

for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title II, add the following:

**SEC. 23. CONSIDERATION OF ENERGY STORAGE SYSTEMS.**

(a) IN GENERAL.—Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding at the end the following:

“(20) CONSIDERATION OF ENERGY STORAGE SYSTEMS.—Each State shall consider requiring that, as part of a supply side resource planning process, an electric utility of the State demonstrate to the State that the electric utility considered an investment in energy storage systems based on appropriate factors, including—

“(A) total costs and normalized life-cycle costs;

“(B) cost-effectiveness;

“(C) improved reliability;

“(D) security; and

“(E) system performance and efficiency.”.

(b) TIME LIMITATIONS.—Section 112(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(b)) is amended by adding at the end the following:

“(7)(A) Not later than 1 year after enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which the State regulatory authority has ratemaking authority) and each nonregulated utility shall commence the consideration referred to in section 111, or set a hearing date for consideration, with respect to the standard established by paragraph (20) of section 111(d).

“(B) Not later than 2 years after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which the State regulatory authority has ratemaking authority), and each nonregulated electric utility, shall complete the consideration, and shall make the determination, referred to in section 111 with respect to the standard established by paragraph (20) of section 111(d).”.

(c) FAILURE TO COMPLY.—Section 112(c) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(c)) is amended by adding at the end the following: “In the case of the standard established by paragraph (20) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph.”.

(d) PRIOR STATE ACTIONS.—Section 112(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(d)) is amended in the matter preceding paragraph (1) by striking “(19)” and inserting “(20)”.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ARMED SERVICES**

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 2, 2016, at 10 a.m.

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

**COMMITTEE ON FOREIGN RELATIONS**

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 2, 2016, at 5 p.m., to conduct a classified briefing entitled “Russia, the European Union, and American Foreign Policy.”

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

**COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on February 2, 2016, at 10:15 a.m., to conduct a hearing entitled “Frontline Response to Terrorism in America.”

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

**COMMITTEE ON THE JUDICIARY**

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on February 2, 2016, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “The Failures and Future of the EB-5 Regional Center Program: Can it be Fixed.”

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

**SELECT COMMITTEE ON INTELLIGENCE**

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 2, 2016, at 2:45 p.m.

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

**SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY, AND CONSUMER RIGHTS**

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy, and Consumer Rights be authorized to meet during the session of the Senate on February 2, 2016, at 2 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “License to Compete: Occupational Licensing and the State Action Doctrine.”

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

**PRIVILEGES OF THE FLOOR**

Mr. HATCH. Mr. President, I ask unanimous consent that Dane Karvois, a member of my staff, be granted floor privileges through the end of the 114th Congress.

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

Mrs. CANTWELL. Mr. President, I ask unanimous consent that Senator FRANKEN’s energy policy fellow, Michael Glotter, be granted floor privileges for the remainder of this Congress.

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

Mr. FLAKE. Mr. President, I ask unanimous consent that two legislative fellows in my office, Dr. Lauren Stump and Mr. Tom Zarzecki, be granted floor privileges throughout the remainder of the year.

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

**REQUIRING THE SECRETARY OF THE ARMY TO UNDERTAKE REMEDIATION OVERSIGHT OF THE WEST LAKE LANDFILL**

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of S. 2306 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 2306) to require the Secretary of the Army, acting through the Chief of Engineers, to undertake remediation oversight of the West Lake Landfill located in Bridgeton, Missouri.

There being no objection, the Senate proceeded to consider the bill.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 2306) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2306

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. TRANSFER OF OVERSIGHT AUTHORITY FROM EPA TO CORPS OF ENGINEERS.**

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term “Secretary” means the Secretary of the Army, acting through the Chief of Engineers.

(2) SITE.—The term “site” means the West Lake Landfill located in Bridgeton, Missouri.

(b) TRANSFER.—Notwithstanding any other provision of law, as soon as practicable after the date of enactment of this Act, the Secretary shall—

(1) under the Formerly Utilized Sites Remedial Action Program, undertake the functions and activities described in section 611 of the Energy and Water Development Appropriations Act, 2000 (10 U.S.C. 2701 note; 113 Stat. 502) as the lead agency responding to radioactive contamination at the site; and

(2) carry out remediation activities at the site in accordance with that section.

(c) COST RECOVERY.—The Secretary, in coordination with the Administrator of the Environmental Protection Agency and the Attorney General, shall—

(1) seek to recover any response costs incurred by the Secretary in carrying out this section in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(2) return any funds that are recovered under paragraph (1) to be used to carry out the Formerly Utilized Sites Remedial Action Program of the Corps of Engineers.

(d) FUNDING.—The Secretary shall use amounts made available to the Secretary to carry out the Formerly Utilized Sites Remedial Action Program to carry out this section.

(e) SAVINGS PROVISIONS.—

(1) NO LIABILITY.—Nothing in subsection (b) creates liability for—

(A) the Secretary for—

(i) contamination at the site; or

(ii) any actions or failures to act by any past, current, or future licensees, owners, operators, or users of the site; or

(B) any other party involved with the site.

(2) NO EFFECT ON LIABILITY UNDER OTHER LAW.—Nothing in subsection (b) alters the liability of any party relating to the site under any other provision of law.

(3) NO EFFECT ON SUPERFUND STATUS; NATIONAL PRIORITIES LIST DESIGNATION.—Nothing in this Act affects the designation of the site as a Superfund site under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or the listing of the site on the national priorities list under section 105 of that Act (42 U.S.C. 9605).

#### RESOLUTIONS SUBMITTED TODAY

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 353, S. Res. 354, S. Res. 355, and S. Res. 356.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be laid upon the table en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

#### MEASURE READ THE FIRST TIME—H.R. 4168

Ms. MURKOWSKI. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The bill clerk read as follows:

A bill (H.R. 4168) to amend the Small Business Investment Incentive Act of 1980 to require an annual review by the Securities and Exchange Commission of the annual government-business forum on capital formation that is held pursuant to such Act.

Ms. MURKOWSKI. Mr. President, I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive a second reading on the next legislative day.

#### ORDERS FOR WEDNESDAY, FEBRUARY 3, 2016

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it

adjourn until 9:30 a.m., Wednesday, February 3; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein; further, that the time be equally divided, with the Democrats controlling the first half and the majority controlling the final half; further, that following morning business, the Senate then resume consideration of S. 2012; finally, that the filing deadline for all first-degree amendments to the Murkowski substitute amendment No. 2953 and the underlying bill, S. 2012, be at 1 p.m. tomorrow.

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

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Ms. MURKOWSKI. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:38 p.m., adjourned until Wednesday, February 3, 2016, at 9:30 a.m.