

hard-working men and women at the Department of Homeland Security in law enforcement who are protecting our borders, our airports, and our coastlines. It is not about trying to score political points by conflating national security and immigration reform, which will only make it harder to address security issues at home and almost impossible to move forward on comprehensive immigration reform.

Let's look at what my Republican colleagues are so opposed to. They are opposed to new DHS directives that include a rigorous application process that will ironically help eliminate national security threats. They seem to be opposed to the fact that applicants will have to come forward and register with the government. They will have to pass criminal background checks before they can receive a temporary reprieve from deportation and a work permit. No violent criminals, gang members, or terrorists will be able to take advantage of the program. They seem to be opposed to allowing immigrants who are not a public safety or national security threat to come forward and request deferred action, meaning there will be fewer people living in the shadows, beyond the reach of law enforcement.

These directives identify moms and dads who have a U.S. citizen or a legal permanent resident son or daughter and take them out of the deportation queue. They also take DREAMers out of the deportation queue.

The House amendment to the Department of Homeland Security funding bill would effectively end the new Deferred Action for Parental Accountability Program and the expanded DACA Program for DREAMers. They would also defund every other aspect of the President's November 20 Executive action that would promote border security, public safety, military service, legal immigration, citizenship, immigration integration, entrepreneurship, civil immigration enforcement priorities, including the prioritization of individuals with convicted felonies and gang activity and terrorist ties for deportation.

I will repeat that. It includes a prioritization. I would think the Senate would want to support a prioritization of individuals who are here illegally and are convicted felons and part of gang activities or who have terrorist ties for deportation and any future similar Executive actions.

The only directive our Republican colleagues found acceptable, which is interesting—in my mind, you say: Well, none of it can happen by Executive action. But it seems that the only thing that did happen by Executive action that our colleagues found acceptable pertains to pay increases for Immigration and Customs Enforcement officers, which I believe they certainly deserve.

These amendments would break apart more families and destroy communities by ensuring that we continue

to deport the parents of U.S. citizen and lawful permanent resident children. One of the most mean-spirited amendments would prohibit the use of Federal funds or resources to consider or adjudicate any new, renewed, or previously denied application for deferred action for childhood arrivals.

Let's call this amendment what it is: It is an amendment to deport DREAMers and targets all of those young people who came forward and signed up in good faith. I will give an example of whom these amendments attack.

I wish to remind my colleagues of who the DREAMers are. DREAMers are young people who came to this country through no choice of their own. The only flag they have ever pledged allegiance to is that of the United States of America. The only national anthem they know is the "Star-Spangled Banner." Their country is this country.

I was fortunate to speak with people like the Morales-Cano family 2 weeks ago in New Jersey. They are a family of six, including 13-year-old, U.S.-born Rebecca Morales. Their lives have drastically improved thanks to the program Republicans are hoping to dismantle. If the Republicans are successful, Rebecca would be left alone in the United States without her parents or sisters—an American citizen left alone, perhaps in foster care, because Republicans don't care about prioritizing the deportation of convicted criminals over her mom, dad, and sisters.

The story of the Morales-Cano family is a clear example of thousands of deep-rooted families who have waited too long in the shadows for immigration reform.

Three years ago, after attending a deferred action for childhood arrivals workshop that my office organized in New Jersey, all three of Rebecca's older sisters—Ingrid, Evelyn, and Lesly—were given an opportunity to begin a new chapter of their lives after qualifying for the President's 2012 Deferred Action for Childhood Arrivals Program, joining thousands of others who had been granted relief.

Today, look at what this family is doing. Ingrid cares for New Jerseyans' health at her job at the Ocean Medical Center. Evelyn moved to Illinois to attend the West Coast Bible College and Seminary. Lesly was able to enroll in Brookdale Community College to pursue her dream of becoming a nurse. Ingrid, Evelyn, and Lesly represent the hundreds of thousands of young individuals who, because of the deferred action for childhood arrivals, can actively contribute to our economy without fear of losing everything they have worked to gain.

Romeo Morales and Mrs. Magda Cano de Morales did not qualify for deportation deferrals under DACA and have continued to live with the constant fear of having their family abruptly separated. But thanks to the deferred action for parents program, recently announced by President Obama, both parents will likely qualify to come out

of the shadows, register with the government, pass a background check, and join their daughters in their pursuit of the American dream—unless, of course, the Republicans get their way.

We cannot let that happen, and I will do everything to ensure that we will not let that happen. These are the real faces of our broken immigration system. There are many families like the Morales-Cano family who have been and remain an economic resource we cannot afford to waste. They are hard-working families who simply want to be full participants in American life, full contributors to the American family, and they want to remain united as a family. We should want them to remain united.

I have listened to so many speeches here about family values. Well, the core of a family value is a family being able to stay together, integrated and helping each other and driving each other to success and supporting each other. Ripping families apart is not a family value.

We must see through the smoke and mirrors and do what is right for America. Let's stop playing political games. Let's defeat these poison-pill amendments and pass a clean Department of Homeland Security funding bill. Let's not play politics with national security. Let's remember the people behind the policies. Let's remember the Morales-Cano family and the fate of Rebecca if we allow these amendments to pass.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### KEYSTONE XL PIPELINE ACT

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

The bill clerk read as follows:

A bill (S. 1) to approve the Keystone XL Pipeline.

Pending:

Murkowski amendment No. 2, in the nature of a substitute.

Vitter/Cassidy modified amendment No. 80 (to amendment No. 2), to provide for the distribution of revenues from certain areas of the outer Continental Shelf.

Murkowski (for Sullivan) amendment No. 67 (to amendment No. 2), to restrict the authority of the Environmental Protection Agency to arm agency personnel.

Cardin amendment No. 75 (to amendment No. 2), to provide communities that rely on

drinking water from a source that may be affected by a tar sands spill from the Keystone XL pipeline an analysis of the potential risks to public health and the environment from a leak or rupture of the pipeline.

Murkowski amendment No. 98 (to amendment No. 2), to express the sense of Congress relating to adaptation projects in the United States Arctic region and rural communities.

Flake amendment No. 103 (to amendment No. 2), to require the evaluation and consolidation of duplicative green building programs.

Cruz amendment No. 15 (to amendment No. 2), to promote economic growth and job creation by increasing exports.

Moran/Cruz amendment No. 73 (to amendment No. 2), to delist the lesser prairie-chicken as a threatened species under the Endangered Species Act of 1973.

Daines amendment No. 132 (to amendment No. 2), to express the sense of Congress regarding the designation of National Monuments.

Boxer amendment No. 130 (to amendment No. 2), to preserve existing permits and the authority of the agencies issuing the permits to modify the permits if necessary.

Peters/Stabenow amendment No. 70 (to amendment No. 2), to require that the Administrator of the Pipeline and Hazardous Materials Safety Administration make a certification and submit to Congress the results of a study before the pipeline may be constructed, connected, operated, or maintained.

Collins/Warner amendment No. 35 (to amendment No. 2), to coordinate the provision of energy retrofitting assistance to schools.

Murkowski amendment No. 166 (to amendment No. 2), to release certain wilderness study areas from management for preservation as wilderness.

Sanders amendment No. 23 (to amendment No. 2), to increase the quantity of solar photovoltaic electricity by providing rebates for the purchase and installation of an additional 10,000,000 photovoltaic systems by 2025.

Merkley amendment No. 174 (to amendment No. 2), to express the sense of Congress that the United States should prioritize and fund adaptation projects in communities in the United States while also helping to fund climate change adaptation in developing countries.

Merkley amendment No. 125 (to Amendment No. 2), to eliminate unnecessary tax subsidies and provide infrastructure funding.

Cantwell/Boxer amendment No. 131 (to amendment No. 2), to ensure that if the Keystone XL Pipeline is built, it will be built safely and in compliance with United States environmental laws.

Tillis/Burr amendment No. 102 (to amendment No. 2), to provide for leasing on the outer Continental Shelf and the distribution of certain qualified revenues from such leasing.

Markey amendment No. 178 (to amendment No. 2), to ensure that products derived from tar sands are treated as crude oil for purposes of the Federal excise tax on petroleum.

Markey amendment No. 141 (to amendment No. 2), to delay the effective date until the President determines that the pipeline will not have certain negative impacts.

Whitehouse amendment No. 148 (to amendment No. 2), to require campaign finance disclosures for certain persons benefitting from tar sands development.

Booker amendment No. 155 (to amendment No. 2), to allow permitting agencies to consider new circumstances and new information.

Burr modified amendment No. 92 (to amendment No. 2), to permanently reauthorize the Land and Water Conservation Fund.

Coons amendment No. 115 (to amendment No. 2), to express the sense of Congress regarding climate change and infrastructure.

Carper amendment No. 120 (to amendment No. 2), to amend the Internal Revenue Code of 1986 to extend the credits for new qualified fuel cell motor vehicles and alternative fuel vehicle refueling property.

Heitkamp amendment No. 133 (to amendment No. 2), to express the sense of Congress that the Internal Revenue Code of 1986 should be amended to extend the credit with respect to facilities producing energy from certain renewable resources.

Cardin amendment No. 124 (to amendment No. 2), to clarify that treaties with Indian tribes remain in effect.

Cantwell (for Gillibrand) amendment No. 48 (to amendment No. 2), to modify the definition of underground injection.

Cantwell (for Peters/Stabenow) amendment No. 55 (to amendment No. 2), to require a study of the potential environmental impact of by-products of the Keystone XL pipeline.

Murkowski (for Barrasso) amendment No. 245 (to amendment No. 2), to clarify that treaties with Indian tribes remain in effect.

Daines amendment No. 246 (to amendment No. 2), to express the sense of Congress that reauthorizing the Land and Water Conservation Fund should be a priority.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I am ready to go this morning. I have comfortable shoes on. I am ready for a good, long day and to process a bunch of amendments. I see the Senate doing its work. I know we have important business before the Senate. I know the Judiciary Committee is holding the hearing to listen to the comments from Loretta Lynch, who has been nominated to be Attorney General.

Obviously these are very important issues the committee is discussing today. Interspersed with all of that, we are going to be having a relatively long series of votes this afternoon, which makes it a little bit choppy and a little bit chaotic, but we have business to do in the Senate.

I am pleased we are at this point where I think we can honestly say we are looking at the final stretch in this discussion on the bipartisan, 60-sponsored bill to approve the Keystone XL Pipeline after more than 2,320 days of delay.

At this point we are past that last call for amendments on the bill. We have spent a lot of time over the past couple of days negotiating which of the roughly 200 first-degree amendments that have been filed would come up for votes. We have a pretty good list. Again, we have 18 of them that will be before us beginning this afternoon. There will be more we will be dealing with at a later point.

But I do think this is significant. I was reading the newspaper this morning, and there is no shortage of critics out there, folks who would say the Senate is broken and can't possibly be fixed.

There was an article from an opinion writer which stated: Within the midst of the Keystone debate, McCONNELL has had to retreat "on his promise to allow freewheeling amendments."

The article then goes on to state that yesterday not much of anything happened on the Senate floor where the pipeline debate had stalled.

In fairness, maybe the debate, in terms of processing amendments on the floor, had stalled out yesterday, but that did not mean there were not significant and serious negotiations going on between the majority and the minority about how we would proceed. Sometimes when someone tunes in and the Senate is in a quorum call, they think nothing is happening. They think the business of the Senate is not being conducted. I need to assure not only colleagues but those who watch this process on C-SPAN that in fact there is still good business being done.

I think that is what has resulted in our opportunity this afternoon to take up some 18 different amendments. There are amendments that are all across the board; 10 of the 18 pending amendments are from colleagues on the other side of the aisle. I think we are certainly being very generous in terms of what is out there. We are trying to ensure that Members who want a vote can have them.

Again, keep in mind, with a couple hundred amendments that come forward, we are going to have a lot of duplication. We are going to have issues people may want to make a statement about but might not necessarily want to ask for a vote on. But those that we have in front of us today—everything from issues relating to solar energy to LNG exports, to further discussion about climate change, wilderness, wind tax credits, the Land and Water Conservation Fund—are truly all over the map.

When it is suggested that somehow or other Senator McCONNELL as the majority leader is moving back from his commitment to allow for an open amendment process, so-called free-wheeling amendments, I don't think a whole picture of what is happening on the Senate floor is being painted. In fact it is a very open and considerable process.

I made mention last week that we broke the records. We blew the top off in terms of the number of amendments we were actually able to process on the Senate floor. We moved through 24 amendments on this bill since the time we started it. Twenty-four amendments is pretty considerable, considering that in all of 2014 there were just 15 amendments that were considered the entire year. In fact, on Thursday alone we processed 15. If we do 18, as is on the roster today, that is pretty significant. I feel good about the point we are at. It is not just because we are churning through amendments, it is because of what the ranking member and I have been able to do as the floor managers on this bill, kind of working back and forth. Yes, sometimes it is tedious. Yes, sometimes it is frustrating. Yes, sometimes Members wish they had more time to talk or there were more hours in our day to process all of this,

but at some point in time I think we have to recognize when we spend 3 weeks on a bill, that is pretty considerable. When we are able to move 50 amendments—close to 50 amendments is where we may be at the end of this legislation and processing—that is of note.

What I appreciate is we are here this morning getting ready to kick off a long afternoon of votes and go back and forth with Members and disruption of their schedules and committee meetings and the inconvenience that causes. But again this is part of what happens around here. It is not a very tightly scheduled environment because we just have so much that is going on. But being able to move forward on this important legislation is good and necessary.

I think we are setting the stage for the balance of this Congress—under the leadership of the Senator from Kentucky, the majority leader, a commitment to have wholesome debate—to have the opportunity for a process that is not only good for Republicans, it is good for Democrats. It is good for the Senate and for the United States.

AMENDMENT NO. 166

I want to quickly mention an amendment I will have up later this afternoon. This is amendment No. 166. I spoke very briefly to it yesterday when I called it up. But it would require wilderness study areas to be released if Congress has not officially designated them as wilderness within one calendar year. Right now what happens is that when a wilderness study area is designated, it can sit out there on the books almost indefinitely. There have been areas that have been sitting out there without congressional action for a couple of decades.

I don't think this was the point of the process. But I would suggest the amendment I have advanced is a critical one to our Western States, certainly to my State of Alaska.

Again, the news on Sunday of the President moving toward a wilderness designation of all of ANWR—with the exception of a very small slice but all of ANWR—all 19 million acres in addition to the 1002 area, the 1.57 million acres that have been specifically designated by Congress for further review and study.

Right now there are 528 wilderness study areas throughout Alaska and the other 11 Western States. Again, these designations have been made by over time by one administration or another. The next step forward in this process is that Congress needs to act, but Congress hasn't acted. We have had some of these that have been pending since the 1980s.

Again, as I suggested yesterday, if we have had something pending for 20, 30 years, I think that is plenty of time to say that Congress has had to review those areas. Even though we have not turned these into wilderness—in other words, even though Congress has not acted to designate these areas as wilderness, what happens to them?

They are treated and managed as if they are wilderness. Effectively, we have de facto wilderness. The law requires that only Congress determines whether an area is designated as wilderness. But what has happened is just kind of a lag, a lull, if you will, so they don't even need the congressional designation if in fact it is already being managed as wilderness.

We look at the intent behind this. It is clear it was never intended to be this way. We were never supposed to have millions of acres of de facto Agency-decided wilderness around the Western United States. We routinely pass public lands legislation into law. I would like to know we could do it a little more often. As recently as last month, it actually has included new wilderness. So we are not saying that in other areas these wilderness study areas don't get officially designated. There is that process, and we demonstrated that just during the lame duck here. But in the instances where Congress has decided not to act on wilderness study areas, agencies need to start looking at what that broader array of options is for managing the land, whatever that multiple use designation might be. They need to be looking at this critically with the local people in the area and with the other stakeholders who are involved in the planning process, but clearly they are not doing that on their own.

So what my amendment would do is essentially provide a 1-year timeframe for wilderness designations to be made. I think, again, that is more than enough time for Congress to consider debate and approve legislation for any area with wide support for a wilderness designation, so we will see that amendment this afternoon.

I know the Senator from Washington was on her way, coming from a committee meeting this morning, and had intended to speak. I see Senator UDALL is also on the floor.

I yield to the Senator from New Mexico if he wishes to speak at this time before Senator CANTWELL comes to the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SULLIVAN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PETERS. I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 55

Mr. PETERS. Mr. President, I rise today to discuss my amendment that was made pending by my friend and the ranking member of the Energy and Natural Resources Committee, the Senator from Washington, Ms. CANTWELL.

The amendment I have offered, amendment No. 55, is a simple, commonsense amendment. It requires the Environmental Protection Agency to complete a study on the potential envi-

ronmental and health impact of byproducts from tar sands oil that would be transported across our country by the Keystone XL Pipeline.

One of these byproducts of tar sands oil is a black, powdery substance known as petroleum coke or petcoke. It is a residual from this tar sands oil and large amounts of it are produced in the refining process.

In fact, it is estimated basically for every barrel of oil we get from tar sands, one-third of the material is this dark substance called petcoke. If we are transporting an awful lot of oil through the Keystone Pipeline, it naturally follows that we are going to get massive amounts of this petcoke.

I have had an experience with this petcoke in my previous House district in the city of Detroit, where we had petcoke from the refining process of this tar sands oil being piled up along the Detroit River. We had a pile there that was at some times several stories high, a city block long. It was stored along the river in an uncontaminated fashion. It was blowing into people's homes, it was blowing into businesses, and it was also draining into the Great Lakes watershed.

It caused all sorts of problems. I had complaints from constituents who talked about this substance going into their homes. I had businesses talking about—for example, restaurants in the area—their wait staff getting respiratory problems as a result of breathing this in.

In fact, we had a video to explain how problematic it can be. I had a video taken by a Canadian resident across the Detroit River that showed the petcoke piles. With some wind blowing, a massive black dust cloud was blowing off of these petcoke piles. In the distance you could see the Ambassador Bridge, which is the bridge that connects Canada to the United States. The dust was so thick and so black it obscured the bridge as it was blowing into the neighborhoods, into the river, and then into Canada.

It is a completely unacceptable situation, which is why I believe it is important as we move forward with this legislation that we have a couple of studies.

One, we need to understand what are those environmental and health risks associated with petcoke. It is clear this is particulate matter, and if it is not contained, it gets into people's lungs and creates a dust layer throughout communities.

It is very important as well in the study not only to study the environmental and health impacts, but what are the best practices to handle this material.

With the massive amount of tar sands oil that will come through the Keystone, we will also get massive amounts of petcoke, a substance that has been problematic not only in Detroit, but it has been problematic in the city of Chicago and other places across the country.

So I believe it is very important that we get these kinds of information as this project moves forward, and it is certainly my hope that we can assure that what happened in Detroit, what is happening in Chicago and other places across this country doesn't happen, that we understand what this substance is, and we understand what those best practices are to handle and to transport this material safely.

I urge my colleagues to support amendment No. 55.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 166

Ms. MURKOWSKI. Mr. President, I am glad the junior Senator from Alaska is in the Chair because I am going to be discussing things that are of great concern to Alaskans and really to those who care about the rule of law here and how it applies throughout all 50 States fairly and evenly. As I mentioned just a bit ago, I have offered an amendment that would deal with how wilderness study areas are treated. My proposal is one that would put a time limitation on these study areas.

I mentioned the amendment was precipitated by the President's announcement this weekend about additional areas of wilderness to be designated in Alaska. I have cited two. The 1980 lands bill, ANILCA—I think it is good for us to have a little bit of a refresher on what ANILCA actually did. In one fell swoop ANILCA designated nearly 60 million acres of wilderness in the State of Alaska. That is pretty substantial. It was more than any other President had ever designated at any other time prior to that.

What we have seen since then, with the designation of wilderness, is there has been this fight going back and forth. There have been areas that have been requested for wilderness study areas. But this administration has really taken it a major step forward. On Sunday the President recommended that an additional 12.3 million acres within the Arctic National Wildlife Refuge be designated as wilderness—so an additional 12.3 million acres on top of the 60 million acres that we already have as wilderness in Alaska after ANILCA.

This action by the President means that these 12.3 million acres will immediately be managed as wilderness. As I have mentioned, right now there is no deadline or expiration for this designation. Even if Congress fails to act—and I am going to make darn certain we do not act on this wilderness proposal the President has advanced—these acres are being managed as wilderness.

Let me just show colleagues what it means for us right now. The small map

of Alaska is up there in the corner. It is kind of unfair because it needs to be a much bigger map to get the context. Effectively, what the President is proposing is that in addition to the 7.16 million acres of wilderness that currently exist in the ANWR area—and the ANWR area is a big refuge, a big designation. A little over 7 million acres have already been designated as wilderness. That was done back in 1980. But what he is proposing now is effectively taking the whole balance of the refuge area and making wilderness out of that as well—so 12.3 million acres.

Now, keep in mind this also includes the 1002 area up on the northern part of ANWR. That is the area right, which was specifically designated by Congress for further study of its oil and gas potential. Back in 1980, when the wilderness designation was made for the one area—7 million acres of it—it was determined that refuge status would be afforded the balance of the area, and then the 1002 would be reserved—reserved deliberately for study of its oil and gas potential.

That 1980 act was pretty clear in terms of the bargain that had taken place. I am going to read for the record the provision in the law that we refer to as the “no more” clause. It states:

This Act provides sufficient protection for the national interest in the scenic, natural, cultural and environmental values on the public lands in Alaska, and at the same time provides adequate opportunity for satisfaction of the economic and social needs of the State of Alaska and its people; accordingly, the designation and disposition of the public lands in Alaska pursuant to this Act are found to represent a proper balance between the reservation of national conservation system units and those public lands necessary and appropriate for more intensive use and disposition, and thus Congress believes that the need for future legislation designating new conservation system units, new national conservation areas, or new national recreation areas, has been obviated thereby.

The act goes on to state that “no further studies of Federal lands in the State of Alaska for the single purpose of considering the establishment of a conservation system unit, national recreation area, national conservation area, or for related or similar purposes shall be conducted unless authorized by the Congress.”

So the President is basically choosing to ignore the law as set out in ANILCA—the agreement that Alaska has contributed mightily with its share of wilderness.

I remind my colleagues that more than one-half of the wilderness in the entire United States of America is in the State of Alaska. Thus we wrote the law back in 1980 that says no more out of Alaska. They found that balance. Well, this President is tipping that balance.

The coastal plain holds an estimated 10.4 billion barrels of oil. I mentioned yesterday that if we can tap into these resources, we could see 1 million barrels a day coming down our Trans-Alaska Pipeline for nearly 30 years.

Think about what that would mean, Mr. President—1 million barrels a day

filling up that Trans-Alaska Pipeline that is now less than half full, an additional 1 million barrels a day coming into this country. Right now, Americans are enjoying the lower prices of oil. But the President said: Don't get used to these low prices because they may go up. Well, they do not have to go up if we can provide more. If we can increase production in this country, we can theoretically decrease that cost. But we have to be allowed to access that.

Think about the source of good-paying jobs, energy security, billions of dollars in new Federal revenues. The energy security part of it is keenly important, but let us also think about the positive national security implications of energy produced in the United States. When we are producing more energy in this country and relying less on others, we are less vulnerable. We have greater ability to deal with hostile nations. Sanctions work better when we don't need to rely on that same oil that some of these nations would like to free up for other countries.

From a national security perspective, this is huge. This is where the intersection with the Keystone Pipeline is so interesting: that at the same time this administration has issued this wilderness study it is also fighting so hard to keep us from building the Keystone XL Pipeline, which would allow us to get crude from our friend and neighbor to the north and utilize it to our benefit. The President is saying: No, I don't want to do that.

I guess he would much rather receive it from Venezuela or wherever. He says he wants Brazil to be our big trading partner when it comes to oil.

Hello. Canada—they share a border. They are our friend. They are our closest friend, our strongest trading partner. Are we going to shut down such an opportunity as that?

And: Oh, by the way, that same week let's just go ahead and take off the table permanently one of the greatest reservoirs of crude we have here in the United States next. Let's just take that off the table, too.

What does that say? What does that say to other countries? That we don't care about our own energy security? I care about our energy security, and I care about our national security.

Again, it stuns me to think that what the President is proposing here is a measure that would take off limits permanently our ability as a nation to access the 1002 area to safely develop this enormous potential.

Keep in mind, we are not talking about accessing the full 1.5 million acres in the 1002. The legislation that has been before this Senate, back in 1995 and 2005, asked to open up 2,000 acres—2,000 acres—out of 19.5 million acres in the whole refuge.

The Presiding Officer knows Alaskans can do this safely. We have set and met the highest environmental standards in the world. We do it every

day. Our pipeline, our amazing 800-mile pipeline, has a decades-long record of responsible production. It has carried nearly 17 billion barrels of oil safely across our State, over 2 mountain ranges, multiple rivers, in areas where we are known to have a few earthquakes. It is an engineering marvel. It has served our State and our country well.

But instead of recognizing this unparalleled opportunity that we have, we are now facing a mounting lockdown of our resource potential. And the Presiding Officer knows the worst part is, it is not just ANWR we are talking about. Our offshore oil reserves are now also going to be restricted.

Just yesterday the President announced he was indefinitely withdrawing 9.8 million acres in the Beaufort and the Chukchi Seas from leasing. So now ANWR is going to be locked up, as well as the Beaufort and Chukchi seas. I don't have a map of these areas that have been taken off limits, but I can tell you that it is an area of roughly 9.8 million acres. There is some real question that I have in my mind. After reading the Interior's press release, I don't have any real comfort that the two sales that are being proposed—one in the Beaufort and one in the Chukchi—will actually stay on schedule.

The Secretary of the Interior is quoted saying that: Interior will continue to consider oil and gas exploration in the Arctic. It is not a very firm commitment, as far as I can see.

But when we look at it altogether—between the ANWR wilderness designation and the Arctic offshore withdrawal—Alaska has lost more than 22 million acres of land and water where energy could be produced for the good of this country, and it has happened in less than 1 week. It has happened over a span of 3 days—22 million acres.

So what is 22 million acres? It is an area about 563 times larger than where we are here in the District of Columbia. It is about 28 Rhode Islands. I know Rhode Island is a small State by comparison, but 28 of them adds up. It is about 4.5 times the size of the State of Massachusetts. Again, this is just to give you an idea of what was taken off limits, indefinitely, by this administration since Sunday.

My reaction to all this has been pretty strong. I think it is pretty obvious to anybody who would take a moment to think about it, but I am amazed our President can look at Alaska and think, this is what we need most right now.

We are facing a pretty significant budget shortfall. I know our Governor has spoken to the President and the Secretary of Interior about Alaska's situation. Then this is what he gets as a "we will work with you"? I don't think so. This is not an indication of a Federal Government that wants to work with the State to develop its resources.

The Governor asked the Secretary of the Interior for an address, because he said he needed to send an invoice for the lack of any economy Alaska would be able to generate with these actions.

The one thing—the one thing more than anything else that could help our State—is to be able to access our Federal lands and our waters so that we can fill up the Trans-Alaska Pipeline, so that we can not only help Alaska but we can help the rest of the country. But that seems to be the one thing this President is intent on denying, whether it is in ANWR, whether it is in our offshore, or whether it is in our National Petroleum Reserve, where this President basically unilaterally took off about half of that in terms of availability of access.

I noted that when the President made his announcement on Sunday, the video that went out showed beautiful pictures of the refuge area. Again, this is a big area. This whole refuge is about the size of the State of South Carolina. It is big and there are some amazing spaces—I am the first one to admit it, amazing spaces—just as there are all over Alaska.

But I watched that video as he was flying in his airplane to go to India, and I thought to myself: The President hasn't been to Alaska, even though he says he only has three States left to see and Alaska is not included. So I actually asked my staff to find out. By my count, the President has been to Alaska three times during his administration. And he told me, before he was President, he had never been to Alaska. So three times during his administration. All three times were basically to get fuel. And granted, to give him credit, on one of those times he did meet with the troops at Elmendorf, but he never went off the base. The other two times were in the middle of the night for as long as it took to get fuel.

In my mind, that is not visiting Alaska. That is not trying to understand who we are. We have some pretty beautiful, wide-open skies. But when you are flying at 35,000, 45,000 feet looking down, that is not how you get a view of Alaska.

So outside of this short meet-and-greet, outside of a bargaining chip to gain support from national constituencies, he is basically viewing Alaska as a refueling stop—which is no shortage of irony here in the fact that he is happy to refuel Air Force One in Alaska, but he doesn't seem to want fuel produced in Alaska.

I can get pretty frustrated and upset about this. Part of it is because so much of this comes without consultation with us, without listening to the vast majority of Alaskans—as if, once again, we are nothing but a territory and the promises that were made to us at statehood mean nothing.

I was born in the territory. It was not that long ago that Alaskans knew what it meant to be kind of kicked around by folks on the outside. We didn't have a voice. We thought statehood was

going to change that. We thought that statehood compact—the promises made that Alaska would be able to deliver to its citizens based on the amazing resource wealth that we had—we thought that was going to count for something. Apparently, not enough.

I was a little bit surprised to read that the White House counselor, Mr. Podesta, thinks I have overreacted to these announcements and to others that I have been told may be coming—more to come—and he suggested my reaction is not warranted.

I would ask any one of the other 99 Senators here: Think about how you would respond if the citizens of your State woke up to a message that we are going to take 12 million acres away from you and your potential to develop in your State; and then on Tuesday, we are going to take away 9.8 million acres. But don't worry, we are the Federal Government, we are here to help. Alaskans want to help themselves. We want to be able to exercise that independence, that free spirit that so many of us in Alaska identify with. We want to help our neighbors, help our families. But this kind of help we don't need. Don't lock us up. Don't shut us out.

It was suggested in Mr. Podesta's comments, and I saw it in other press reports, that somehow or other the Interior Department felt compelled to move forward with the timing of these announcements because we were ratcheting up on ANWR. They suggested I had introduced a bill. I haven't introduced a bill. I do intend to introduce a bill. But to somehow suggest this was precipitated because the delegation is making a charge on ANWR is, at this time, unwarranted.

It did kind of make me wonder, maybe the White House isn't aware of how Alaskans feel about this. So in the few minutes I want to take this morning I want to read a few of the quotes from our State leaders who have come out against this decision since they were announced, particularly as they relate to ANWR.

We have a new, Independent Governor. As I mentioned, he has already had the opportunity to meet with the President and talk about Alaska's issues. Again, he has also met with the Secretary of Interior to talk similarly. Governor Walker says he is "angry, very angry, that this is happening."

Our State senate president, Kevin Meyer, said the following:

The impact of this decision, if allowed to stand, will harm the future of our Great State and will deal a devastating blow to our economy.

I spoke with our house speaker, a gentleman by the name of Mike Chenaught from the Kenai Peninsula, an area where we have oil and gas potential in the Cook Inlet. They know about oil and gas. The speaker said:

The president just doesn't get it, or he does get it and doesn't care about the will and voice of Alaskans. That's beyond offensive.

In response to the President's ANWR announcement, Speaker Chenault also had some pretty choice words. He said:

Alaska's not a territory anymore and it's high time our federal overlords stopped trying to treat us like one.

The Arctic Slope Regional Corporation, whose shareholders, people who actually live on the North Slope, issued a press release stating that:

We are staunchly opposed to this relentless and coordinated effort to designate the Coastal Plain of ANWR as Wilderness. This administration has deliberately ignored the input provided by the most affected people within ANWR.

Colleagues, remember that when this President is suggesting that this area needs to be named or designated as wilderness, the 1002 area, people live there. People live their lives there—children go to school and people work there. They fly in and out. They have a little grocery store. They try to make an honest living there. They subsist, absolutely; but people live there. To quote from the Arctic Slope Regional Corporation, the corporation's shareholders who live there say, "this administration has deliberately ignored the input provided by the most affected people within ANWR."

I think the reason they have ignored it is because they forget people actually live there. How can people live in a wilderness?

Democratic State Representative Ben Nageak of Barrow, who is an Inupiat and born in Kaktovik, who lives in the affected area, wrote this:

President Barack Obama and his lieutenants at the Interior Department will permanently harm our people and all Alaskans with his colonial attitude and decision making . . . It's terrifying to see the extent by which our pleas for time and a fair hearing of our views fall on deaf ears 5,000 miles away.

That is a State representative born and raised in this area, an Inupiat, who is saying 5,000 miles from here you are making decisions without listening to us, without listening to our people.

Our North Slope Borough Mayor Charlotte Brower didn't mince any words, either. She said that "these types of paternalistic, executive fiats seem to be more appropriate for Andrew Jackson's administration than Barack Obama's."

Pretty tough words. I am starting to think my words were pretty mild based on what I read from the mayor of the North Slope Borough and the Democratic State representative from Barrow.

Mayor Brower has invited President Obama and Secretary Jewell to visit the North Slope, and she asked them to meet with the people who actually live there before proposing these types of sweeping land designations. If the President and the Secretary actually accept that invitation, Mayor Brower concluded:

They might learn that the Inupiat people who have lived on and cared for these lands for millennia have no interest in living like relics in a giant open air museum. Rather, they hope to have the same rights and privi-

leges enjoyed by people across the rest of the country.

That seems like a pretty fair request to me.

Even the New York Times interviewed a few Alaskans who didn't hide their feelings. One woman who said she had voted for the President twice said, "He has just alienated an entire state." She described herself as being "on the fence" about ANWR before the proposal, but she added, "without talking to any of us, just doing it by fiat—that's not how you lead."

I think she summed it up pretty well. What the President has done, the way he has done it—it is unfair, uncalled for, and it is unwarranted. So for it to be suggested by the counselor from the White House that my response is somehow overreacting or unwarranted, I think they should start listening to all of the people of Alaska. The presiding officer and myself were sent here to represent them and I think we are expressing pretty clearly where Alaskans are coming from on this.

This is wrong. It should not be tolerated. And we will not just sit back while this administration locks up our State and the potential of our people.

We have a lot more we will be discussing about this. Again, I mentioned on Monday that there was a trifecta with what we see coming out of this administration. I have been told by the Secretary that we would see his ANWR designation and that we would then see the 5-year lease sale that would take areas that had been in deferred status and completely withdraw them for an indefinite period of time, and that there would be a third announcement coming relating to the National Petroleum Reserve—the area where folks who said don't go to ANWR, go to NPRA, go to the National Petroleum Reserve. So the first company that tried to do so is trying to make it happen. What this administration is doing with the mitigation costs they are laying in front of them, the company will determine whether it is going to be economic. But my fear is that will be the third kick to Alaska.

So it has been a bad week, a bad week for Alaska. But you know what, we are not people who are deterred by bad news, by bad weather. We have a way to roll with it.

I was looking at the front page of the Fairbanks Daily News-Miner yesterday. They had a little recap of what is going on with the weather. It is about 52 below zero in Fort Yukon and 51 below in Fort Greely where we base our ground-based missile defense system. We are pretty proud of what we do. We can still provide for the defense and protection of this country and do it in some pretty cold weather.

In Fairbanks, where I went to high school, I think the weather this morning was 47 degrees below zero, but the kids still go to school in this kind of weather. We are doing what we do up north. It is not easy, but it is an amazing place and the people there are pret-

ty resilient. We have been kicked this week, but that doesn't mean we are down. It means we are just getting started.

With that, I will have more to say about the process in front of us this afternoon, where we are with Keystone; but again, I am pleased that we have a good series of votes to keep us busy this afternoon, and I appreciate the indulgence of colleagues as we go through a process that can be very disruptive as they are trying to meet with constituents and pursue committee business. But I think we recognize that we want to be on a path toward completion of this bill, and I thank them for their cooperation.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### UNFUNDED MANDATES INFORMATION AND TRANSPARENCY ACT

Mrs. FISCHER. Mr. President, last week my colleague Senator LANKFORD and I introduced the Unfunded Mandates Information and Transparency Act—a bill to enhance transparency about the true costs of burdensome Federal regulations affecting our States and localities.

Twenty years ago the Unfunded Mandates Reform Act, otherwise known as UMRA, was signed into law to reduce the burden of Federal mandates on State and local governments, as well as the private sector. The statute was intended to fix a simple problem while promoting informed decisions by this Congress. But since UMRA's enactment in 1995, many remain concerned that the law has fallen short. In Nebraska and all across America, our constituents continue to face a growing mountain of redtape that stifles economic growth and holds back progress on a number of fronts.

In 2011 alone the Government Accountability Office identified 14 different loopholes that would allow government agencies to avoid conducting the UMRA analysis. In other words, redtape has survived and prospered. By their very nature, Federal mandates are both complex and vague, which is why I have introduced a new bill to fix these shortcomings and increase accountability. My bill, known as the Unfunded Mandates and Information Transparency Act, would address UMRA's loopholes by mandating stricter agency requirements, enhance stakeholder input, and strengthen enforcement mechanisms.

Furthermore, this bill has the power to get the job done. It would allow judges to place a stay on a regulation or invalidate a rule if a Federal agency fails to complete the required UMRA

analysis. It would also close a glaring loophole used by agencies to skirt UMRA requirements.

Last but not least, my bill would expand the scope of reporting requirements to include regulations imposed by independent regulatory agencies, such as the EPA. I know many Nebraskans are deeply concerned about the effects of new EPA requirements, such as the proposed water rule—a rule I have forcefully fought since it was first proposed. Nebraskans already go to great lengths to protect and preserve water resources within our State, but now the EPA is going overboard with this new proposal—one that represents a massive Federal power grab and clear disconnect with Main Street America.

I share the belief of many Nebraskans that the Federal Government should be held responsible for the rules it puts into place. By clearly notifying taxpayers of the costs of each mandate, which the bill I introduced would require, we can better hold the Federal Government accountable for the economic impact of its costly regulations.

I hope my colleagues on both sides of the aisle will join me in supporting this simple, commonsense legislation to help bring greater accountability and transparency to Washington.

I thank the Presiding Officer and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. HOEVEN. Mr. President, I return to the floor today to discuss the legislation under consideration. As I did yesterday, I wish to begin by again thanking both the Senator from Alaska on our side of the aisle and the Senator from Washington on the other side of the aisle, who are the bill managers—the legislation managers in this case—of the Keystone XL Pipeline approval legislation that I put forward along with Senator MANCHIN. I wish to begin by thanking both of the managers for their diligence and for their bipartisanship and for working together to advance this legislation, but I also want to make sure all of the Members of this body get a chance to bring their amendments forward, debate those amendments, and have a vote.

This afternoon we have scheduled 18 votes, and that is great. Some of those amendments I support; some I oppose. But we are going to do what this body is supposed to do and what the American people elected us to do, and that is to have this discussion and then vote.

We are working to advance energy policy for this country that can not only truly help create more energy, jobs, and economic growth but also really address the national security implications of making our country en-

ergy secure. By that, I mean producing more energy than we consume and working with Canada, our friend and ally, to do that so that we don't have to depend on OPEC to do that and on parts of the world where there is great instability and where our interests are not aligned with the interests of some of those countries.

Also, it enables us to actually weaken some of our opponents that are petro-dependent countries such as Iran, which is now trying to build a nuclear weapon, as well as, right now, Russia, which is invading its neighbor Ukraine, one of our allies, where we are trying to stop the adventurism of President Putin.

By truly becoming energy secure, by providing more supply of energy, we not only benefit every American at the pump—Americans are saving billions of dollars when they pull up to the pump. That is not only good for American consumers, it is good for our small businesses.

Energy is a foundational industry that strengthens every other industry out there. It makes us more competitive in the global economy across the board. As I say, it weakens some of our opponents. So that is really the debate in which we are engaged.

Yesterday I started to respond to some of the critics who oppose this legislation on the basis of saying this is a project for Canada and not for the United States, and that is not true at all. This pipeline would not only move crude from Canada to our refineries, it would also move crude from production in the United States, including in my State of North Dakota, which now produces 1.2 million barrels of oil a day—second only to Texas—as well as Montana. So it also moves domestic crude to our refineries as well.

Furthermore, it really is about making our Nation energy secure, working with Canada to become energy secure so we don't have to depend on OPEC. That is very much a national interest issue for this country, for this Nation, and for all Americans. I spoke about that a little bit yesterday.

The second issue I would like to address is some of the environmental issues. I started to do that yesterday, but I deferred at that time because anytime we can get people to come to the floor to offer their amendments and make them pending, that is what we want to do. At that point we started getting people to come offer their amendments, and the bill managers, through their hard work, were able to get agreement, and we now have 18 amendments pending on a preclosure basis. So we have made real progress in getting everyone involved and hopefully building more bipartisan consensus and getting on the energy debate the American people want and getting to a result where we can actually produce legislation that will help our Nation.

So I started to get into the second point I wanted to discuss, which is

some of the environmental aspects of the oil sands development and how technology is being deployed, with hundreds of millions of private dollars invested in new technologies that are not only producing more energy but doing it with a smaller environmental footprint. That helps to reduce the greenhouse gas emissions of oil that is produced in the oil sands.

There are two projects I wish to speak about to give examples of how, if we continue to work to empower this kind of investment in new technologies, we get not only more energy more cost-effectively and more dependably but we also get it with environmental stewardship.

The first project I will speak about is a project that has been undertaken in the oil sands in Alberta, Canada. Going back to this earlier chart, we can see that it is up in the Hardisty area, and this second chart is a picture of the project. It is one that is undertaken by the Shell Oil Company. It is called their Quest project. I will read a little bit about the project.

Shell Canada will this year complete the world's first oil sands carbon capture and storage project.

This is CCS—carbon capture and storage—something we have been working to develop in this country and apply to fossil fuels, not only things such as oil and gas but also coal. This is the new carbon capture technology. They will complete the world's first project. Continuing:

The project, called Quest, will begin permanently storing CO<sub>2</sub> by the end of the year and will permanently store more than 1 million tons per year.

Let me read that again.

The project, called Quest, will begin permanently storing CO<sub>2</sub> by the end of the year and will permanently store more than 1 million tons per year. Quest reduces the emissions from Shell's upgrader by 35 percent—that's the equivalent of taking 175,000 cars off the road each year. Shell will transport the CO<sub>2</sub> 50 miles north via pipeline and permanently store it more than a mile below ground under impermeable rock formations.

My point is that here is an example of where a private company is working with the Province of Alberta on this project to invest hundreds of millions of dollars in carbon capture and storage technology that will not only apply to the oil sands, but—think about it—this is also technology that is not only being developed but deployed on a commercial scale in production that we can now take advantage of and use in this country to produce more energy from multiple sources—again, smaller footprint, lower greenhouse gas.

Isn't that the solution to better environmental stewardship where we get more energy that we produce here with our closest friends and allies, with better stewardship through investment by private companies in these new technologies and, in this case, working with Alberta? Alberta is also investing in this technology, but this is the innovation of our country, of our companies. This is the kind of ingenuity and

innovation that helps us build the kind of future we want. In this case, it is a secure energy future by deploying these new technologies.

The other point I will make as we look at this chart is that under the old system of oil sand production—remember, it is excavation, so they would be digging up this area and then extracting the oil from the oil sands. But under this new system of development, which is called *in situ*, they are actually drilling wells, and then they put steam down the hole to bring the oil up, and then they capture the CO<sub>2</sub> and store it underground, so smaller environmental footprint and lower greenhouse gas emissions.

Since 1990 the greenhouse gas emissions on a per-barrel basis for oil sands production has gone down by 28 percent. So they have reduced it by almost a third. These new technologies will reduce it further going forward.

This is about finding good solutions to create jobs and economic activity and energy security and take us into the future. That is why I wanted to discuss that project for just a minute.

A second project I will reference is Exxon's Kearl project, spelled K-E-A-R-L. Just by way of preface, Exxon currently produces over 100,000 barrels of oil a day in the Canadian oil sands. They are going to increase that amount this year to 345,000 barrels a day. Their objective is to get to half a million barrels a day of oil produced in the Canadian oil sands. They are investing \$10 billion in this project. That is their investment in this project and these new, better drilling techniques.

Let me tell my colleagues a little bit about their project. Exxon is doing it differently than Shell and Quest. They are employing different technologies but investing \$10 billion to reduce the environmental footprint, to reduce greenhouse gas emissions, but produce a lot of energy for Canada and for our country.

Exxon's Kearl project will use cogeneration for steam, which a low-energy extraction process to recover oil, and heat integration between the extraction and treatment facilities to minimize energy consumption. As a result, oil produced from Kearl will have about the same life-cycle greenhouse gas emissions as many other crude oils refined in the United States as a result of technologies which significantly enhance environmental performance—again, smaller environmental footprint, lower greenhouse gas emissions.

This is how we work to address the challenges we face, whether it is producing energy or anything else. We deploy these new technologies that enable us to do it better.

Other environmental innovations for Kearl include onsite water storage to eliminate river withdrawals in low-flow periods and progressive land reclamation, which will return the land to the boreal forest.

I wish to emphasize that for a minute. What we see around this site,

which is actually the Shell site—this is the boreal forest. I have been to Hardisty, and I have seen the oil sands production. I was also taken out to areas where they had reclaimed land that had been formerly used to produce oil sands. Now we can't tell the difference between the land that has been reclaimed and the land that hadn't ever been used in terms of oil production. I was there and I looked at both and I couldn't tell the difference. Of course, that is subjective. You want to return it to the state it was in before it was tapped. With this newer production, there is a much smaller area that we would ultimately have to return to its original state.

I wanted to touch on those two projects for a few minutes as well as point out that the Alberta Government actually requires that all land used in the development of oil sands has to be returned to the same or equivalent condition when it is no longer in use.

The final point I wish to touch on for just a minute or two is another issue that has been brought up, which is pipeline safety. There have been some references to recent pipeline spills—one in Poplar, MT, actually not too far from where I live in western North Dakota. But the spill is from what is called the Poplar Pipeline, which I believe is owned by the Bridger Company. It is a pipeline that goes underneath the Yellowstone River. It was built in the 1950s, so we are talking about a pipeline that is over 50 years old. Isn't that just the point, that whether it is roads or bridges or buildings or pipelines or transmission lines or anything else, we have to make the investment in new facilities rather than just continuing to rely on old facilities?

That is what I want to emphasize about the Keystone XL Pipeline project. This is an investment of \$8 billion, not a penny of government investment but \$8 billion in private investment in new steel and new technologies.

Also, the Department of Transportation's Pipeline and Hazardous Material Safety Administration—PHMSA—the division of the Department of Transportation that oversees pipeline safety, has required 57 special conditions for this pipeline to make sure it is as safe as possible. I am going to touch on some of those to give a sense of what they are.

The whole point is that here we are trying to create a business climate, a business environment where companies can put billions of dollars into these new technologies and this new infrastructure so that we can have energy as safely as possible, with the best stewardship possible, so we aren't relying on pipelines or other infrastructure that is more than 50 years old.

We are trying to get that upgrade. We are not doing it at taxpayer expense. We are getting tax revenues. We will get hundreds of millions of tax revenues that will come back in from private sector projects where we are try-

ing to empower that investment. At the same time, the PHMSA, the Department of Transportation Pipeline and Hazardous Materials Safety Administration, has all these requirements that they are making part of the approval process—57 different special safety conditions for the Keystone XL Pipeline. They are conditions such as puncture resistance. For example, TransCanada is required by PHMSA in the environmental impact statement to ensure that the steel used in the pipeline can withstand impact from a 65-ton excavator with 3½-inch teeth.

There is corrosion resistance coating, making sure it has a coating on it that is resistant to corrosion. There is cathodic protection. Cathodic protection is applied to a pipe so where it connects to other—it could be structures such as a bridge. It could be any place where the pipes are connected to make sure those other connections don't rust through into the pipe.

For maintenance, TransCanada must submit certification that demonstrates compliance with all 57 conditions before they commence operation of the pipe.

Airplanes will patrol the right of away at least 26 times a year. They will send cleaning and inspection tools through the pipeline once a year to collect and analyze basic sediment and water.

Compare all of this to a pipeline that was built 50 years ago and laid on the floor of a river—versus a pipeline now, where if they have to cross a river, they use directional drilling. So they go down 25 feet below the river and put the pipe 25 feet down in the rock below the river, versus older pipelines that were just laid in there. Again, this is the new technology—the new safeguards.

In horizontal drilling and directional drilling the pipe will be buried approximately 25 feet below riverbeds. So if there are any riverbeds that cross, that is 25 feet below using directional drilling.

There are automatic shutoff valves. So they will have automatic shutoff valves and they will be placed every 20 miles along the pipeline route. Extra miles will also be placed where there are protected water crossing and other areas of higher consequence. They can be closed remotely on either side of the line, isolating a damaged area within minutes of detection.

Again, it is about making sure if there is an issue of any kind, that you can minimize and mitigate any kind of spill.

With 100 percent weld inspections, there is a requirement that 100 percent of welds are inspected rather than just some of the welds under a test basis.

With satellite monitoring and leak detection, Keystone XL will have more than 13,500 sensors feeding constant and detailed information about flow rates to the control center 24 hours a day, 7 days a week. That is so that if any kind of a leak is detected, it is immediately shut down so you minimize the amount of product that would leak.

Those are the kinds of safety features—and there are 57 of them—required by the administration's Pipeline and Hazardous Material Safety Administration. When we talk about pipeline safety and somebody comes in and says there is this pipe that broke so we should never have another pipe, we need to talk about that and address that in a sensible way.

We have over 2 million miles of pipe in this country. The point is we do need to build new pipelines and upgrade them and take other steps to make sure the system is safe. But you don't do that by blocking investment in the new technologies and the new pipeline that will help us move product more safely, more cost-effectively, and more dependably.

Those are the three issues I wanted to address. Again, I covered some of them yesterday, but I wanted to make sure that any time we had somebody coming down to offer amendments, we deferred to those individuals. I am pleased now we have 18 amendments pending on a whole gamut of issues related to this project, to this energy discussion, and to our efforts to advance a better energy future for our country.

Again, I look forward to the debate this afternoon, to voting on these amendments, and to continuing to advance this legislation on behalf of the American people.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

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

#### DEPARTMENT OF HOMELAND SECURITY FUNDING

Mrs. MURRAY. Mr. President, I wish to take a few minutes to talk about the latest attempt by the Republicans in the House of Representatives—and a few Republicans in the Senate as well—to hold hostage the basic operation of our government, once again, over politics.

While I have several issues with the Department of Homeland Security funding bill that the House has sent to us, I will first discuss this strategy we are seeing from Republicans, as the former chair of the Budget Committee and as someone who has worked across the aisle to break through gridlock in Congress.

Two years ago our country was moving constantly from one manufactured crisis to the next. We had debt limit scares that were rattling our businesses and the markets, we were headed toward an absurd and unnecessary government shutdown, and people

across the country were losing faith that their elected officials could get anything done when it came to the budget and to our economy.

But by working together, Congressman PAUL RYAN and I were able to reach a budget deal that prevented another government shutdown and showed the American people that Congress could work together to get things done.

Because of that deal we were able to then pass bipartisan spending bills for the past 2 fiscal years, including 11 of the 12 appropriations bills from last year. Although we have a lot of work to do, it is clear that stability in the Federal budget makes a difference for our economy. We have to work together to build on that growth, to continue that certainty, and to make sure our economy is working for all families, not only the wealthiest few.

Across the country, businesses have added more than 11 million new jobs—over 58 straight months of job growth. The unemployment rate is now under 6 percent and trending downward, and we have reduced the Federal budget deficit by over two-thirds since 2009.

So when I look at the Homeland Security funding bill that the House of Representatives has now sent to us, I see a few things. I see a bill—the way it is drafted and was sent to us will tear apart families who are working hard to make it in America. I see a bill that will put our security at risk, and I see a bill that seriously threatens all of the work we have done recently, Republicans and Democrats, to keep our government functioning because the bill the House has sent over is simply unacceptable.

It will not pass the Senate. Republicans know that. Let's be clear about what this bill is, it is a calculated, political gamble from our Republican colleagues.

This looming showdown over funding the Department of Homeland Security is no accident. In fact, it is actually a risk they have been planning since last year all because of political pressure from the extreme anti-immigration right wing of their party.

If Republicans are willing to risk funding for the Department of Homeland Security for political reasons, I believe the American people deserve to know exactly what that does mean because funding the Department of Homeland Security doesn't only keep the lights on the DHS headquarters, that funding protects our country from terrorist attacks at a time when the world is as dangerous and volatile as ever.

It protects our country and American businesses from cyber attacks, a threat that is all too real as we have now seen in recent months. It supports basic security measures at our airports, at our seaports, and along the border. It even supports our Federal emergency management resources that are on call for every community in America.

In my home State of Washington, this funding supports the Coast Guard,

which protects shippers and sailors throughout Puget Sound, and Customs and Border Protection, which helps facilitate billions in international trade moving through my State, the most trade-dependent State in the country.

Not funding these programs is a risk we cannot afford to take. It is reckless and irresponsible and, more than anything else, simply counterproductive for Republicans to put all of this on the line just to score some political points with the tea party and the far right. Unfortunately that appears exactly to be what they are doing.

Once again Speaker BOEHNER and the House Republicans have decided they are willing to break up millions of families and deport millions of DREAMers who are victims themselves of a broken system.

They have decided they are willing to stop the President's policy of focusing our law enforcement on national security threats, gang members, and violent criminals. Once again they have decided they are willing to make bipartisan, comprehensive immigration reform that much more difficult to achieve.

This is much more than only an annual funding bill. This legislation is a message which has been sent to us loud and clear from House Republicans and Speaker BOEHNER that they are willing to continue pushing us from crisis to crisis. They are willing to play politics with our national security, and they are willing to turn their backs on millions and millions of children and families.

For years now we have seen that strategy doesn't work—it doesn't work. It holds us back.

But I have to say I was encouraged when Majority Leader McCONNELL said that at the end of the day the Senate will fund the Department of Homeland Security.

It is clear the House bill will not pass the Senate, so I truly believe it is time for the majority leader to show, as he has promised, that he will let the Senate and Congress work efficiently.

It is time for the majority leader to bring a clean DHS appropriations bill to the floor. Let's get it done, passed, and move on to the work that is so important to us.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. SCHUMER. Mr. President, I rise to urge my Republican colleagues to pass a clean bill to fund the Department of Homeland Security for the remainder of the fiscal year.

We are now only 1 month away from a shutdown of the principal Federal agency charged with keeping Americans safe from terrorism and prepared for natural disasters.

The President has said he will veto any funding bill that repeals or rolls back his Executive order on immigration, so anything but a clean bill to fund DHS means one thing and one thing alone. Republicans are unilaterally shutting down the agency.

No matter what your grievance is, we shouldn't be playing politics with national security. It is alarming that even as we can now count the days, 30, until a Republican security shutdown, so many on the hard right are ready to just dismiss the consequences.

Compared to their obsession with President Obama's immigration action and their desire to appease the tea party with radical and practical ideas that would not fix our system, to Republicans shutting down DHS is "not the end of the world."

So I will use my time to spell out what a DHS shutdown would mean for our country in the hopes that our Republican colleagues will be jolted back to reality and to common sense. Since this isn't the first time Republicans have put us through a shutdown, we actually have a very good idea as to what a DHS shutdown would look like.

Here are just some of the functions that would cease if Republicans failed to put a clean bill on the floor: The bulk of DHS management and head-quarter administrative support activities would cease, including much of the homeland security infrastructure that was built during the 9/11 terrorist attacks to improve command, control, and coordination of disparate frontline activities. Securing the Cities, a critical post-9/11 funding program that helps pay for nuclear detection capabilities in New York City, Los Angeles, and Washington, DC, could not be awarded in fiscal year 2015. The DHS Nuclear Detection Office, which since 9/11 coordinates on a daily or weekly basis with local law enforcement, will stop operating.

FEMA's disaster preparedness unit would cease coordinating regular training activities for law enforcement for weapons of mass destruction events. FEMA employees in Washington and across the country who provide critical preparedness resources to local first responders would be sent home. Twenty-five percent of FEMA's headquarters and regional staff would be furloughed.

FEMA personnel working on grants programs, such as funds for intelligence analysts or firefighter needs, would be furloughed, and even those personnel deemed essential would be denied paychecks until a funding bill is passed. This means we are not paying the Coast Guard, we are not paying the TSA, we are not paying the Border Patrol, the Secret Service or FEMA aid workers.

So make no mistake, a DHS shutdown would hamstring our ability to combat threats to the homeland and to keep our citizens safe. The irony of course is that one of the programs that shutdown would close completely is E-Verify, which stops unscrupulous em-

ployers from hiring undocumented workers and cutting everyone's wages.

So in order to make a point on immigration, our Republican colleagues are actually going to stop the program which prevents employers from hiring undocumented workers. Essentially to make a point about needing more immigration enforcement, Republicans are willing to shut down immigration enforcement.

In short, I am perplexed as to why Republicans are playing this game of chicken with DHS funding because the only possible outcome that could come from withholding of a clean DHS bill is the shutdown of several critical post-9/11 programs within the DHS and the furlough of thousands of workers paramount to our Nation's security and disaster preparedness.

At a time when we need all hands on deck to keep America safe, Republican efforts to politicize our security would tie DHS's hands behind their back. So I urge my Republican colleagues in the House and Senate to drop this fool's errand and put a clean DHS funding bill on the floor as soon as possible.

I yield the floor.

Mr. BARRASSO. Mr. 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.

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

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

Mrs. SHAHEEN. Mr. President, I am here this afternoon to discuss the two concerns I have about the bill currently before the Senate—the regulation that would grant immediate approval of the Presidential permit necessary to construct and operate the Keystone XL Pipeline.

First and foremost, I believe a thorough regulatory review process is critical for any major infrastructure project, particularly one that will cross our country's border. Regulatory review enables the identification of economic impacts from a major project and, more importantly, environmental impacts that infrastructure projects such as the Keystone Pipeline may bring.

We shouldn't trade transparency for expediency when it comes to the construction of an international project that has such scope. I can't support a bill that sacrifices these important protections. That is why I voted in the past against legislation to allow the Keystone XL Pipeline to circumvent the normal review process, and that is why I intend to again vote against this bill.

I also have a number of concerns about the impact of the Keystone Pipeline on our environment. In the past 2 weeks, we have had a spirited debate on this floor, and a number of my colleagues have come to the floor to talk about the pipeline oilspills we have seen in this country.

Just a few days ago, an oil pipeline burst, leaking 50,000 gallons of crude oil into the Yellowstone River in Montana. Yet this spill pales in comparison to the 2010 Kalamazoo River oil spill where over 1 million gallons of oil sands poured into Talmadge Creek in Michigan. The cleanup has already cost more than \$1 billion and taken over 4 years to complete. In fact, to date there has been no authoritative study on how the spills of oil sands crude may differ from those of conventional crude oil. This means we have no idea about the spill's long-term effects on the health of wildlife in that river.

The other issue that has been raced onto the floor is the fact that right now, because of the way we define crude oil, TransCanada—supporting and planning to build the Keystone Pipeline—is not required to pay into the federal oil spill liability trust fund, which would ensure taxpayers against any spills. So we have this out-of-state, out-of-country foreign company that is coming in to build this pipeline, and yet they are not required to pay, as any American company would be, into the oil spill liability trust fund. That, to me, doesn't make sense. Circumventing the regulatory process for Keystone prevents us from understanding the health hazards that we would face should another spill occur.

I am also concerned that construction of the Keystone Pipeline will increase carbon emissions and undermine some of the most critical climate policies that we have in place. The pipeline poses threats to our environment that have already been identified. Tar sands greenhouse gas emissions are 81 percent greater than those of conventional oil. That is because the production of oil sands crude is more energy intensive, or more greenhouse gas intensive, than conventional crude production. Additional processes are required to extract the oil, remove the sand, and dilute the oil so that it can flow in a pipeline.

In addition, if the pipeline is approved, much of the boreal wetlands in Alberta, Canada, which act as a carbon sink, would be destroyed, releasing 11 million to 47 million metric tons of CO<sub>2</sub> into the atmosphere.

One of the reasons I am concerned about circumventing the regulatory process is because I believe this could set a precedent for a rushed approval of infrastructure projects currently under consideration in New Hampshire.

In New Hampshire, we have two projects that really merit careful consideration and thorough review that could be affected by a precedent that says we should ignore the regulatory process. In New Hampshire, the Northern Pass transmission proposal, which proposes to deliver hydropower from Quebec into the New England energy markets and goes through northern New Hampshire, would bring power to southern New England, but New Hampshire wouldn't benefit. And any suggestion that we would circumvent the

process is a real concern to people in New Hampshire who would be affected by that project.

The other project is the potential reversal of the Portland-Montreal pipeline, which, if the determination were made to do this, would send oil sands through many New Hampshire communities, and that oil would then be shipped to foreign countries.

So if we set the precedent of trading transparency for expediency with Keystone, without requiring the completion of a comprehensive approval process, local communities in New Hampshire may not have a meaningful voice in the process that deals with Northern Pass or reversing the Portland-Montreal pipeline. I think that is unacceptable.

These three projects—Keystone, Northern Pass, and Portland-Montreal—have one important thing in common: They should undergo the comprehensive environmental and safety approval process required by existing law, and that should be done independent of politics.

Circumventing the Presidential permitting process for cross-border pipelines and electric transmission facilities avoids the due process that is needed to determine whether these projects are in the best interests of the country.

In New Hampshire, Northern Pass and the Portland-Montreal pipeline have raised serious concerns for people who live in areas impacted by these projects. That is why I worked with the entire New Hampshire congressional delegation in a bipartisan way to ensure that both projects undergo a transparent, thorough, and comprehensive review process. That allows the input of local communities who will be affected by these projects.

Like people in New Hampshire and across the country, I share concerns about our Nation's energy future. Throughout my career I have fought for smart policies that will reduce energy costs in New Hampshire and across the country, that will help create jobs, and will protect our air and water from pollution.

But I don't believe mandating a project that bypasses the approval process is a smart policy. We need to be smart and thoughtful about our energy future. I think it would set a dangerous precedent for other projects that could have serious consequences in New Hampshire and in other States around the country.

I appreciate the debate we have had here on the Senate floor about the Keystone Pipeline, but I will be opposing this bill.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### UKRAINE AND SYRIA

Mr. NELSON. Mr. President, I want to speak to the Senate about Ukraine and also about Syria. These are two parts of the world that are of particular critical importance to the United States foreign policy today because of what they portend for the future. The fact that our relationship is so rocky with the President of Russia, President Putin, who right up to just a few days after the Olympics suddenly shows his true colors when he invades Crimea, a part of Ukraine, despite all of the agreements when the Soviet Union broke up in the late eighties, early nineties, the agreements that in exchange for moving all of the nuclear weapons out of Ukraine back into Russia, that Russia would forever recognize and respect the sovereignty of Ukraine—well, that went out the window right after the Olympics, and Mr. Putin showed his true colors.

He could couch it in all kinds of terms, that there is a Russian naval base that was there, but the fact is the whole world knows what he did, and no one could do anything about it. Then he started to move on the eastern part of Ukraine, and that, of course, is going on as we speak. The so-called rebels aren't really rebels. They are a front for the Russian military propped up with actual troops of the Russian military, sometimes disguised as being free and independent players simply because they don't have on their Russian uniforms; but in fact they have taken them off and put on uniforms that are not Russian uniforms to say that they are part of the rebel force. It is a ruse and everybody knows it is a ruse.

I went last August to Ukraine, spoke with almost all of the top-level members of the government and asked what it was they needed. To my surprise, at the time they did not say they needed lethal equipment. They needed up-to-date, up-to-the-minute intelligence, and they needed training.

I have urged the U.S. Government to provide that, and we are providing a number of things. This Senator thinks it is clearly in the interest of the United States that we provide more assistance to the Government of Ukraine so their military can have the equipment, including lethal assistance, to hold off Putin's aggression in Eastern Ukraine.

This is a particularly critical time. I was there last summer, but what has happened in the meantime is over the course of the past year oil has gone from \$100 to \$46 a barrel. I remember asking someone when I was there and in the Baltic States what did oil need to get to and below in order for Mr. Putin to start really feeling the pinch, and they said anything under \$85 a barrel. It is now around \$46 a barrel. Although Russia has significant reserves as of a few months ago, about \$450 billion of cash in reserves, that is lower

now. Those reserves will hold them for a while because of the price they are getting for their oil. They don't have high production costs in Russia, but because the price is so much lower—half of what they were getting—their revenue is significantly down and therefore all of the money that was being supplied by the Russian Government for so many things, a plethora of different social programs—guess who is feeling the pinch. The people of Russia. So the aggressiveness of Mr. Putin internationally is an attempt to try to take his people's eye off of their own financial depravity and, in fact, get it on the international scene where the President of Russia is quite adept at pounding his chest and banging his fist.

The Ukrainians are once again fighting right now as we speak for their territory. The Ukrainian Government took back the Donetsk airport in Eastern Ukraine. Then the rebels came back. And I say “rebels” with a wry smile. I mean this is the Russian Army. They came back and they took it again. Last week those Russian-backed rebels broke a shaky ceasefire agreement and they renewed the fighting with the Ukrainian Government military. This Senator feels that we have got to do more to help these people who are trying to protect their independence. If you recall, last year we passed the Ukraine Freedom Support Act which provides further sanctions and lethal aid such as antitank and anti-armor weapons, counter-artillery radars, secure communications equipment, and tactical surveillance drones. All of that was needed.

The fighting that is following appears to be a steady buildup of Russian support for the rebels. General Hodges, the U.S. Army commander in Europe, said last week that since December Russia had doubled its support for the rebels. General Breedlove, the NATO Supreme Commander, said that Russian electronic warfare and defense systems have been detected in the conflict areas. So let's not fool ourselves, the Russian Army is in there and we have to do more to help them.

On Syria, this Senator feels where we are having success right now in Iraq against ISIS with the multiple strikes from the air, with training up the Iraqi Army as the boots on the ground, including some American boots on the ground that are advisers and trainers—at the end of the day we are going to have to do this in Syria if we are going to be successful. It is a lot more complicated in Syria because of the Assad government. The Free Syrian Army we are now starting to train—it is almost an impossible task. We train them, they go in, they try to attack ISIS. ISIS attacks them, but so does the Assad regime. That is not a recipe for success.

We are working with the vetted opposition fighters to go after ISIS in Syria. We have to supply support. We have to supply lethal support in addition to the training and equipment in

order for them to be successful. And for them to be successful, it is absolutely in the interest of the United States. Congress has approved the training and equipping of vetted elements of the Syrian opposition, and the Department of Defense recently announced it will deploy 400 personnel in that effort. We are going to have to do a lot more.

The American people are tired of war, and yet we have a new kind of enemy, and we are going to have to take it right to them where they are.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

(The remarks of Mr. HATCH pertaining to the introduction of S. 295 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. HATCH. Mr. President, I wish to say a few words about some of the amendments we will be voting on later this afternoon—three of them in particular. The amendments I am referring to are the Merkley amendment No. 125, the Carper amendment No. 120, and the Heitkamp amendment No. 133. All three of these amendments address sensitive tax issues that fall squarely into the jurisdiction of the Senate Finance Committee, and all of them address issues that are likely to be litigated as the Finance Committee continues its efforts toward comprehensive tax reform.

The Finance Committee is going to be very active in this Congress. We had our first bipartisan markup this morning. We already had two hearings, with more scheduled for next week, and perhaps more importantly—at least in the context of these three votes we will be having today—we have taken concrete steps in a process we believe will end in the introduction of bipartisan tax reform legislation. We have appointed five tax reform working groups to address the various areas of reform. Our hope is that over the next few months these working groups will study the issues and provide ideas we can use as we develop a comprehensive tax reform proposal.

Ranking Member WYDEN is on board with this effort. We are working together every step of the way. If we start singling out individual tax issues here on the floor—even issues Members may feel passionately about—we are going to undermine this bipartisan process. Virtually everyone in both parties agrees that we need to fix our broken, inefficient Tax Code. Sure, there are disagreements on what the substance of tax reform should look like, but there is a growing consensus on the need for reform, which is encouraging. If we are going to be successful in tax reform, we need to make sure these issues are addressed in the tax-writing committees.

I think it is safe to say that all of the issues my colleagues are trying to address with their amendments are going to be litigated one way or another in the Finance Committee's efforts this

year. That being the case, raising these issues as floor amendments on an unrelated bill is, in my view, very counterproductive.

Finally, I would like to note that these amendments would all be subject to a constitutional point of order as they all deal with revenue and would need to be passed first by the House of Representatives. I am not going to raise that point of order at this time; I just want to make note of it for the record.

Given all of these concerns, I hope my colleagues—Senators MERKLEY, CARPER, and HEITKAMP—will withdraw these amendments so these issues can be addressed in the proper forum. If they do not withdraw their amendments, I plan to vote against all three of them and urge all of my colleagues—particularly those who have an interest in a successful tax reform effort—to do the same.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from Colorado.

Mr. BENNET. I congratulate the Presiding Officer, and I also congratulate Chairman HATCH for the unanimous vote he got in today's markup in the Finance Committee. It was a great bipartisan start to our work, as he said. I hope we will continue to have these discussions in that manner.

#### AMENDMENT NO. 92, AS MODIFIED

Mr. BENNET. Mr. President, I wish to speak today about the Burr-Bennet amendment No. 92, which we are slated to vote on later today. I will be brief because it is pretty straightforward.

The amendment simply reauthorizes the Land and Water Conservation Fund and ensures that a dedicated portion of LWCF funds go to provide new access for our Nation's sports men and women.

As many in this body know, the Land and Water Conservation Fund is one of the country's best and most important conservation programs. It is authorized to provide \$900 million annually for efforts to preserve and increase access to our public lands and waterways. These resources historically have been used for projects that range from building city parks, to purchasing small parcels of isolated land from willing sellers, all the way to preserving the Nation's historic battlefields.

This past summer in Colorado, we completed a huge LWCF project that retired several old mining claims on the San Juan National Forest near the town of Ophir.

Over the Fourth of July weekend, the town invited me and my family to join them in a celebration of the accomplishment, and we took them up on that offer without a moment's hesitation.

Ophir sits at 9,600 feet above sea level. It is the kind of place that has a sign on its main road—clearly painted by the kids who live in the town—indicating that their population totals 163 people, including, according to the sign, 55 kids, 30 dogs, and 15 cats. When

we pulled in on the morning of the celebration, it seemed to me that the entire town was there. Over the course of that day—which included a hike, a picnic, and a formal program—it was amazing to hear from the community about the importance of this LWCF project and how many years so many people in the town devoted themselves to getting it done.

Many of our mountain communities get huge portions of their revenue and business through recreation and tourism, and it is for some of these reasons that the town felt LWCF literally helped cement its economic future.

I was an LWCF supporter before that visit, but that day really drove home the value of the program to me. That is only one of countless stories from Colorado. I know it can be replicated thousands of times across the country in all 50 States. Those stories and accomplishments alone make this amendment worth supporting.

Let's also remember that when we are talking about LWCF, we are not talking about taxpayer dollars. When Congress crafted the measure back in 1965, they had a very innovative solution for how to pay for their concept. Instead of using taxpayer dollars from the Treasury, they decided to dedicate a portion of the revenue the government collects from offshore oil drilling to fund LWCF. This argument was very simple and elegant.

As we deplete our natural resources—offshore reserves of oil and gas in this case—we ought to support the conservation of another natural resource: our lands and waterways. As I mentioned, Congress passed a law in 1965, and now it is time to reauthorize it. I thank Senator BURR, who has shown great leadership in crafting the amendment to do just that.

This amendment is thoroughly bipartisan and enjoys cosponsors such as Senator AYOTTE, Senator ALEXANDER, and Senator TILLIS, just to name a few. In fact, I am told there are 246 amendments that have been filed on this bill, and not one amendment has the number of cosponsors that this amendment does. This amendment has more cosponsors than any of the remaining 245 amendments.

Before I close and urge my colleagues to vote yes, I want to paraphrase something I said on the floor last week about another amendment. Conservation policies such as LWCF are important to the American people. Protecting our land and water is mom-and-apple-pie stuff in Colorado, and I know our State is not the only one. Conserved lands and wide-open spaces are a huge economic driver across our country, and it is part of who we are in the West.

We are not only talking about backcountry parcels, such as the one I visited in Ophir, we are talking about building new parks in inner cities and providing new access to hunters and anglers. The LWCF does all of these things and more.

I say to my colleagues, if you are for city kids getting a new playground or making sure we protect gold medal trout streams or any number of benefits in between, then you need to be for amendment No. 92 from Senator BURR. I urge all of my colleagues to support the measure when it comes time for a vote later this evening. I think we would make a very meaningful statement about where the Senate is headed if we could supply the votes necessary to actually adopt this amendment.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### AMENDMENT NO. 75

Mr. CARDIN. Mr. President, it is my understanding that in about a minute we are going to be voting on the first of a series of amendments. The first amendment is the amendment I have offered which I talked about before. I want to remind my colleagues what this amendment does.

First, it would require a notification to Governors and to county officials of risks to their drinking water supplies that may be caused by the Keystone Pipeline.

Second, the local officials would have the right to bring that information back to the Federal Government so that action could be taken in order to protect their drinking water supplies.

Third, it provides a right of action for property owners for damages caused to their wells and drinking water as a direct result of the Keystone Pipeline construction.

This is a pretty straightforward amendment. It provides States rights in knowing what is happening with regard to their drinking water, and it provides property owners rights for the damages that could be caused as a result of Keystone.

I would urge my colleagues to support the amendment.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I would urge colleagues to oppose the Cardin amendment.

In review, it appears that it is designed to halt the construction of this pipeline before it even begins. The amendment tells the President to provide this analysis of the potential risks to public health and environment from a leak or rupture and to provide that to every municipality and every county along the route, as well as to the Governors. Then the Governor can petition the President to effectively locate the pipeline somewhere else, at which point, again, construction could never commence.

The Governors of Montana, South Dakota, and Nebraska have already approved the pipeline route through their States. So this amendment is an effort, I think, to build that opposition over contamination fears and in turn, pressure those Governors to reverse their positions and halt the pipeline's construction.

I think it is important for colleagues to understand the risks to the water supplies along the pipeline path were examined by the State Department's final SEIS. They were found to be not significant. Again, I will vote no on this amendment and strongly encourage my colleagues to join me with this.

The PRESIDING OFFICER. Under the previous order, the question occurs on agreeing to amendment No. 75.

Mr. CARDIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

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

The result was announced—yeas 36, nays 62, as follows:

#### [Rollcall Vote No. 31 Leg.]

#### YEAS—36

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

#### NAYS—62

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

#### NOT VOTING—2

Reid	Rubio
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The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

#### CHANGE OF VOTE

Ms. HEITKAMP. Mr. President, on rollcall No. 31, I voted yea. It was my

intention to vote nay. Therefore, I ask unanimous consent that I be permitted to change my vote, since it will not affect the outcome of the vote.

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

(The foregoing tally has been changed to reflect the above order.)

Ms. MURKOWSKI. I move to reconsider the vote.

Mr. WICKER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 70

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate prior to a vote in relation to amendment No. 70, offered by the Senator from Michigan, Mr. PETERS.

Who yields time?

The Senator from Michigan.

Mr. PETERS. Mr. President, as Michiganders, Senator STABENOW and I know firsthand how important the Great Lakes are. The lakes are a vital natural resource and an economic engine for our State, region, and the entire country. Unfortunately, Michiganders also know firsthand the environmental dangers and risks when it comes to pipeline leaks.

We had the worst inland pipeline leak in our Nation's history near Kalamazoo, MI. Cleanup has taken over 4 years and has cost \$1.2 billion. There is a 60-year-old pipeline under the Straits of Mackinac where Lake Michigan and Lake Huron come together. I cannot even fathom what would happen if there were an accident that contaminated the Great Lakes. The results would be catastrophic not only for the Great Lakes but also the entire country.

That is why we need to act now and act quickly, and I urge my colleagues to support the Peters-Stabenow amendment.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I am not entirely certain I like this amendment. This is the first I have heard PHMSA may not have the resources to do its job. It does seem fair to have PHMSA come tell us if they do not have adequate resources.

What I most strongly oppose with this amendment is its attempt to tie the construction of the Keystone XL Pipeline to an unrelated pipeline in a different State. There is no limit for the PHMSA study and certification included here, so we could be looking, in addition to the already 2,300-some-odd days this delay has been in place, at further delays.

If my colleagues from Michigan are interested in a PHMSA study, I recommend they introduce their effort as a stand-alone bill so it can be considered by the committee of jurisdiction. If it is needed, we can move it through the regular order and certainly consider it in the future.

I would ask my colleagues to oppose this amendment, and I remind colleagues that we are on 10-minute votes.



drafted so broadly that it allows just about every nation which is a member of the World Trade Organization to automatically receive natural gas exported from the United States of America. The process is just eliminated—automatic.

What will that do? No. 1, it will increase prices to American consumers. The Energy Information Agency has already determined that the LNG export facilities already approved are going to lead to a 50-percent increase in the price of natural gas here in America. It would jeopardize American manufacturing which has seen 700,000 new jobs created in the last 5 years in America largely because of low-priced natural gas. It is going to increase carbon pollution because it is going to slow the pace of change from coal over to natural gas in the generation of electricity. It is going to undermine our trade negotiations because it is all going to be given away here on the Senate floor. And, finally, it is going to harm our national security, because if we converted one-third of our trucks and buses, it backs out all the oil that we import from the Persian Gulf by using natural gas in American vehicles. We are going to ship jobs along with that gas going overseas. I urge a “no” vote on the Cruz amendment.

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

Under the previous order, the question is on agreeing to amendment No. 15 offered by the Senator from Texas, Mr. CRUZ.

Ms. MURKOWSKI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

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

The result was announced—yeas 53, nays 45, as follows:

[Rollcall Vote No. 34 Leg.]

YEAS—53

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

NAYS—45

Baldwin	Booker	Cantwell
Bennet	Boxer	Cardin
Blumenthal	Brown	Carper

Casey	Klobuchar	Reed
Collins	Leahy	Sanders
Coons	Manchin	Schatz
Donnelly	Markay	Schumer
Durbin	McCaskill	Shaheen
Feinstein	Menendez	Stabenow
Franken	Merkley	Tester
Gillibrand	Mikulski	Udall
Heinrich	Murphy	Warner
Hirono	Murray	Warren
Kaine	Nelson	Whitehouse
King	Peters	Wyden

NOT VOTING—2

Reid	Rubio
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The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. MURKOWSKI. Mr. President, I move to reconsider the vote.

Mr. CRUZ. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 125

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 125, offered by the Senator from Oregon, Mr. MERKLEY.

The Senator from Washington.

AMENDMENT NO. 125 WITHDRAWN

Ms. CANTWELL. Mr. President, I ask unanimous consent that Merkley amendment No. 125 be withdrawn.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment is withdrawn.

AMENDMENT NO. 73

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 73, offered by the Senator from Kansas, Mr. MORAN.

The Senator from Kansas.

Mr. MORAN. Mr. President, the U.S. Fish and Wildlife Service has determined that the lesser prairie chicken should be listed in a number of States, including Kansas, as a threatened species. The lesser prairie chicken has had a significant history in our State and a significant population of birds, but as a result of a drought, the habitat for the lesser prairie chicken and other wildlife has been diminished and the number of birds has decreased.

The consequences of listing the lesser prairie chicken that results from a drought is so dramatic and so damaging to the Kansas economy and to the farmers and ranchers and the use of their lands, to the oil and gas industry and the exploration of oil and gas, and to the utility industry in regard to the production and transmission of electricity that this amendment is necessary to set aside that listing as a threatened species and to allow interested holders in Kansas to come together and find a commonsense solution based upon sound science to protect the habitat of this bird.

This is not just a Kansas issue, and in fact, this species is only the precursor to problems others will have in their States.

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

The Senator from New Mexico.

Mr. UDALL. Mr. President, I rise today to oppose the Moran amendment, which would delist the lesser prairie chicken as a threatened species.

To be clear, I appreciate some of the concerns about this listing by farmers, ranchers, and industry. I am concerned about any unintended consequences this listing may have on rural New Mexicans. I strongly support and I assume the Senator from Kansas supports the bipartisan five-State effort for a thorough review.

The Fish and Wildlife Service took numerous steps in this process to respond to all stakeholders and to enable habitat conservation and economic growth. New Mexico has been and continues to be a leader in cooperative conservation in places where the prairie chicken is found. Ranchers and oil and gas industries deserve their praise for their efforts. So it is working and the sky is not falling, but we should not take this top-down political approach. Listing and delisting of the species by Congress goes against the intent of the law, which requires the government to make these decisions based on science, not politics.

I urge my colleagues to vote no.

The PRESIDING OFFICER. The time of the Senator has expired.

The question is on agreeing to the Moran amendment.

Mr. McCONNELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

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

The result was announced—yeas 54, nays 44, as follows:

[Rollcall Vote No. 35 Leg.]

YEAS—54

Alexander	Ernst	Moran
Ayotte	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Hatch	Roberts
Cassidy	Heller	Rounds
Coats	Hoeven	Sasse
Cochran	Inhofe	Scott
Corker	Isakson	Sessions
Cornyn	Johnson	Shelby
Cotton	Kirk	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Vitter
Ernst	Moran	Wicker

NAYS—44

Baldwin	Booker	Cantwell
Bennet	Boxer	Cardin
Blumenthal	Brown	Carper

Casey	Klobuchar	Sanders
Coons	Leahy	Schatz
Donnelly	Markey	Schumer
Durbin	McCaskill	Shaheen
Feinstein	Menendez	Stabenow
Franken	Merkley	Tester
Gillibrand	Mikulski	Udall
Heinrich	Murphy	Warner
Heitkamp	Murray	Warren
Hirono	Nelson	Whitehouse
Kaine	Peters	
King	Reed	Wyden

## NOT VOTING—2

Reid	Rubio
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The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

## AMENDMENT NO. 148

Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 148, offered by the Senator from Rhode Island, Mr. WHITEHOUSE.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, the underlying measure benefits specific investors, specific corporations, and pushes regulatory approval of a specific project. In that sense, it has all the earmarks of the biggest earmark ever.

We have learned from other history with earmarks that when you have a project that benefits specific investors and specific corporations and specific entities, there is a valuable premium on having the public know about the campaign contributions relative to that project.

This bill requires the disclosure of over \$10,000 in campaign contributions from entities that will make more than \$1 million off this project. It is the type of transparency that many of my Republican colleagues had been for before they were against it.

I urge an “aye” vote.

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

The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, this amendment is virtually identical to the text of what we saw last year. It was tabled by a vote of 52 to 43. This amendment is not relevant to this debate. It is as unnecessary now as it was the first time we voted on it.

To the extent it is legal for a person or a company to make a campaign contribution, Federal and State election laws require public disclosure of those campaign contributions. Any other more general political activities a company or a person may choose to engage in are governed by existing laws and regulations as well. For that reason, I am going to be opposing this amendment for a second time and would encourage my colleagues to do as well.

The PRESIDING OFFICER. Under the previous order, the question occurs on agreeing to amendment No. 148.

Mr. CARDIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.  
The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Florida (Mr. RUBIO), and the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

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

The result was announced—yeas 44, nays 52, as follows:

## [Rollcall Vote No. 36 Leg.]

## YEAS—44

Baldwin	Gillibrand	Nelson
Bennet	Heinrich	Peters
Blumenthal	Hirono	Reed
Booker	Kaine	Sanders
Boxer	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Manchin	Stabenow
Carper	Markey	Tester
Casey	McCaskill	Udall
Coons	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Murphy	
Franken	Murray	Wyden

## NAYS—52

Alexander	Fischer	Murkowski
Ayotte	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heitkamp	Rounds
Cassidy	Heller	Sasse
Coats	Hoover	Scott
Cochran	Inhofe	Shelby
Collins	Isakson	Sullivan
Corker	Johnson	Thune
Cornyn	Kirk	Tillis
Cotton	Lankford	Toomey
Crapo	Lee	Vitter
Daines	McCain	Wicker
Enzi	McConnell	
Ernst	Moran	

## NOT VOTING—4

Cruz	Rubio
Reid	Sessions

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. MURKOWSKI. I move to reconsider the vote.

Mr. VITTER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

## AMENDMENT NO. 132

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 132, offered by the Senator from Montana, Mr. DAINES.

The Senator from Montana.

Mr. DAINES. Mr. President, my amendment simply expresses the sense of Congress that all future national monument designations should be subject to consultation with local governments and the approval of the Governor and legislature of the States in which such designation would occur. This amendment ensures that the people affected most by these designations

have a seat at the table and their voices are heard.

The current administration, as well as past administrations—both Republican and Democratic—have made efforts to stretch the intent of the Antiquities Act, threatening Montanans’ ability to manage our State’s resources.

It is a trend we are seeing. Any bill designation that impacts land management should be locally driven, not spearheaded in Washington.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, speaking in opposition to this amendment, there is a reason why they call it a national monument. That is because it is a national process, and it is a national decision.

Yes, Presidents of the United States consult with Governors and consult with State legislators, but they are not required to have a bill or the authority of the Governor before they make a national monument.

Nearly half of our national parks, including the Grand Canyon and Olympic National Park, were designated under this Antiquities Act. Sixteen Presidents—eight Republicans and eight Democrats—have designated over 130 national monuments since Teddy Roosevelt signed this act in 1906.

I think it has worked well for the United States of America. Please turn down this amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 132, the Daines amendment.

Ms. MURKOWSKI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

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

The result was announced—yeas 50, nays 47, as follows:

## [Rollcall Vote No. 37 Leg.]

## YEAS—50

Barrasso	Enzi	Lankford
Blunt	Ernst	Lee
Boozman	Fischer	McCain
Burr	Flake	McConnell
Capito	Graham	Moran
Cassidy	Grassley	Murkowski
Coats	Hatch	Paul
Cochran	Heitkamp	Perdue
Collins	Heller	Portman
Corker	Hoeven	Risch
Cornyn	Inhofe	Roberts
Cotton	Isakson	Rounds
Crapo	Johnson	Sasse
Cruz	Kirk	Scott
Daines		

Sessions  
Shelby  
Sullivan

Thune  
Tillis  
Toomey

NAYS—47

Vitter  
Wicker

this is an area where we might be able to work together.

Sullivan  
Thune

Tillis  
Toomey

NOT VOTING—2

Vitter  
Wicker

Reid

Rubio

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. MURKOWSKI. Mr. President, I move to reconsider the vote.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 35

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 35, offered by the Senator from Maine, Ms. COLLINS.

The Senator from Maine.

Ms. COLLINS. Mr. President, the Senator from Virginia, Mr. WARNER, and I are offering an amendment that would help school officials to learn about existing Federal programs to improve energy efficiency in order to reduce school energy costs. It would not authorize any new programs or any new funding. It would simply require a review of existing Federal programs and require the Department of Energy to establish a coordinating structure so that schools can more easily navigate the many programs that are scattered across the Federal Government.

I know of no opposition to the amendment. To try to make life easier for my colleagues, if it is acceptable to the managers, I would be happy to accept a voice vote.

I don't know if my colleague from Virginia has any comments he would like to make.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I agree with the Senator from Maine, and I would urge a voice vote as well.

Ms. MURKOWSKI. Mr. President, I thank both Senators, and I ask unanimous consent that the 60-vote affirmative threshold on the Collins amendment be vitiated, and I urge its adoption by voice vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Is there any further debate on the Collins amendment No. 35?

If not, the question is on agreeing to the amendment.

The amendment (No. 35) was agreed to.

AMENDMENT NO. 120

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 120, offered by the Senator from Delaware, Mr. CARPER.

The Senator from Washington.

AMENDMENT NO. 120 WITHDRAWN

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Carper amendment No. 120 be withdrawn.

Alexander  
Ayotte  
Baldwin  
Bennet  
Blumenthal  
Booker  
Boxer  
Brown  
Cantwell  
Cardin  
Carper  
Casey  
Coons  
Donnelly  
Durbin  
Feinstein

Franken  
Gardner  
Gillibrand  
Heinrich  
Hirono  
Kaine  
King  
Klobuchar  
Leahy  
Manchin  
Markey  
McCaskill  
Menendez  
Merkley  
Mikulski  
Murphy

Murray  
Nelson  
Peters  
Reed  
Sanders  
Schatz  
Schumer  
Shaheen  
Stabenow  
Tester  
Udall  
Warner  
Warren  
Whitehouse  
Wyden

NOT VOTING—3

Cornyn  
Reid  
Rubio

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. MURKOWSKI. Mr. President, I move to reconsider the vote.

Mr. CRUZ. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 115

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 115, offered by the Senator from Delaware, Mr. COONS.

The Senator from Delaware.

Mr. COONS. Mr. President, we need to take steps now to prepare for the coming impact of climate change on our Nation's infrastructure.

The Federal Government plays a crucial role in protecting our infrastructure and partnering with State and Federal, tribal, and local governments to prepare.

The Federal Government, including our Pentagon and the highway administration, is already planning and preparing for these impacts. Many States are as well. From my home State of Delaware to Alaska to Florida, all are already planning responsibly for the future impacts of climate change. Preparing now is only responsible, because every dollar invested in planning and preparing is projected to save us up to \$4 in future disaster relief.

This amendment is supported by a number of organizations—the American Society of Civil Engineers, the National Wildlife Federation, the Union of Concerned Scientists, and others.

This amendment does not speak to the human role in climate change or emissions. It simply acknowledges that climate change is having an impact on our infrastructure and suggests that planning is responsible.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I had a conversation with our colleague from Delaware, and I told him I think

[Rollcall Vote No. 38 Leg.]

YEAS—47

Ayotte	Franken	Murray
Baldwin	Gillibrand	Nelson
Bennet	Heinrich	Peters
Blumenthal	Heitkamp	Reed
Booker	Hirono	Sanders
Boxer	Kaine	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Stabenow
Carper	Manchin	Tester
Casey	Markey	Udall
Collins	McCaskill	Warner
Coons	Menendez	Warren
Donnelly	Merkley	Whitehouse
Durbin	Mikulski	Wyden
Feinstein	Murphy	

NAYS—51

Alexander	Ernst	McConnell
Barrasso	Fischer	Moran
Blunt	Flake	Murkowski
Boozman	Gardner	Paul
Burr	Graham	Perdue
Capito	Grassley	Portman
Cassidy	Hatch	Risch
Coats	Heller	Roberts
Cochran	Hoeven	Rounds
Corker	Inhofe	Sasse
Cornyn	Isakson	Scott
Cotton	Johnson	Sessions
Crapo	Kirk	Shelby
Cruz	Lankford	
Daines	Lee	
Enzi	McCain	

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment is withdrawn.

AMENDMENT NO. 166

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 166, offered by the Senator from Alaska, Ms. MURKOWSKI.

The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I have had an opportunity to speak on this amendment several different times. Effectively, what we are doing is releasing wilderness study areas if within 1 year of receiving the recommendation Congress has not yet designated the study area as wilderness.

Effectively, what is happening is designations will come from the administration. Congress is the entity that is to approve them. But in the interim these areas are managed as de facto wilderness. In fact, many areas have been managed as de facto wilderness for decades because the Congress has not acted.

So simply, what we do in this amendment is to put a time period. Until the Congress makes a final determination on the wilderness study area, these areas will be determined not to be wilderness and not managed as such. But they are putting a time parameter on that so that they are not managed as wilderness areas indefinitely.

I would urge a “yes” vote from my colleagues.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, this is a sweeping attack on millions of acres of land recommended for wilderness. This would nullify much of the Obama administration’s plan for the Arctic National Wildlife Refuge and would also immediately abolish wilderness studies on BLM lands in 12 Western States. It would also abolish protection for 2.3 million acres in national wildlife refuges. These lands have been refuges, and they should be managed accordingly. So I would ask my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the Murkowski Amendment No. 166.

Ms. MURKOWSKI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

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

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 39 Leg.]

YEAS—50

Barrasso	Flake	Paul
Blunt	Graham	Perdue
Boozman	Grassley	Portman
Burr	Hatch	Risch
Capito	Heller	Roberts
Cassidy	Hoover	Rounds
Coats	Inhofe	Sasse
Cochran	Isakson	Scott
Corker	Johnson	Sessions
Cornyn	Kirk	Shelby
Cotton	Lankford	Sullivan
Crapo	Lee	Thune
Cruz	Manchin	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Vitter
Ernst	Moran	Wicker
Fischer	Murkowski	

NAYS—48

Alexander	Feinstein	Murphy
Ayotte	Franken	Murray
Baldwin	Gardner	Nelson
Bennet	Gillibrand	Peters
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Sanders
Boxer	Hirono	Schatz
Brown	Kaine	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Markay	Udall
Collins	McCaskill	Warner
Coons	Menendez	Warren
Donnelly	Merkley	Whitehouse
Durbin	Mikulski	Wyden

NOT VOTING—2

Reid	Rubio
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The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. MURKOWSKI. Mr. President, I move to reconsider the vote.

Mr. CORNYN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 133

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 133, offered by the Senator from North Dakota, Ms. HEITKAMP.

The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, this amendment will provide a sense of the Senate that we will provide some certainty to the American wind and other renewable industries by taking a look at the production tax credits and actually having a forward progress report so that they know exactly what the rules will be in the future, however short or long that may be. Every year, as we do the tax extenders, there are people waiting to find out if they still have a job. People in my State are waiting to know whether they are going to be put to work the next day or even the next week based on what this Congress does. It is so critical that we actually have predictability in this industry.

This is a jobs bill, and it is an energy bill. I can’t imagine anything more germane to the Keystone XL Pipeline than a bill that provides both jobs and certainty to an “all of the above” essential, which is wind.

The PRESIDING OFFICER. Who yields time?

The Senator from Arizona.

Mr. FLAKE. Mr. President, I rise in opposition to this amendment. I believe we do need more certainty, and the certainty ought to be that it is time for this tax credit—particularly the wind PTC—to expire. This was enacted 23 years ago as a temporary tax measure. There has been a lot of wind that has blown since that time, and we have a mature industry. In fact, the other day the President said we are No. 1 in the world in wind power.

We ought to have more certainty, and the certainty that needs to be there is that the tax credit is going to end and that we stop picking winners and losers in the energy economy.

With that, I yield the floor.

Mr. GRASSLEY. Mr. President, I would like to speak on Amendment No. 133, offered by Senator HEITKAMP of North Dakota. The amendment is a sense of Congress that the renewable electricity tax credit should be extended for 5 years. While I supported the amendment, I would like to express my concerns regarding the consideration of this amendment at this time.

I have been an outspoken supporter of renewable energy for many years. In fact, I first authored the wind production tax credit in 1992 to drive this renewable energy technology. I have worked for many years to provide as much certainty as possible to grow the domestic wind industry. Iowa has seen an enormous investment in wind energy manufacturing and wind farm development. I know firsthand the boom-and-bust cycle that exists for renewable energy producers when Congress fails to extend these critically important tax incentives.

But I also know this credit won’t go on forever. It was never meant to, and it shouldn’t. In 2012 the wind industry was the only industry to put forward a phaseout plan. A number of my colleagues here in the Senate have been working to construct a responsible, multiyear phaseout of the wind tax credit. That is why I am somewhat puzzled by an amendment that suggests a 5-year extension of this credit. It seems disconnected with reality.

I would remind my colleagues on the other side that in November of 2014, the House offer on tax extenders included a multiyear extension of the wind production tax credit that would have provided the certainty and soft landing that most of us and the industry support, but President Obama issued a veto threat before the ink was dry, and as a result the wind incentive expired.

Again, I strongly support wind energy, but I support a prudent way forward on an extension of the production tax credit. This amendment fails terribly in that regard. That is why I am disappointed that the Senator from North Dakota insisted on going forward with a 5-year extension on this bill. This is not a real effort to extend the wind incentive. I am afraid this was simply a politically motivated effort designed to score political points.

It is unfortunate that in this case, politicking has trumped efforts to achieve sound, responsible policy.

Rather than offer “gotcha” amendments on an unrelated bill, we should be working together to craft an extension of these important tax incentives that work for the wind industry, that are realistic politically, and that make sense for the American taxpayer. That effort requires regular order, working through the Finance Committee, to determine the most prudent path forward. It should be done in the context of comprehensive tax reform, where all energy tax provisions are on the table, rather than as a sense of the Congress on the unrelated Keystone XL bill.

I hope that with this political exercise behind us, those of us who seek to ensure a responsible transition for the wind production tax credit can get to work and achieve a sensible policy for those who depend on it. It is too bad that this ill-timed, ill-conceived amendment may have actually harmed those efforts.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. COATS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

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

The result was announced—yeas 47, nays 51, as follows:

[Rollcall Vote No. 40 Leg.]

YEAS—47

Baldwin	Gillibrand	Murray
Bennet	Grassley	Nelson
Blumenthal	Heinrich	Peters
Booker	Heitkamp	Reed
Boxer	Hirono	Sanders
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Kirk	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Collins	Markey	Udall
Coons	McCaskill	Warner
Donnelly	Menendez	Whitehouse
Durbin	Merkley	Wyden
Feinstein	Mikulski	
Franken	Murphy	

NAYS—51

Alexander	Daines	Manchin
Ayotte	Enzi	McCain
Barrasso	Ernst	McConnell
Blunt	Fischer	Moran
Boozman	Flake	Murkowski
Burr	Gardner	Paul
Capito	Graham	Perdue
Cassidy	Hatch	Portman
Coats	Heller	Risch
Cochran	Hoeven	Roberts
Corker	Inhofe	Rounds
Cornyn	Isakson	Sasse
Cotton	Johnson	Scott
Crapo	Lankford	Sessions
Cruz	Lee	Shelby
Daines	Manchin	Sullivan
Donnelly	McCain	Tester
Enzi	McCaskill	Thune
Ernst	McConnell	Tillis

Sullivan	Tillis	Vitter
Thune	Toomey	Wicker

NOT VOTING—2

Reid	Rubio
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The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. MURKOWSKI. Mr. President, I move to reconsider the vote.

Mr. HATCH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 48

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 48 offered by the Senator from New York, Mrs. GILLIBRAND.

The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I urge my colleagues to vote in favor of the Keystone XL Pipeline Act. As it stands now, gas companies in this country do not have to comply with the Safe Drinking Water Act—the law that keeps our tapwater clear, safe, and clean.

For decades now, this loophole has exempted hydrofracking and gas storage companies from this law, even though every other energy industry, including oil and coal industries, is legally obligated to comply. If big coal can comply with this law, so can gas companies.

This special exemption is unfair, it is unnecessary, and it is unsafe. My amendment would finally remove it from the law. I urge my colleagues not to let this chance pass us by.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, claiming the 1 minute in opposition. As the Senator from New York has described, this would apply to the requirements of the Safe Drinking Water Act to underground injection of natural gas. Currently the Safe Drinking Water Act expressly prohibits this application.

This amendment to add the requirements to the Safe Drinking Water Act is beyond the scope of the immediate Keystone debate. We are debating the approval of a pipeline that is going to carry oil, not gas. If the Senator from New York wants to debate the issues of fracking—most certainly those issues are before the Energy and Natural Resources Committee, and the Safe Drinking Water Act—I would welcome a stand-alone bill. We will have those discussions, but on this measure I would oppose and encourage Members to vote against the Gillibrand amendment.

I would remind Members we are so close to wrapping up this series of

amendments. If we can ask the folks to stick around for these final few and keep to the 10-minute line. I know Senator FEINSTEIN is looking to encourage the women of the Senate to gather for a meal later on, and that would be important for us.

The PRESIDING OFFICER. The question is on agreeing to Gillibrand amendment No. 48.

The yeas and nays have been previously ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

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

The result was announced—yeas 35, nays 63, as follows:

[Rollcall Vote No. 41 Leg.]

YEAS—35

Baldwin	Franken	Nelson
Blumenthal	Gillibrand	Peters
Booker	Hirono	Reed
Boxer	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Leahy	Schumer
Cardin	Markey	Shaheen
Carper	Menendez	Stabenow
Casey	Merkley	Warren
Collins	Mikulski	Whitehouse
Donnelly	Murphy	Wyden
Durbin	Murphy	
Feinstein	Murray	

NAYS—63

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

NOT VOTING—2

Reid	Rubio
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The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. MURKOWSKI. I move to reconsider the vote.

Ms. CANTWELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the pending Murkowski substitute, as amended, be considered original text for the purposes of further amendment.

I ask unanimous consent that when the Senate resumes consideration of S. 1 tomorrow, Thursday, January 29,

there be 15 minutes equally divided in the usual form and the Senate proceed to vote on the following amendments in the order listed: Barrasso No. 245; Cardin No. 124; Burr No. 92, as modified; Daines No. 246; Vitter No. 80, as further modified with the changes at the desk; Udall No. 77; further, that all amendments on this list be subject to a 60-vote affirmative threshold for adoption and that no second-degrees be in order to any of the pending amendments to this bill. I ask unanimous consent that there be 2 minutes of debate equally divided between each vote and that all votes after the first in this series be 10-minute votes.

I further ask that once these amendments have been disposed of, the Senate agree to proceed to the motion to reconsider the failed cloture vote on S. 1; that the motion to reconsider be agreed to and the Senate proceed to vote on the motion to invoke cloture on the bill, upon reconsideration. I ask consent that if cloture is invoked on the bill, as amended, all time postcloture be considered expired at 2:30 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 80), as further modified, is as follows:

At the end, add the following:

**TITLE —OUTER CONTINENTAL SHELF OIL AND GAS LEASING REVENUE**

**SEC. \_01. 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, beginning in fiscal year 2016, in the case of projects for offshore wind energy production facilities, 37.5 percent.”

**SEC. \_02. 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 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. \_03. 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) for leasing in the Atlantic planning areas, each of the States of Florida, Georgia, 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—

“(i) with respect to the Gulf producing States, in the case of fiscal year 2017 and each fiscal year thereafter, all rentals, royalties, bonus bids, and other sums due and payable to the United States received on or after October 1, 2016, from leases entered into on or after December 20, 2006;

“(ii) with respect to each of the coastal States described in paragraph (5)(B)(ii), all rentals, royalties, bonus bids, and other sums due and payable to the United States from leases entered into in the Atlantic planning areas on or after October 1, 2015; and

“(iii) with respect to the State of Alaska, in the case of fiscal year 2022 and each fiscal year thereafter, all rentals, royalties, bonus bids, and other sums due and payable to the United States received on or after October 1, 2021, from leases entered into on or after March 1, 2005.”; and

(4) in paragraph (11) (as so redesigned), 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 20305 of title 54, United States Code, which shall be considered income to the Land and Water Conservation Fund for purposes of section 20302 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 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 redesigned 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) \$500,000,000 for fiscal year 2017;

“(ii) \$520,000,000 for fiscal year 2018;

“(iii) \$525,000,000 for each of fiscal years 2019 and 2020;

“(iv) \$575,000,000 for each of fiscal years 2021 through 2025; and

“(v) \$699,000,000 for each of fiscal years 2026 through 2055;

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

“(i) \$25,000,000 for each of fiscal years 2018 through 2020;

“(ii) \$75,000,000 for each of fiscal years 2021 through 2025;

“(iii) \$200,000,000 for each of fiscal years 2026 through 2055; and

“(iv) \$300,000,000 for each of fiscal years 2056 through 2065; and

“(C) in the case of the State of Alaska—

“(i) \$25,000,000 for each of fiscal years 2022 through 2025;

“(ii) \$100,000,000 for each of fiscal years 2026 through 2055; and  
 “(iii) \$199,000,000 for each of fiscal years 2056 through 2065.”

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I think Members have been given the outline for tomorrow morning that will take us through a final vote on cloture so that we can get to final passage of the Keystone XL Pipeline.

I appreciate the consideration and the courtesy of all Members. It has been a long day. We have worked through about a dozen additional amendments, if my count is correct, and we have done it in pretty good order. We have done it while there have been a number of committee meetings going on, which can be very disruptive, but I think with the level of cooperation we have had, we will be able to conclude our business at a relatively civilized hour this evening.

I appreciate the good work of my partner and ranking member Senator CANTWELL in getting us to this place. I am hopeful that with the number of amendments we have outlined for the morning and then the handful of germane amendments we will have in the afternoon, we will be able to move on to other business before the Senate. But I thank my colleagues for all of the effort and cooperation we have had to this point.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I wish to thank my colleague from Alaska for her hard work in getting us through this process. I think our colleagues can see the daylight to finishing this up tomorrow, hopefully. I know Members have worked across the aisle on some of these remaining issues, and we are still trying to work a few of them out. So hopefully tomorrow will go as smoothly as today has.

I would like to turn now to my colleague from New Mexico to call up his amendment.

The PRESIDING OFFICER. The Senator from New Mexico.

AMENDMENT NO. 77

(Purpose: To establish a renewable electricity standard, and for other purposes)

Mr. UDALL. Mr. President, I ask unanimous consent to set aside the pending amendment so that I may call up my amendment No. 77.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from New Mexico [Mr. UDALL], for himself, Mr. MARKEY, and Mr. BENNET, proposes an amendment numbered 77.

Mr. UDALL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in the RECORD of January 20, 2015, under “Text of Amendments.”)

Mr. UDALL. Mr. President, let me just say to the two leaders on the floor who have participated in this open amendment process that I really appreciate the way Chairwoman Murkowski and Ranking Member CANTWELL have worked through this bill. I really appreciate all their help.

I have heard, at least on our side of the aisle, over and over that this is the way the Senate should be moving, this is the way we should be working. So I think all of us are very appreciative of how the two managers of the bill have worked together.

I thank my colleagues, and I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. I thank our colleague for his kind comments. We do have one more consent request here very briefly.

I ask unanimous consent that the order of votes on the Burr and the Daines amendments be reversed.

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

Ms. MURKOWSKI. With that, Mr. President, I again thank Members for their cooperation today and look forward to yet another productive day tomorrow.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I want to express my appreciation to the bill managers for their hard work today and for their efforts in the work that was done in a bipartisan way on this legislation. I know both the bill managers have spent an awful lot of time putting together these amendments, and I think they have really bent over backward to make sure Members on both sides of the aisle have had an opportunity to file their amendments, to make those amendments pending, and to get votes on the amendments. So I would like to express my appreciation to both of them for all the work they have done and for the process today in voting on amendments.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

#### THE ECONOMY

Mr. FLAKE. Mr. President, yesterday the Congressional Budget Office—the CBO—released its budget and economic outlook showing the forecast through 2025. It should strike fear in the heart of anybody who is concerned about this country's financial future.

The very short-term news is good. The deficit is projected to fall—but only for another 2 years. In 2017 the deficit is projected to start rising again to \$1.1 trillion in 10 years. That is the annual deficit. By 2025 the deficit will be 4 percent of our overall economy.

Right now the country's debt in cumulative deficits over the years—the cumulative debt—is \$18 trillion. This year we will pay about \$277 billion just servicing that debt. That amount might seem low, but it is because of ar-

tificially low interest rates. In 10 years we will pay about \$827 billion a year just to service the debt. That is 3 percent of our economy just to pay interest on the debt. That is unsustainable.

Don't take my word for it, though. You can take CBO's. They said:

Such large and growing Federal debt would have serious negative consequences, including increasing Federal spending for interest payments; restraining economic growth in the long term; giving policymakers less flexibility to respond to unexpected challenges; and eventually heightening the risk of a financial crisis.

I have been working on these issues—this issue in particular—for a long time, and I have to admit that sometimes it is tough to get people to focus on this topic. But we shouldn't be fooled and patting ourselves on the back just because we have done things such as getting rid of earmarks. That is a good thing, but it is certainly insufficient to address our spending.

The culture in Washington is still the culture of runaway spending, not just in earmarks, as I said, not just in wasteful spending. For example, spending on Social Security, Medicare, and Medicaid will nearly double over the next decade alone. This is not a revenue problem that we are having. Projected revenues will exceed their 50-year historical average of 17 percent of GDP this year and will grow to over 18 percent of the economy in this decade.

The culture of spending in Washington is something that defies logic, defies math and an honest assessment of who we are as a country. As a result, the United States is fast becoming a once-prosperous nation. We don't want that designation. It is truly a frightening distinction. Yet too few in Washington are motivated to get this country's fiscal house in order. One has to wonder how bad it is going to have to get to prod those who are not yet motivated.

Some will argue that we need to take baby steps to address our fiscal crisis. I think we are well past that time, but whatever kinds of steps we take, we need to take them now. We need to turn this culture of spending in Washington to one that will fully repair our economy. That will give the private sector the stability and confidence to create jobs. We also need to reform our cumbersome Tax Code. Most of all, we need to relieve future generations of the burden of our financial mess.

In short, it is well past time to start climbing our way out of this fiscal hole we are in.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here now for the 87th consecutive week the Senate has been in session to urge action on climate change.

We have had an interesting couple of weeks on the Keystone Pipeline, but from a climate change and carbon pollution point of view, this would obviously not be helpful. Indeed, it would

be a disaster leading to as much as 27 million—27 million—metric tons of additional carbon dioxide emitted per year. To put that number into some perspective, that is the equivalent of adding 6 million cars and trucks to our roads for 50 years. So it is a very considerable carbon price to pay.

We have seen a poster used on the Senate Floor that says it will have no environmental effect. That is not precisely true. Indeed, precisely the opposite is true. This is the environmental effect it will have, and it is considerable. The report referred to went on to say that it would be offset by the fact that this fuel would go out by rail anyway. But that offset was conditioned on a fuel price above \$75 per barrel of oil, and we are at \$50. So there is no way that conclusion can stand, and the underlying fact is what prevails—27 million metric tons of additional carbon dioxide.

It is obviously very bad from an environmental perspective. It is a lot of “not much” from a jobs perspective. Every 4 days we add more jobs than the construction of this pipeline just through the economic recovery that is taking place.

This is a little bit hard to explain, particularly when you think that this bill is going to be dead on arrival at the White House. We have known from the beginning that this is going to be vetoed. But it has allowed the oil and the fossil fuel industry to show their hands. This is all being done on behalf of a foreign oil company and on behalf of the fossil fuel industry.

When we look at what we have been through in the past couple of days, there are some interesting choices the Senate has made if you are a foreign oil company. If you are a foreign oil company, we will let you use eminent domain to extinguish the property rights of farmers and ranchers and take their farms and ranches away. If you are a foreign oil company, we will exempt you from the oilspill recovery fund—the Federal excise tax on petroleum—so you don’t have to pay the taxes American companies have to pay. If you are a foreign oil company, we will not require you to use American steel in a pipeline being built across America being touted as a source of American jobs. If you are a foreign oil company, we won’t require you to sell it in the American market even though it is touted as a product that will help balance America’s energy portfolio.

So, so far, not much good to show for all of this but one thing, and that is that this exercise has at last brought the issue of climate change to the floor of the Senate.

We have not had much debate about climate change since the Citizens United decision back in 2010 allowed the fossil fuel industry to cast a very long shadow of intimidation across this body. They spend a huge amount of the money that has been freed up by Citizens United. They spend a huge amount of dark money that flows post Citizens

United. And since then, the Republican Party has been virtually muzzled on that subject. So having Republicans talk about climate change on the Senate floor was something of a revelation, and I don’t think we should underestimate the importance of that or undervalue what was said.

The senior Senator from North Carolina came to the floor and said this:

The concept that climate change is real, I completely understand and accept. To the point of how much man is contributing, I don’t know, but it does make sense that man-made emissions are contributing.

... the greenhouse gas effect seems to me scientifically sound. The problem is that how you fix this globally is going to require more than just the U.S. being involved.

Which I think we all agree with.

The senior Senator from Alaska, who is our chairman of the Energy and Natural Resources Committee and the floor manager on this very bill, agreed, stating that she hopes we can all, quoting her, get beyond the discussion as to whether or not climate change is real and talk about what do we do.

I look forward to that discussion about what do we do. It is not enough just to say, OK, we finally concede that climate change is really happening. We really do have to get on to what do we do.

Even if you disagree with me that climate change is real and very significant and consequential for our country, if you will spot me that there is just a 10-percent chance that I am right—even just a 2-percent chance that I am right—when we consider the possible harms, it is something that grownup adults and responsible people ought to take a look at and come together and decide what to do.

We have been through some very notable benchmarks. We hit for the first time last year 400 parts per million of carbon dioxide in our atmosphere for more than 3 months. They have been tracking this in Hawaii, at the top of the mountain at the Mauna Loa laboratory for decades now, and 400 parts per million for more than 3 months is a new record.

To put that in context: For as long as human beings have been on this planet, all the way back to when we were living in caves, the range of carbon in the atmosphere has been 170 to 300 parts per million. So we are well outside the range that has been our comfortable safe range for human habitation of this planet during our entire human experience, and 400 is a big move when our entire range is only 130 points and now we are 100 parts per million out of that.

Some of this lands in the oceans. The oceans have absorbed about a quarter of all our carbon emissions. We can measure their pH level. This isn’t complicated. This isn’t something we have to do with elaborate computer models.

What we see is that the pH level of the oceans is changing rapidly. The oceans are acidifying rapidly. When I say rapidly, they are acidifying at a rate that we have not seen in 25 to perhaps 30 or 50 million years. Indeed,

some studies say nothing like this has been seen on the face of the Earth for as long as 300 million years. When we consider that our species has been around for about 200,000 years, that is a pretty long window to be launching new and dramatic changes in our oceans.

There is nothing new about the science that supports this. John Tyndall wrote the first report about the greenhouse gas effect to the British Academy of Sciences in 1861. The pages who are here and have studied history will know that 1861 was the year President Lincoln took office. So the scientific community has been aware of the greenhouse gas phenomenon since Abraham Lincoln was driving up and down Pennsylvania Avenue in a carriage with his top hat on.

There is not much new that is there, and the latest data is clearer and clearer that we just continue apace to warm the planet.

Professor Jonathan Overpeck is at the University of Arizona, and Arizona is certainly feeling the heat. Professor Overpeck said:

The global warmth of 2014 is just another reminder that the planet is warming and warming fast. . . . Humans, and their burning of fossil fuels, are dominating the Earth’s climate system like never before.

It is equally clear, when we look at the oceans, they not only absorb a lot of the carbon dioxide and acidify as a result—they absorb most of the heat. In fact, they absorb 90 percent of the excess heat that has been trapped by the greenhouse gases that we have flooded our atmosphere with.

I certainly see that in Rhode Island, where Narragansett Bay’s mean winter water temperature is up 3 to 4 degrees Fahrenheit since we had our big hurricane of 1938. That is significant, because it means more likely storms. It is associated with sea level rise. We have 10 more inches of sea level at the Newport Naval Station. So if the 1938 hurricane were to repeat itself now, it would have 10 more inches of sea to hammer against our shores. And that is not a complicated measure, either. We do that with thermometers.

So since the Industrial Revolution, human beings have dumped 2 trillion metric tons of carbon dioxide into the air and into the atmosphere. Said another way, that is 2,000 billion metric tons of carbon dioxide.

The notion that has no effect, when we have known since Abraham Lincoln’s day that carbon dioxide is a greenhouse gas, and when we put that much in and when we can measure that it is at 400 for the first time in human history—connect the dots. How much does it take? It is really pretty obvious.

Folks who remain skeptical—well, I know, I am not a scientist. I get that. So ask one. That is all I request. And I don’t think that is too much to ask of colleagues. And, by the way, do me one favor. You can ask the scientist that you please, but please don’t ask a scientist who is in the pay of the fossil

fuel and the denial industry. There are a bunch of them who are out there. They turn up at all the usual denial conferences. They write in the denial journals. They take money from the denial organizations that all have fossil fuel industry funding behind them. Go to someplace neutral.

For instance, go to your own State university, like the University of Arizona or the University of Oklahoma. The dean of the relevant department at the University of Oklahoma signed the IPCC report and started Climate Central. Ask your own university. Ask any major scientific organization. All the major recognized scientific organizations in the United States of America are on board, agree that this is real, agree that this is important, agree that it is vital, and believe that we are actually near the tipping point that may make the damage irrecoverable.

If you don't want to go to your home State university and if you don't want to go to America's major scientific societies, try NOAA and NASA.

Think about NASA for a moment. As I give this speech, there is a Rover that is the size of an SUV being driven around on the surface of Mars. We built a Rover, shot it to Mars, landed it safely, and are now driving it around. Do we think those scientists might actually know something? Do we think they might know what they are talking about? Do we think they might merit our confidence? So ask them and see what they say.

Or, if you want, ask some of America's leading corporations. If you are from Arkansas, go and ask Walmart. They will tell you. If you are from Georgia, go and ask Coca-Cola. They will tell you. This is not hard to discover once you get away from that little stable of denial scientists who are so closely affiliated with the fossil fuel industry.

I do this every week because we have the arrogance so often here to think how much our laws—the laws that we pass—matter. But the laws that we pass are passing things. They come and they go. They have their time. They are repealed, they are replaced, they fall into desuetude.

But some laws last, and those are the laws that God laid down upon this Earth that guide its operations. Those are the laws of physics, the laws of chemistry, the laws of biology, the law of gravity. We cannot repeal those laws. We must face their consequences. And we know the consequences of continuing to emit gigatons of carbon dioxide into our planet is going to launch us into an environment in which the habitability of Earth as we have known it will be put into question.

History makes its judgments about every generation. If we do not take calm and reasonable and sensible precautions about this obvious known and admitted risk, then when that risk comes home to roost, we will be duly shamed.

So let us avoid that. Let us get to work. Let us take advantage of the

opening that the distinguished senior Senator from Alaska and the distinguished senior Senator from South Carolina have opened for us, and let us do what is right by our country and by the judgment that we can anticipate from history.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### MORNING BUSINESS

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

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

#### TRIBUTE TO BEN RICHMOND

Mr. MCCONNELL. Mr. President, I rise to pay tribute to a great Kentuckian and a man who has dedicated his entire career to promoting civil rights and helping people. My good friend Ben Richmond, the longtime president and CEO of the Louisville Urban League, recently announced his impending retirement from that position. Mr. Richmond has served as president and CEO of the Louisville Urban League for nearly 30 years—since 1987.

Mr. Richmond is a civil rights champion who has led a venerable civil rights institution such as the Louisville Urban League to new heights. Under his tenure, the Louisville Urban League has promoted job training and education for many in Louisville's African-American community. His body of work is so outstanding that in 2007 he received from the city the Dr. Martin Luther King Jr. Freedom Award, a recognition for a local activist who is dedicated to King's principles and who has promoted peace, equality, and justice.

Since Mr. Richmond took over the Louisville Urban League, the staff has grown from around 20 to 30 and the annual budget grown from under \$1 million to around \$3.3 million. Mr. Richmond is the driving force for fundraising for the budget.

The Louisville Urban League placed more than 200 people in jobs last year with a combined annual income of nearly \$5 million. It helped about 1,000 prepare for finding employment through career expos, job training, referrals, and career counseling. It also has many programs to help youth and seniors.

The Louisville Urban League is nearly halfway towards realizing their goal of seeing 15,000 local African Americans earn college degrees between 2012 and

2020. Mr. Richmond oversaw the Louisville Urban League's move to a new headquarters in 1990. And under Mr. Richmond's tenure, the Louisville Urban League was just one of 13 Urban League affiliates nationwide to receive a top score in a self-audit required by the National Urban League.

I should add my interest in the Urban League is personal—my father once served on the board of the Louisville Urban League. I believe he knew Ben Richmond. We are lucky, that after his retirement, Mr. Richmond plans on staying in Louisville. Our city can continue to benefit from his wisdom and experience.

I want to wish my good friend Mr. Ben Richmond all the best in retirement, and I ask my Senate colleagues to join me in congratulating Ben for his successful tenure at the helm of the Louisville Urban League. The city of Louisville and the State of Kentucky have certainly benefitted immeasurably by his many efforts over the decades.

The Louisville Courier-Journal newspaper recently published an article extolling Mr. Ben Richmond's many accomplishments. I ask unanimous consent that said article be printed in the RECORD.

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

[From the Courier-Journal, Jan. 21, 2015]  
URBAN LEAGUE CEO RICHMOND RETIRING  
(By Sheldon S. Shafer)

Ben Richmond, a cornerstone of local social activism for more than a quarter century and a major advocate of economic equality, is retiring as president and CEO of the Louisville Urban League.

Richmond announced his impending retirement at an Urban League board meeting Tuesday, after serving as head of the civil rights organization since 1987.

Under the leadership of Richmond, a mainstay in the push to improve economic development in western Louisville, the Urban League has long been dedicated to promoting job training and education, primarily for Louisville's poorer citizens.

Richmond "has been one of the anchors for diversity and for stability in not only the African-American community but the overall Louisville community," said Raoul Cunningham, Louisville NAACP president. "I am going to miss Ben, his counsel and his cooperative spirit."

Richmond "has become known around the country for innovative and groundbreaking approaches to helping residents improve their quality of life," said Dan Hall, a University of Louisville vice president and the Urban League board chairman. "He is intensely passionate about helping individuals find a pathway to success."

Richmond received Louisville Metro's Dr. Martin Luther King Jr. Freedom Award in 2007, an annual recognition given by the city to a local activist dedicated to King's principles and who has promoted peace, equality and justice.

Then-Mayor Jerry Abramson said at the time that "over his decades of leadership, countless lives have been improved through Ben's tireless efforts in workforce development, housing and youth programs."

The national Urban League was founded in 1910, and the Louisville agency in 1921. The