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Senate

The Senate met at 4:30 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, thank You for Your unfailing love. Purify our hearts, making us fit vessels for Your use.

Lord, You know the many challenges that confront this legislative body, so guide our Senators with Your wisdom. Encourage them to live worthy of Your Name. Remind them that ultimately they will be judged by their productivity, for Your Word declares, "By their fruits You will know them." Today let Your presence continue to be felt on Capitol Hill.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. ERNST). The majority leader is recognized.

KEYSTONE XL PIPELINE

Mr. McCONNELL. This weekend President Obama's Chief of Staff lamented that the Senate has taken several weeks to debate an infrastructure project, the Keystone jobs bill. I agree it is about time to bring the Keystone debate to a positive conclusion, and we will do that soon. We have had a lot of floor discussion. We have considered Democratic and Republican amend-

ments. All in all, the last few weeks have been time well spent. The debate has been good for our country. But tonight is our chance to notch another win for the middle class by supporting cloture and then actually passing this bipartisan jobs bill.

We have heard rumors that some in the Democratic leadership are pressuring rank-and-file Democrats—even Democrats who cosponsored this bill—to block Keystone's jobs with a filibuster instead. This is really disappointing when you consider all that our friends on the other side have been saying about the filibuster for so many years.

What is most disappointing, though, is the apparent reasoning for the Keystone filibuster. The Democratic leadership is claiming that there haven't been enough opportunities to consider amendments. Yet nine current Senate Democrats voted for the Keystone project just a few weeks ago without having the opportunity to offer or debate even a single amendment. Nine current Senate Democrats just a couple of months ago voted for the Keystone project without having the opportunity to offer or debate even a single amendment.

This time around, the new Republican majority allowed more amendment rollcall votes on just this one bill—this one bill—than the previous leadership allowed on every single bill from last year combined. Altogether, there were more rollcall votes on this bill than we got on amendments on the Senate floor all of last year combined.

I would also note that a majority of amendments we have taken rollcall votes on were also offered by the minority, by the Democrats. We also offered our friends on the other side an opportunity to consider more amendments just a few days ago. They objected to it at the time. Even so, it is still my hope that we will be able to consider more amendments from both sides of the aisle. Instead of filibuster-

tering this bill or blocking their own amendments, which we experienced the other night, I am asking my Democratic friends to work with the bill manager, Senator MURKOWSKI—who has done a fantastic job on this bill—to get amendments lined up.

Let's keep up the positive momentum generated by a more open legislative process that actually clearly has benefited both parties. A Keystone filibuster cannot succeed without the support of Democrats who voted for a Keystone bill just a few weeks ago without any amendments—any amendments—and who are cosponsoring the jobs bill today. I truly hope these Democrats won't vote to block Keystone jobs now just because a different party controls the Senate. The American people voted decisively against this type of partisan gridlock back in November. They want us to work together to get things done. Why don't we just continue to do that?

The debate over this bipartisan bill has already had so many positive effects on the Senate as an institution. It has shown Senators the benefits of a more open process, it has given a real voice to the minority, and it represents a decisive change from the broken Senate of recent years.

Here is how the assistant Democratic leader put it just a few days ago:

We are in a healthy environment on the floor of the Senate where we are pursuing amendments and active debate.

It is "great to see" this happening, he said. I couldn't agree more. That is exactly the way we ought to operate.

I would urge the Senate not to fall into the old partisan habits. Let's keep working together. Let's cooperate to get this important infrastructure project over the finish line and onto the President's desk.

I am calling on all of my colleagues—especially the cosponsors of this bipartisan bill, especially those who have supported Keystone without any amendments in the past—to vote for jobs and progress tonight, not the kind

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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of gridlock American voters rejected so emphatically.

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

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

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDING OFFICER. The assistant Democratic leader is recognized.

KEYSTONE PIPELINE

Mr. DURBIN. Madam President, in a short period of time, less than an hour, the Senate is going to vote on whether to end the debate on Senate bill 1.

Senate bill 1 is the Republican's No. 1 priority this year. They are new to the majority in the Senate, and they got to choose the first and most important bill to call, and they chose this bill, Senate bill 1.

This bill will override the President's authority when it comes to making a decision on building the Keystone Canadian pipeline—Canadian pipeline. You see, Keystone is a Canadian corporation, and the Republicans in the Senate decided the highest priority when it comes to America's economy is to help this Canadian corporation.

There will certainly be construction jobs involved in the construction of this pipeline, but there will only be 35 permanent jobs that come out of this. The No. 1 priority for the Senate Republican majority is 35 permanent jobs. Most McDonald's hamburger franchises have more than that number of jobs.

But, having said that, let's talk about where we are on the floor of the Senate at this moment. In their new role as majority party, the Republicans asked us to take up this legislation, and they said: We want to go to the point we have made over and over during the past several years—we should have an open amendment process.

I am here to tell you that we have cooperated. I was quoted—I am honored, flattered—by the majority leader on the floor as saying I think it is healthy. I have said that for a long time. What changed in the Senate is not just the new majority but the new minority. Our feeling on our side is we need to be constructive, offer amendments, offer different points of view, offer different approaches, debate them on the floor, accept the will of the Senate, and move forward on legislation. That is what we have tried to do on this Keystone XL bill, and we have really offered amendments on the Democratic side that we think get to the heart of this debate.

My Republican friends and Senators like to characterize this as the Keystone jobs bill.

We started off by saying: Here is an idea. Let's say that the Canadian tar sands brought in through this pipeline and refined in the United States—the ultimate products, the oil products that come out of this refinery, are going to be there for Americans first, that Americans can use the gasoline and diesel fuel and jet fuel. In other words, it is going to stay in America.

The Republicans said no. We have to be prepared, after we go through all of this and build this Canadian pipeline, that ultimately none of the products will be used in the United States.

Then we said: OK, if we can't use the ultimate products coming out of this pipeline to help the American economy, then let's at least agree that we will build this Canadian pipeline in the United States with American-made steel. Let's put our steelworkers and foundries to work fabricating the steel to build the pipelines so we will create good-paying American jobs supplying the materials.

The Republicans voted no.

Then we said: Well, at the end of the day, these refineries, after they have processed Canadian tar sands, end up with a miserable byproduct called petcoke. It has some positive applications, but sadly, in many instances it is piled up stories high—even in the city of Chicago, within our city limits—and blows all over the neighborhood and into the lungs of children and elderly people. So let's at least have standards for the storage and handling of this byproduct that is going to come out of this Canadian pipeline.

The Republicans voted no.

Then we had a vote on whether we should be concerned with the environment. Using Canadian tar sands to make oil products puts more greenhouse gases in the air, more carbon dioxide, and should we be mindful of this.

If you read the votes that took place last week, it is unclear, uncertain as to where the Republicans stand on this issue. In fact, one Senator from North Dakota offered what I thought was a good amendment acknowledging this issue and then at the very end voted against his own amendment, which is rare in the Senate annals, but it shows you how conflicted many Republican Members were on the basic environmental issues.

Now let's get to the procedure and where we stand. Last Thursday night was troubling. After the constructive consideration of over a dozen different amendments on both sides of the aisle, the Republican majority leader said: Now bring out the next group of amendments. And we did. The Democrats cooperated. We produced six amendments we wanted up next, and the Republicans produced six amendments they wanted up next. An hour later, within an hour after producing the list, the Senate majority leader came to floor and said: That is it; we are not going to get this done as I wanted to get it done. We are going to start tabling the Democratic amendments, one after the other.

So the Members who offered the amendments, who had worked on the amendments stood at their desks as each amendment came up and said: I would like 60 seconds to just explain the amendment I wrote that we are about to vote on. Each and every time, the Republicans objected to 60 seconds of debate.

This is considered the world's greatest deliberative body. Yet the sponsors, the authors of the amendments were denied 60 seconds to even explain their amendments. It didn't leave a very good taste in the mouths of many Democrats—not even those who were supporting this Keystone Canadian Pipeline. Many of them think this is unfair.

If we are going to have a good-faith, bipartisan environment to consider amendments, let's go back and forth—Democrat, Republican—and let's consider the major issues before us. There are still major unresolved issues, health and safety issues, with pending amendments.

I approached the majority leader as he was leaving the floor and I said: Even if we do not invoke cloture this evening, let's work together on a bipartisan basis. Let's come up with these lists of amendments. Let's do this in a conscientious, good-faith effort to complete this bill.

I think we can achieve it. My hat is off to Senator LISA MURKOWSKI, Republican Senator, who has come to the floor, leading this effort on the floor with the debate, but I have a special place in my heart for the Democratic side, where two other Senators have been outstanding in bringing us to this point on the issue. Senator MARIA CANTWELL from Washington is leading our effort on the Democratic side in full partnership with Senator BARBARA BOXER of California, and many others.

As was suggested by a Senator last week, it is time for the boys to get off the stage and let the ladies come back in and consider these amendments and bring us to the right conclusion of thoughtful debate, important issues considered, and a vote in the U.S. Senate on this legislation.

REMEMBERING ERNIE BANKS

Mr. DURBIN. Madam President, last week America lost a hero and Chicago lost one of its greatest. Cubs Hall of Famer Ernie Banks passed away Friday night.

He was known as Mr. Cub. His love for the game of baseball was matched only by his passion for the city of Chicago.

He was a Hall of Famer in every sense of the word. He won the hearts of not just Cubs fans but baseball fans across the Nation with his power hitting and Golden Glove performances, and he endeared himself to everyone he ever met with his humble approach to the game of baseball and the game of life.