissions as businesses move to countries with less stringent standards.

(9) Union members, families, consumers, communities, and local institutions like schools, hospitals, and churches are hurt by the resulting job losses.

(10) The poor, the elderly, and those on fixed incomes are hurt the most by the President's promised increased electricity rates.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Agreement negotiated between the President and the President of the People's Republic of China has no force and effect in the United States;

(2) the Agreement between the President and the President of the People's Republic of China is a bad deal for United States consumers, workers, families, and communities, and is economically unfair and environmentally irresponsible;

(3) the Agreement, as well as any other bilateral or international agreement regarding greenhouse gas emissions such as the United Nation's Framework Convention on Climate Change in Paris in December 2015, requires the advice and consent of the Senate and must be accompanied by a detailed explanation of any legislation or regulatory actions that may be required to implement the Agreement and an analysis of the detailed financial costs and other impacts on the economy of the United States which would be incurred by the implementation of the Agreement;

(4) the United States should not be a signatory to any bilateral or other international agreement on greenhouse gases if it would result in serious harm to the economy of the United States; and

(5) the United States should not agree to any bilateral or other international agreement imposing disparate greenhouse gas commitments for the United States and other countries.

SA 79. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. STUDY ON COMMUNITY AND INDIVIDUAL AFFORDABILITY.

(a) DEFINITIONS.—In this section:

(1) ACADEMY.—The term ''Academy'' means the National Academy of Public Administration, an independent, nonpartisan, and nonprofit organization chartered by Congress.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(b) STUDY.—

(1) IN GENERAL.—The Administrator shall contract with the Academy to conduct an independent study to create a definition of and framework for the term ''community and individual affordability''.

(2) REQUIREMENTS.—In conducting the study, the Academy shall—

(A) consult with—

(i) the Administrator;

(ii) State and local governments;

(iii) organizations that specialize in affordability issues; and

(iv) popularly elected governance organizations such as the National Association of Counties, the National League of Cities, and the United States Conference of Mayors;

(B) review existing studies of the costs associated with major regulations under such laws as—

(i) the Clean Air Act (42 U.S.C. 7401 et seq.);

(ii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(iii) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(iv) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(v) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) (commonly known as the ''Resource Conservation and Recovery Act of 1976''); and

(C) recommend a new affordability threshold and describe how different localities can effectively fund municipal projects.

(3) TIMING.—The Administrator shall contract with the Academy not later than 60 days after the date of enactment of this Act.

(c) REPORT.—Not later than 1 year after entering into an arrangement with the Administrator under subsection (b)(1), the Academy shall submit to Congress and the Administrator a report that includes the findings, conclusions, and recommendations of the Academy.

SA 80. Mr. VITTER (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION B—OUTER CONTINENTAL SHELF OIL AND GAS LEASING

TITLE I—OUTER CONTINENTAL SHELF OIL AND GAS LEASING REVENUE

SEC. 101. EXTENSION OF OUTER CONTINENTAL SHELF OIL AND GAS LEASING PROGRAM.

(a) IN GENERAL.—Subject to subsection (c), the Draft Proposed Outer Continental Shelf Oil and Gas Leasing Program 2010–2015 issued by the Secretary of the Interior (referred to in this section as the ''Secretary'') under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) shall be considered to be the final oil and gas leasing program under that section for the period of fiscal years 2015 through 2020.

(b) FINAL ENVIRONMENTAL IMPACT STATEMENT.—The Secretary is considered to have issued a final environmental impact statement for the program applicable to the period described in subsection (a) in accordance with all requirements under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

(c) EXCEPTIONS.—Lease Sales 214, 232, and 239 shall not be included in the final oil and gas leasing program for the period of fiscal years 2015 through 2020.

(d) EASTERN GULF OF MEXICO NOT INCLUDED.—Nothing in this section affects restrictions on oil and gas leasing under the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432).

SEC. 102. REVENUE SHARING FROM OUTER CONTINENTAL SHELF WIND ENERGY PRODUCTION FACILITIES.

The first sentence of section 8(p)(2)(B) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(p)(2)(B)) is amended by inserting after ''27 percent'' the following: '', or, in the case of projects for offshore wind energy production facilities, 37.5 percent''.

SEC. 103. OUTER CONTINENTAL SHELF LEASING PROGRAM REFORMS.

Section 18(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1344(a)) is amended by adding at the end the following:

''(5)(A) In each oil and gas leasing program under this section, the Secretary shall make available for leasing and conduct lease sales including at least 50 percent of the available unleased acreage within each outer Continental Shelf planning area (other than the North Aleutian Basin planning area or the North Atlantic planning area) considered to have the largest undiscovered, technically recoverable oil and gas resources (on a total btu basis) based on the most recent national geologic assessment of the outer Continental Shelf, with an emphasis on offering the most geologically prospective parts of the planning area.

''(B) The Secretary shall include in each proposed oil and gas leasing program under this section any State subdivision of an outer Continental Shelf planning area (other than the North Aleutian Basin planning area or the North Atlantic planning area) that the Governor of the State that represents that subdivision requests be made available for leasing. The Secretary may not remove such a subdivision from the program until publication of the final program, and shall include and consider all such subdivisions in any environmental review conducted and statement prepared for such program under section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)).

''(C) In this paragraph, the term 'available unleased acreage' means that portion of the outer Continental Shelf that is not under lease at the time of a proposed lease sale, and that has not otherwise been made unavailable for leasing by law.

''(6)(A) In the 5-year oil and gas leasing program, the Secretary shall make available for leasing any outer Continental Shelf planning area (other than the North Aleutian Basin planning area or the North Atlantic planning area) that—

''(i) is estimated to contain more than 2,500,000,000 barrels of oil; or

''(ii) is estimated to contain more than 7,500,000,000,000 cubic feet of natural gas.

''(B) To determine the planning areas described in subparagraph (A), the Secretary shall use the document entitled 'Minerals Management Service Assessment of Undiscovered Technically Recoverable Oil and Gas Resources of the Nation's Outer Continental Shelf, 2006'.''.

SEC. 104. DISPOSITION OF REVENUES.

(a) DEFINITIONS.—Section 102 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432) is amended—

(1) by redesignating paragraphs (5) through (11) as paragraphs (6) through (12), respectively;

(2) by inserting after paragraph (4) the following:

''(5) COASTAL STATE.—The term 'coastal State' means—

''(A) each of the Gulf producing States; and

''(B) effective for fiscal year 2016 and each fiscal year thereafter—

''(i) the State of Alaska; and

''(ii) each of the States of North Carolina, South Carolina, and Virginia.'';

(3) in paragraph (10) (as so redesignated), by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—The term 'qualified outer Continental Shelf revenues' means all rentals, royalties, bonus bids, and other sums due and payable to the United States from leases entered into on or after—

''(i) December 20, 2006, with respect to the Gulf producing States; and

''(ii) October 1, 2015, with respect to—

''(I) the State of Alaska; and

''(II) each of the coastal States described in paragraph (5)(B)(ii).''; and

(4) in paragraph (11) (as so redesignated), by striking ''Gulf producing State'' each place it appears and inserting ''coastal State''.

(b) DISPOSITION OF REVENUES.—Section 105 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432) is amended—

(1) in the section heading, by striking ''**FROM 181 AREA, 181 SOUTH AREA, AND 2002-2007 PLANNING AREAS OF GULF OF MEXICO**'';

(2) by striking ''Gulf producing State'' each place it appears (other than paragraphs (1) and (2) of subsection (b)) and inserting ''coastal State'';

(3) in subsection (a), by striking paragraph (2) and inserting the following:

''(2) 50 percent of qualified outer Continental Shelf revenues in a special account in the Treasury from which the Secretary shall disburse—

''(A) in the case of qualified outer Continental Shelf revenues generated from outer Continental Shelf areas adjacent to Gulf producing States—

''(i) 75 percent to Gulf producing States in accordance with subsection (b); and

''(ii) 25 percent to provide financial assistance to States in accordance with section 200305 of title 54, United States Code, which shall be considered income to the Land and Water Conservation Fund for purposes of section 200302 of that title; and

''(B) in the case of qualified outer Continental Shelf revenues generated from outer Continental Shelf areas adjacent to coastal States described in section section 102(5)(B), 100 percent to the coastal States in accordance with subsection (b).'';

(4) in subsection (b)—

(A) in the subsection heading, by striking ''GULF PRODUCING STATES'' and inserting ''COASTAL STATES'';

(B) by redesignating paragraph (3) as paragraph (4);

(C) by inserting after paragraph (2) the following:

''(3) ALLOCATION AMONG CERTAIN ATLANTIC STATES AND THE STATE OF ALASKA FOR FISCAL YEAR 2016 AND THEREAFTER.—

''(A) IN GENERAL.—Subject to subparagraph (B), effective for fiscal years 2016 and each fiscal year thereafter, the amount made available under subsection (a)(2)(B) shall be allocated to each coastal State described in section 102(5)(B) in amounts (based on a formula established by the Secretary by regulation) that are inversely proportional to the respective distances between the point on the coastline of each coastal State described in section 102(5)(B) that is closest to the geographic center of the applicable leased tract and the geographic center of the leased tract.

''(B) MINIMUM ALLOCATION.—The amount allocated to a coastal State described in section 102(5)(B) each fiscal year under subparagraph (A) shall be at least 10 percent of the amounts available under subsection (a)(2)(B).''; and

(D) in paragraph (4) (as redesignated by subparagraph (B)), by striking ''paragraphs (1) and (2)'' and inserting ''paragraphs (1), (2), and (3)''; and

(5) in subsection (f), by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—Subject to paragraph (2), the total amount of qualified outer Continental Shelf revenues made available to coastal States under subsection (a)(2) shall not exceed—

''(A) in the case of the coastal States described in section 102(5)(A)—

''(i) $500,000 for fiscal year 2016; and

''(ii) $699,000,000 for each of fiscal years 2017 through 2054;

''(B) in the case of the coastal States described in section 102(5)(B)(ii)—

''(i) $100,000,000 for each of fiscal years 2016 though 2025; and

''(ii) $200,000,000 for each of fiscal years 2026 through 2065; and

''(C) in the case of the State of Alaska, $100,000,000 for each of fiscal years 2016 through 2065.''.

TITLE II—OFFSET

SEC. 201. FEDERAL WORKFORCE REDUCTION.

(a) DEFINITIONS.—In this section:

(1) AGENCY.—The term ''agency''—

(A) means an Executive agency, as defined under section 105 of title 5, United States Code; and

(B) does not include the Government Accountability Office.

(2) APPLICABLE MAXIMUM.—The term ''applicable maximum'' means—

(A) in the case of a quarter before the target-attainment quarter, the difference obtained by subtracting—

(i) the product obtained by multiplying—

(I) the number of Federal employees separating from agencies during the period—

(aa) beginning on the first day following the baseline quarter; and

(bb) ending on the last day of the quarter to which the applicable maximum is being applied; by

(II) ⅔; from

(ii) the total number of Federal employees determined for the baseline quarter; and

(B) in the case of the target-attainment quarter and any quarter thereafter, the number equal to 90 percent of the total number of Federal employees as of September 30, 2014.

(3) BASELINE QUARTER.—The term ''baseline quarter'' means the quarter in which occurs the date of the enactment of this Act.

(4) FEDERAL EMPLOYEE.—The term ''Federal employee'' means an employee, as defined under section 2105 of title 5, United States Code.

(5) QUARTER.—The term ''quarter'' means a period of 3 calendar months ending on March 31, June 30, September 30, or December 31.

(6) TARGET-ATTAINMENT QUARTER.—The term ''target-attainment quarter'' means the earlier of—

(A) the first quarter occurring after the baseline quarter for which the total number of Federal employees does not exceed 90 percent of the total number of Federal employees as of September 30, 2014; or

(B) the quarter ending on September 30, 2018.

(7) TOTAL NUMBER OF FEDERAL EMPLOYEES.—The term ''total number of Federal employees'' means the total number of Federal employees in all agencies.

(b) WORKFORCE LIMITS AND REDUCTIONS.—

(1) IN GENERAL.—The President, through the Office of Management and Budget (in consultation with the Office of Personnel Management), shall take appropriate measures to ensure that, effective with respect to each quarter beginning after the date of the enactment of this Act, the total number of Federal employees determined for such quarter does not exceed the applicable maximum for such quarter.

(2) METHOD FOR ACHIEVING COMPLIANCE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), any reductions necessary in order to achieve compliance with paragraph (1) shall be made through attrition.

(B) EXCEPTION.—If, for any quarter, the total number of Federal employees exceeds the applicable maximum for such quarter, until the first succeeding quarter for which such total number is determined not to exceed the applicable maximum for such succeeding quarter, reductions shall be made through both attrition and a freeze on appointments.

(3) COUNTING RULES.—For purposes of this section—

(A) any determination of the total number of Federal employees or the number of Federal employees separating from agencies shall be made—

(i) on a full-time equivalent basis; and

(ii) under subsection (d); and

(B) any determination of the total number of Federal employees for a quarter shall be made as of such date or otherwise on such basis as the Office of Management of Budget (in consultation with the Office of Personnel Management) considers to be representative and feasible.

(4) WAIVER AUTHORITY.—

(A) IN GENERAL.—The President may waive any provision of this subsection, with respect to an individual appointment, upon a determination by the President that such appointment is necessary due to—

(i) a state of war or for reasons of national security; or

(ii) an extraordinary emergency threatening life, health, safety, or property.

(B) NONDELEGATION.—The authority under this paragraph may not be delegated.

(c) LIMITATION ON PROCUREMENT OF SERVICE CONTRACTS.—The President, through the Office of Management and Budget (in consultation with the Office of Personnel Management), shall take appropriate measures to ensure that there is no increase in the procurement of service contracts by reason of the enactment of this section, except in cases in which a cost comparison demonstrates that such contracts would be to the financial advantage of the Government.

(d) MONITORING AND NOTIFICATION.—The Office of Management and Budget (in consultation with the Office of Personnel Management) shall—

(1) continuously monitor all agencies and, for each quarter to which the requirements of subsection (b)(1) apply, determine whether or not such requirements have been met; and

(2) not later than 14 days after the end of each quarter described in paragraph (1), submit to the President and each House of Congress, a written determination as to whether or not the requirements of subsection (b)(1) have been met.

(e) REGULATIONS.—The President may promulgate any regulations necessary to carry out this section.

SEC. 202. FEDERAL DEFICIT REDUCTION.

Any savings generated as a result of section 201 that are not needed to offset the costs of carrying out title I (including any amendments made by title I) shall be deposited in the Treasury and used for Federal budget deficit reduction or, if there is no Federal budget deficit, for reducing the Federal debt in such manner as the Secretary of the Treasury considers appropriate.

SA 81. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. APPLICATION.

This Act shall not apply until the date on which the President (or a designee) determines, in consultation with the Chief of the Forest Service and other relevant Federal agencies, that increased greenhouse gas emissions, including emissions from the pipeline described in section 2(a), will not contribute to any of the following:

(1) An increased frequency of wildfires in the United States.

(2) An increased range of wildfires in the United States.

(3) An increased severity of wildfires in the United States.

(4) An increased prevalence or frequency of invasive pests, including the spruce beetle, the bark beetle, and the hemlock woolly adelgid.

SA 82. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr.

BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. APPLICATION.

This Act shall not apply until the date on which the President (or a designee) determines, in consultation with the Secretary of Agriculture, and other relevant Federal agencies, that increased greenhouse gas emissions, including emissions from the pipeline described in section 2(a), will not have a significant negative impact on farmers and ranchers due to any of the following:

(1) An increased frequency or severity of drought in the United States.

(2) An increased risk of invasive agricultural pests in the United States.

(3) A decrease in available irrigation water from reduced snowpack in the United States.

SA 83. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ENHANCED PROTECTIONS FROM RETALIATION.

(a) APPLICABILITY TO WORKERS IN THE OIL AND GAS INDUSTRY.—Section 11 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 660) is amended by adding at the end the following:

''(d) PROVISIONS APPLICABLE TO WORKERS IN THE OIL AND GAS INDUSTRY.—

''(1) IN GENERAL.—No person shall discharge or cause to be discharged, or in any manner discriminate against or cause to be discriminated against, any employee because—

''(A) such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act;

''(B) such employee has testified or is about to testify before Congress or in any Federal or State proceeding related to safety or health;

''(C) such employee has refused to violate any provision of this Act; or

''(D) of the exercise by such employee on behalf of himself or others of any right afforded by this Act, including the reporting of any injury, illness, or unsafe condition to the employer, agent of the employer, safety and health committee involved, or employee safety and health representative involved.

''(2) PROHIBITION OF RETALIATION.—

''(A) IN GENERAL.—No person shall discharge, or cause to be discharged, or in any manner discriminate against, or cause to be discriminated against, an employee for refusing to perform the employee's duties if the employee has a reasonable apprehension that performing such duties would result in serious injury to, or serious impairment of the health of, the employee or other employees.

''(B) GOOD-FAITH BELIEF.—For purposes of subparagraph (A), the circumstances causing the employee's good-faith belief that performing such duties would pose a safety or health hazard shall be of such a nature that a reasonable person, under the circumstances confronting the employee, would conclude that there is such a hazard. In order to qualify for protection under this paragraph, the employee, when practicable, shall have communicated or attempted to communicate the safety or health concern to the employer and have not received from the employer a response reasonably calculated to allay such concern.

''(3) COMPLAINT.—Any employee who believes that the employee has been discharged, disciplined, or otherwise discriminated against by any person in violation of paragraph (1) or (2) may seek relief for such violation by filing a complaint with the Secretary under paragraph (5).

''(4) STATUTE OF LIMITATIONS.—

''(A) IN GENERAL.—An employee may take the action permitted by paragraph (3) not later than 180 days after the later of—

''(i) the date on which an alleged violation of paragraph (1) or (2) occurs; or

''(ii) the date on which the employee knows or should reasonably have known that such alleged violation occurred.

''(B) REPEAT VIOLATION.—Except in cases when the employee has been discharged, a violation of paragraph (1) or (2) shall be considered to have occurred on the last date an alleged repeat violation occurred.

''(5) INVESTIGATION.—

''(A) IN GENERAL.—An employee may, within the time period required under paragraph (4), file a complaint with the Secretary alleging a violation of paragraph (1) or (2). If the complaint alleges a prima facie case, the Secretary shall conduct an investigation of the allegations in the complaint, which—

''(i) shall include—

''(I) interviewing the complainant;

''(II) providing the respondent an opportunity to—

''(aa) submit to the Secretary a written response to the complaint; and

''(bb) meet with the Secretary to present statements from witnesses or provide evidence; and

''(III) providing the complainant an opportunity to—

''(aa) receive any statements or evidence provided to the Secretary;

''(bb) meet with the Secretary; and

''(cc) rebut any statements or evidence; and

''(ii) may include issuing subpoenas for the purposes of such investigation.

''(B) DECISION.—Not later than 90 days after the filing of the complaint, the Secretary shall—

''(i) determine whether reasonable cause exists to believe that a violation of paragraph (1) or (2) has occurred; and

''(ii) issue a decision granting or denying relief.

''(6) PRELIMINARY ORDER FOLLOWING INVESTIGATION.—If, after completion of an investigation under paragraph (5)(A), the Secretary finds reasonable cause to believe that a violation of paragraph (1) or (2) has occurred, the Secretary shall issue a preliminary order providing relief authorized under paragraph (14) at the same time the Secretary issues a decision under paragraph (5)(B). If a de novo hearing is not requested within the time period required under paragraph (7)(A)(i), such preliminary order shall be deemed a final order of the Secretary and is not subject to judicial review.

''(7) HEARING.—

''(A) REQUEST FOR HEARING.—

''(i) IN GENERAL.—A de novo hearing on the record before an administrative law judge may be requested—

''(I) by the complainant or respondent within 30 days after receiving notification of a decision granting or denying relief issued under paragraph (5)(B) or paragraph (6), respectively;

''(II) by the complainant within 30 days after the date the complaint is dismissed without investigation by the Secretary under paragraph (5)(A); or

''(III) by the complainant within 120 days after the date of filing the complaint, if the Secretary has not issued a decision under paragraph (5)(B).

''(ii) REINSTATEMENT ORDER.—The request for a hearing shall not operate to stay any preliminary reinstatement order issued under paragraph (6).

''(B) PROCEDURES.—

''(i) IN GENERAL.—A hearing requested under this paragraph shall be conducted expeditiously and in accordance with rules established by the Secretary for hearings conducted by administrative law judges.

''(ii) SUBPOENAS; PRODUCTION OF EVIDENCE.—In conducting any such hearing, the administrative law judge may issue subpoenas. The respondent or complainant may request the issuance of subpoenas that require the deposition of, or the attendance and testimony of, witnesses and the production of any evidence (including any books, papers, documents, or recordings) relating to the matter under consideration.

''(iii) DECISION.—The administrative law judge shall issue a decision not later than 90 days after the date on which a hearing was requested under this paragraph and promptly notify, in writing, the parties and the Secretary of such decision, including the findings of fact and conclusions of law. If the administrative law judge finds that a violation of paragraph (1) or (2) has occurred, the judge shall issue an order for relief under paragraph (14). If review under paragraph (8) is not timely requested, such order shall be deemed a final order of the Secretary that is not subject to judicial review.

''(8) ADMINISTRATIVE APPEAL.—

''(A) IN GENERAL.—Not later than 30 days after the date of notification of a decision and order issued by an administrative law judge under paragraph (7), the complainant or respondent may file, with objections, an administrative appeal with an administrative review body designated by the Secretary (referred to in this paragraph as the 'review board').

''(B) STANDARD OF REVIEW.—In reviewing the decision and order of the administrative law judge, the review board shall affirm the decision and order if it is determined that the factual findings set forth therein are supported by substantial evidence and the decision and order are made in accordance with applicable law.

''(C) DECISIONS.—If the review board grants an administrative appeal, the review board shall issue a final decision and order affirming or reversing, in whole or in part, the decision under review by not later than 90 days after receipt of the administrative appeal. If it is determined that a violation of paragraph (1) or (2) has occurred, the review board shall issue a final decision and order providing relief authorized under paragraph (14). Such decision and order shall constitute final agency action with respect to the matter appealed.

''(9) SETTLEMENT IN THE ADMINISTRATIVE PROCESS.—

''(A) IN GENERAL.—At any time before issuance of a final order, an investigation or proceeding under this subsection may be terminated on the basis of a settlement agreement entered into by the parties.

''(B) PUBLIC POLICY CONSIDERATIONS.—Neither the Secretary, an administrative law judge, nor the review board conducting a hearing under this subsection shall accept a settlement that contains conditions conflicting with the rights protected under this

Act or that are contrary to public policy, including a restriction on a complainant's right to future employment with employers other than the specific employers named in a complaint.

''(10) INACTION BY THE REVIEW BOARD OR ADMINISTRATIVE LAW JUDGE.—

''(A) IN GENERAL.—The complainant may bring a de novo action described in subparagraph (B) if—

''(i) an administrative law judge has not issued a decision and order within the 90-day time period required under paragraph (7)(B)(iii); or

''(ii) the review board has not issued a decision and order within the 90-day time period required under paragraph (8)(C).

''(B) DE NOVO ACTION.—Such de novo action may be brought at law or equity in the United States district court for the district where a violation of paragraph (1) or (2) allegedly occurred or where the complainant resided on the date of such alleged violation. The court shall have jurisdiction over such action without regard to the amount in controversy and to order appropriate relief under paragraph (14). Such action shall, at the request of either party to such action, be tried by the court with a jury.

''(11) JUDICIAL REVIEW.—

''(A) TIMELY APPEAL TO THE COURT OF APPEALS.—Any party adversely affected or aggrieved by a final decision and order issued under this subsection may obtain review of such decision and order in the United States Court of Appeals for the circuit where the violation, with respect to which such final decision and order was issued, allegedly occurred or where the complainant resided on the date of such alleged violation. To obtain such review, a party shall file a petition for review not later than 60 days after the final decision and order was issued. Such review shall conform to chapter 7 of title 5, United States Code. The commencement of proceedings under this subparagraph shall not, unless ordered by the court, operate as a stay of the final decision and order.

''(B) LIMITATION ON COLLATERAL ATTACK.—An order and decision with respect to which review may be obtained under subparagraph (A) shall not be subject to judicial review in any criminal or other civil proceeding.

''(12) ENFORCEMENT OF ORDER.—If a respondent fails to comply with an order issued under this subsection, the Secretary or the complainant on whose behalf the order was issued may file a civil action for enforcement in the United States district court for the district in which the violation was found to occur to enforce such order. If both the Secretary and the complainant file such action, the action of the Secretary shall take precedence. The district court shall have jurisdiction to grant all appropriate relief described in paragraph (14).

''(13) BURDENS OF PROOF.—

''(A) CRITERIA FOR DETERMINATION.—In making a determination or adjudicating a complaint pursuant to this subsection, the Secretary, administrative law judge, review board, or court may determine that a violation of paragraph (1) or (2) has occurred only if the complainant demonstrates that any conduct described in paragraph (1) or (2) with respect to the complainant was a contributing factor in the adverse action alleged in the complaint.

''(B) PROHIBITION.—Notwithstanding subparagraph (A), a decision or order that is favorable to the complainant shall not be issued in any administrative or judicial action pursuant to this subsection if the respondent demonstrates by clear and convincing evidence that the respondent would have taken the same adverse action in the absence of such conduct.

''(14) RELIEF.—

''(A) ORDER FOR RELIEF.—If the Secretary, administrative law judge, review board, or a court determines that a violation of paragraph (1) or (2) has occurred, the Secretary or court, respectively, shall have jurisdiction to order all appropriate relief, including injunctive relief and compensatory and exemplary damages, including—

''(i) affirmative action to abate the violation;

''(ii) reinstatement without loss of position or seniority, and restoration of the terms, rights, conditions, and privileges associated with the complainant's employment, including opportunities for promotions to positions with equivalent or better compensation for which the complainant is qualified;

''(iii) compensatory and consequential damages sufficient to make the complainant whole, (including back pay, prejudgment interest, and other damages); and

''(iv) expungement of all warnings, reprimands, or derogatory references that have been placed in paper or electronic records or databases of any type relating to the actions by the complainant that gave rise to the unfavorable personnel action, and, at the complainant's direction, transmission of a copy of the decision on the complaint to any person whom the complainant reasonably believes may have received such unfavorable information.

''(B) ATTORNEYS' FEES AND COSTS.—If the Secretary or an administrative law judge, review board, or court grants an order for relief under subparagraph (A), the Secretary, administrative law judge, review board, or court, respectively, shall assess, at the request of the employee against the employer—

''(i) reasonable attorneys' fees; and

''(ii) costs (including expert witness fees) reasonably incurred, as determined by the Secretary, administrative law judge, review board, or court, respectively, in connection with bringing the complaint upon which the order was issued.

''(15) PROCEDURAL RIGHTS.—The rights and remedies provided for in this subsection may not be waived by any agreement, policy, form, or condition of employment, including by any pre-dispute arbitration agreement or collective bargaining agreement.

''(16) SAVINGS.—Nothing in this subsection shall be construed to diminish the rights, privileges, or remedies of any employee who exercises rights under any Federal or State law or common law, or under any collective bargaining agreement.

''(17) ELECTION OF VENUE.—

''(A) IN GENERAL.—An employee of an employer who is located in a State that has a State plan approved under section 18 may file a complaint alleging a violation of paragraph (1) or (2) by such employer with—

''(i) the Secretary under paragraph (5); or

''(ii) a State plan administrator in such State.

''(B) REFERRALS.—If—

''(i) the Secretary receives a complaint pursuant to subparagraph (A)(i), the Secretary shall not refer such complaint to a State plan administrator for resolution; or

''(ii) a State plan administrator receives a complaint pursuant to subparagraph (A)(ii), the State plan administrator shall not refer such complaint to the Secretary for resolution.

''(18) DEFINITION.—For purposes of this subsection, the term 'employee' means an individual employed by—

''(A) an operator of an oil well, as described in the 2012 North American Industry Classification System code 213111;

''(B) a petrochemical manufacturing plant assigned the 2012 North American Industry Classification System code 213112, 324, or 32511; or

''(C) an entity assigned the 2012 North American Industry Classification System code 23712 or 486.''.

(b) RELATION TO ENFORCEMENT.—Section 17(j) of such Act (29 U.S.C. 666(j)) is amended by inserting before the period the following: '', including the history of violations under section 11(d)''.

SA 84. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REPORTING REQUIREMENT REGARDING SAFETY FOR OIL WELLS, PETROCHEMICAL MANUFACTURING PLANTS, AND PIPELINE CONSTRUCTION OR TRANSPORTATION ENTITIES.

(a) IN GENERAL.—Each issuer that is required to file reports pursuant to section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a) or 78o(d)) and that is, or that has a subsidiary that is, an operator of an oil well or an operator of a petrochemical manufacturing plant or pipeline construction or transportation entity shall include, in each periodic report filed with the Securities and Exchange Commission under the securities laws on and after the date of enactment of this Act, the following information for the time period covered by such report:

(1) For each oil well, petrochemical manufacturing plant, or pipeline construction or transportation entity of which the issuer or a subsidiary of the issuer is an operator—

(A) the total number of serious violations of mandatory health or safety standards at an oil well, a petrochemical manufacturing plant, or a pipeline transportation or construction entity, including health hazard violations under section 9 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 658);

(B) the total number of citations issued, including serious, willful, and repeated violations, under such section;

(C) the total dollar value of proposed penalties to be applied under such Act (29 U.S.C. 651 et seq.); and

(D) the total number of oil well, petrochemical manufacturing plant, or pipeline construction or transportation entity related fatalities involved.

(2) A list of oil wells, petrochemical manufacturing plants, or pipeline construction or transportation entities of which the issuer, or a subsidiary of the issuer, is an operator, that receive written notice from the Occupational Safety and Health Administration of willful, serious, and repeated violations of mandatory health or safety standards at an oil well, a petrochemical manufacturing plant, or a pipeline construction or transportation entity, including safety hazards under section 9 of such Act (29 U.S.C. 658).

(3) Any pending legal action before the Occupational Safety and Health Review Commission, established under section 12 of such Act (29 U.S.C. 661), involving an oil well, a petrochemical manufacturing plant, or a pipeline construction or transportation entity.

(b) REPORTING SHUTDOWNS AND PATTERNS OF VIOLATIONS.—Beginning on the effective date of this section, each issuer that is, or that has a subsidiary that is, an operator of

an oil well or an operator of a petrochemical manufacturing plant or pipeline construction or transportation entity shall file a current report with the Securities and Exchange Commission on Form 8-K (or any successor form) disclosing the following with respect to each oil well, petrochemical manufacturing plant, or pipeline construction or transportation entity of which the issuer or subsidiary is an operator:

(1) The receipt of a citation issued under section 9 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 658).

(2) The receipt of a citation from the Occupational Safety and Health Administration that the oil well, petrochemical manufacturing plant, or pipeline construction or transportation entity has—

(A) willfully or repeatedly violated mandatory health or safety standards at an oil well, a petrochemical manufacturing plant, or a pipeline construction or transportation entity under such section; or

(B) the potential to have such a pattern or willful or repeated violations.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect any obligation of a person to make a disclosure under any other applicable law in effect before, on, or after the effective date of this section.

(d) COMMISSION AUTHORITY.—

(1) ENFORCEMENT.—A violation by any person of this section, or any rule or regulation of the Securities and Exchange Commission issued under this section, shall be treated for all purposes in the same manner as a violation of the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) or the rules and regulations issued thereunder, consistent with the provisions of this section, and any such person shall be subject to the same penalties, and to the same extent, as for a violation of such Act or the rules or regulations issued thereunder.

(2) RULE AND REGULATIONS.—The Securities and Exchange Commission is authorized to issue such rules or regulations as are necessary or appropriate for the protection of investors and to carry out the purposes of this section.

(e) DEFINITIONS.—In this section:

(1) ISSUER; SECURITIES LAWS.—The terms ''issuer'' and ''securities laws'' have the meanings given such terms in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

(2) OPERATOR OF AN OIL WELL.—The term ''operator of an oil well'' means an operator as described in the 2012 North American Industry Classification System code 213111.

(3) PETROCHEMICAL MANUFACTURING PLANT.—The term ''petrochemical manufacturing plant'' means any entity assigned the 2012 North American Industry Classification System code 324, 213112, or 32511.

(4) PIPELINE CONSTRUCTION OR TRANSPORTATION ENTITY.—The term ''pipeline construction or transportation entity'' means an entity described in the 2012 North American Industry Classification System code 23712 or 486.

(f) EFFECTIVE DATE.—This section shall take effect on the day that is 30 days after the date of enactment of this Act.

SA 85. Ms. AYOTTE 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:

After section 2, insert the following:

SEC. _____. LOCAL TRANSPORTATION INFRASTRUCTURE PROGRAM.

Section 610 of title 23, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking subparagraph (A) and inserting the following:

''(A) 10 percent of the funds apportioned to the State for each of fiscal years 2015 and 2016 under each of sections 104(b)(1), 104(b)(2), and 144; and'';

(B) in paragraph (2), by striking ''2005 through 2009'' and inserting ''2015 and 2016'';

(C) in paragraph (3), by striking ''2005 through 2009'' and inserting ''2015 and 2016''; and

(D) in paragraph (5), by striking ''section 133(d)(3)'' and inserting ''section 133(d)(4)'';

(2) in subsection (h)(2)—

(A) in the first sentence, by striking ''shall'' and inserting ''shall not''; and

(B) in the second sentence, by striking ''shall'' and inserting ''shall not''; and

(3) in subsection (k), by striking ''2005 through 2009'' and inserting ''2015 and 2016''.

SA 86. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. AMERICAN BRIDGE FUND.

(a) AMERICAN BRIDGE FUND.—

(1) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the ''American Bridge Fund'', consisting of such amounts as may be appropriated to such fund as provided in paragraph (2).

(2) TRANSFERS TO FUND.—There is hereby appropriated to the American Bridge Fund an amount equivalent to the increase in revenue received in the Treasury by reason of the amendments made by subsection (b), as determined by the Secretary of the Treasury (or the Secretary's delegate).

(3) EXPENDITURES FROM FUND.—Amounts in the American Bridge Fund shall be made available by the Secretary of Transportation for the purpose of making grants to States for the repair or maintenance of any bridges classified as deficient in the National Bridge Inventory, as authorized under section 144(b) of title 23, United States Code.

(b) SOCIAL SECURITY NUMBER REQUIRED TO CLAIM THE REFUNDABLE PORTION OF THE CHILD TAX CREDIT.—

(1) IN GENERAL.—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) IDENTIFICATION REQUIREMENT WITH RESPECT TO TAXPAYER.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to any taxpayer for any taxable year unless the taxpayer includes the taxpayer's Social Security number on the return of tax for such taxable year.

''(B) JOINT RETURNS.—In the case of a joint return, the requirement of subparagraph (A) shall be treated as met if the Social Security number of either spouse is included on such return.''.

(2) OMISSION TREATED AS MATHEMATICAL OR CLERICAL ERROR.—Subparagraph (I) of section 6213(g)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

''(I) an omission of a correct Social Security number required under section 24(d)(5) (relating to refundable portion of child tax credit), or a correct TIN under section 24(e) (relating to child tax credit), to be included on a return,''.

(3) CONFORMING AMENDMENT.—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended by inserting ''WITH RESPECT TO QUALIFYING CHILDREN'' after ''IDENTIFICATION REQUIREMENT'' in the heading thereof.

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

SA 87. Mr. HOEVEN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; as follows:

At the appropriate place, insert the following:

SEC. _____. SENSE OF CONGRESS ACKNOWLEDGING THE ENVIRONMENTAL IMPACT FINDINGS OF THE KEYSTONE XL PIPELINE PROJECT.

It is the sense of Congress that Congress is in agreement with the following findings of the Final Supplemental Environmental Impact Statement issued by the Secretary of State for the Keystone XL Project (referred to in this section as the ''FSEIS''):

(1) ''The analyses of potential impacts associated with construction and normal operation of the proposed Project suggest that significant impacts to most resources are not expected along the proposed Project route'' (FSEIS page 4.16-1, section 4.16).

(2) ''The total annual GHG [greenhouse gas] emissions (direct and indirect) attributed to the No Action scenarios range from 28 to 42 percent greater than for the proposed Project'' (FSEIS page ES-34, section ES.5.4.2).

(3) ''. . . approval or denial of any one crude oil transport project, including the proposed Project, is unlikely to significantly impact the rate of extraction in the oil sands or the continued demand for heavy crude oil at refineries in the United States based on expected oil prices, oil-sands supply costs, transport costs, and supply-demand scenarios'' (FSEIS page ES-16, section ES.4.1.1).

SEC. ___. SENSE OF THE SENATE ON ENERGY COSTS AND SUPPLIES.

It is the sense of the Senate that Congress should—

(1) reject efforts to impose economy-wide taxes, fees, mandates, or regulations that will—

(A) increase the cost of energy for families and businesses of the United States; or

(B) destroy jobs; and

(2) prioritize policies that encourage and enable innovation in the United States that might lead to energy supplies that are more abundant, affordable, clean, diverse, and secure.

SA 88. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF CONGRESS REGARDING ENERGY EXPORTS.

(a) FINDINGS.—Congress finds that—

(1) competitive and open markets facilitate lower prices for consumers, increase private investment, and foster economic growth and opportunities for workers in the United States;

(2) technological innovations have made the United States the largest oil and natural gas producer in the world, creating millions of high-paying jobs in the United States and billions in revenues to Federal and State governments; and

(3) leveraging energy resources of the United States in the global marketplace will provide greater energy security to allies of the United States and increase the geopolitical power of the United States.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should realize its full potential as an energy superpower, by expanding trade of energy resources to spur economic growth, increase jobs in the United States, and strengthen the national security of the United States.

SA 89. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. AMERICAN BRIDGE FUND.

(a) AMERICAN BRIDGE FUND.—

(1) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the ''American Bridge Fund'', consisting of such amounts as may be appropriated to such fund as provided in paragraph (2).

(2) TRANSFERS TO FUND.—There is hereby appropriated to the American Bridge Fund an amount equivalent to the increase in revenue received in the Treasury by reason of the amendments made by subsection (b), as determined by the Secretary of the Treasury (or the Secretary's delegate).

(3) EXPENDITURES FROM FUND.—Amounts in the American Bridge Fund shall be made available by the Secretary of Transportation for the purpose of making grants to States for the repair or maintenance of any bridges classified as deficient in the National Bridge Inventory, as authorized under section 144(b) of title 23, United States Code.

(b) SOCIAL SECURITY NUMBER REQUIRED TO CLAIM THE REFUNDABLE PORTION OF THE CHILD TAX CREDIT.—

(1) IN GENERAL.—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended to read as follows:

''(e) IDENTIFICATION REQUIREMENT WITH RESPECT TO QUALIFYING CHILDREN.—

''(1) IN GENERAL.—Subject to paragraph (2), no credit shall be allowed under this section to a taxpayer with respect to any qualifying child unless the taxpayer includes the name and taxpayer identification number of such qualifying child on the return of tax for the taxable year.

''(2) REFUNDABLE PORTION.—Subsection (d)(1) shall not apply to any taxpayer with respect to any qualifying child unless the taxpayer includes the name and social security number of such qualifying child on the return of tax for the taxable year.''.

(2) OMISSION TREATED AS MATHEMATICAL OR CLERICAL ERROR.—Subparagraph (I) of section 6213(g)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

''(I) an omission of a correct TIN under section 24(e)(1) (relating to child tax credit) or a correct Social Security number required under section 24(e)(2) (relating to refundable portion of child tax credit), to be included on a return,''.

(c) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after the date of the enactment of this Act.

SA 90. Mr. CASSIDY (for himself and Mr. HELLER) submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

TITLE II—ENERGY CONSUMERS RELIEF

SECTION 201. SHORT TITLE.

This title may be cited as the ''Energy Consumers Relief Act of 2015''.

SEC. 202. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) DIRECT COSTS.—The term ''direct costs'' has the meaning given the term in chapter 8 of the report of the Environmental Protection Agency entitled ''Guidelines for Preparing Economic Analyses'' and dated December 17, 2010.

(3) ENERGY-RELATED RULE THAT IS ESTIMATED TO COST MORE THAN $1,000,000,000.—The term ''energy-related rule that is estimated to cost more than $1,000,000,000'' means a rule of the Environmental Protection Agency that—

(A) regulates any aspect of the production, supply, distribution, or use of energy or provides for such regulation by States or other governmental entities; and

(B) is estimated by the Administrator or the Director of the Office of Management and Budget to impose direct costs and indirect costs, in the aggregate, of more than $1,000,000,000.

(4) INDIRECT COSTS.—The term ''indirect costs'' has the meaning given the term in chapter 8 of the report of the Environmental Protection Agency entitled ''Guidelines for Preparing Economic Analyses'' and dated December 17, 2010.

(5) RULE.—The term ''rule'' has the meaning given to the term in section 551 of title 5, United States Code.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

SEC. 203. PROHIBITION AGAINST FINALIZING CERTAIN ENERGY-RELATED RULES THAT WILL CAUSE SIGNIFICANT ADVERSE EFFECTS TO THE ECONOMY.

Notwithstanding any other provision of law, the Administrator may not promulgate as final an energy-related rule that is estimated to cost more than $1,000,000,000 if the Secretary determines under section 204(b)(3) that the rule will cause significant adverse effects to the economy.

SEC. 204. REPORTS AND DETERMINATIONS PRIOR TO PROMULGATING AS FINAL CERTAIN ENERGY-RELATED RULES.

(a) IN GENERAL.—Before promulgating as final any energy-related rule that is estimated to cost more than $1,000,000,000, the Administrator shall carry out the requirements of subsection (b).

(b) REQUIREMENTS.—

(1) REPORT TO CONGRESS.—The Administrator shall submit to Congress and the Secretary a report containing—

(A) a copy of the rule;

(B) a concise general statement relating to the rule;

(C) an estimate of the total costs of the rule, including the direct costs and indirect costs of the rule;

(D)(i) an estimate of the total benefits of the rule and when such benefits are expected to be realized;

(ii) a description of the modeling, the calculations, the assumptions, and the limitations due to uncertainty, speculation, or lack of information associated with the estimates under this subparagraph; and

(iii) a certification that all data and documents relied upon by the Environmental Protection Agency in developing the estimates—

(I) have been preserved; and

(II) are available for review by the public on the Web site of the Environmental Protection Agency, except to the extent to which publication of the data and documents would constitute disclosure of confidential information in violation of applicable Federal law;

(E) an estimate of the increases in energy prices, including potential increases in gasoline or electricity prices for consumers, that may result from implementation or enforcement of the rule; and

(F) a detailed description of the employment effects, including potential job losses and shifts in employment, that may result from implementation or enforcement of the rule.

(2) INITIAL DETERMINATION ON INCREASES AND IMPACTS.—The Secretary, in consultation with the Federal Energy Regulatory Commission and the Administrator of the Energy Information Administration, shall prepare an independent analysis to determine whether the rule will cause any—

(A) increase in energy prices for consumers, including low-income households, small businesses, and manufacturers;

(B) impact on fuel diversity of the electricity generation portfolio of the United States or on national, regional, or local electric reliability;

(C) adverse effect on energy supply, distribution, or use due to the economic or technical infeasibility of implementing the rule; or

(D) other adverse effect on energy supply, distribution, or use, including a shortfall in supply and increased use of foreign supplies.

(3) SUBSEQUENT DETERMINATION ON ADVERSE EFFECTS TO THE ECONOMY.—If the Secretary determines under paragraph (2) that the rule will cause an increase, impact, or effect described in that paragraph, the Secretary, in consultation with the Administrator, the Secretary of Commerce, the Secretary of Labor, and the Administrator of the Small Business Administration, shall—

(A) determine whether the rule will cause significant adverse effects to the economy, taking into consideration—

(i) the costs and benefits of the rule and limitations in calculating the costs and benefits due to uncertainty, speculation, or lack of information; and

(ii) the positive and negative impacts of the rule on economic indicators, including those related to gross domestic product, unemployment, wages, consumer prices, and business and manufacturing activity; and

(B) publish the results of the determination made under subparagraph (A) in the Federal Register.

SEC. 205. PROHIBITION ON USE OF SOCIAL COST OF CARBON IN ANALYSIS.

(a) DEFINITION OF SOCIAL COST OF CARBON.—In this section, the term ''social cost of carbon'' means—

(1) the social cost of carbon as described in the technical support document entitled ''Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866'', published by the Interagency Working Group on Social Cost of Carbon, United States Government, in May 2013 (or any successor or substantially related document); or

(2) any other estimate of the monetized damages associated with an incremental increase in carbon dioxide emissions in a given year.

(b) PROHIBITION ON USE OF SOCIAL COST OF CARBON IN ANALYSIS.—Notwithstanding any other provision of law or any Executive order, the Administrator may not use the social cost of carbon to incorporate social benefits of reducing carbon dioxide emissions, or for any other reason, in any cost-benefit analysis relating to an energy-related rule that is estimated to cost more than $1,000,000,000 unless a Federal law is enacted authorizing the use.

SA 91. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. ___. REVIEW OF CERTAIN FEDERAL REGISTER NOTICES.

If, by the date that is 45 days after the date on which a State Bureau of Land Management office has submitted a Federal Register notice to the Washington, DC, office of the Bureau of Land Management for Department of the Interior review, the review has not been completed—

(1) the notice shall consider to be approved; and

(2) the State Bureau of Land Management office shall immediately forward the notice to the Federal Register for publication.

SA 92. Mr. BURR (for himself, Ms. AYOTTE, and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PERMANENT REAUTHORIZATION OF LAND AND WATER CONSERVATION FUND.

(a) IN GENERAL.—Section 200302 of title 54, United States Code, is amended —

(1) in subsection (b), in the matter preceding paragraph (1), by striking ''During the period ending September 30, 2015, there'' and inserting ''There''; and

(2) in subsection (c)(1), by striking ''through September 30, 2015''.

(b) PUBLIC ACCESS.—Section 200306 of title 54, United States Code, is amended by adding at the end the following:

''(c) PUBLIC ACCESS.—Not less than 1.5 percent of amounts made available for expenditure in any fiscal year under section 200303 shall be used for projects that secure recreational public access to existing Federal public land for hunting, fishing, and other recreational purposes.''.

SA 93. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table, as follows:

At the end, add the following:

DIVISION— ___REBUILDING AMERICA'S INFRASTRUCTURE

SECTION 1. SHORT TITLE.

This division may be cited as the ''Rebuilding America's Infrastructure Act of 2015''.

TITLE I—REPEAL OF OIL AND GAS SUBSIDIES

Subtitle A—Close Big Oil Tax Loopholes

SEC. 101. MODIFICATIONS OF FOREIGN TAX CREDIT RULES APPLICABLE TO MAJOR INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.

(a) IN GENERAL.—Section 901 of the Internal Revenue Code of 1986 is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

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

''(1) GENERAL RULE.—Notwithstanding any other provision of this chapter, any amount paid or accrued by a dual capacity taxpayer which is a major integrated oil company (within the meaning of section 167(h)(5)) to a foreign country or possession of the United States for any period shall not be considered a tax—

''(A) if, for such period, the foreign country or possession does not impose a generally applicable income tax, or

''(B) to the extent such amount exceeds the amount (determined in accordance with regulations) which—

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

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

Nothing in this paragraph shall be construed to imply the proper treatment of any such amount not in excess of the amount determined under subparagraph (B).

''(2) DUAL CAPACITY TAXPAYER.—For purposes of this subsection, the term 'dual capacity taxpayer' means, with respect to any foreign country or possession of the United States, a person who—

''(A) is subject to a levy of such country or possession, and

''(B) receives (or will receive) directly or indirectly a specific economic benefit (as determined in accordance with regulations) from such country or possession.

''(3) GENERALLY APPLICABLE INCOME TAX.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'generally applicable income tax' means an income tax (or a series of income taxes) which is generally imposed under the laws of a foreign country or possession on income derived from the conduct of a trade or business within such country or possession.

''(B) EXCEPTIONS.—Such term shall not include a tax unless it has substantial application, by its terms and in practice, to—

''(i) persons who are not dual capacity taxpayers, and

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

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxes paid or accrued in taxable years beginning after the date of the enactment of this Act.

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

SEC. 102. LIMITATION ON SECTION 199 DEDUCTION ATTRIBUTABLE TO OIL, NATURAL GAS, OR PRIMARY PRODUCTS THEREOF.

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

''(E) SPECIAL RULE FOR CERTAIN OIL AND GAS INCOME.—In the case of any taxpayer who is a major integrated oil company (within the meaning of section 167(h)(5)) for the taxable year, the term 'domestic production gross receipts' shall not include gross receipts from the production, refining, processing, transportation, or distribution of oil, gas, or any primary product (within the meaning of subsection (d)(9)) thereof.''.

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

SEC. 103. LIMITATION ON DEDUCTION FOR INTANGIBLE DRILLING AND DEVELOPMENT COSTS; AMORTIZATION OF DISALLOWED AMOUNTS.

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

''(c) INTANGIBLE DRILLING AND DEVELOPMENT COSTS IN THE CASE OF OIL AND GAS WELLS AND GEOTHERMAL WELLS.—

''(1) IN GENERAL.—Notwithstanding subsection (a), and except as provided in subsection (i), regulations shall be prescribed by the Secretary under this subtitle corresponding to the regulations which granted the option to deduct as expenses intangible drilling and development costs in the case of oil and gas wells and which were recognized and approved by the Congress in House Concurrent Resolution 50, Seventy-ninth Congress. Such regulations shall also grant the option to deduct as expenses intangible drilling and development costs in the case of wells drilled for any geothermal deposit (as defined in section 613(e)(2)) to the same extent and in the same manner as such expenses are deductible in the case of oil and gas wells. This subsection shall not apply with respect to any costs to which any deduction is allowed under section 59(e) or 291.

''(2) EXCLUSION.—

''(A) IN GENERAL.—This subsection shall not apply to amounts paid or incurred by a taxpayer in any taxable year in which such taxpayer is a major integrated oil company (within the meaning of section 167(h)(5)).

''(B) AMORTIZATION OF AMOUNTS NOT ALLOWABLE AS DEDUCTIONS UNDER SUBPARAGRAPH (A).—The amount not allowable as a deduction for any taxable year by reason of subparagraph (A) shall be allowable as a deduction ratably over the 60-month period beginning with the month in which the costs are paid or incurred. For purposes of section 1254, any deduction under this subparagraph shall be treated as a deduction under this subsection.''.

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

SEC. 104. LIMITATION ON PERCENTAGE DEPLETION ALLOWANCE FOR OIL AND GAS WELLS.

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

''(f) APPLICATION WITH RESPECT TO MAJOR INTEGRATED OIL COMPANIES.—In the case of any taxable year in which the taxpayer is a major integrated oil company (within the meaning of section 167(h)(5)), the allowance for percentage depletion shall be zero.''.

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

SEC. 105. LIMITATION ON DEDUCTION FOR TERTIARY INJECTANTS.

(a) IN GENERAL.—Section 193 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(d) APPLICATION WITH RESPECT TO MAJOR INTEGRATED OIL COMPANIES.—

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

''(2) AMORTIZATION OF AMOUNTS NOT ALLOWABLE AS DEDUCTIONS UNDER PARAGRAPH (1).—The amount not allowable as a deduction for any taxable year by reason of paragraph (1) shall be allowable as a deduction ratably over the 60-month period beginning with the month in which the costs are paid or incurred.''.

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

SEC. 106. MODIFICATION OF DEFINITION OF MAJOR INTEGRATED OIL COMPANY.

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

''(C) CERTAIN SUCCESSORS IN INTEREST.—For purposes of this paragraph, the term 'major integrated oil company' includes any successor in interest of a company that was described in subparagraph (B) in any taxable year, if such successor controls more than 50 percent of the crude oil production or natural gas production of such company.''.

(b) CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Subparagraph (B) of section 167(h)(5) of the Internal Revenue Code of 1986 is amended by inserting ''except as provided in subparagraph (C),'' after ''For purposes of this paragraph,''.

(2) TAXABLE YEARS TESTED.—Clause (iii) of section 167(h)(5)(B) of such Code is amended—

(A) by striking ''does not apply by reason of paragraph (4) of section 613A(d)'' and inserting ''did not apply by reason of paragraph (4) of section 613A(d) for any taxable year after 2004'', and

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

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

Subtitle B—Outer Continental Shelf Oil and Natural Gas

SEC. 111. REPEAL OF OUTER CONTINENTAL SHELF DEEP WATER AND DEEP GAS ROYALTY RELIEF.

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

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

TITLE II—INFRASTRUCTURE FUNDING

SEC. 201. INFRASTRUCTURE FUNDING.

(a) IN GENERAL.—

(1) TRANSFERS.—Not later than 90 days after the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer an amount equal to the net amount of any savings realized as a result of the enactment of this Act and the amendments made by this Act (after any expenditures authorized by this Act and the amendments made by this Act)—

(A) in accordance with subsections (b) and (c); and

(B) in the case of any additional savings after the application of such subsections, into the Highway Trust Fund in the following manner:

(i) 75 percent of such additional savings shall be transferred into the Highway Trust Fund (other than the Mass Transit Account).

(ii) 25 percent of such additional savings shall be transferred into the Mass Transit Account.

(2) CONFORMING AMENDMENT TO THE INTERNAL REVENUE CODE.—Subsection (f) of section 9503 of the Internal Revenue Code of 1986 is amended by redesignating paragraph (7) as paragraph (8) and by inserting after paragraph (6) the following new paragraph:

''(7) 2015 INCREASE.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated to the Highway Account (as defined in subsection (e)(5)(B)) and the Mass Transit Account in the Highway Trust Fund amounts equal to the amounts determined under section 201(a)(1)(B) of the Rebuilding America's Infrastructure Act of 2015.''.

(b) WATER INFRASTRUCTURE INNOVATIVE FINANCING PILOT PROJECTS.—Out of any funds of the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of the Army and the Administrator of the Environmental Protection Agency jointly, $2,000,000,000 to carry out the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) through 2019.

(c) TIGER DISCRETIONARY GRANTS.—

(1) DEFINITION OF TIGER DISCRETIONARY GRANT.—In this section, the term ''TIGER discretionary grant'' means a grant awarded and administered by the Secretary of Transportation using funds made available for—

(A) supplemental discretionary grants for a national surface transportation system under title XII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 203);

(B) the national infrastructure investments discretionary grant program under title I of division A of the Consolidated Appropriations Act, 2010 (Public Law 111–17; 123 Stat. 3035);

(C) national infrastructure investments under section 2202 of division B of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112–10; 125 Stat. 191);

(D) national infrastructure investments under title I of division C of the Consolidated and Further Continuing Appropriations Act, 2012 (Public Law 112–55; 125 Stat. 641);

(E) national infrastructure investments under title VIII of division F of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113–6; 127 Stat. 432);

(F) national infrastructure investments under title I of division L of the Consolidated Appropriations Act, 2014 (Public Law 113–76; 128 Stat. 574); or

(G) national infrastructure investments under title I of division K of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235).

(2) APPROPRIATION.—Out of any funds of the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Transportation, $2,000,000,000 to provide TIGER discretionary grants for fiscal year 2016.

(d) MAINTENANCE OF FUNDING.—The funding provided under this section shall supplement (and not supplant) other Federal funding for the programs and accounts funded under this section.

SEC. 202. BUDGETARY EFFECTS.

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

TITLE III—STATE REVOLVING FUNDS

SEC. 301. STATE WATER POLLUTION CONTROL REVOLVING FUNDS.

Out of any funds of the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator of the Environmental Protection Agency, $1,500,000,000 for State water pollution control revolving funds established in accordance with title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.).

SEC. 302. STATE DRINKING WATER TREATMENT REVOLVING LOAN FUNDS.

Out of any funds of the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator of the Environmental Protection Agency, $1,000,000,000 for State drinking water treatment revolving loan funds established in accordance with section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

TITLE IV—MISCELLANEOUS

SEC. 401. ENFORCEMENT OF DISCRETIONARY SPENDING LIMITS.

The Office of Management and Budget shall not include amounts made available under subsections (b) or (c) of section 201 or title III during a fiscal year in determining whether there has been a breach of the discretionary spending limits under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) during the fiscal year.

SA 94. (Ms. HEITKAMP (for herself, Mr. DONNELLY, Mr. CASEY, Mr. CARPER, Mr. MANCHIN, and Mr. COONS) submitted an amendment to be proposed by her to the bill S. 1, supra; which was ordered to lie on the table, as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF SENATE REGARDING RENEWABLE ENERGY AND CARBON CAPTURE RESEARCH.

(a) FINDINGS.—The Senate finds that—

(1) the energy policy of the United States is based on an all-of-the-above approach to production sources;

(2) an all-of-the-above approach reduces dependence on foreign oil, increases national security, and creates jobs;

(3) smart research investments are critical to increase the energy independence of the United States, combat climate change, reduce emissions, and create jobs;

(4) Department of Energy funding for research and development for renewable energy is not currently adequate; and

(5) research regarding carbon capture use and sequestration has decreased almost 30 percent since fiscal year 2012.

(b) SENSE OF SENATE.—It is the sense of the Senate that research and development and loan and grant program funding for renewable energy and carbon capture systems should be increased in order to reduce United States emissions, combat climate change, provide energy security, and maintain energy diversity.

SA 95. Ms. HEITKAMP (for herself, Mr. DONNELLY, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table, as follows:

At the appropriate place, insert the following:

SEC. 3. 5-YEAR EXTENSION OF CREDITS WITH RESPECT TO FACILITIES PRODUCING ENERGY FROM CERTAIN RENEWABLE RESOURCES.

(a) IN GENERAL.—The following provisions of section 45(d) of the Internal Revenue Code

of 1986 are each amended by striking ''January 1, 2015'' each place it appears and inserting ''January 1, 2020'':

(1) Paragraph (1).
(2) Paragraph (2)(A).
(3) Paragraph (3)(A).
(4) Paragraph (4)(B).
(5) Paragraph (6).
(6) Paragraph (7).
(7) Paragraph (9).
(8) Paragraph (11)(B).

(b) EXTENSION OF ELECTION TO TREAT QUALIFIED FACILITIES AS ENERGY PROPERTY.—Clause (ii) of section 48(a)(5)(C) is amended by striking ''January 1, 2015'' and inserting ''January 1, 2020''.

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

SA 96. Ms. HEITKAMP submitted an amendment to be proposed by her to the bill S.1, supra; which was ordered to lie on the table, as follows:

At the appropriate place, insert the following:

SEC. ___. STUDY ON RESOURCES REQUIRED TO ENSURE SAFE TRANSPORTATION BY PIPELINE AND RAIL OF PETROLEUM PRODUCTS.

(a) STUDY REQUIRED.—

(1) IN GENERAL.—The Secretary of Transportation and the Administrator of Pipeline and Hazardous Materials Safety Administration (PHMSA) shall conduct a study on the resources necessary to ensure the safe transportation of crude oil, petroleum products, natural gas, natural gas liquids, and related products, including by rail and pipeline. The study shall focus on the following priorities:

(A) Ensuring the safe transportation of crude oil, petroleum products, natural gas, natural gas liquids, and related products by rail and pipeline.

(B) Ensuring PHMSA has the necessary personnel and other resources, including access to new and emerging technologies, to properly monitor and regulate the transportation of crude oil, petroleum products, natural gas, natural gas liquids, and related products by rail and pipeline.

(2) SCOPE.—The study required under this subsection shall include the following elements:

(A) An examination of the current and projected resources and personnel at the Department of Transportation and PHMSA that are or will be dedicated to regulating, monitoring, and ensuring the overall safe transportation of crude oil, petroleum products, natural gas, natural gas liquids, and related products by rail and pipeline.

(B) A determination of the appropriate manpower personnel, resources, and funding requirements for all Department and Administration elements that do or are expected to play a significant role in regulating, monitoring, and ensuring the overall safe transportation of crude oil, petroleum products, natural gas, natural gas liquids, and related products by rail and pipeline.

(C) An assessment and description of the personnel, resources, and funding needs for each State, and a description of the State, local, and tribal resources and personnel that are dedicated to performing the tasks described in subparagraph (B).

(D) The development and use of technology for each of the Department and Administration elements involved in regulating, monitoring, or otherwise ensuring the overall safe transportation of crude oil, petroleum products, natural gas, natural gas liquids, and related products by rail and pipeline, including whether the elements need additional technological assets and how best to acquire needed additional technological assets.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 2 years thereafter, the Secretary of Transportation and the PHMSA Administrator, in conjunction with the heads of other Federal agencies, as appropriate, shall submit to the appropriate congressional committees a report on the study conducted under subsection (a).

(2) CONTENT.—The report required under paragraph (1) shall include the following elements:

(A) The findings of the study conducted under subsection (a).

(B) Input from other Federal agencies that have any significant role in the safe transportation of crude oil, petroleum products, natural gas, natural gas liquids, and related products by rail and pipeline.

(C) A description of any impending changes to regulations or policy that may have an effect on personnel, resources, or funding or that would otherwise impact the ability of the Department and the Administration to meet the basic standards necessary to properly monitor and regulate the transportation of crude oil, petroleum products, natural gas, natural gas liquids, and related products by rail and pipeline.

(D) Recommendations for enhancing safety for the transport of crude oil, petroleum products, natural gas, natural gas liquids, and related products by rail and pipeline, and what resources, personnel, and funding would be required to implement such recommendations.

(E) An explanation of why the Department or the Administration is not already implementing any of such recommendations.

(F) Recommendations for additional legislation necessary to implement recommendations contained in the report.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Commerce, Science, and Transportation, the Committee on Homeland Security and Governmental Affairs, the Committee on Energy and Natural Resources, the Committee on Finance, and the Committee on Appropriations of the Senate; and

(2) the Committee on Energy and Commerce, the Committee on Natural Resources, the Committee on Homeland Security, the Committee on Ways and Means, and the Committee on Appropriations of the House of Representatives.

SEC. ___. RAILROAD AND PIPELINE EMERGENCY SERVICES PREPAREDNESS, OPERATIONAL NEEDS, AND SAFETY EVALUATION SUBCOMMITTEE.

Section 508 of the Homeland Security Act of 2002 (6 U.S.C. 318) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

''(d) RAILROAD AND PIPELINE EMERGENCY SERVICES PREPAREDNESS, OPERATIONAL NEEDS, AND SAFETY EVALUATION SUBCOMMITTEE.—

''(1) ESTABLISHMENT.—Not later than 30 days after the date of the enactment of the Keystone XL Pipeline Approval Act, the Administrator shall establish, as a subcommittee of the National Advisory Council, the Railroad and Pipeline Emergency Services Preparedness, Operational Needs, and Safety Evaluation Subcommittee (referred to in this subsection as the 'Subcommittee').

''(2) MEMBERSHIP.—Notwithstanding subsection (c), the Subcommittee shall be composed of the following:

''(A) The Deputy Administrator for Protection and National Preparedness of the Federal Emergency Management Agency, or designee.

''(B) The Director of the Office of Emergency Communications of the Department of Homeland Security, or designee.

''(C) The Director for the Office of Railroad, Pipeline and Hazardous Materials Investigations of the National Transportation Safety Board, or designee, only in an advisory capacity.

''(D) The Associate Administrator for Railroad Safety of the Federal Railroad Administration, or designee.

''(E) The Assistant Administrator for Security Policy and Industry Engagement of the Transportation Security Administration, or designee.

''(F) The Assistant Commandant for Response Policy of the Coast Guard, or designee.

''(G) The Assistant Administrator for the Office of Solid Waste and Emergency Response of the Environmental Protection Agency, or designee.

''(H) The Associate Administrator for Hazardous Materials Safety of the Pipeline and Hazardous Materials Safety Administration, or designee.

''(I) The Chief Safety Officer and Assistant Administrator of the Federal Motor Carrier Safety Administration, or designee.

''(J) The Director of the Office of Energy Infrastructure Security of the Federal Energy Regulatory Commission, or designee.

''(K) Such other qualified individuals as the Administrator shall appoint as soon as practicable after the date of the enactment of the Keystone XL Pipeline Approval Act from among the following:

''(i) Members of the National Advisory Council that have the requisite technical knowledge and expertise to address rail and pipeline emergency response issues, including members from the following disciplines:

''(I) Emergency management and emergency response providers, including fire service, law enforcement, hazardous materials response, and emergency medical services.

''(II) State, local, and tribal government officials with expertise in preparedness, protection, response, recovery, and mitigation, including Adjutants General.

''(III) Elected State, local, and tribal government executives.

''(IV) Such other individuals as the Administrator determines to be appropriate.

''(ii) Individuals who have the requisite technical knowledge and expertise to serve on the Subcommittee, including representatives of—

''(I) the rail industry;

''(II) the pipeline industry;

''(III) the oil industry;

''(IV) the communications industry;

''(V) emergency response providers, including individuals nominated by national organizations representing local governments and personnel;

''(VI) representatives from national Indian organizations;

''(VII) technical experts; and

''(VIII) vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for emergency responder services.

''(iii) Representatives of such other stakeholders and interested and affected parties as the Administrator considers appropriate.

''(3) CHAIRPERSON.—The Deputy Administrator for Protection and National Preparedness shall serve as the Chairperson of the Subcommittee, or designee.

''(4) MEETINGS.—

''(A) INITIAL MEETING.—The initial meeting of the Subcommittee shall take place not later than 90 days after the date of the enactment of the Keystone XL Pipeline Approval Act.

''(B) OTHER MEETINGS.—After the initial meeting, the Subcommittee shall meet at least twice annually, with at least 1 meeting conducted in person during the first year, at the call of the Chairperson.

''(5) CONSULTATION WITH NONMEMBERS.—The Subcommittee and the program offices for emergency responder training and resources shall consult with other relevant agencies and groups, including entities engaged in Federally funded research and academic institutions engaged in relevant work and research, which are not represented on the Subcommittee to consider new and developing technologies and methods that may be beneficial to preparedness and response to rail and pipeline incidents.

''(6) RECOMMENDATIONS.—The Subcommittee shall develop recommendations, for improving emergency responder training and resource allocation, including the following:

''(A) Quality and application of training for local emergency first responders related to rail and pipeline hazardous materials incidents, with a particular focus on local emergency responders and small communities near railroads and pipelines, including the following:

''(i) Ease of access to relevant training for local emergency first responders, including an analysis of—

''(I) the number of individuals being trained;

''(II) the number of individuals who are applying;

''(III) whether current demand is being met;

''(IV) current challenges; and

''(V) projected needs.

''(ii) Modernization of course content related to rail and pipeline hazardous materials incidents, with a particular focus on response to the exponential rise in oil shipments by rail.

''(iii) Training content across agencies and the private sector to provide complementary opportunities for rail and pipeline hazardous materials incidents courses and materials to avoid overlap, including the following:

''(I) Overlap of course content among agencies.

''(II) The need for integrated course content through public-private partnerships.

''(III) Regular and ongoing evaluation of course opportunities, adaptation to emerging trends, agency and private sector outreach, effectiveness and ease of access for local emergency responders.

''(iv) Online training platforms, train-the-trainer and mobile training options.

''(B) Effectiveness of funding levels related to training local emergency responders for rail and pipeline hazardous materials incidents, with a particular focus on local emergency responders and small communities, including the following:

''(i) Minimizing overlap in resource allocation among agencies.

''(ii) Minimizing overlap in resource allocation among agencies and private sector.

''(iii) Maximizing public-private partnerships where funding gaps exists for specific training or cost-saving measures can be implemented to increase training opportunities.

''(iv) Adaptation of priority settings for agency funding allocations in response to emerging trends.

''(v) Historic levels of funding across agencies and private sector for rail and pipeline hazardous materials incidents.

''(vi) Current funding resources across agencies for rail and pipeline hazardous materials incidents.

''(C) Strategy for integration of commodity flow studies, mapping, and access platforms for local emergency responders and how to increase the rate of access to the individual responder in existing or emerging communications technology.

''(D) The need for emergency response plans for rail, similar to existing law related to maritime and stationary facility emergency response plans for hazardous materials, including the following:

''(i) The requirements of such emergency plans on each train and the format and availability of such emergency plans to emergency responders in communities through which the materials travel.

''(ii) How the industry would implement such plans.

''(iii) The thresholds that require emergency plans for each train related to hazardous materials in its cargo.

''(iv) Gaps in existing regulations across agencies.

''(E) The need for a rail and pipeline hazardous materials incident database, including the following:

''(i) An assessment of the appropriate entity to host the database.

''(ii) A definition of 'rail hazardous materials incident' and 'pipeline hazardous materials incident' that would constitute the level of reporting from the industry.

''(iii) The projected cost of such a database and how that database would be maintained and enforced.

''(F) Increasing access to relevant, useful, and timely information for the local emergency responder for training purposes and in the event of a rail or pipeline hazardous materials incident, including the following:

''(i) Existing information that the emergency responder can access, what the current rate of access and usefulness is for the emergency responder, and what current information should remain and what should be reassessed.

''(ii) Utilization of existing technology in the hands of the first responder to maximize delivery of useful and timely information for training purposes or in the event of an incident.

''(iii) Assessment of emerging communications technology that could assist the emergency responder in the event of an incident.

''(G) Determination of the most appropriate agencies and offices for the implementation of the recommendations, including—

''(i) recommendations that can be implemented without congressional action and appropriate time frames for such actions; and

''(ii) recommendations that would require congressional action.

''(7) REPORT.—

''(A) IN GENERAL.—Not later than 1 year after the date of the enactment of the Keystone XL Pipeline Approval Act, the Subcommittee shall submit a report containing the recommendations developed under paragraph (6) to the National Advisory Council.

''(B) REVIEW.—The National Advisory Council shall take up the Subcommittee's report within 30 days for review and deliberation. The National Advisory Council may ask for additional clarification, changes, or other information from the Subcommittee to assist in the approval of the recommendations.

''(C) RECOMMENDATION.—Once the National Advisory Council approves the recommendations from the Subcommittee, the National Advisory Council shall submit the report to—

''(i) the Administrator;

''(ii) the head of each agency represented on the Subcommittee;

''(iii) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(iv) the Committee on Homeland Security of the House of Representatives;

''(v) the Committee on Transportation and Infrastructure of the House of Representatives; and

''(vi) the Committees on Appropriations of the Senate and the House of Representatives.

''(8) INTERIM ACTIVITY.—

''(A) UPDATES AND OVERSIGHT.—After the submission of the report by the National Advisory Council under paragraph (7), the Administrator shall—

''(i) provide quarterly updates to the congressional committees referred to in paragraph (7) regarding the status of the implementation of the recommendations developed under paragraph (6); and

''(ii) coordinate the implementation of the recommendations described in paragraph (6)(G)(i).

''(B) ADDITIONAL REPORTS.—After submitting the report required under paragraph (7), the Subcommittee shall submit additional reports and recommendations in the same manner and to the same entities identified in paragraph (7) if needed or requested from Congress or from the Administrator.

''(9) TERMINATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Subcommittee shall terminate not later than 4 years after the date of the enactment of the Keystone XL Pipeline Approval Act.

''(B) EXTENSION.—The Administrator may extend the duration of the Subcommittee, in 1-year increments, if the Administrator determines that additional reports and recommendations are needed from the Subcommittee after the termination date set forth in subparagraph (A).''.

SA 97. Ms. HEITKAMP submitted an amendment to be proposed by her to the bill S.1, supra; which was ordered to lie on the table, as follows:

At the appropriate place, insert the following:

SEC. _. INDIAN ENERGY OFFICE.

Section 2602(a) of the Energy Policy Act of 1992 (25 U.S.C. 3502(a)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

''(3) INDIAN ENERGY REGULATORY OFFICE.—

''(A) ESTABLISHMENT.—To assist the Secretary in carrying out the Program, the Secretary shall establish within the office of the Deputy Secretary an Indian Energy Regulatory Office (referred to in this paragraph as the 'Office'), to be located in Denver, Colorado.

''(B) EXISTING RESOURCES.—The Office shall use the existing resources of the Division of Energy and Mineral Development of the Office of Indian Energy and Economic Development.

''(C) DIRECTOR.—The Office shall be led by a Director who shall—

''(i) be compensated at a rate equal to that of level IV of the Executive Schedule under section 5315 of title 5, United States Code; and

''(ii) report directly to the Deputy Secretary.

''(D) FUNCTIONS.—The Office shall serve as a new Regional Office within the Bureau of Indian Affairs, which an energy-producing Indian tribe may select to replace the existing Regional Office of the Indian tribe—

''(i) notwithstanding any other law, to oversee, coordinate, process and approve all Federal leases, easements, rights-of-way, permits, policies, environmental reviews, and any other authorities related to energy development on Indian land;

''(ii)(I) to support review and evaluation by Agency Offices of the Bureau of Indian Affairs and Indian tribes of—

''(aa) energy proposals, permits, mineral leases, and rights-of-way; and

''(bb) Mineral Agreements entered into under section 3 of the Indian Mineral Development Act of 1982 (25 U.S.C. 2102) for final approval; and

''(II) to conduct environmental reviews and surface monitoring for the activities described in items (aa) and (bb) of subclause (I);

''(iii) to review and prepare Applications for Permits to Drill, communitization agreements, and well spacing proposals for approval;

''(iv) to provide production monitoring, inspection, and enforcement;

''(v) to oversee drainage issues;

''(vi) to provide energy-related technical assistance and financial management training to Agency Offices of the Bureau of Indian Affairs and Indian tribes;

''(vii) to develop best practices in the area of Indian energy development, including standardizing energy development processes, procedures, and forms among Agency and Regional Offices of the Bureau of Indian Affairs;

''(viii) to minimize delays and obstacles to Indian energy development; and

''(ix) to provide technical assistance to Indian tribes in the areas of energy-related engineering, environmental analysis, management, and oversight of energy development, assessment of energy development resources, proposals and financing, and development of conventional and renewable energy resources.

''(E) RELATIONSHIP TO BUREAU OF INDIAN AFFAIRS REGIONAL AND AGENCY OFFICES.—

''(i) IN GENERAL.—The Office shall have the authority to review and approve all energy-related matters for Indian tribes that select to use the Office under subparagraph (D), without subsequent or duplicative review and approval by other Agency or Regional Offices of the Bureau of Indian Affairs or other agencies of the Department of the Interior.

''(ii) NON-ENERGY RELATED MATTERS.—Nothing in this paragraph affects the authority or duty of Regional Offices of the Bureau of Indian Affairs to oversee, support, and provide approvals for non-energy related matters.

''(iii) REGIONAL AND LOCAL SERVICES.—Nothing in this paragraph affects the authority or duty of Agency Offices of the Bureau of Indian Affairs and State and Field Offices of the Bureau of Land Management to provide regional and local services related to Indian energy development, including local realty functions, on-site evaluations and inspections, direct services as requested by Indian tribes and individual Indians, and any other local functions related to energy development on Indian land.

''(iv) TECHNICAL ASSISTANCE.—The Office shall provide technical assistance and support to the Bureau of Indian Affairs and the Bureau of Land Management in all areas related to energy development on Indian land.

''(F) DESIGNATION OF INTERIOR STAFF.—

''(i) IN GENERAL.—The Secretary shall designate and transfer to the Office existing staff and resources from—

''(I) the Division of Energy and Mineral Development of the Office of Indian Energy and Economic Development and other applicable offices of the Bureau of Indian Affairs;

''(II) the Bureau of Land Management;

''(III) the Office of Valuation Services;

''(IV) the Office of Natural Resources Revenue;

''(V) the United States Fish and Wildlife Service;

''(VI) the Office of Special Trustee;

''(VII) the Office of the Solicitor;

''(VIII) the Office of Surface Mining, including mining engineering and minerals realty specialists; and

''(IX) any other agency or office of the Department of the Interior involved in energy development on Indian land.

''(ii) FUNCTIONS.—Staff and resources transferred under clause (i) shall provide for—

''(I) review, processing, and approval of permits and regulatory matters under—

''(aa) the Act of February 5, 1948 (commonly known as the 'Indian Right-of-Way Act') (25 U.S.C. 323 et seq.);

''(bb) the Act of May 11, 1938 (commonly known as the 'Indian Mineral Leasing Act of 1938') (25 U.S.C. 396a et seq.);

''(cc) the first section of the Act of August 9, 1955 (25 U.S.C. 415);

''(dd) the Indian Mineral Development Act of 1982 (25 U.S.C. 2101 et seq.);

''(ee) this title;

''(ff) the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.);

''(gg) part 162 of title 25, Code of Federal Regulations (relating to leases and permits) (or successor regulations); and

''(hh) part 169 of title 25, Code of Federal Regulations (relating to rights-of-way over Indian lands) (or successor regulations); and

''(II) consultations and preparation of biological opinions under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536);

''(III) preparation of environmental impact statements or similar analyses required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

''(IV) technical assistance and training for various forms of energy development on Indian land.

''(G) MANAGEMENT OF INDIAN LAND.—The Director shall ensure that—

''(i) all environmental reviews and permitting decisions—

''(I) comply with the unique legal relationship between the United States and Indian tribal governments (as set forth in the Constitution of the United States, treaties, statutes, Executive orders, and court decisions); and

''(II) are exercised in a manner that promotes tribal authority over Indian land, consistent with the policy of the Federal Government supporting Indian self-determination; and

''(ii) Indian land shall not be—

''(I) considered to be Federal public land or part of the public domain; or

''(II) be managed in accordance with Federal public land laws and policies.

''(H) INDIAN SELF-DETERMINATION.—Programs and services operated by the Office shall be provided pursuant to contracts and grants awarded under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

''(I) TRANSFER OF FUNDS.—

''(i) IN GENERAL.—To fund the Office for a period not to exceed 2 years, the Secretary shall transfer such funds as are necessary from the annual budgets of—

''(I) the Bureau of Indian Affairs;

''(II) the United States Fish and Wildlife Service;

''(III) the Bureau Land Management;

''(IV) the Office of Surface Mining;

''(V) the Office of Natural Resources Revenue; and

''(VI) the Office of Mineral Valuation.

''(ii) BASE BUDGET.—At the end of the period described in clause (i), the combined total of the funds transferred under that clause shall serve as the base budget for the Office.

''(J) APPROPRIATIONS OFFSET.—All fees generated from Applications for Permits to Drill, inspection, nonproducing acreage, or any other fees related to energy development on Indian land—

''(i) shall, beginning on the date the Office is opened, be transferred to the budget of the Office; and

''(ii) may be used to advance or fulfill any of the stated duties and purposes of the Office.

''(K) REPORT.—The Office shall—

''(i) keep detailed records documenting the activities of the Office; and

''(ii) annually submit to Congress a report detailing—

''(I) the number and type of Federal approvals granted;

''(II) the time taken to process each type of application;

''(III) the need for additional similar offices to be located in other regions; and

''(IV) proposed changes in existing law to facilitate the development of energy resources on Indian land and improve oversight of energy development on Indian land.

''(L) COORDINATION WITH ADDITIONAL FEDERAL AGENCIES.—Not later than 1 year after establishing the Office, the Secretary shall enter into a memorandum of understanding to coordinate and streamline energy-related permits with—

''(i) the Administrator of the Environmental Protection Agency;

''(ii) the Assistant Secretary of the Army for Civil Works; and

''(iii) the Secretary of Agriculture.''.

SA 98. Ms. MURKOWSKI submitted an amendment to be proposed by her to the bill S.1, supra; which was ordered to lie on the table, as follows:

At the appropriate place, insert the following:

SEC. _____. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) President Obama has committed $3,000,000,000 from the United States to the Green Climate Fund of the United Nations Framework Convention on Climate Change;

(2) any payments the United States ultimately makes to the Green Climate Fund will be redistributed to finance adaptation and mitigation efforts in developing countries that are parties to the Convention;

(3) none of the eligible developing country parties to the Convention is an Arctic nation;

(4) the residents of the Arctic, many of whom represent vibrant indigenous and traditional cultures, too often face social and economic challenges that rival those in developing countries;

(5) despite the fact that the United States is an Arctic nation, President Obama has made no similar effort to provide financial assistance to the residents of the United States Arctic region, even though many of those communities have opportunities for adaptation projects;

(6) similar opportunities for adaptation projects exist across rural communities in the United States;

(7) the United States should prioritize adaptation projects in the United States Arctic region and rural communities before allocating any taxpayer dollars to the Green Climate Fund; and

(8) to the extent that Congress appropriates any taxpayer dollars for adaptation, those funds should first be applied to known and anticipated adaptation needs of communities within the United States.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on January 21, 2015, at 9:30 a.m.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on January 21, 2015, at 2:30 p.m. in room SR–253 of the Russell Senate Office Building to conduct a hearing entitled, ''Protecting the Internet and Consumers through Congressional Action.''

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on January 21, 2015, at 10:30 a.m. in room SD–406 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on January 21, 2015, at 9:30 a.m., to conduct a hearing entitled ''Iran Nuclear Negotiations: Status of Talks and the Role of Congress.''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on January 21, 2015, at 9:30 a.m., in room SD–430 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Fixing No Child Left Behind: Testing and Accountability.''

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

COMMITTEE ON THE JUDICIARY

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on January 21, 2015, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

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

COMMITTEE ON VETERANS' AFFAIRS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on January 21, 2015, at 10 a.m., in room SR–418 of the Russell Senate Office Building.

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

ORDERS FOR THURSDAY, JANUARY 22, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, January 22; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; I further ask that the Senate then be in a period of morning business for up to 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the Democrats controlling the first half and the Republicans controlling the final half; and that following morning business, the Senate then resume consideration of S. 1.

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

PROGRAM

Mr. MCCONNELL. We were able to process several amendments to the Keystone bill today, and there are now seven more in the queue and pending. Senators should expect votes related to amendments to this bill throughout the day tomorrow.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator WHITEHOUSE for up to 15 minutes.

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

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

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, this week marks a somewhat dark milestone, which is the 5-year anniversary of the Supreme Court's, in my view, reprehensible decision in Citizens United v. Federal Election Commission. This was some fete of activism by the conservative bloc of the Supreme Court. It overturned the laws of Congress, it overturned the will of the American people, and it gave wildly outside influence over our elections to corporations and big-money interests, creating what one newspaper in Kentucky called a ''tsunami of slime.''

Well, 5 years on and the evidence is in. The evidence is in our elections, where this dam burst of outside cash that has wiped out previous campaign spending records, and the evidence is in this Chamber, where we once had a thriving bipartisan conversation on climate change, and instead of that we have now been reduced to this Keystone XL Pipeline bill—a show of force from the fossil fuel industry and virtual silence from the other side of the aisle on climate change.

I will say that today marked an unusually bright spot in that darkness when 98 out of 99 Senators voting voted that climate change was real and not a hoax and when we came so close to an amendment that stated that climate change was real and caused by human activity that the sponsor of the amendment had to vote against his own amendment in order to keep the number under 60 because there were enough votes at one stage in the vote count for that bill to have passed even the filibuster threshold. So that made it an interesting day today. But normally we are in blockade.

The purpose of the effort that we have been on has been to fast-track the Keystone XL Pipeline—a tar sands pipeline that may, at the present oil price, be an economic zombie, basically a dead pipeline walking.

Canadian authorities say that the tar sands can't be extracted profitably at under $85 a barrel. The report from the State Department said that the break price where they could take it out by train as an alternative to the pipeline was at $75 per barrel, and the price today is around $50 per barrel. So we really don't know whether this pipeline has an economic future. What we do know is that if it were to operate, it would pass enough tar sands through it to unleash additional carbon pollution equal to 6 million added cars on the road each year for 50 years.

If we take a look at this conversation here, other than the votes we forced today, the effect of Citizens United on our politics is pretty plain to see. Citizens United has not expanded debate in the Senate; it has crushed debate in the Senate. Why? Because since the Supreme Court's decision in Citizens United, the big fossil fuel polluters and their network of associated interests have become among the biggest spenders—relying heavily, by the way, on undisclosed, untraceable dark money.

According to the Center for American Progress, oil, gas, and coal companies and electric utilities alone reported spending more than $84 million on the 2014 elections. And that is just what they reported. The industry's undisclosed spending in that election through groups not required to disclose their donors or on so-called issue ads that don't need to be disclosed—the total is estimated to be in the hundreds of millions of dollars. Well, money talks, and in politics it talks plenty loud, and $100 million has a lot to say.