

SEC. 415. PHASE 2: SUBSEQUENT ALLOCATION OF GRANTS TO STATES.

(a) **REPORTS.**—Not later than 18 months after the receipt of grants under section 414, each State (in consultation with other parties described in subsection (b)(3)(F) that received grants under section 414 may submit to the Secretary a report that describes—

(1) the performance of the programs and activities carried out with the grants; and

(2) in consultation with other parties described in subsection (b)(3)(F), the manner in which additional funds would be used to carry out programs and activities to promote the purposes of this subtitle.

(b) GRANTS.—

(1) **IN GENERAL.**—Not later than 180 days after the date of the receipt of the reports required under subsection (a), subject to section 417, the Secretary shall use amounts made available under section 418(b)(2) to provide grants to not more than 6 States to carry out the programs and activities described in subsection (a)(2).

(2) **AMOUNT.**—The amount of a grant provided to a State under this section shall be not more than \$15,000,000.

(3) **BASIS.**—The Secretary shall base the decision of the Secretary to provide grants under this section on—

(A) the performance of the State in the programs and activities carried out with grants provided under section 414;

(B) the potential of the programs and activities described in subsection (a)(2) to achieve the purposes of this subtitle;

(C) the desirability of maintaining a total project portfolio that is geographically and functionally diverse;

(D) the amount of non-Federal funds that are leveraged as a result of the grants to ensure that Federal dollars are leveraged effectively;

(E) plans for continuation of the improvements after the receipt of grants under this subtitle; and

(F) demonstrated effort by the State to involve diverse groups, including—

(i) investor-owned, cooperative, and public power utilities;

(ii) local governments; and

(iii) nonprofit organizations.

SEC. 416. ALLOCATION OF GRANTS TO INDIAN TRIBES.

(a) **IN GENERAL.**—Not later than 30 days after the date of enactment of this Act, the Secretary shall invite Indian tribes to submit plans to participate in an electric and thermal energy productivity challenge in accordance with this section.

(b) **SUBMISSION OF PLANS.**—To receive a grant under this section, not later than 90 days after the date of issuance of the invitation under subsection (a), an Indian tribe shall submit to the Secretary a plan to increase electric and thermal energy productivity by the Indian tribe.

(c) DECISION BY SECRETARY.—

(1) **IN GENERAL.**—Not later than 90 days after the submission of plans under subsection (b), the Secretary shall make a final decision on the allocation of grants under this section.

(2) **BASIS.**—The Secretary shall base the decision of the Secretary under paragraph (1) on—

(A) plans for improvement in electric and thermal energy productivity consistent with this subtitle;

(B) plans for continuation of the improvements after the receipt of grants under this subtitle; and

(C) other factors determined appropriate by the Secretary, including—

(i) geographic diversity; and

(ii) size differences among Indian tribes.

(3) **LIMITATION.**—An individual Indian tribe shall not receive more than 20 percent of the

total amount available to carry out this section.

SEC. 417. ADMINISTRATION.

(a) **INDEPENDENT EVALUATION.**—To evaluate program performance and effectiveness under this subtitle, the Secretary shall consult with the National Research Council regarding requirements for data and evaluation for recipients of grants under this subtitle.

(b) **COORDINATION WITH STATE ENERGY CONSERVATION PROGRAMS.**—

(1) **IN GENERAL.**—Grants to States under this subtitle shall be provided through additional funding to carry out State energy conservation programs under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.).

(2) **RELATIONSHIP TO STATE ENERGY CONSERVATION PROGRAMS.**—

(A) **IN GENERAL.**—A grant provided to a State under this subtitle shall be used to supplement (and not supplant) funds provided to the State under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.).

(B) **MINIMUM FUNDING.**—A grant shall not be provided to a State for a fiscal year under this subtitle if the amount of funding provided to all State grantees under the base formula for the fiscal year under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.) is less than \$50,000,000.

(c) **VOLUNTARY PARTICIPATION.**—The participation of a State in a challenge established under this subtitle shall be voluntary.

SEC. 418. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There is authorized to be appropriated to carry out this subtitle \$100,000,000 for the period of fiscal years 2014 through 2017.

(b) **ALLOCATION.**—Of the total amount of funds made available under subsection (a)—

(1) 30 percent shall be used to provide an initial allocation of grants to States under section 414;

(2) 61 percent shall be used to provide a subsequent allocation of grants to States under section 415;

(3) 4 percent shall be used to make grants to Indian tribes under section 416; and

(4) 5 percent shall be available to the Secretary for the cost of administration and technical support to carry out this subtitle.

SEC. 419. OFFSET.

Section 422(f) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17082(f)) (as amended by section 401) is amended by striking paragraphs (5) and (6) and inserting the following:

“(5) \$175,000,000 for fiscal year 2014;

“(6) \$125,000,000 for fiscal year 2015;

“(7) \$75,000,000 for each of fiscal years 2016 and 2017; and

“(8) \$100,000,000 for fiscal year 2018.”

NOTICE OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

Ms. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, September 18, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to mark-up S. 1086, The Child Care and Development Block Grant Act of 2013, the Committee Funding Resolution for the 113th Congress, the nominations of Richard F. Griffin, Jr., to serve as General Counsel of the National Labor Relations Board,

and Scott Dahl, to serve as Inspector General of the US Department of Labor, as well as any additional nominations cleared for action.

For further information regarding this meeting, please contact the Committee at (202) 224-5375.

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

Ms. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, September 19, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled “The Triad: Promoting a System of Shared Responsibility. Issues for Reauthorization of the Higher Education Act”

For further information regarding this meeting, please contact the Committee at (202) 224-5501.

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

Ms. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Tuesday, September 24, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled “U.S. Efforts to Reduce Healthcare-Associated Infections”

For further information regarding this meeting, please contact the Committee at (202) 224-7675.

COMMITTEE ON INDIAN AFFAIRS

Ms. CANTWELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on September 18, 2013, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a business meeting to authorize expenditures by the Committee through February of 2015.

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, October 1, 2013, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

The purpose of this hearing is to consider the following legislation:

S. 812, a bill to authorize the Secretary of the Interior to take actions to implement the Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico; and,

H.R. 1613, a bill to amend the Outer Continental Shelf Lands Act to provide for the proper Federal management and oversight of transboundary hydrocarbon reservoirs, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify

by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to Lauren_Goldschmidt@energy.senate.gov.

For further information, please contact Abigail Campbell at (202) 224-4905 or Lauren Goldschmidt at (202) 224-5488.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on September 17, 2013, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on September 17, 2013.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. PRYOR. 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 September 17, 2013.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 17, 2013, at 2:15 pm.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 17, 2013, at 2:45 p.m., to hold a briefing entitled, "Update on Syria".

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. PRYOR. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 17, 2013, at 2:30 p.m.

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

PRIVILEGES OF THE FLOOR

Mr. WYDEN. Mr. President, I ask unanimous consent that Larcus Pickett, a fellow in our office, be granted the privilege of the floor for the duration of consideration of S. 1392.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. KING. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 335; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action.

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

The nomination considered and confirmed is as follows:

DEPARTMENT OF JUSTICE

Kenneth Allen Polite, Jr., of Louisiana, to be United States Attorney for the Eastern District of Louisiana for the term of four years.

Mr. KING. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 336 and 337; that the nominations be confirmed en bloc; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF DEFENSE

Jon T. Rymer, of Tennessee, to be Inspector General, Department of Defense.

DEPARTMENT OF STATE

Steve A. Linick, of Virginia, to be Inspector General, Department of State.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MEASURES READ THE FIRST TIME—S. 1513, S. 1514, H.R. 2009, AND H.R. 2775

Mr. KING. Madam President, I understand that there are four bills at the desk, and I ask for their first reading en bloc.

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

The legislative clerk read as follows:

A bill (S. 1513) to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes.

A bill (S. 1514) to save coal jobs, and for other purposes.

A bill (H.R. 2009) to prohibit the Secretary of the Treasury from enforcing the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010.

A bill (H.R. 2775) to condition the provision of premium and cost-sharing subsidies under the Patient Protection and Affordable Care Act upon a certification that a program to verify household income and other qualifications for such subsidies is operational, and for other purposes.

Mr. KING. Madam President, I now ask for a second reading en bloc, and I object to my own request en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be read for the second time on the next legislative day.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Republican leader, pursuant to Public Law 106-567, appoints the following individual to serve as a member of the Public Interest Declassification Board: Kenneth L. Wainstein of Virginia.

ORDERS FOR WEDNESDAY, SEPTEMBER 18, 2013

Mr. KING. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, September 18, 2013; that following the prayer and the 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 any leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business the Senate resume consideration of S. 1392, the Energy Savings and Industrial Competitiveness Act.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. KING. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:41 p.m., adjourned until Wednesday, September 18, 2013, at 9:30 a.m.