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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts.

PRAYER

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

Let us pray.

O God, from whom all holy desires come and all good counsels do proceed, let Your presence be felt in our midst today. Crown the deliberations of our Senators with Your wisdom as You provide them with insights that will make a better world. Lord, help them to take charge of this day, meeting its joys with gratitude, its challenges with fortitude, and its doubts with faith. Guard them from error; deliver them from evil. Make them faithful servants of Your providential purposes, giving them consciences void of offense as they seek to glorify You.

We pray in Your faithful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable EDWARD J. MARKEY led the Pledge of Allegiance as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 7, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. MARKEY thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will resume consideration of the motion to proceed to the Energy Savings and Industrial Competitiveness Act, postcloture.

Postcloture time will expire at about a quarter to 6 this evening.

Senators will be notified whether and if any votes are scheduled today.

CLIMATE CHANGE

Mr. REID. Mr. President, it is not often I agree with what the Koch brothers say or do. Their radical agenda is normally so far out of the mainstream that it makes opposition to their agenda very easy.

So imagine my surprise when last week I read a quote from a Koch spokesperson in a Kansas newspaper. That is where they are based. Here is what the Koch brothers said:

We are not experts on climate change. We do believe there should be free and open debate on the climate issue and it should be based on sound science and intellectual honesty.

They go on to say:

The debate should take place among the scientific community, examining all points of view and void of politics, personal attacks and partisan agendas.

Listen to what they said: sound science and intellectual honesty from the Koch brothers on this issue.

Their statement sounds pretty good. I agree that the Koch brothers, Koch Industries, and their myriad political organizations are not experts on climate change—and that is an understatement.

I also agree that the debate on climate change should be based on sound science. In fact, the sound science has long been debated. The Presiding Officer has spent 38 years in Congress and has been one of the leading proponents of recognizing over the decades how our climate is changing. Everyone sees it is changing but not the Koch brothers, and I will explain a little more.

The sound science has long been debated and has reached a clear, unambiguous conclusion that climate change is here and it is real.

Of course Charles and David Koch know the debate on climate change is already taking place within the science community. They know that. The debate has been open and it has been free.

The overwhelming evidence proves that pollution is causing climate change.

No one has to take my word for it, including the multi-zillionaire Koch brothers—the two richest people in the world.

Just yesterday, the White House—not the White House; they announced it—released a report and an assessment that was authored by more than 300 scientists. Newspapers all over the world are talking about this.

One of the Hill newspapers we all read has a picture on the front that is stunning. It shows a picture of a man walking near a portion of a scenic highway that collapsed near Pensacola, FL. A new report—I am talking about the one released yesterday—finds climate change is rapidly—rapidly—turning the United States into a stormy and dangerous place and notes rising sea levels and natural disasters. The headline: ''New Climate Report: People's Lives Are at Risk.'' Subhead: ''Despite warnings, no signs of changed minds on Hill.''

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

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The former head of the environment committee in the Senate said it is a hoax.

The Washington Post: ''Study: Climate Risks Growing.'' It has graphs here about the land surface air temperature rising, sea surface temperature rising, sea level rising, Arctic Sea melting, glacier mass decreasing.

Headline, Washington Post: ''Study: Climate Risks Growing.'' Subhead: ''Every Part of U.S. Being Affected.'' And, of course, the sub-subheadline: ''Conservatives criticize federal assessment.''

New York Times, front page, shows a picture of the United States: Rising temperatures. Now, plus two degrees, that is so significant. The temperature rising just less than a degree can change weather patterns in the world, and we are talking about two degrees. Now, they are changing.

Most of the State of Nevada is a desert. We have the most mountainous State in the Union, but most of Nevada is a desert. We have 314 separate mountain ranges. We have 32 mountains over 11,000 feet high. We have a mountain that is 14,000 feet high. But even in Nevada we are at the top of the rung in one part of Nevada. It is red, as it is in many places, from east to the west, to the Midwest. How can people deny what is going on? Look at the storms.

MARK PRYOR described to our caucus yesterday what happened in Arkansas. The winds blew in Arkansas at 190 miles an hour. Think about that. I was in Reno, NV, once when the wind was blowing 80 miles an hour. I couldn't believe the wind could blow any harder. It is so frightening. I was staying in a hotel. They had picture windows. I put my bed in the bathroom so it wouldn't be near windows. But the wind blowing 100 miles an hour faster than that, that is what happened in Arkansas. As he described, these weren't mobile homes; these were brick structures that were just disintegrated. All that was left when that storm hit was the foundation—most of the time.

So the Koch brothers want some open debate. It is here. We have done it.

The report I am referring to concluded there are disastrous—disastrous—climate changes taking place on our Earth due to human activity.

While the Koch brothers admit to not being experts on the matter, these billionaire oil tycoons are certainly experts at contributing to climate change. That is what they do very well. They are one of the main causes of this—not a cause, but one of the main causes.

An analysis by the University of Massachusetts-Amherst—the Presiding Officer knows this well as he is from the State of Massachusetts—ranked Koch Industries as one of the Nation's biggest air and water polluters, period. In one year, Koch Industries released 31 million pounds of toxic air. How much is that? It is more than Dow Chemical, ExxonMobil, and General Electric, combined, emit. They are the champions.

The Koch brothers' actions against the environment aren't limited, though, to toxic emissions. Charles and David Koch are waging a war against anything that protects the environment.

I know that sounds absurd, but it is true. These two billionaire oil barons are actively campaigning now and spending tons of money against anything that seeks to curb pollution, limit our dependence on fossil fuels or lower energy costs for working families. Even the Keystone debate—they are one of the main owners of all of that stuff up there, that ugly tar stuff in Canada. They are, if not the largest, the second largest owner of that stuff up there.

The Kochs are pumping millions of dollars into political organizations, fighting legislation that is good for the environment. They are not doing it only in Washington; they are doing it in State governments. They have intimidated State legislators.

This is ironic, having come from them, I guess—there should be a different way of describing it—given their statement urging the ''void of politics . . . and partisan agendas'' on issues pertaining to the environment.

For instance, we in the Senate are now considering an energy efficiency bill. Who is working against that more than anyone else? The Koch brothers. This bipartisan legislation will spur the use of energy efficiency technologies in private homes and in commercial buildings at no cost to the taxpayers. This bill will make our country more energy independent, protect our environment, and save consumers on their energy bills. If that is not enough, it would also create 200,000 jobs—American jobs that can't be exported. Even the Chamber of Commerce—by the way, huge amounts of money come from the Koch brothers to the Chamber of Commerce to run ads against Democratic Senators. But, in this instance, the Chamber of Commerce even supports Shaheen-Portman.

Unsurprisingly, Americans for Prosperity, the main arm of the Koch brothers—not the only one; they have lots of them—has been vocal in its opposition to even this bill I just talked about—energy efficiency. Remember, these are the same Koch brothers whose president Tim Phillips recently bragged that his organization targets Republicans who work on environmental issues. Again, you can't make up stuff like this. Here is a direct quote:

> What it means for candidates on the Republican side is, if you . . . buy into green energy or you play footsie on this issue, you do so at your political peril. The vast majority of people who are involved in the [Republican] nominating process—the conventions and the primaries—are suspect of the science. And that's our influence. Groups like Americans for Prosperity have done it.

They say, if you do anything that is good for the environment, they are against you. That is what they said.

So try to do something to affect climate change? The Koch brothers and their billions of dollars are coming after you not only here in Washington but in State legislatures around the country.

So that statement says it all. The Koch brothers admit they and their radical followers don't accept the science of climate change. The President of the Koch brothers' organization is actually bragging about Republicans' denial of evidence-based climate change. The Kochs know that scientists across the globe aren't working to mislead the world about the climate. They know that. These 300 scientists who are the nexus of the report issued yesterday are people working at universities—as indicated, at the University of Massachusetts, the one quote I cited today. All over the country, these people are trying to figure out what is going on. They know what is going on, and that is what the report is about.

Charles and David Koch choose to ignore climate change. They—the Kochs—choose to put our environment at risk. Why? Because it makes them richer, more affluent. They are making billions of dollars and in so doing are significantly damaging our environment.

A New York Times article recently highlighted the Kochs' attempt to fight renewable energy, even in State legislatures. It became so pronounced that the New York Times wrote an editorial criticizing these two wealthy men. As States promote solar and wind energy by offering incentives to renewable energy companies, the Koch brothers see how it will affect their bottom line.

They do not like that. They want to continue their coal operations, their diesel fuel operations, their spewing of chemicals all over America because they can make more money.

As renewable energy grows and becomes more efficient—and it is—oil and coal become a smaller piece of the pie. That is a fact, and that just won't cut it for Charles and David because it affects their bottom line. How unfortunate for the world that the Koch brothers trash this beautiful planet and jeopardize my children's and my children's children's health and future just to add more zeros to their huge bank account. Bloomberg publications now estimate that the Kochs' combined wealth exceeds $100 billion. How much money is enough for these two men?

I urge my Republican colleagues in the Senate to stand up to them. Well, they won't. You know, after I have given this speech, a few of them will come down here and say: It is freedom of speech. What is wrong?

We have an obligation to stand when these lies are perpetrated to the American people. So no Republican is going to come and defend this energy efficiency bill.

Energy efficiency and independence is good for our country, it is good for American families, and it is good for the Earth we live in. So do not be fooled—do not be fooled—by the greed of these billionaires named Koch.

Mr. President, during today people will be watching and they will see a quorum call, nothing on the screen. Why? Because we are in the midst again of one of these never-ending Republican filibusters—hundreds of them. Hundreds of them. Let me remind everyone that Lyndon Johnson was majority leader for 6 years. During that period of time he had to overcome one filibuster. Mr. President, I have lost track; it is hundreds and hundreds of filibusters that we have had to overcome, and we have the Republicans coming here today saying: Well, all we want is a few amendments.

They do everything they can to stop us from progressing on legislation that is good for this country. Anything that is good for Barack Obama they think is bad for the country, and for 5½ years they have opposed everything this good man has tried to do. It is a shame.

So to anyone out there wondering what is going on, it is another of the hundreds of filibusters they have conducted.

RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business of the day.

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS ACT OF 2014—MOTION TO PROCEED—Resumed

The ACTING PRESIDENT pro tempore. The clerk will report the motion to proceed.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 368, S. 2262, a bill to promote energy savings in residential buildings and industry, and for other purposes.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, my staff just told me we are now at more than 500 filibusters—500.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, the majority leader has brought to the attention of the Senate today the headline news across America. This report by our government about what we are facing with environmental changes in America is a call to action.

I came to the floor yesterday and I made a challenge, which I have made before. I will make it again. I am asking any Republican Senator to come to the floor today and dispute the following claim: The Republican Party of the United States of America is the only major party in the world—the only major political party in the world—that is in denial of what is happening to our environment when it comes to climate change and global warming.

I have said it repeatedly. No one has disputed it. One political party is in denial about a change on this Earth that could literally affect generations to come. As a result, we are, I guess, stopped in our tracks. There is nothing we can do.

This bill before us today—the energy efficiency bill, which is on the calendar—if there were ever anything we should agree on, it is this. If your motive in energy efficiency is to save money for a business or a family, it is in this bill. If your motive in energy efficiency is to create jobs in America, it is in this bill—190,000 maybe 200,000 American jobs. If your motive is to do something for the environment, energy efficiency is the right bill. But here we are stuck in another Republican filibuster. Why? Because they insist on a series of amendments.

The sponsors of this legislation—Senator SHAHEEN from New Hampshire; Senator PORTMAN, a Republican from Ohio—basically came to an agreement on a bill that is bipartisan in nature, and there are 10 or more bipartisan amendments included in this bill.

Has the minority had an opportunity to be part of this process? Absolutely. Yet it is never enough. They want more and more, and they are prepared to slow down or stop the passage of a bill which in ordinary times would have passed by a voice vote. That is not going to happen. Unfortunately, we are going to be mired down in more procedural votes until some of these Senators get the amendments they want.

We wasted a week last week, a week in the Senate when nothing happened, when this bill could have passed. Why? One Republican Senator wanted to offer an amendment on the Affordable Care Act. They have flogged the Affordable Care Act in every imaginable direction, and now this Senator wants to deny health insurance coverage or at least make it more expensive for the staff of Members of the Senate and the House of Representatives, as well as Members themselves. That is his idea of a good idea to debate on the floor of the Senate at the expense of this bill.

Well, shame on the Senate. Shame on those who are obstructing us. We have had enough, have we not, of these filibusters and this obstruction? It is time that we roll up our sleeves and get down to the work of the people of this country.

HEALTH RESEARCH

While I am on the subject, I am leaving to go to a committee meeting of the Appropriations Committee to talk about Federal funding for health research. This is another issue which troubles me, because of the lack of commitment by this Congress to one of the most fundamental responsibilities we have as a government.

We are blessed with the best biomedical research agency in the world today—the National Institutes of Health—one of the most extraordinarily public health agencies—the Centers for Disease Control—and we continue year after year to underfund these agencies at the expense of America's health and at the expense of creating good-paying jobs in our country.

For the last 10 years or more we have failed to give the National Institutes of Health protection from inflation, and as a result their spending power to award research grants has declined by 22 percent over the last 10 years. As to the researchers at the National Institutes of Health, there are fewer and fewer younger researchers. They have lost hope that there is a commitment by this government, by this Nation, to medical research. What is the net result? The net result is that we, at our peril, fail to do the research, to find the cures for diseases that make a difference in the lives of Americans and American families.

The Republicans argue that it is just too darn much money, that we cannot afford medical research. Well, let me give you one statistic to think about. Last year Medicare and Medicaid spent $203 billion of taxpayers' money—$203 billion—on the victims of Alzheimer's—$203 billion. If research at the National Institutes of Health could get to the heart of this disease and find a way to cure it—that would be a miracle—or delay its onset—it seems within the realm of possibility maybe—we could save dramatic amounts of money. Medical research pays for itself.

Listen to what is happening in the House of Representatives. We have a proposal for an extension of a Tax Code provision that will give a break to businesses to invest in research projects. There is nothing wrong with that. I have supported it. Throughout my time in the House and Senate, I have supported it. But listen—listen—to the logic. The Republicans in the House argue that if it is an R&D tax credit that goes to the private sector for research so they can develop new products and services and be more profitable and create more employment, it does not have to be paid for. Over 10 years, it would cost us $140 billion for the extension of this credit, on a 10-year basis, to the private sector, and the Republicans have argued, yes, this may nominally add to the deficit. But, in fact, it does not. The research and development leads to more businesses, more jobs, more tax revenue to the government, and so they argue we do not have to pay for it.

Now let me step over here. What about the research and development done, the medical research done by government agencies? Is that worth some money to taxpayers? Absolutely. Finding cures for diseases at NIH—Alzheimer's, diabetes, cancer; I could go on—each and every one of them would be a savings to the taxpayers. Yet they argue: No, that is government spending; that adds to the deficit.

That is such upside-down thinking. It is such a denial of reality. Basic fundamental medical research and biomedical research by these agencies relieves suffering, finds cures for diseases, and reduces the expenditures of

our government on health care. I would argue it is just as justifiable, if not more so, for us to be making the same investment in increasing biomedical research over a 10-year period of time—incidentally, at the same cost.

A 5-percent increase—real increase—in spending in biomedical research each year for the next 10 years at the National Institutes of Health, the Centers for Disease Control, the Department of Defense medical research, the Veterans' Administration medical research—those four agencies—5 percent real growth comes out to almost identically the same cost as extending the R&D tax credit for private companies.

Do them both. Do them both and I guarantee you America will get more than a $140 billion return for each one of them. Thinking ahead in an innovative way, with some vision toward the future, investing in research is really buying for the next generation a better life in America and a stronger economy for our country.

I want to make that appeal to my colleagues. If we bring the R&D tax credit to the floor and the argument is made: Well, we do not have to pay for that because it is going to private companies, the same argument should be made when it comes to increasing our investment in biomedical research at the most fundamental agencies that promote health in America and the world.

Back to this bill for a moment, I hope that by the end of the day the Republicans will end this filibuster, that we can start moving toward passing this bill. It should have been done last year. It should be done now. These excuses that we need a litany of amendments before we can even consider the bill are just delaying something that is very important for this country.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

ENERGY AMENDMENTS

Mr. MCCONNELL. Mr. President, earlier this morning it was suggested that Republicans are creating a problem on the Portman-Shaheen bill because we are insisting on amendments. I am stunned that anybody would think that insisting on amendments would be unusual or out of order. That is what we used to do in the Senate. We had amendments offered and we had votes on them by both sides.

One Senator, it was suggested, insisted on an ObamaCare amendment. That was dropped 5 days ago. Nobody is insisting on an ObamaCare amendment on the Portman-Shaheen bill. Senator VITTER had suggested that earlier but decided that was not a good idea on this particular bill because it was the opportunity, we hoped, to get four or five votes on important energy-related amendments. Senator DURBIN actually objected.

So I think it is important to set the record straight this morning. What Senate Republicans are asking for is four or five amendments related to the subject of energy. I would remind our colleagues that the minority in the Senate has had eight rollcall votes on amendments it was interested in since last July—since last July.

During that same period the House of Representatives, where it is often thought the minority has no influence at all, has had 125 rollcall amendment votes. So what is going on is the Senate is being run in a way that only the majority leader gets to decide who gets to offer amendments. He says: Maybe I will pick one for you.

That is not the way the Senate used to operate, not the way the Senate should operate, and I hope not the way the Senate will operate starting next year.

The majority leader, as I indicated, is basically shutting down the voice of the people here in the Senate; that is, the people who are represented by 45 of us. For 7 long years he has refused to allow truly comprehensive debate on energy in this Chamber. We have not had a comprehensive debate since 2007. He had a chance to change that yesterday. Dozens of Senators asked him to do that. We know the American people want us to do it. But he refused. Apparently he does not think the American people deserve a vote on a single energy amendment. Apparently he does not think the American middle class, which is being squeezed by rising energy costs and over-the-top government regulations, needs the kind of relief Republicans are proposing. He clearly must not think the people of eastern Kentucky deserve our help either. Kentuckians in the eastern part of my State are experiencing a depression—that is a depression with a ''D''—that the President's energy policies actually created and are making worse.

The administration has proposed new rules that would make life even harder for those folks, rules that would make it effectively impossible to build another coal plant anywhere in the country. Coal is a vital industry to the livelihood of literally thousands of people in my State. We should be allowed to help them, but the majority leader said no.

Let's be honest. He does not seem to think the people we represent deserve a say on much of anything anymore. Democrats over in the Republican-controlled House, as I indicated earlier, have had 125 amendment votes since last July, but here in the Senate the Democratic majority has allowed us nine. I said eight earlier. It is actually nine amendments since last July, that is, rollcall votes. It is shameful. But it says a lot about which party is serious these days and which one is literally playing games. It says a lot about the complete lack of confidence Washington Democrats have in an open debate. What is wrong with having an open debate? They are completely out of ideas, and apparently they do not want anybody to know that Republicans have suggestions to be made. So they are attempting to muzzle us at a time when middle-class Americans are in need of some relief. Do they really think that Americans who have had to cope with rising electricity prices, stagnant wages, and growing hopelessness in the Obama economy—do they really believe the Senate should not even be debating ideas that might help them?

It is hard to think otherwise. So I think middle-class Americans, looking at the Senate these days, are left to draw an obvious conclusion: That their concerns matter far less to today's Senate Democrats than the political imperatives of the far left. We know the President's political team must be pleased. One White House aide said they plan to lean on Senate Democrats to ''get the right outcome'' this week; in other words, to stop the American people from having a real debate on energy policies.

For the President and his political pals, it must feel like ''mission accomplished.'' This means he can avoid having to sign or veto legislation that might be good for the middle class but offensive to the furthest orbit of the left. It also means he can continue to impose energy regulations such as the one I mentioned earlier, through the back door, to govern by executive fiat, without having to worry about niceties such as Democratic accountability.

After all, far-left activists presumably demand that the President impose those regulations because they do not want the American people getting in the way again. They know what happened the last time they let that happen, when a fully Democratic-controlled Congress could not even pass a national energy tax.

As long as it has a Senate Democratic majority on its side, the far left knows it will not have to worry about the American people messing up its plans again. The majority leader proved that again this very week. The far left will not have to worry about the representatives of the American people voting through the Keystone XL Pipeline either.

Here you have a project the American people support overwhelmingly that would create thousands of jobs when we have rarely, rarely needed them more, and that would pass Congress easily if the majority leader would allow a vote, but he will not because the far left will not let him. If we do get a vote, the Democratic leadership will be sure to filibuster against the jobs the Keystone XL Pipeline will create.

Activists on the left positively hate this energy jobs initiative. They rail against it constantly, even though they cannot seem to explain in a serious way why it is a bad idea. But it is a symbol in their minds, so they demand Senate Democrats block its approval and Senate Democrats dutifully do just that.

Again and again we see the needs of the middle class subsumed to the whims of the left. That has become the legacy of today's Democratic majority. They have diminished the vital role the Senate plays in our democracy. We do not seem to debate or address the most serious issues anymore, even with significant events at home and abroad that deserve our attention, because for the Senate Democrats who run this place, the priority is not on policy, it is on show votes and political posturing 24/7. This reflects a party that has simply run out of ideas, that has failed to fix the economy after 5½ years of trying, and now sees its political salvation not in making good policy for the middle class but in exciting the left enough to save the day come November.

I guess we will see if this strategy pays off. But that is not what truly matters around here. What matters is that millions in our country are hurting and that Senate Democrats do not seem to want to act. Look, they should be joining with us to help our constituents because the American people did not send us here to play games or to serve the far left. Our constituents sent us here to have serious debates on issues that matter to them, such as energy security, national security, economic security. All three can be addressed if the majority leader would simply allow Republican amendments to be considered.

Our constituents want Congress to make good policy. The fact that we do not seem to do that under the current majority is quite tragic. The American people deserve better. They deserve a debate and they deserve to be heard.

HONORING OUR ARMED FORCES

SPECIALIST RUSSELL E. MADDEN

Mr. MCCONNELL. Mr. President, I want to pay tribute to a brave and honorable young man from Kentucky who was tragically lost in the performance of his military service. SPC Russell E. Madden, of Bellevue, KY, was killed on June 23, 2010, in Afghanistan in support of Operation Enduring Freedom.

Specialist Madden volunteered for his final mission and was in the lead vehicle in a convoy that was attacked by the enemy. His vehicle was struck by a rocket shell. He was 29 years old.

For his service in uniform, he received the Bronze Star Medal, the Purple Heart Medal, the Army Good Conduct Medal, the National Defense Service Medal, the Afghanistan Campaign Medal with Bronze Service Star, the Global War on Terrorism Service Medal, the Army Service Ribbon, the Overseas Service Ribbon, the NATO Medal, and the Combat Action Badge.

Russell Madden joined the Army just under 2 years before his death. His father Martin Madden reflects on his son's time in service by saying:

> Nineteen months is not a long military career. But 19 months was long enough to graduate basic training at Fort Sill, Oklahoma, with honors.

His dad continues:

> Nineteen months is long enough to be running and gunning as a lead convoy gunner on convoys that sometimes took 16 hours to move 40 miles to replenish forward operating bases, completing over 85 missions outside the wire in nine months . . .
>
> Nineteen months may not represent a prolonged period of time in the minds of most Americans; however, it is just long enough to create a patriot, to define heroism, and accept a place of honor among those who stand in silent testimonial to the strength of this great nation.

The bond between father and son that moves Martin to speak these words was forged, of course, not just over 19 months but over Russell's entire lifetime. Like so many of the extraordinary heroes who hail from Kentucky, Russell's childhood is full of examples of a young man devoted to a cause greater than himself.

He was the oldest of three children, along with his younger sister Lindsey and younger brother Martin. Like most young siblings, at times the kids would fight. Russell's parents had a unique way to defuse family tussles. Martin said:

> In order to settle [disagreements], we placed both [Russell and Lindsey] in the middle of the living room and told them to stand there hugging each other. After about 20 minutes of standing there hugging, we would begin to hear them laughing and having a good time, and we would go in and tell them if they could get along they could stop.

Little sister Lindsey remembers childhood stories like these, just as she remembers her brother's dedication to service. She said:

> All he ever told me, every time I talked to him, was that he wanted to make me proud. And he has. He always made me proud.

Russell attended Bellevue High School, where he displayed his dedication to serving on a team as a star athlete in football, baseball, and track. During his senior year, the track team was 1 week away from the State meet when the top hurdler was injured. The whole team was in danger of not qualifying unless someone stepped in. Russell volunteered to run the hurdles, even though he had never run a hurdle event in his life.

Martin Madden recalls:

> Russell took off running at full sprint, stopped when he got to the hurdle and jumped over it, then took off running at full speed until he reached the next hurdle and stopped and jumped over that one, throughout the track. It was the most unorthodox style the coach had ever observed, but with the state qualifier taking place next week, the coach allowed Russell to represent the team.

As a result, Russell's first-ever hurdle event was the State-qualifying match. Even using what his father calls his ''God-awful ugly style,'' Russell qualified and ran in the final State competition, where he placed sixth.

Russell was a winner on the football field just as he was in track and field. Every Friday night, during the 1999 season, fans packed Gilligan Stadium to watch Bellevue High play out what would be an undefeated season. Russell played running back and was such a talented athlete that he could also kick field goals and extra points, return kickoffs, punt, quarterback, and play wide receiver—and that is only on the offensive side of the ball. He also played linebacker on defense.

As a result of his all-around athletic success, volunteer work, and coaching of youth football teams, Russell was inducted into both the Bellevue High School Sports Hall of Fame and the Northern Kentucky Youth League Football Hall of Fame. He was also recognized by the Northern Kentucky High School Football Coaches Association for his sportsmanship. Russell graduated from Bellevue High School in 2000.

In 2008 Russell and his wife Michelle learned that their son Parker had a preliminary diagnosis indicating a high potential for cystic fibrosis. Martin said:

> Russell joined the Army to fight for his country and provide the medical treatment necessary for his young son.

Russell enlisted in 2008, and during his deployment to Afghanistan was assigned to the 1st Squadron, 91st Cavalry Regiment, 173rd Infantry Brigade Combat Team based out of the Conn Barracks in Germany.

Russell's father Martin recalls how Russell's fellow soldiers felt about Russell's dedication to them and their team—a dedication that echoed the drive of the young man who volunteered for the hurdles and excelled on the gridiron.

''This . . . is what the soldiers in his platoon told me,'' Martin said.

Russell said to them:

> Guys, I will not let you down. We will get there. . . .

If ever there was going to be a problem, they wanted to be with Russell because they knew he would never let them down.

Respect and admiration for Russell's dedication to a cause greater than himself even reached the halls of the Kentucky General Assembly, which passed a joint resolution to designate Kentucky Route 1120, within the city limits of his hometown of Bellevue, as the ''SPC Russell Madden Memorial Parkway.'' Russell's family was present as the new street sign was unveiled for the first time.

Russell's wife Michelle said:

> It is an awesome tribute to my husband. He deserves it. I want this sign for my son to say, ''Hey, that's my dad's sign. That's what my dad's done for us.'' This is what is going to carry on his legacy.

We are thinking of SPC Russell E. Madden's family today, including his wife Michelle, his son Parker, his stepson Jared, his parents Martin Madden and Peggy Davitt, his sister Lindsey, his brother Martin, and many other beloved family members and friends.

It is important that Russell's family knows that no matter how long or how short his time in uniform may have been, Martin Madden is absolutely right that his son will and must be forever remembered and revered for the sacrifice he has made on behalf of our country.

I know SPC Russell E. Madden certainly will be remembered by this Senate. I ask all of my colleagues to join me in expressing the utmost respect for his life and his service.

We extend our greatest condolences to his family for a loss on behalf of our Nation that can never truly be erased.

I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Republican whip.

Mr. CORNYN. Madam President, I was on the floor, as was the Presiding Officer, listening to the distinguished Republican leader's glowing tribute to this fallen warrior. We were moved, certainly, by it.

He preceded his comments by talking about what is happening to the Senate and the fact that even though we are debating, supposedly, the first energy legislation to come to the Senate floor since 2007, the majority leader's—Majority Leader REID, who has the power under the Senate rules to basically be the traffic cop, to decide which amendments get heard and voted on and which ones do not—comment was to the effect that the majority leader has essentially shut the Senate down and denied the minority an opportunity to offer their amendments and to get votes on amendments.

I know people listening must say: Well, here they go again talking about the prerogatives and rights of Senators. But that is not what I am talking about. I am talking about the rights and prerogatives of the people I represent, 26 million Texans who are being shut out of a debate on—of all topics—energy.

We take great pride in the fact that Texas is an energy-producing State, and it is one of the reasons why our economy has been doing better than much of the rest of the country, because we have responsibly, and with the right kind of environmental stewardship, taken advantage of this gift of the natural resources that we have in our State.

Thanks to the innovation, and thanks to the investment and the hard work of a lot of people, we are doing better—thank you—than the rest of the country when it comes to job creation.

It really offended me when the majority leader this morning said:

> Mr. President, during today people will be watching [presumably in the gallery, on C–SPAN, maybe on the evening news] and they will see a quorum call, nothing on the screen. Why? Because we are in the midst again of one of these never-ending filibusters of the Republicans—hundreds of them, hundreds of them. Let me remind everyone, Lyndon Johnson was majority leader for 6 years.

Well, I would just interject Lyndon Johnson didn't run the Senate the way Senator REID does, when he was majority leader. Senator REID continues:

> During that period of time he had to overcome one filibuster.
>
> Mr. President, I have lost track. It is hundreds and hundreds of filibusters that we have had to overcome, and we have the Republicans coming here saying today: Well, all we want are a few amendments. They do everything they can to stop us from progressing on legislation and things that are good for this country.

He is talking about the 45 Senators on this side of the aisle—that we will do everything we can to stop from progressing on legislation and on things that are good for the country. How insulting can you be?

We are going to have differences of opinion, sure. That is why are here. That is why they used to call the Senate the world's greatest deliberative body, because on the floor, not even Majority Leader REID can shut me down or any other Senator who stands and is recognized by the Chair to speak on a matter of importance to their State or to the country.

But to have the majority leader come to the floor and say that what we are trying to do is stop progress on legislation and things that are good for the country—he goes on. Senator REID accuses us of trying to stop:

> Anything that is good for Barack Obama they think is bad for the country, and they, for 5½ years, have opposed everything that this good man has tried to do. It is a shame.
>
> So anyone out there wondering what is going on, it is another of the hundreds of filibusters they have conducted.

Majority Leader REID has been a Member of the Senate for a long, long time. He knows this is not true.

So why he would come to the floor of the Senate and say it is puzzling to me.

We had 2 years when President Obama and Senator REID's party could do anything they wanted. How is that? Well, because they had 60 votes in the Senate, which is sort of the magic number, when you can basically do anything you want in the Senate because the minority doesn't have enough numbers to stop the majority or to check their power.

So Democrats had the House of Representatives, with NANCY PELOSI as Speaker. They had the Senate, with 60 votes, HARRY REID as the majority leader, and they had Barack Obama in the White House.

What did we get in those 2 years? Well, one of the things we got was ObamaCare. We know it was sold on the basis of: If you like what you have you can keep it, your premiums would go down $2,500 and, yes, you could keep your doctor too. But none of that proved to be true—none of it.

We got Dodd-Frank. Do you remember Dodd-Frank? That was the legislation following the financial crisis of 2008 and the meltdown on Wall Street that was very damaging to the economy of this country; there is no doubt about it. What we got with unrestrained and unchecked single-party efforts during the time when they controlled both branches of government—the executive and the legislative branches—was legislation that targeted Wall Street, but Main Street was actually the collateral damage. I hear that from my credit unions and community bankers in Texas all the time, that the regulations are strangling them and keeping them on the sidelines, hurting the economy and hurting job creation.

My point is the Framers of our Constitution understood it is important to have vigorous debate on the differences of opinion each of us bring in representing our various States. The Constitution makes the point, in Article I, Section 1, that ''all legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.''

I ask the majority leader, if the Constitution vests all legislative authority in the Senate and the House, what happens when half of the Senate is shut down and denied an opportunity to participate in the legislative process?

The Constitution goes on to state what kind of legislative power is vested in the Senate and the House. Section 8, Article I of the Constitution lays out a laundry list of powers the Congress has—the sorts of things Congress is intended to legislate on. It contains everything from the ''Power To lay and collect Taxes, Duties, Imposts and Excises . . . To borrow Money on the credit of the United States; To establish an uniform Rule of Naturalization . . . To coin Money . . . To provide for the Punishment of counterfeiting the Securities and current Coin of the United States; To establish Post Offices and post Roads; To promote the Progress of Science and useful Arts . . . To constitute Tribunals inferior to the supreme Court.''

The list goes on and on. Of course, finally, the last phrase in Article I, Section 8 is laying out the power of the Congress to legislate, where it says, ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

So I ask the majority leader: If the Constitution grants the Congress the power to legislate and specifies all of the things we are supposed to legislate on and do as the elected representatives of our various States, what happens when we are shut out of the process, when we are denied an opportunity to represent the people who elected us to office, who have entrusted us with a sacred responsibility and a stewardship?

It is beyond outrageous. It is beyond outrageous for the majority leader to make the remarks he made this morning that I previously quoted because he knows they are not true. He knows they are not factual. The Constitution itself guarantees my constituents, all 26 million of them, the rights laid out in the Constitution in Article I. When

they vote for a U.S. Senator, they are entitled to have their Senator participate in the legislative process. We are not guaranteed the right to win these votes, but we are given the responsibility and the privilege of representing them in this place, and we cannot do it when the majority leader runs this place like a dictator.

We are debating—supposedly—an energy efficiency bill. As I said, it is the first time we have had an energy debate on the floor since 2007. There are a lot of very good ideas that have been offered to improve the underlying piece of legislation. I have no doubt the underlying legislation would pass. It will pass, if the majority leader allows us an opportunity to offer and debate our proposals for improving the underlying bill, but if he is going to shut us out of the process and deny the people I represent a voice and an opportunity to improve this piece of legislation, we are not going to cooperate.

The majority leader keeps saying no to amendments, and he denigrates our right on behalf of our constituents to offer amendments and to get votes on those amendments. I know I have come to the floor before, as other Members have come to the floor, and tried to speak on this topic. I know sometimes this sounds as though it is all just about process. It is about process. How boring could that be. It is important because in essence the majority leader has imposed a gag rule on the minority in the Senate, a gag rule in the world's greatest deliberative body—no more.

I don't know what the majority leader is afraid of. Is he afraid of a vote on the Keystone XL Pipeline? I think I saw a poll the other day that said roughly 61 percent of the respondents to that poll thought this was a good idea, that we get more of our energy from a friendly source, such as the nation of Canada, and rather than having to transport all of it in tank cars on trains that occasionally crash and cause a lot of damage, it might be better to build this pipeline so we could safely transport that oil from Canada down to refineries in my State, where it could be converted into gasoline, aviation fuel, and the like, and in the process create an awful lot of jobs.

Sixty-one percent, according to that poll I read, said they thought that was a pretty good idea. Yet the majority leader will not even allow a vote on that amendment. He will not allow a vote on minority amendments. He will not allow a vote on Democratic amendments. I bet my colleagues on the other side of the aisle must be frustrated, indeed, because they have been denied an opportunity to participate in this process, too, thanks to the autocratic powers being exercised by the majority leader.

Here is another idea this side of the aisle had for an amendment we would like to get some debate and a vote on. We are not asking to win. We can do the math. We know we are in the minority. But these are important topics. Vladimir Putin invades Crimea, the Russian Army is building up in the Ukraine and causing havoc in that country, and it looks like he is not going to stop. The President said we are going to make sure there is a cost imposed as a result of Vladimir Putin's invasion of Ukraine, so we are going to impose a number of sanctions. The fact is, as my colleague from Arizona, the senior Senator from Arizona, has said, Russia is a gas station posing as a country. I think that is a pretty humorous way of saying the energy Russia produces and transmits to Ukraine and Europe is its main source of economic power and revenue. If we could undermine that by exporting more energy from the United States to Europe, that would dissuade Vladimir Putin, perhaps, in addition to other things we might do, but the majority leader will not even allow us an opportunity to vote on that issue. By the way, it will also continue to create more jobs in America.

Here is what the majority leader has done. Since he has been majority leader, he has basically blocked any opportunity for Republicans to offer amendments on legislation 84 times—84 times—including 14 times just this year. He has shut us out. He has imposed the Reid gag rule and said: I don't care what the Constitution says. I don't care that you were elected by the people in your State to come here and be their voice and to offer their ideas on legislation. I don't care. We are not going to allow it, is what Majority Leader REID has said 84 times.

Then he has the audacity to impugn our motives this morning, to insult the job we are trying to do to represent our constituents. He calls that a filibuster. George Orwell wrote a book called ''Nineteen Eighty-Four,'' where he talked about how people can twist the ordinary understanding of the English language in a way that is very dangerous. But I would suggest that no definition of filibuster could be derived from the fact the majority leader has imposed his gag rule, has shut us out of the legislative process, and denied us the opportunity to do what the Constitution guarantees. He calls that a filibuster? Give me a break.

So the majority leader comes to the floor this morning and says: If you are watching C–SPAN or if you happen to be visiting the Capitol and are in the gallery, all you are going to see are quorum calls. You are going to hear nothing but crickets on the Senate floor because there is not going to be anything happening there.

The reason that is true, in large part, is because he has shut down the process. He has denied us a voice. He has denied us an opportunity to participate in the legislative process the Constitution talks about in the provisions I just read.

I am probably not going to persuade Majority Leader REID about the error of his ways because I don't think he cares. I don't think he cares. It is not going to affect whether he is reelected in Nevada, perhaps, and there is nothing the minority can do, given the fact the majority leader has extraordinary power under the Senate rules and under the precedent of the Senate. He can get away with it, if the Senate allows it, if the public allows it. But that is why it is important to come to the Senate floor and expose this fraud for what it is. It is a fraud.

The majority leader is trying to deceive the American people into thinking that by speaking out against this gag rule we somehow are an obstacle to passing legislation. We have certain responsibilities to the people who sent us, and that responsibility does not include sitting down and shutting up when we are being run over by a freight train by the name of Senator HARRY REID. It is outrageous. It is outrageous.

Thanks to the majority leader we likely will not have any amendments on this piece of legislation. I think at last count there were roughly 30 ideas we had that we would like to offer amendments on. We have even proposed to Majority Leader REID that we would take those 30 or 40 amendments and talk among ourselves and maybe we can reduce those to 5 or so relevant amendments—items that have to do with energy, with jobs, with national security. His answer is, no, forget it.

Instead of accepting responsibility for his decision, he blames us for filibustering. What does he expect us to do? To be quiet? To sit in our offices while he runs this railroad that used to be known as the world's greatest deliberative body, runs over our rights and the rights of the people we represent? Well, we are not going to sit down and shut up. We are not.

Back in my younger days I used to be a practicing lawyer. I would be hired by a client to come into court and make an argument on their behalf, to give them the representation they were entitled to under our system of justice. I had my argument and the opposing party had their argument and their lawyers and their witnesses, and they came in and presented it before a jury of either 6 people or 12 people, depending on the court you were in, and we would ultimately settle that dispute between the parties, kind of like the difference of opinion we have here on how the Senate ought to operate and what business we ought to be conducting.

In court, when you have a dispute between opposing parties, the judge and the jury who are impartial will listen to the facts, and the judge will decide what the law is that applies in that kind of case, and then you will have a verdict. And that law, with the judgment the judge signs incorporating those findings of fact by the jury, is how the case is decided.

How does that work here in the Senate? What is the analogy? The best analogy I can think of is that we will indeed have a verdict, but it is going to be by the voters in the midterm elections come November.

My only conclusion is that the majority leader must be afraid of having this sort of robust debate because he knows it will expose some of his members to votes they may have a hard time explaining back home. There actually may be some accountability, Heaven forbid. So his answer is to shut down the Senate. It is very sad.

VETERANS ADMINISTRATION

Mr. President, with each passing week we are finding out more and more about institutional failures within the Department of Veterans Affairs. We recently learned that the Phoenix VA system had a secret waiting list designed to conceal a massive backlog of delayed appointments, and that some of the veterans who were put on this secret waiting list actually died while waiting to get the treatment they deserved.

Now we are learning that staffers at a VA outpatient clinic in Fort Collins, CO, were deliberately showing their clerks how to create fraudulent appointment records. In the meantime, there are still more than 589,000 VA pension and compensation claims pending nationwide, and a majority of them are backlogged according to the VA's own criteria, which is more than 4 months.

Every day it seems as though we learn of a new part of this scandal because whistleblowers stepped forward and said: Yes, that was happening where I worked too.

Yesterday, the Austin American-Statesman published a story entitled ''VA employee: Wait list data was manipulated in Austin, San Antonio.'' The story says:

A Department of Veterans Affairs scheduling clerk has accused VA officials in Austin and San Antonio of manipulating medical appointment data in an attempt to hide long wait times to see doctors and psychiatrists, the American-Statesman has learned.

. . . the 40-year-old VA employee said he and others were ''verbally directed by lead clerks, supervisors, and during training'' to ensure that wait times at the Austin VA Outpatient Clinic and the North Central Federal Clinic in San Antonio were ''as close to zero days as possible.''

The medical support assistant . . . said he and other clerks achieved that by falsely logging patients' desired appointment dates to synch with appointment openings. That made it appear there was little to no wait time, and ideally less than the department's goal of three months.

Madam President, I ask unanimous consent that the article be printed in the RECORD.

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

[From the Austin American-Statesman, May 6, 2014]

VA EMPLOYEE: WAIT LIST DATA WAS MANIPULATED IN AUSTIN, SAN ANTONIO

(By Jeremy Schwartz)

A Department of Veterans Affairs scheduling clerk has accused VA officials in Austin and San Antonio of manipulating medical appointment data in an attempt to hide long wait times to see doctors and psychiatrists, the American-Statesman has learned.

In communications with the U.S. Office of Special Counsel, a federal investigative body that protects government whistleblowers, the 40-year-old VA employee said he and others were ''verbally directed by lead clerks, supervisors, and during training'' to ensure that wait times at the Austin VA Outpatient Clinic and the North Central Federal Clinic in San Antonio were ''as close to zero days as possible.''

The medical support assistant, who is seeking whistleblower protection and has been advised to remain anonymous by federal investigators, said he and other clerks achieved that by falsely logging patients' desired appointment dates to sync with appointment openings. That made it appear there was little to no wait time, and ideally less than the department's goal of 14 days. In reality, the clerk said, wait times for appointments could be as long as three months.

The claims echo recent allegations that VA officials in Arizona and Colorado similarly manipulated wait time data or maintained secret lists to obscure lengthy wait times for medical care. Three top administrators at the VA medical center in Phoenix have since been put on leave and the VA's inspector general is conducting an investigation into an alleged secret wait list at the facility. A retired doctor at the Phoenix facility told CNN that more than 40 veterans there died while waiting for an appointment.

This week, the American Legion, the nation's largest veterans service organization, called for the resignation of VA Secretary Eric Shinseki, citing several issues, including wait times for medical care.

When asked to respond to the allegations, local VA officials said in a statement they would review their scheduling practices, but didn't directly address the claims.

''In light of the charges recently made against the Phoenix VA, (director of the Central Texas Veterans Health Care System Sallie) Houser-Hanfelder has made it clear she does not endorse hidden lists of any kind,'' the statement reads. ''To ensure the integrity of the health care system, she has directed each service chief to certify they have reviewed each of their sections and scheduling practices to ensure VA scheduling policies are being followed. All staff who schedule appointments have also been instructed to have refresher training to make sure policies are clear and being followed accurately.''

U.S. Sen. John Cornyn, R-Texas, called for emergency hearings after learning of the Texas allegations.

''This is yet another deeply troubling account, and I'm afraid we have not heard the last of gross mismanagement within the VA and deception by VA bureaucrats,'' Cornyn said in a statement. ''It is time for urgent steps to be taken that match the gravity of this situation.''

He also called for Shinseki to step down.

''It is absolutely disgusting to think that another VA facility would be cooking the books like this, especially in our own community. The House of Representatives is digging into these allegations against the VA from every direction possible and we will get to the bottom of this,'' said U.S. Rep. John Carter, R-Round Rock.

The Texas clerk said he saw the scheduling manipulation when he worked at the Austin VA Outpatient Clinic from December 2012 to December 2013 and when he transferred to the San Antonio clinic, where he still works. He said he also saw similar maneuvers at the Waco medical center earlier in 2012.

''If you had any appointments showing over a 14-day waiting period you were given a report the next day to fix it immediately,'' said the clerk, a disabled veteran who served in the Army from 2002 to 2011. Fixing it meant recording the requested appointment date closer to the available opening, he added.

The clerk said that scheduling clerks in Austin were also instructed specifically not to use a VA tool called the Electronic Waiting List, which is designed to help veterans waiting for appointments get slots created when other veterans cancel their appointments.

''The failure to use (the electronic waiting list) may also pose a substantial and specific danger to public health, because patients who should be included on the EWL are not receiving more timely appointments when they become available,'' according to the clerk's communications with the Office of Special Counsel.

While the VA's massive backlogs of disability benefits claims have garnered much attention in recent years, investigators have also increasingly discovered problems with access to VA medical care.

In 2012, the VA inspector general found that the department had vastly overcounted how many veterans were waiting 14 days or less for a mental health evaluation. While the VA claimed a 95 percent rate in meeting the two-week target, investigators found that the real number was 49 percent, with the remaining 51 percent of patients waiting about 50 days for an evaluation.

That same year, a scheduling clerk at a VA medical center in New Hampshire told a Senate committee that staffers there were instructed to obscure wait times for mental health help by using a method similar to that described by the Texas clerk.

''The overriding objective at our facility from top management on down was to meet our numbers,'' Nick Tolentino told the committee. ''Performance measures are well intended, but are linked to executive pay and bonuses and as a result create incentive to find loopholes that allow facilities to meet its numbers without actually providing services.''

Last week, the House voted to ban bonuses for VA executives, a move opposed by VA leadership. Shinseki has defended the bonus system, saying it is necessary to ''attract and retain the best leaders.''

Rep. Jeff Miller, R-Fla., chairman of the House Committee on Veterans' Affairs, which is also investigating delays in VA medical care, blasted the VA on Tuesday for not taking better advantage of its authority to send patients who are waiting months for appointments to private medical providers.

''Whether we're talking about allegations of secret lists, data manipulation or actual lists of interminable waits, the question VA leaders must answer is 'Why isn't the department using the tools it has been given—fee-based care being one of them—to ensure veterans receive timely medical care?' '' he said.

Mr. CORNYN. Scandals such as these confirm the VA lacks safeguards against official abuses, and it also lacks accountability—the kind of accountability that would ensure American veterans get the care and support they need in a timely fashion.

In the wake of the Phoenix revelations—and now, more urgently after what happened at Fort Collins and now reports of abuses at San Antonio and Austin, perhaps—I have called on the majority leader to hold hearings on these scandals, and I reiterate that call today.

I also reiterate my call for VA Secretary Eric Shinseki to resign his position and to let someone else take on the reforms necessary to get the VA back on track.

As I said yesterday, and as the American Legion noted, Secretary Shinseki is an American patriot who did multiple combat tours in Vietnam and has devoted his life to serving his Nation. He deserves nothing but our respect for that service. But, unfortunately, the VA scandals on his watch have been so numerous and so outrageous that they demand immediate accountability, and it has become clear to me that Secretary Shinseki is not the right person for the job.

He has been in charge of the Department more than 5 years. Under his watch, many of the VA's problems have gotten worse, not better. These problems call for new leadership and a new direction.

As Dan Dellinger of the American Legion said on Monday:

> There needs to be a change, and that change needs to occur at the top.

I emphasize again the urgency of the situation.

I know the President yesterday was talking about the urgency of dealing with climate change. I hope the President and Congress would act with at least the same kind of urgency the President was arguing for when it comes to climate change, when it comes to our veterans—some of whom are dying, waiting to get the treatment they are entitled to.

What the VA needs is full-scale institutional reforms which introduce much stronger safeguards against administrative abuses and much greater accountability for senior officials. Because, let's face it, the VA's problems go well beyond a few rogue health care personnel and administrators in Phoenix and Fort Collins, CO.

At a time when American veterans are facing enormous physical and psychological and financial challenges, the Federal Government is letting them down. Don't take my word for it. According to a recent survey of war vets from Afghanistan and Iraq:

> Nearly 1.5 million of those who served in the wars believe the needs of their fellow vets are not being met by the government.

One Iraq veteran—a former Army staff sergeant named Christopher Steavens—told the survey group he had been trying to get health care and financial relief for more than a half year, and had yet to hear back from the VA. They hadn't even gotten back to him and responded. He said:

> When I raised my right hand and said, ''I will support and defend the Constitution of the United States of America,'' when I gave them everything I could, I expect the same in return. . . . It's ridiculous that I've been waiting seven months just to be examined by a doctor—absolutely ridiculous.

Sergeant Steavens is right. It is ridiculous. But it is more than that. It is disgraceful, and it dishonors the brave service our men and women in uniform have given on our behalf. It is past time for us to get serious about fixing the problem.

Again, to underscore the urgency of these issues, the survey I mentioned a moment ago found that one out of every two Afghanistan and Iraq war veterans says they know a fellow servicemember who has attempted or committed suicide. One out of two knows somebody who has tried or has successfully committed suicide, and our message to the veterans is: Just wait. Be quiet. Sit down. Shut up.

It is unacceptable. As I said earlier, Secretary Shinseki is an American patriot. But after 5 years as head of the Veterans' Administration, it is time for him to step down and make way for new leadership.

More important, it is past time for the Veterans' Administration to start honoring its promise to America's heroes. The status quo is unacceptable and no one disputes that. The only question is: Are we going to do something about it? Appointing a new Secretary would be a good start.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

TALWANI NOMINATION

Mr. MARKEY. Madam President, I rise today in support of the nomination of Indira Talwani to the United States District Court for the District of Massachusetts. Ms. Talwani is a brilliant and accomplished attorney who will make an outstanding addition to our district court.

She is an American success story. Her parents were immigrants from India and Germany. If confirmed, she will be the first Asian-American district court judge in Massachusetts.

She has received honors throughout her career, and her background and experience unquestionably qualify her for the bench. She will be someone the people of Massachusetts, of New England, and our whole country can be proud of.

I believe she will be an objective, unbiased decisionmaker, and that is exactly what we need for our district court judges. I recommend her wholeheartedly to the Members of this body.

The Shaheen-Portman energy efficiency bill is going to be considered here today, and I recommend it to all of the Members of this body because it is a bill that has been developed across parties in a bipartisan way—across industries, across labor, across consumer groups.

This is a bill which on a bipartisan basis is going to lead to improvement in the building codes of the United States to reduce energy consumption, increases in the efficiency of industrial equipment to reduce energy consumption, to increase the energy efficiency of Federal buildings in our country to reduce energy consumption. None of it is being done on a mandatory basis. It is all done on a voluntary basis. That is why we have a consensus here today.

The consensus includes an understanding that this is going to create 190,000 new jobs in our country—from the Shaheen-Portman bill. It will save consumers $16 billion per year. And it will cut carbon dioxide going into the atmosphere, polluting our country and our world by the equivalent of 22 million automobiles per year by the year 2030.

These are benefits that are going to be maximized because we are going to start working smarter, not harder, just reducing the amount of energy we consume, reducing the amount of CO_2 we send into the atmosphere, and doing it on a voluntary basis—voluntary.

So let's have a vote here on the Senate floor. Let's just get it done. Let's agree on what it is that we know is going to help our country. We know it is going to create more jobs. But the Republicans say: No, we need a vote on the Keystone Pipeline. We need a vote on something that is highly controversial, and we demand that vote.

Majority Leader REID agrees to have a vote on the Keystone Pipeline—agrees to have a vote on the Keystone Pipeline. How controversial is that? Well, you are going to take the dirtiest oil in the world, coming down from Canada, build a pipeline through the United States, bring it down to Port Arthur, TX, which is a tax-free export zone, and then that oil is going to be exported out of the United States. Where are the benefits for the United States in this scenario? We take the environmental risk, the Canadians get the benefit of having the dirtiest oil in the world come through that pipeline, and then it is going to be exported out of the United States.

How do I know it is going to be exported out of the United States? Because I, as a member of the House of Representatives, had this amendment over and over brought to the floor of the U.S. House of Representatives, and every time the American Petroleum Institute opposed it. Even though they say it is all about North American energy independence—ha-ha—when you have a vote, every Republican votes to keep that provision out of the bill so the oil can go out of the United States. So just stop this about ''energy independence for North America'' if you don't, as a part of the Keystone Pipeline, accept a provision where the oil has to stay here. Otherwise, what is the point? I will tell you what the point is. It is maximizing profit for the oil industry because they make more money when they sell the oil outside the United States. American consumers don't get the benefit of it, no. The world is going to get the benefit of it; the oil industry is; the Canadians are.

Majority Leader REID said: We will have a vote on that. We will have a vote on it.

And then what happens? We come back this week, and the Republicans say that is not enough. This nice energy efficiency bill is going to be the vehicle for even more highly controversial issues, which at the end of the day is all meant to do what? To kill the energy efficiency bill because it reduces the amount of CO_2 that goes into the atmosphere on a voluntary basis.

How do we know that? Well, we know it because their amendments go right

to the heart of what it is that we should all now finally accept. They want to have a vote and a big debate here that would prevent the Environmental Protection Agency of the United States of America from regulating greenhouse gases, from regulating global warming. That is the debate they want to have. They are saying: No energy efficiency bill—which everyone agrees on—unless we have a debate on whether our Environmental Protection Agency can regulate greenhouse gases.

It is 2014. It is 100 degrees in Kansas today. There are hurricanes, cyclones, the tides are rising, the water is warmer, and the storms are more intense. It is not just here, it is all across the planet. The scientists agree that there is global warming. Their amendment would prohibit the Environmental Protection Agency from regulating global warming pollution. That is what they call something that is reasonable.

We have a bill everyone agrees should pass, but after getting an agreement that the Keystone Pipeline would be debated, they just continue on down the pathway.

Yesterday the Obama administration released a third U.S. National Climate Assessment. From droughts in the West to deluges in the East, this new report shows that we are becoming the United States of climate change and that we must act in order to keep our Nation safe and strong.

Second, they want to attach a provision to massively expand our exports of natural gas. They want to take the natural gas that is being drilled for here in the United States and put it on ships and send it out of our country. The more natural gas we export out of our country, the higher the prices are going to be for natural gas in our country. It will be more expensive to generate electricity. It will be more expensive for manufacturers to make their products in our country. It will be more expensive for those who want to build natural gas buses and natural gas trucks to be able to do so.

That is something they want to do—export the natural gas of the United States to other countries. Does that make any sense? Is that the kind of noncontroversial discussion we should have at the time we have an energy efficiency bill that should go through? No, not at all. This is meant to dynamite the energy efficiency bill. That is what that amendment is all about.

Then they want to add a rider to the bill as well that will prohibit the EPA from even considering at any time in the future a price on carbon—or, for that matter, prohibiting anyone.

These are loaded, highly controversial amendments, all at their heart denying the reality of how much harm they will do to the United States. Meanwhile, the Koch brothers smile. They smile because they know it is all going to accomplish their principal goal: making sure no energy efficiency bill passes in the Senate this year, no reduction in the amount of greenhouse gasses we are sending up. That is the agenda. It is going to be the agenda into the future for the Republican Party. It has been the agenda.

I look out and I see Republicans who have worked hard to put together this energy efficiency bill. I praise them for their willingness to come together on commonsense, reasonable provisions that reduce the amount of carbon going into the atmosphere on a voluntary basis by encouraging the creation of 190,000 new jobs in our country that Democrats and Republicans agree on. And I see this whole process getting hijacked by the Koch brothers, by the oil industry, by the natural gas industry that wants us to devolve into a big debate over science that is now completely and totally consensus not only here but around the planet.

The planet is running a fever. There are no emergency rooms for planets. We have to engage in preventive care to avoid the worst, most catastrophic impact of climate change on this watch we have here in the Senate. But, no, the process is being hijacked. You can see it here. They want to torpedo this process so that more oil, more coal, and more profits for the coal and oil companies become the agenda.

So all I can say, ladies and gentlemen, is that we are at a historic turning point. The headlines in the newspapers across this country and across this planet tell the story today: Climate risk growing. That is the consensus. That is the reality. That is what this energy efficiency bill is meant to deal with. And what will happen—and we are going to see it over and over—is we are going to have Member after Member on the Republican side get up and demand that we have a debate on something unrelated to this energy efficiency bill where there is a consensus. They want to take climate science that is a consensus around the planet and have another huge debate here on it. That is the tragedy of this.

The green generation, the young people in our country, they know this is the challenge of this generation. We as a nation have to stand up. A high percentage of that CO_2 in the atmosphere is red, white, and blue. We cannot preach temperance from a barstool. We cannot tell the rest of the world ''you must do something'' if we are not doing something. That is what the bill we should be debating here today would do on a bipartisan basis: reduce greenhouse gases, create 190,000 jobs, and do it all on a voluntary basis—too simple, too good, too clearly consistent with these two objectives of job creation and greenhouse gas reduction.

So I think what we are seeing is that the conserve in conservative no longer exists—not with the Koch brothers around. So this is now just going to be something that short-circuits the legislative process. It ensures that the energy efficiency bill is collateral damage because of their insistence on these amendments, when instead we have a chance this week to say that we are going to move forward on a smart energy policy; that we will work smarter, not harder; that we should come together to pass this bill without these giveaways to the oil industry and to the coal industry so that we can create jobs and save energy. And I would recommend to my colleagues that is the correct historical position this Chamber should be in right now.

At this point, Madam President, I yield the back the remainder of my time.

The PRESIDING OFFICER. The Senator from Utah.

(The remarks of Mr. HATCH pertaining to the introduction of [S. 2301] are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. HATCH. 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. INHOFE. Madam President, I ask unanimous consent that the quorum call be rescinded.

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

Mr. INHOFE. Madam President, it is my understanding that the Senator from Missouri Mr. BLUNT will be recognized next for 10 minutes or so.

I ask unanimous consent that following the remarks by Senator BLUNT, I be recognized for up to 15 minutes.

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

Mr. INHOFE. I yield the floor and suggest the absence of a quorum.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Madam President, I ask unanimous consent that the quorum call be rescinded.

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

Mr. BLUNT. Madam President, I thank my good friend from Oklahoma for ensuring that I have the time to talk for a few minutes about an issue he and I feel very strongly about; that is, the best use of American energy and what American energy means to American families.

It seems to me the request our side of the aisle is making is not at all unreasonable. It has been 7 years since the Senate had a real debate on energy. The Shaheen-Portman bill creates that opportunity, but suddenly we were told: This bill is so good already. Why do you want to continue to talk about ways to make it even better? There are very few things beyond energy and health care which I can talk about for a substantial period of time—and I hope to talk about health care sometime between now and the end of the week. Energy has the same kind of impact on families that health care has.

The majority leader wants to control every debate every week in the Senate,

which means nothing happens. That is not the way the Senate works. Traditionally, any Member of the Senate can introduce any amendment they want on any bill at any time. However, that is not the way the House works. I served in the House. The majority runs the House, and the Rules Committee in the House is nine in the majority and four in the minority. It is pretty hard to lose a vote in a 9-to-4 committee. I think that is why the committee was established that way.

The Senate has never been run that way. Now we have a one-man rules committee that wants to decide on every bill and every rule which comes up. This gag rule where Senators can't talk about the topics they want to discuss is something that didn't used to happen in the Senate, but it is now a daily and weekly part of the Senate.

We are now at the point where we go to the majority leader and ask: On the energy bill, could we have five amendments that deal with energy? That is so far from how the Senate and the Constitution was designed to be or the Senate practice has been. It is pretty hard to believe that Senators on the minority are reduced to the point that we have to go to the majority leader and ask: Mr. Leader, could we have five amendments that deal with energy?

When the Energy bill was on the floor of the Senate 7 years ago—the last time the Senate dealt with energy—every Senator could have every amendment they wanted on anything they wanted to talk about because that was the Senate. One of the prices we paid for that 6-year term was we might have to vote on some things we would rather not vote on. Now we have the 6-year term, but the majority leader doesn't want us to vote on things that the majority may not want to vote on, and there are probably people in the minority who don't want to vote either. Not voting is a pretty safe route apparently politically, but it is not the best route for the country.

I would like to see a real debate on energy, and one of the issues I would like to see debated is the amendment I offered to this bill to have a point of order to be sure that at least 60 Senators would have to approve a carbon tax.

I offered a similar amendment to the budget last year, in 2013, and 52 of my colleagues agreed with me, and we had a majority vote of 53 who said we don't want to have a carbon tax, but if we do have a carbon tax, it needs to be extraordinary because it affects everybody's utility bill. It affects everybody's ability to pay that bill. It affects whether a person has a job with a paycheck that allows them to pay that bill. Fifty-three of my colleagues, including myself, said we don't want to do that.

Several people who voted against that amendment in 2013 have had a hard time explaining why they were against it, so I thought maybe we would vote on it again. I think we would have more than 53 votes this time. If we don't vote this time, we are more likely to have a lot more than 53 votes next time because the American people get it.

For the vast majority of the country, half of the utilities come from coal. Rules that create a carbon tax—the simple focus of that is coal, and the focus is fossil fuels generally. The Germans are buying resources from us because they are abandoning their nuclear facilities and converting to coal-fired powerplants.

We have a lot of coal and, more importantly, we have a lot of coal-powered plants. If we could say, let's not use coal, but our utility facilities work just like they work without having to take millions of dollars for new investments, that would have a different kind of impact on families than saying, let's not only not use coal, let's build a new powerplant everywhere they have a coal powerplant because otherwise the utility bills will double when we build a new powerplant. When we build a new powerplant, the utility bill is going to double.

Also, why would we want to have even the access to a policy that would allow people's utility bills to double? Middle-income families, low-income families are the hardest impacted by that, especially in States such as my State, where 80 percent of the utilities come from coal; but, again, a majority of the utilities come from coal in a majority of the landmass of the country. Our rates would rise 19 percent in the first year with a carbon tax or the kinds of rules the regulators are trying to put in place that would have a carbon tax-like impact, and in the decade after that first year they would double.

One doesn't have to be very smart to multiply a utility bill by two. If the boss showed someone the utility bill at work, they wouldn't have to be a genius to multiply that by two, and they wouldn't have to be a genius to figure out that if the utility bill doubles, the job that helps them pay their utility bill at home might go away as well.

It would cause significant job loss. It would cause households to pay more for all of the energy they have. They already pay a lot for energy. For the 40 million American households that earn less than $30,000 a year, they already spend more than 20 percent of their income on energy. Do we want those families to continue to see that bill go up and every month wonder what they could have less of so they can pay more for the same utilities, and not because it had to be that way but because the government decided it wanted it to be that way? The households that will be the last households to get the new energy-efficient appliances, the last families to get the new windows and the better doors and more insulation in the ceiling, those are the families impacted in a dramatic way. Those are the families who live in houses where they have to think: Which room can we no longer afford to heat or no longer afford to cool in the heating and cooling months of the year, when we will have to close that door and roll up the throw rug and put it at the base of the door so the heat and cooling no longer impacts that room? Do we want families to do that so we can have a carbon tax, so we can have bad energy policies?

We can do a better job by making American energy more affordable and more accessible, not making it less so.

What is wrong with having that? I heard my friend from Massachusetts say earlier that we are insisting on a controversial amendment on the Keystone Pipeline. So what. What is controversial about it? A majority of us say we are for it. Controversy would mean people must feel strongly the other way, so they can vote against it.

Let's let the American people know where we stand on these issues. Are we going to do smart things about more American energy or not? The energy future of the country is so good that in spite of everything the government has done to slow it down, it still has been a major economic driver.

I would like to see us vote on the Keystone Pipeline. I would like to see us vote on the carbon tax, whether that is a good idea or not. I would like to see us vote on what kinds of facilities we need to secure our energy position in the world economy.

There shouldn't be anything wrong with these amendments. Senators shouldn't be stopped with a gag rule from the majority leader's office of what we can and cannot talk about. The idea that we can't have energy amendments on an energy bill should embarrass every single Senator here and concern everybody we work for. Hopefully, we will be able to move forward with debate on an energy bill that is actually about energy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, let me first say to my good friend from Missouri, I plan to talk about energy, the very thing he is talking about. If we go back and look logically, if we are dependent upon fossil fuels for 75 percent of our ability to run this machine called America, and we extract that, what is going to happen? I think we all know what is going to happen and I think people need to be forewarned.

I am going to tee this up by talking a little bit about President Obama's climate assessment meeting he had yesterday. All of these people were talking about the world coming to an end, the report he came out with—let me, first of all, ask unanimous consent that at the conclusion of my remarks, the Senator from Delaware be recognized.

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

Mr. INHOFE. The whole idea in this report by design is to spark fear in the American people so they will go along with the administration in implementing their policies that will kill

fossil fuels and leave us with nothing but a broken economy. When I say broken economy, if, in fact—and no one would refute this—we are dependent upon fossil fuels—coal, oil, and gas—for 75 percent of the energy to run America, then what is going to happen to our economy if we extract 75 percent? I think we all know logically what is going to happen.

In the words of White House counselor John Podesta this morning: ''The American public doesn't feel that sense of urgency about the impacts of climate change and I think this report will help influence that.'' That is nothing but an admission. The whole reason for this report is to try to resurrect the issue of global warming. We heard my good friend from Massachusetts talking about that. He is very knowledgeable, and I will refer to some of his activities in a minute.

But keep in mind, this is John Podesta. It is the same John Podesta who is representing some of the terrorist regime from Sri Lanka that is no longer in effect. He is the same one who ran the White House during the Clinton years. So he comes from a very partisan perspective. But nonetheless, I appreciate the fact that he is admitting this is the reason for the climate assessment President Obama did yesterday, because he wants to try to bring this up again.

I can remember back when the polling showed that global warming was either the No. 1 or No. 2 of the environmental issues in America. Do we know where it is now? It is No. 10, according to the last Gallup poll. So people have forgotten about it. People have caught on. They have seen the scientists come in and refute all this IPCC stuff that the United Nations has been putting forth for a long period of time. I think it is a recognition that people have caught on to this and it is no longer the issue they want it to be.

Whether it is a drought or a flood, high temperatures, low temperatures, you can't find a job, you are finding more allergic reactions, then the White House blames it on global warming. Fear has always been a tactic the administration and other global warming alarmists have used to spur people into action. Time and time again, when the American people learn the details and the costs of the solutions to global warming that they contend exist, they don't want anything to do with it—and the costs are enormous.

Congress last debated global warming when my good friend, now Senator MARKEY, was in the House of Representatives. It was the Waxman-Markey cap-and-trade bill. This bill would have cost, according to Charles River Associates—and I think people recognize them as authentic—between $300 billion and $400 billion a year. That is the cost. I would contend this would be the largest tax increase in the history of this country. That is consistent with other analyses. One was the Wharton Group and many of the scientists there who were making evaluations came out with the same thing: between $300 billion and $400 billion a year. MIT came out with about the same amount of between $300 billion to $400 billion a year. The cost estimate has been the same over the last 15 years since we first started debating this issue. I don't think anyone is challenging that.

But what is important—and this is kind of in the weeds, but we have to talk about this: I applaud Senator MARKEY for at least the levels of pollution—of emissions, I should say—that come from different sources that he was wanting to regulate, and that was those with 25,000 tons of CO_2 emissions or more. That would be, quite frankly, the major emitters, the refineries and all of that. Here is the problem we have today. It is far worse than the Waxman-Markey bill would have been, because it wouldn't call for the regulation of just those entities that emit 25,000 tons or more, but the same as the Clean Air Act.

The Clean Air Act has a threshold of 250 tons of greenhouse gases a year. Stop and think about that: If it costs between $300 billion to $400 billion to regulate the emitters who emit 25,000 tons of CO_2 a year, how much more if we regulate everyone with 250 tons? It has never been calculated. It would be very difficult. But we are talking about billions and billions of dollars more. So the regulations are far worse.

The first of these regulations now being developed is the New Source Performance Standards for newly constructed powerplants. The rule would essentially make it illegal to build new coal-fired powerplants. That is what it was designed to do.

The next step would be to take the existing powerplants—those that are employing hundreds of thousands of people in America today—and they would be out of a job. So that would go to the refining industry, and so forth, and establish new regulations for each and every industry. These greenhouse gas regulations mark the latest attempt by the EPA to destroy affordable and reliable electricity and energy supplies that have been the hallmark of our economy for a long period of time. They are already doing it in other areas too. It is not just regulating the greenhouse gas emissions or CO_2 emissions; it is other regulations that are unbearable.

This one right here—they are talking about changing the ocean regulation. This chart is an interesting one because this shows that virtually every county in America would be out of attainment with their new goals. In my State of Oklahoma, we have 77 counties. All 77 counties would be out of attainment if they are able to do that.

In 2011, the EPA finalized its utility MACT. By the way, that stands for maximum achievable control technology. That is what we are talking about. So they passed this. Now it is passed. It is history now. They finalized utility MACT with a rule that costs over $100 million and would result in 1.65 million lost jobs.

The EPA put this rule out without even considering the cost of it, saying it wasn't required to do so. In other words, the law does not say they are required to say what it costs. I take issue with that. They estimated the rule would result in the retirement of less than 10,000 megawatts of electricity generation, but today we know the power companies around the country have announced the retirements totaling more than 50,000. So they are off by 500 percent. Fifty thousand megawatts in direct response to the EPA regulation.

By the way, when we had the utility MACT, I filed a CRA, and this is something I want to make sure people are aware of, and certainly my colleagues and friends on the other side of the aisle. On all of these regulations, when they reach the point where the regulation is final—and we know for a fact it is going to cost dollars and it is going to cost jobs—I am going to file a CRA. A CRA is a Congressional Review Act. A CRA provides that if there is a regulation—and I hear so often my colleagues in the Senate will say to their constituents, Don't blame me for these regulations because that is the regulatory—that is the EPA and other regulators doing it. But a CRA forces them to take an issue. So all one has to do is find 30 people in the Senate, have them sign a CRA, file the CRA, and then it is simply a simple majority—51. In the case of this utility MACT, I only lacked three votes for stopping that rule. So we anticipate that we are going to be able to stop a lot of these rules.

In about 10 days, the EPA is poised to propose another new rule, the 316(b) cooling water intake rule. This rule is designed to protect fish from being caught and killed in nets designed to prevent them from entering powerplant systems. While the rule doesn't have any human health benefits, it is expected to cost industry over $100 billion in compliance costs, which, of course, will be passed on to everyone in America who ends up paying these bills.

The North American Electric Reliability Corporation, which is called NERC, has warned that this rule will have a far worse impact on electricity affordability and reliability than the utility MACT did. We know it will.

In fact, the FERC Commissioner recently said that because of EPA's rules, the United States is likely to see rolling electricity blackouts over the summer months in the next few years as demand for electricity outstrips the supply remaining after all of the powerplant shutdowns that are slated to occur in response to EPA's rules.

The EPA has been systematically distorting the true cost of its regulations for years, and I have been raising this as an issue for some time now, but it has been very difficult to air them out before the entire Senate simply because at this point the sole goal of the

Democrats seems to be to protect their majority.

If we look at this chart, this was prior to the 2012 election. What we found they were doing, prior to the 2012 election, was postponing many of these very onerous regulations because they knew we would be doing a CRA and the public would know who is responsible for these. They had postponed this. This is a report I put out in October 2012, and that was to try to force the administration to not wait until after the election to come out with their rules. That is what they did.

They are doing it again. Last week I released documents revealing that the EPA intentionally delayed the release of its greenhouse gas new source performance standards—that is the NSPS—by 66 days in order to avoid it being finalized before the midterm elections—the same thing as 2012.

I also sent a letter to Gina McCarthy, who is the Director of the Environmental Protection Agency, asking why the rule was delayed, especially when she had previously told me it was the result of a blacklog in the Federal Register. In other words, she was saying: The Federal Register did not post this rule until 66 days after we gave it to them. We checked with the Federal Register, and they said that is absolutely false. They have an immediate turnaround for these rules.

So now I am waiting for a response to that letter. I do not want to use the ''L'' word. I know there is a lot of pressure put on the employees and certainly the Director of the EPA to try to minimize what the public feels is going to be the cost of these regulations.

Had the EPA stuck with its original timeline of finalizing this rule by September 20 of this year, then I would have been able to work with my colleagues to force a Congressional Review Act vote to overturn the rule just weeks before the election. Then people would know the cost of these things.

But what we could do right now is vote on a few of the amendments. Our Senator from Missouri was talking about these amendments. We have a bill that is coming up. We have amendments that should be considered—all having to do with energy, so they are all appropriate amendments to offer, as he articulated for about 10 minutes a few minutes ago.

I have some amendments that would do this. He mentioned one of them that he and I are together on. But one of my amendments is amendment No. 2977, entitled the ''Energy Tax Prevention Act of 2014.'' It simply prohibits the EPA from promulgating any greenhouse gas emissions regulations to combat climate change because they are denying this is the reason they are doing it. Of course we know what has happened to the science they are relying on through the United Nations that has now been refuted.

The second amendment I have is amendment No. 2979. It would prevent the EPA from issuing any new Clean Air Act regulations—such as those on climate change—until it complies with section 321(a) of the Clean Air Act. Let's keep in mind, this is the Clean Air Act, as shown on this chart. We are talking about decades ago. This is what the Environmental Protection Agency is supposed to do:

> The Administrator shall conduct continuing evaluations of potential loss or shifts of employment which may result from the administration or enforcement of the provision of this chapter. . . .

It is saying they are supposed to already tell the public what the cost is in terms of jobs and money. That is the law, but they are not obeying the law. So I have an amendment that puts teeth in it and says you cannot have any new rules until you comply with section 321(a) of the Clean Air Act. Very reasonable, and it is the law today.

Unfortunately, the EPA is not interested in doing this. With the Utility MACT rule, it completely dismissed the rule's cost and did not consider it when putting out the rule.

The EPA acted in contradiction to Supreme Court precedents that decisionmakers are required to ''weigh advantages against disadvantages, and disadvantages can be seen in terms of costs.'' That is the U.S. Supreme Court.

The PRESIDING OFFICER. The Senator has consumed 15 minutes.

Mr. INHOFE. Madam President, I ask unanimous consent that I be given 5 more minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. INHOFE. I have to get to the last part. Rather than to face these issues head-on, I am going to share something that happened last year and then again this year. There is a very wealthy person named Tom Steyer. Tom Steyer has a mansion that overlooks the Golden Gate Bridge. He had a fundraiser for Barack Obama last year, raising a lot of money, but the one I am more concerned about is the fundraiser he had when he announced—this is just within the last month—Tom Steyer, a very wealthy person, said he was going to personally donate $50 million and raise an additional $50 million to try to do two things. One is to resurrect this whole idea on global warming since the people do not care about it anymore. As a result of that, we had an all-night vigil. Remember that? That was right after Tom Steyer made his announcement.

The second thing he is mandating is to kill the Keystone Pipeline. There is a lot of money out there. The regulatory burdens already being placed on this country are enormous, and the cost of regulations are, perhaps arguably, the worst problem facing this country.

Last week the Competitive Enterprise Institute published a major report calculating the cost of the President's regulations at $1.86 trillion. To put that in perspective, Canada's entire GDP is $1.82 trillion. India's is the same amount. So that is what the cost would be, according to the Competitive Enterprise Institute.

People know what has happened to the military with this administration, they know what has happened to energy, but the cost of these regulations is something that is going to have to be addressed.

Lastly, I would say this. I know there are people out there who legitimately believe greenhouse gas is causing global warming and the world is going to come to an end, but I would suggest this: Lisa Jackson was the Administrator—chosen by Barack Obama—the first Administrator we had for the EPA. I asked her this question, on the record, live on TV. I said: Madam Administrator, if we were to pass bills like the Markey-Waxman bill or regulate by regulation the CO_2 in the United States of America, would this have the effect of lowering the CO_2 emissions worldwide? She said: No, because that is not where the problem is. It is in China. It is in India. It is in Mexico.

In other words, if you believe—as I do not believe—but if you believe CO_2 is going to bring about the end of the world, then even if we do something in this country, it is not going to solve the problem. Arguably, it would make the problem worse because as we lose our manufacturing base, they are out seeking electricity and energy from countries where they do not have any of these regulations, and that would have the effect of increasing, not decreasing, emissions of CO_2.

With that, I yield the floor and thank my friend for not objecting to my additional time.

The PRESIDING OFFICER. The Senator from Delaware.

BULLETPROOF VEST PARTNERSHIP

Mr. COONS. Madam President, our Nation's police officers work fearlessly and tirelessly every day to protect our families and to keep our communities safe. As we get ready to honor their service during National Police Week, the least we can do is stand by them and ensure, as they are doing their job, they are able to do it as safely as possible.

Every day more than 1 million law enforcement officers across this country accept risks to their personal safety. As they leave their families at dawn and head off to their jobs, they know and their families know they accept, as a part of their mission of public safety service, the risk that they may not come home that night.

We owe it to them to do what we can to make that service just a little bit safer, to ensure that more of them come home safely, week in and week out, year in and year out. Providing officers with bulletproof vests is one of the most effective ways we can contribute to that desired outcome.

I have come to the floor because I share the deep frustration of my good

friend Chairman PATRICK LEAHY over the continued inability of this body to overcome the objection of one Senator and move forward to renew, on a bipartisan basis, the Federal Bulletproof Vest Partnership.

Yesterday, Chairman LEAHY gave the Senate another opportunity to take up and reauthorize this partnership through a unanimous consent request. He is trying to move forward a bill we have already voted out of the Senate Judiciary Committee on a bipartisan basis. Yet it was blocked again by objections raised by a colleague, the Senator from Oklahoma.

For 14 years the Federal Bulletproof Vest Partnership has been an important way for our Nation to equip local police departments with one of the most effective ways to keep our officers safe, but this needs to be a lasting commitment. This needs to be an enduring partnership. As new officers join, they need to be fitted for new vests. Because vests wear out and do not last forever, we need to ensure they can be replaced.

We know bulletproof vests work. Since 1987 bulletproof vests have saved the lives of more than 3,000 police officers across this country. I am proud to continue in the tradition of my predecessor, now-Vice President JOE BIDEN, in supporting local law enforcement and in supporting this initiative.

In my home State of Delaware, this partnership has provided our officers with thousands of vests over the last 14 years, including more than 3,800 over just the last 5 years.

The Delaware community has, unfortunately, seen up close why these vests are so important. It was 13 years ago that Dover Police Sergeant David Spicer was trying to make an arrest—an arrest he successfully completed—when the suspect with whom he was wrestling pulled out a gun from a hidden pocket and shot him at close range four times.

As Sergeant Spicer bled out—he lost nearly half the blood in his body before effecting the arrest—because he was wearing a vest provided to him through the Federal Bulletproof Vest Partnership his life was saved.

I was honored to welcome Dover Police Sergeant David Spicer here 2 years ago on a previous effort at reauthorizing this long bipartisan bill.

More recently—just last February of 2013—at the New Castle County Courthouse, in my hometown of Wilmington, a gunman unleashed a stream of bullets into the courthouse lobby, tragically killing two. On what was a devastating morning in the courthouse lobby, two lives were also saved—those of Sergeant Michael Manley and Corporal Steve Rinehart—Capitol Police officers who were wearing bulletproof vests funded in part through this Federal Bulletproof Vest Partnership.

The very real results of this Federal-State partnership, of this investment in keeping the men and women of law enforcement safe in the line of duty, are hard to ignore.

With many police departments at the local level facing shrinking budgets, this bulletproof vest partnership makes vests, which cost more than $500 apiece, more affordable, ensuring officers are outfitted with the most current and effective and appropriate protection possible.

In fact, the program specifically prioritizes smaller departments that often struggle to afford vests and do not provide vests or require vests for their officers. It is exactly in these smaller and more rural agencies and departments where line-of-duty deaths due to gunfire had historically been high.

This is critical. As a county executive in my previous role in local government in Delaware, I saw firsthand how officers in smaller agencies often struggle to have current, up-to-date, and effective bulletproof vests.

In addition, this is a program that is a 50–50 match with Federal and local money. How could anyone oppose this program that saves thousands of police officers' lives, that extends the reach of the Federal-State partnership in keeping our communities safer, and that is such a wise investment in saving lives that matters so much to our communities?

A colleague objected yesterday, has objected before, and will object again. I am reminded of so many times when a bipartisan bill comes to this floor and dies due to objection after objection after objection, and at times I struggle to understand the rationale. In his objection yesterday, my colleague raised an argument that somehow this program, which promotes public safety, does not fit within the authority granted to Congress under the Constitution, that it is not part of the enumerated powers of Congress.

I disagree. Whether you ascribe to the narrow Madisonian view of the general welfare clause in the Constitution or follow an expansive or Hamiltonian view—as our Supreme Court has done since 1937, when they affirmed the constitutionality of the Social Security Act in Helvering v. Davis—this is not a close call.

If providing Federal-State partnership money for bulletproof vests goes beyond the enumerated powers of this Congress, what does that mean for public health, for investments in partnerships with State public health agencies to prevent pandemics and flus? What does this mean for the Interstate Highway System? What does this mean for hundreds of different partnerships where, in a cost-effective way, we work together with communities and States all over this country to extend and improve the general welfare of the people of the United States?

To my colleague's argument today on this floor that this is solely a State or local responsibility, the reality is that the Bulletproof Vest Partnership does not replace local action with Federal action. It ensures a Federal partnership, an investment, to help police departments struggling to meet the safety needs, the equipment needs of their officers, to act when they otherwise cannot.

In my view, the partnership is even more important because it is about more than just handing out dollars and vests. It ensures all vests are compliant with National Institute of Justice safety standards. Only the Federal Government has the resources to do that level of analytical work. It is no more reasonable for us to expect every State to have their own National Institutes of Health to do cancer research or for every State to have a National Highway Traffic Safety Administration.

Having one coordinated national program to ensure that these bulletproof vests are as effective as possible at saving the lives of the men and women of law enforcement just makes sense. In my view, the denial of the Federal role where it is necessary and efficient would take us back to the Articles of Confederation, a very cramped and narrow view of the appropriate role of our national government, one which our forefathers found unworkable two centuries ago.

The truth is plain. Without this program, we leave police officers without lifesaving vests in the line of fire, in the line of duty. For us to fail to stand up for them, when they stand up for us each and every day, I find outrageous. This is the way the world looked before Chairman LEAHY and Republican Senator Campbell created this program jointly back in 1999.

In that world, before there was a Federal Bulletproof Vest Partnership, there would today be two more Delaware families without a hero at their dinner table tonight. Not on my watch. That will not happen as long as I am here to stand for the men and women of law enforcement and to promote the Federal role, an appropriate Federal role, in standing side by side with State and local governments to provide the equipment the men and women of law enforcement need.

This partnership expired back in 2012. Fortunately, we have been able to fund it through short-term appropriations. This is a tiny program in the scope of this Federal Government: $22 million a year. The entire Federal investment in local law enforcement is less than one-tenth of 1 percent of the entire Federal Government. Yet it enables standards and leveraging of the type I described that extends the reach of law enforcement and improves the safety of the men and women who put their lives on the line for us. Without authorization, this program becomes unsustainable short term and does not allow us to improve the program year in and year out. The reauthorization bill that was passed by the Judiciary Committee this Congress extends the program another 5 years, ensures its consistency, but makes important reforms to save money, as well.

It prevents localities from using other Federal grants as their matching

funds. It takes action to eliminate the Justice Department's backlogs. The bill would require agencies using the program to have mandatory wear policies, and would, for the first time, ensure these lifesaving vests are fitted appropriately for women, at a time when there are more and more women in law enforcement and more often at the very front line of protecting our communities.

This bill is fiscally responsible. Enacting this bill is a moral responsibility. Police officers work to keep us safe every day. Congress can and should do the same for them. Congress should be standing with our law enforcement officers, not standing in their way. I applaud the persistent leadership of Chairman LEAHY and will stand with him as long as it takes to get this program back on track and ensure its long-term survival.

While this program had a long history of bipartisan support and passed out of the Judiciary Committee with a number of Republicans voting for it, a few of our colleagues on the other side of the aisle now do not seem to think this investment in officer safety is an appropriate one for this body and this government to make.

Last year our Nation lost 33 police officers in the line of duty killed by gunshots. According to the National Law Enforcement Officer's Memorial Fund, there is some reason to be cheered because this is the smallest number lost in a year since the 1800s. Those 33 deaths—line-of-duty deaths of men and women shot to death while protecting their communities—is 33 too many. We have an opportunity to continue to provide to State and local law enforcement vests that can save these and other lives.

We should continue working tirelessly until those numbers come down to zero. In recent months, I have been proud as this body has come together across the partisan divide, has passed a budget bill, an appropriations bill, a farm bill, has begun to deal with some of our Nation's most urgent needs. But I am distressed by this particular action, to block even consideration of so small a program with such important consequences, and it is to me profoundly disheartening. I call on my colleagues to stop blocking this bill and to allow this body to debate and to pass this reauthorization that will save lives in law enforcement this year and every year going forward. We owe them no less.

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

The PRESIDING OFFICER (Ms. BALDWIN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. BARRASSO. I ask unanimous consent to be able to speak as in morning business.

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

HEALTH CARE

Mr. BARRASSO. Madam President, I come to the floor to talk once more about the negative side effects of the President's health care law.

President Obama has been spiking the football over the number of people who he says have actually signed up for insurance through his exchanges. He also said that Democrats should forcefully defend and be proud of the health care law.

He has had nothing to say to the Americans who are seeing their premiums increase.

This Washington mandate insurance is loaded up with so many specific mandates that unless you get a massive taxpayer subsidy, it is just not affordable for many families across this country.

For some people the insurance gets even more expensive, even less affordable, depending specifically on where you live.

Insurance companies used to base your premiums on a lot of different factors, like how likely you were to use insurance, and different things specific to how you would use medical services.

The Obama health care law took away some of that and replaced it with what they call a community rating. Now there are only a few factors that can be used to set people's premiums, and where you actually live is one of those. Your premiums used to be based on you, but now they are based on your neighbors and how likely your neighbors are to use their own health insurance. What we are seeing is all across the country people are paying more specifically because of where they live.

The Associated Press ran a story on this last month. The headline was ''Rural residents confront higher health care costs.''

The Associated Press quoted a rancher in Colorado whose premiums had jumped 50 percent—to about $1,800 a month. The rancher said:

> We've gone from letting the insurance companies use a pre-existing medical condition to jack up rates, to having a pre-existing ZIP code being the reason health insurance is unaffordable.

As this rancher said, ''It's just wrong.''

I agree, so I looked into this, and here is what I found. Some of the lines are drawn so that people just down the road or even people on different sides of the street can pay wildly different premiums. These are people of exactly the same age, and these are people who are buying the lowest-cost silver plan.

The President likes to talk about income inequality, but the President has created a new kind of insurance inequality. It is not only rural areas like where that rancher lives in Colorado.

In Louisiana in one community the premium for the lowest-cost silver plan in the ObamaCare exchange for a 40-year-old person who doesn't get a subsidy would be $255 a month. But if you live right across the street—right across the street—the premium for that same person, same age, same lowest-cost silver plan, would be $311 a month—22 percent higher, $56 more a month, just because you live on one side of the street instead of the other side of the street, under the President's health care law. That is $672 a year. That was Louisiana.

Now let's take a look at North Carolina, with the same situation. If you live on that side of the line, if your ranch house or farm house is over there, it is $263 a month. Just down the road, the other side of the line, it is $319 a month. Again, it is $56 more a month or $672 more a year for the same individual. All they would have to do is move from that side to this side and they would either save or pay that much more. It is 21 percent more expensive on one side than the other.

Is this fair? The Democrats talk about fairness all the time. Democratic Senators have come to the floor to talk about giving everybody a fair shot. Do those Democrats who passed this health care law, who voted for the law, think that in that county in North Carolina they are getting a fair shot depending on which side of the line they live? Does the Senator from Louisiana believe that they get this fair shot on either side of the line? Does President Obama believe that these people in North Carolina or Louisiana are getting a fair shot?

Why did the Democrats in Washington create a law that penalizes people based on on which side of the street they live?

Here is another example—Arkansas. Here we have an area, one side of the line or the other. On this side of the line it is $263 per month and on this side $294 a month—same age, same situation, no matter which of side of the line you live on—$31 a month more expensive.

Are those people in Arkansas getting a fair shot from the President's health care law? For too many people in places such as Colorado, Louisiana, North Carolina, and Arkansas, the costs of the President's health care law are unfair and are too high. Sure, there are some people who are being helped, but there are a lot of people who are being hurt by the President's health care law, people who are feeling the negative side effects of the law.

Why don't Democrats admit this? Why don't they admit that the health care law is not giving people a fair shot?

The President says: Forcefully defend and be proud. Why aren't the Democrats in this Senate who passed this law coming to the floor to defend the fact that for millions of people in Arkansas, Louisiana, North Carolina, Colorado, and all across America, the premiums are too high. The health care law is too expensive for families, and it is also too expensive for a lot of employers.

There was an article in the Denver Post last week entitled: ''Health law

presents options, challenges for Colorado's small businesses.'' The article tells the story of a small business in Denver that sells cardboard boxes.

According to the article, the owner of this business has offered insurance to his workers for three decades. To get a policy that meets the new mandates of the President's health care law was going to cost 50 percent more than they had been paying in the past.

The article says, ''About half of small businesses in Colorado are seeing double-digit premium increases'' because of the law.

Double-digit premium increases are not what Democrats promised from their health care law, and it is not what the American people wanted. People wanted something very simple from health care reform. They wanted better access to quality, affordable care.

Instead, Democrats gave Americans higher costs and unequal treatment. It is not a fair shot. It is not what American people wanted, what they needed, and it isn't working.

Americans don't need a law that Democrats voted for without ever reading it, and it is a law that raises their premiums, a law that NANCY PELOSI said: Hey, first you have to pass it before you get to find out what is in it.

Republicans have offered a patient-centered approach that would solve the biggest problems facing families: the cost of care, access to care, and ownership of their policies. That means allowing small businesses to pool resources in order to buy health insurance for their employees. It means letting people shop for health insurance in other States and buy what is actually best for them and their families. It means reforming our medical liability system to give patients fair compensation for tragic mistakes, while ending junk lawsuits that drive up health care costs for everyone. It means adequately funding State high-risk pools that help sick people get insurance without raising costs for healthier individuals.

These are just a few solutions Republicans have offered, just a few of the things that we will do to give Americans real health care reform and a real fair shot—health care reform that gives people the care they need from a doctor they choose at a lower cost without all the negative side effects.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

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

UNANIMOUS CONSENT REQUEST—H.R. 3521

Mr. VITTER. Madam President, I come to the floor to speak about an issue we should all be concerned about, the State of veterans health care in our VA hospitals, our VA clinics, our VA system, and around the country.

I have been concerned about this for some time, working very hard on getting outpatient clinics built in Louisiana—new ones, expanded ones, in particular, in Lafayette and Lake Charles.

I am a member of a bipartisan working group on VA backlog issues, and we have made substantial progress through that bipartisan group. We have also introduced legislation to deal specifically with that VA backlog crisis.

As we work on those things, unfortunately, the news out of the VA gets worse and worse, and the need for real progress on these fronts—including the community-based clinics I am going to talk about in Louisiana and elsewhere—that need gets more and more dire.

Think about the recent reports. CNN and others have reported that in Arizona at least 40 U.S. veterans died—died—waiting for appointments at the Phoenix VA health care system. Many of these were placed on a secret waiting list. The secret list was part of an elaborate scheme designed by the VA managers in Phoenix who were trying to hide the fact that 1,400 to 1,600 sick veterans were forced to wait months to see a doctor.

There is an official list that is shared with officials in Washington. That official list shows that the VA has been providing timely appointments. The problem is, you don't get on that official list, in some cases, until you have waited months and months and months on the secret list that is hidden from Washington, that was hidden from the world, and that was hidden from outsiders until the news media broke the story. So 40 of those veterans died waiting for appointments through this abuse.

In Colorado, USA Today and others reported that clerks at the Department of Veterans Affairs clinic in Fort Collins were instructed last year about how to falsify appointment records so it appeared the small staff of doctors was seeing patients within the agency's goal of 14 days—the exact same abuse, the exact same type of scheme, but different details. Many of the 6,300 veterans treated at the outpatient clinic waited months to be seen, but that was hidden through this scheme.

If the clerical staff had allowed records to reflect that veterans waited longer than 14 days, they were punished by being placed on the bad boy list, the report shows. So, again, it is exactly the same fraud and abuse, the same scheme, designed to hide the real waits that veterans in these places and in many other places around the country are subjected to.

We see these horrible abuses. We see these examples with increasing frequency. It has gotten so bad that the head of the American Legion and the head of the Concerned Veterans for America on Monday called for Secretary Shinseki to resign and called for members of his top leadership to resign with him.

The calls for his resignation came after months of reporting that I have been talking about—U.S. veterans who have actually died waiting for care at VA facilities across the country. It came after these reports about Phoenix. It came after these reports about Colorado.

The heads of these organizations did not rush into a public call for his resignation. They did not take that lightly. That is virtually and perhaps completely unprecedented, but they did that on Monday. They called for the Secretary's resignation. They called for it publicly, and they called for several of his leadership team to resign with him. That is how bad it has gotten.

Yet in the midst of this, rather than responding to this crisis in any way we can, as quickly as we can, we have important matters hung up on pure politics on the Senate floor. Specifically, I am talking about my proposal to move forward with 27 community-based clinics around the country, including the two vital new and expanded community-based clinics that we need to move on, approve, and build in Louisiana, in Lafayette and Lake Charles.

These clinics around the country—and particularly the two in Louisiana, in Lafayette and Lake Charles—have been hung up through one bureaucratic screw up after another. These should have been built by now.

First, in terms of our two Louisiana clinics, the VA messed up how they let out the contract, and that caused them to pull back. It was their mistake, pure and simple. They have admitted that freely, and it cost us 1 year in terms of moving forward with those clinics.

After that mistake was corrected—after the loss of 1 year of waiting—then the CBO decided that they were going to score these clinics in a completely new way, something they had never done before, and that caused a ''scoring'' or ''fiscal issue'' with regard to all 27 of the community-based VA clinics around the country that I am talking about. That further delayed progress.

Finally, after these two major delays, leaders in the House got together on a bipartisan basis—and I want to commend my Louisiana colleagues in the House, in particular led by Congressman BOUSTANY and others—to fix this scoring issue. They put together a reform bill and they got it approved by the House overwhelmingly, with one dissenting vote. In today's environment, resolutions to honor Mother Teresa don't pass the House of Representatives with only one dissenting vote, but they did that.

So it came over here, and I worked to address some small issues and objections that existed on the Senate side through a perfecting amendment which I have at the desk. I worked very hard for weeks to clear up those objections so we could move forward with this noncontroversial measure. Because of that, we have the unanimous support of the Senate—not one single objection to moving forward with these 27 community-based VA clinics around the

country. There is not one single objection related to the substance of that proposal—not one.

The only objection now has been from the distinguished Senator from Vermont who objects to moving forward with this focused proposal because the Senate does not agree unanimously or near unanimously with his much larger bill that encompasses dozens of VA issues. Again, I have pledged to and I will work with the Senator on those broader issues. I have been working hard on those issues, including these clinics, including being an active member of the bipartisan working group on the VA backlog issue. I will continue to work on that. But the fact remains his larger bill has substantial opposition. There are around 46 Senators—excuse me, around 44 Senators who oppose that larger bill.

In the meantime, I think we should agree on what we can agree on. We should make progress on what we can make progress on, starting with these 27 clinics. Veterans have been dying around the country because of these ridiculous waits and the fraud and abuse involved in hiding these waits. These 27 community-based clinics will directly help address veterans who are waiting for months and months in some cases, waiting for medical treatment. It will directly alleviate that issue in the communities in 18 States where these clinics will be located. There is a significant number of communities in a significant number of States. So let's agree on what we can agree on. Let's make that significant progress. Let's keep talking and working on the rest.

Last November Senator SANDERS seemed to agree with that principle and that way of moving forward. In talking about another Veterans' Affairs piece of legislation, he said, on November 19 of last year, ''I'm happy to tell you that I think that was a concern of his.''—talking about another of our colleagues—''We got that UC'ed last night.''—unanimous consent—''So we moved that pretty quickly, and I want to try to do those things. Where we have agreement, let's move it.''

To repeat from that quote: '' . . . I want to try to do those things. Where we have agreement, let's move it.''

That is all I am asking for. We are not going to agree on everything immediately, but we can agree on important things right today, right this hour, right this minute. We do agree on 27 important community-based clinics in 18 States around the country, including 2 in Louisiana—Lafayette and Lake Charles, LA—that Senator LANDRIEU and I represent.

I want to try to do those things where we have agreement. Let's move it. And that can start right this minute in a productive, positive way with these 27 community-based clinics around the country. So let's agree on what we can agree on. Let's move on this important clinic issue.

Leaders of national groups—American Legion, American Vets, DAV, Paralyzed Veterans of America, and others—think the same. That is why they wrote a letter on June 10 of last year—June 10 of 2013—saying these community-based clinics are important. Let's come together, work together, and move specifically on these community-based clinics. They are important.

I ask unanimous consent to have printed in the RECORD the letter of June 10 to which I just referred.

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

JUNE 10, 2013.

Hon. HARRY REID,
Senate Majority Leader, Washington, DC.
Hon. JOHN A. BOEHNER,
Speaker of the House, Washington, DC.
Hon. MITCH MCCONNELL,
Senate Minority Leader, Washington, DC
Hon. NANCY PELOSI,
House Minority Leader, Washington, DC.

DEAR LEADERS OF CONGRESS: We write you, as leaders of Congress, to urge you to work together to prevent a looming problem that over the next several years may harm the health of more than 340,000 wounded, injured and ill veterans in 22 states who will be in need of care provided by the Department of Veterans Affairs (VA). Without your intervention, these veterans are in jeopardy of losing that important health resource.

Since the 1990s, Congress has helped improve VA health care access and patient satisfaction by authorizing and funding nearly 900 VA community-based outpatient clinics. These are important facilities for local, convenient, and cost-effective primary care for millions of veterans. Unfortunately, a policy shift by the Congressional Budget Office (CBO); in 2012 has effectively halted Congressional authorization of leases for such new clinics. Also, as old leases expire and need reauthorization in future years, this CBO decision jeopardizes existing VA-leased health, research and other facilities.

Last year, CBO announced it would redefine 15 VA-proposed leases as ''capital'' leases and would treat them as current-year mandatory obligations, costing more than $1 billion altogether over a 20-year period. In order to advance these leases to approval, House budget rules would have forced an offset to equal the cost of these leases with an unrealistic Fiscal Year (FY) 2013 reduction in mandatory veterans' programs. Since no such accommodation could be made in a single year, and VA had not addressed such an offset in its FY 2013 budget, the proposed lease authorizations were dropped from the authorizing bill. These 15 proposed community facilities are now in limbo, and veterans are not being served.

This unexpected challenge will not resolve itself absent action by House and Senate leadership to ensure Congress continues to authorize leases of local VA community-based outpatient clinics and other VA facilities when such approvals are needed. Also the VA warns that over time numerous existing leases will be expiring. Lack of reauthorization could result in closures of current clinics. Newly proposed clinics without lease authorization cannot be activated. Costs of veterans' VA care will be rising while they face longer travel and more waiting for needed treatment, or they may be forced to go without treatment.

Committee leaders with jurisdiction over the VA have pledged to solve this problem, but no resolution has emerged since CBO's determination, made nine months ago. Without leadership intervention, these promised clinics and more in the future cannot be activated or will be shut down, and wounded, injured and ill veterans in need will be denied VA health care.

The CBO's policy must be reversed or otherwise addressed in consultation with VA and the Office of Management and Budget. We ask that you take action that results in Congressional authorization of the 15 clinics still in limbo since 2012, the additional ones proposed earlier this year in VA's budget for FY 2014, and in general to find the means to allow VA's leased facilities to continue to provide flexible, low-cost VA care to wounded, injured and ill veterans. The current situation is unacceptable and must be remedied.

We appreciate your support for America's veterans and look forward to your response.

Sincerely,

PETER S. GAYTAN,
Executive Director, The American Legion.
BARRY A. JESINOSKI,
Executive Director, Washington Headquarters Disabled American Veterans.
ROBERT E. WALLACE,
Executive Director, Veterans of Foreign Wars of the United States.
STEWART M. HICKEY,
National Executive Director, AMVETS.
HOMER S. TOWNSEND, Jr.,
Executive Director, Paralyzed Veterans of America.

Mr. VITTER. These groups agree with what Senator SANDERS said last year and they agree with what I am saying today: Let us come together and move on those things we can agree on, and they specifically wrote the Senate leadership about these community-based clinics.

That leads to my unanimous consent request, which is to adopt this spirit of agreeing where we agree, getting things accomplished whenever and wherever we can, and continuing to work on the rest.

I ask unanimous consent the Veterans' Affairs Committee be discharged from further consideration of H.R. 3521 and the Senate proceed to its immediate consideration; that my amendment, which is at the desk, be agreed to; that the bill, as amended, be read a third time and passed and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. SANDERS. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, let me touch on a few of the points of my distinguished colleague from Louisiana.

First of all, regarding the allegations against the VA in Phoenix, as we know, these are very serious allegations, and it is absolutely appropriate the inspector general do a thorough and independent investigation of those allegations. As I am sure my colleague from Louisiana knows, the leadership at Phoenix has rejected those allegations, saying those are not true. The Secretary of VA has done what I believe,

and I would hope my friend from Louisiana believes, is the right thing to do, which is to do an independent investigation.

I am not a lawyer, but I did learn enough in school to know you don't find somebody guilty without assessing the evidence. And frankly, just because CNN says something doesn't always make it the case. So what we need is a serious independent investigation into the very serious allegations about Phoenix and any other facility within the VA. I have said I will hold hearings immediately—more than one hearing, if necessary—to get to the truth of the matter regarding the VA situation in Phoenix.

I would also tell my friend that when we talk about the VA, when we talk about health care in general—and I am sure he would agree with me—as a nation we have a whole lot of serious problems, don't we? We have about 30 million people today who have no health insurance at all. Harvard University estimates about 45,000 people die each year because they do not get to a doctor when they should, because we are the only country in the industrialized world that doesn't guarantee health care to all people.

There was a study that came out recently that indicates that some 200,000 to 400,000 patients a year die in hospitals in America because of medical errors, in ways that could have been prevented—200,000 to 400,000 people a year. So, yes, as chairman of the Senate Veterans Committee, I am going to do everything we can do, along with my colleagues, in a bipartisan way to make sure the veterans of this country get all of the health care they need, and get the best quality they can.

This is a very serious issue, and with an independent investigation taking place in Phoenix now, we are going to get to the truth of that.

When we talk about the VA, as I am sure my colleague from Louisiana knows, in fiscal year 2013, the VA provided 89.7 million outpatient visits, and the VA has 236,000 health care appointments every single day. Today, over 200,000 veterans in 151 medical centers in 900 community-based outreach clinics all over this country are walking into the VA to get health care. I assure my colleague from Louisiana that every single day there are problems within the VA. When there are over 200,000 people walking in, there are going to be problems. But I also assure my friend there are problems in every other medical facility in America today as well.

I just mentioned the very frightening situation that, according to a very significant study, we are experiencing between 200,000 and 400,000 patients dying from what are preventable deaths because of hospital errors all over America. My point about saying that is to say, let's put the VA within a broader context. If you want to criticize the VA, fine, I am there with you. You got problems, I will work with you. But let's not paint a broad brush.

The VA has 151 medical centers, they have 300,000-plus employees—many of them veterans themselves—and in my view, and in the view of the veterans community—the veterans associations—the Veterans' Administration is providing high quality care to the veterans across this country.

It is not just me. My colleague from Louisiana may have recently read that an independent customer service survey, done by the American Customer Satisfaction Index—these are people who assess how people feel about medical facilities around the country—found that in 2013 an overall satisfaction rating for the VA was 84 percent for inpatient care and 82 percent for outpatient care, which in some respects was higher than for the hospital industry in general.

For the past 10 years, the American Consumer Satisfaction Index has found a high degree of loyalty to VA among veterans of over 90 percent. I would suspect my colleague from Louisiana finds—as I have found when I talk to veterans in Vermont—and he asks them, as I am sure he does, what do you think about VA health care, veterans will say: You know what. It is pretty good health care. Is it perfect? No. Are there problems? Yes. In general, they think it is pretty good health care.

Mr. VITTER. Madam President, parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. VITTER. I have a pending unanimous consent request and I would like to inquire how I proceed to have a ruling on that and, hopefully, have it passed through the Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana?

Mr. SANDERS. What I am going to do, Madam President, is I am going to object, and I am going to ask for a unanimous consent request on legislation that I have offered, and I want to say a word about that.

I want to ask a question of my friend from Louisiana. My colleague from Louisiana has indicated he wants to work with us. I think I heard that in his statement today, and I applaud that. I am not quite sure he has done that yet, but I look forward to working with him and his staff. I would invite my colleague from Louisiana to come to my office at a mutually convenient time to see how in fact we can work together.

Will my colleague from Louisiana take me up on that offer, I ask through the Chair?

Mr. VITTER. Reclaiming my time, or reclaiming the floor, since my unanimous consent request——

Mr. SANDERS. Madam President, I just asked a brief question of my friend from Louisiana.

Mr. VITTER. Madam President, a point of parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. VITTER. Madam President, I had a unanimous consent request. It has been objected to. May I reclaim the floor and reclaim my time? In doing so, I will be happy to respond to the Senator.

The PRESIDING OFFICER. The request has not yet formally been objected to.

Mr. VITTER. I would again ask unanimous consent that the Veterans' Affairs Committee be discharged from further consideration of H.R. 3521 and that the Senate proceed to its immediate consideration; that my amendment, which is at the desk, be agreed to; that the bill, as amended, be read a third time and passed; and that the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. SANDERS. I do object. And I am going to——

The PRESIDING OFFICER. Objection is heard.

Mr. VITTER. If I may reclaim the floor and reclaim my time, I would like to respond.

I think it is really unfortunate. As we all agreed to today and in previous appearances on the floor, there is absolutely no objection on the merits of this proposal. The only objection from the distinguished Senator from Vermont is that a far larger bill, which does have significant opposition—around 44 Members, almost half of the Senate—people have concerns about that. So if he can't play the game exactly his way, he is going to take his ball and go home, and he is going to block 27 community-based clinics on which there is no substantive objection, on which the leaders of national veterans organizations have pleaded with leaders of the Senate and House to act in a bipartisan way.

I am particularly concerned that today what I hear is an even higher bar that we are going to have to meet to act on these clinics that are not objected to on their merits.

Previously the Senator from Vermont talked about his far broader bill. Today he talked about all of health care. Apparently I am going to have to agree with Senator SANDERS about all of health care reform before we can move forward on these 27 community-based clinics on which there is no substantive objection.

The Senator from Vermont said he will do everything he can to deal with these issues. Well, we can do something right here, right now, to deal with these issues. It is not solving every problem in the world. It is not solving every problem in health care. It is not solving every problem in the VA. But it is doing something real and meaningful and substantial in 27 communities and 18 States. We can move forward with these community-based clinics. We can try to do those things on which we have agreement. Let's move it. We can do that. That is all I am asking. And I think it is really counterproductive to

take the view that until we agree about all of the VA or about all of health care or whatever, we are not going to do any of that. I think that is really sad and counterproductive.

I will keep coming to the floor. I will keep working on this vital issue. I will keep working on other vital issues. I will keep talking to the Senator from Vermont about his broader bill. But I have to say that these scandals in Phoenix and elsewhere don't alleviate my concerns; they only heighten my concerns about a broader bill that is going to push many more patients, overnight, into a system that is obviously broken.

So I will continue working and talking about it all. I will continue working in the bipartisan working group on the VA backlog. But let's do what we can do now. Let's start with one step and then two and then five, and then maybe we can start to jog and then we can start to run. I think that is the productive path forward.

I urge my colleague to reconsider and let us move forward with these important clinics.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, unfortunately, I didn't quite hear that the Senator from Louisiana wanted to work with us. So I will have my office call his office and see if we can sit down with our staffs and find out what the Senator's concerns are about the legislation.

It is not BERNIE SANDERS' legislation. It is not the Veterans' Committee's legislation. This is legislation supported by the American Legion, the Disabled American Veterans, the Veterans of Foreign Wars, the Vietnam Veterans of America, the Iraq and Afghanistan Veterans of America, and virtually every other veterans organization in America.

In preparation for the discussion I look forward to having with my colleague from Louisiana, this is not changing the world. This is not legislation that is going to solve every problem in the world. But it does do a whole lot to improve the lives of millions of veterans and their families who are hurting, and I think it is appropriate that we do that. I want my colleague from Louisiana to be thinking about these issues and to come into the office and tell me: No, Senator SANDERS. I disagree.

Does he disagree with restoration of full COLA for military retirees? As he knows, for current people in the military and new people who are coming in, they are going to get less of a COLA than longstanding members of the military. Maybe he disagrees; maybe he doesn't. Let's talk about it.

Does he believe the veterans community—people who go into the VA—should be entitled to dental care? I don't know about Louisiana, but in Vermont that is a very serious issue. All over this country veterans are dealing with rotting teeth, and they can't get that care in VA facilities right now.

There is widespread support for advanced appropriations for the VA. I think virtually all the veterans organizations understand that the VA could do a better job if they had advanced appropriations. I support it. Many people support it. I don't know if my colleague from Louisiana supports it. Let's work together, and I will find out.

The next time we come down to the floor and go through this exercise, we can tell the people what we agree with and what we don't agree with.

On ending the benefits backlog, the truth is that the current VA Administration—General Shinseki and others—inherited a paper system. Can you believe that? In the year 2009 the VA benefits system was on paper—maybe the last remaining system of its size in the world to still be on paper and not digital. What people at the VA have done—General Shinseki and others—is they transformed that system from paper to electronic records. Guess what. The backlog is going down. But that is not good enough for me. We have language in this bill which will make sure the backlog continues to go down.

There is an issue I am sure my colleague from Louisiana is very familiar with: instate tuition. There are veterans from Louisiana who may want to go to school in Vermont or veterans from Vermont who may want to go to school in Louisiana, but they can't get instate tuition. It is a serious problem, and we address it. What does my colleague from Louisiana feel about that issue?

Then there is extending health care access for recently separated veterans. As he knows, we have legislation now that extends free health care to all those who served in Iraq and Afghanistan for 5 years. I think it should be extended for 10 years. Does he agree or does he not agree? The veterans community feels very strongly about that issue.

We have high unemployment rates for returning veterans. We want to do something to expand employment opportunities.

We have the issue of sexual assault—a very serious issue, as we all know—and we want to make sure the VA is providing excellent-quality care to those victims of sexual assault.

We have, in my mind, a really tragic problem. The good news is that a few years ago Congress did the right thing and said to the post-9/11 veterans, those men and women who came home seriously injured: We are going to pass a caregivers act to give support to your wives or your sisters or your brothers who are providing often 24/7 care for you—every single day, long hours—at great stress. We are going to help you.

But what we didn't do is reach back to the Vietnam-era veterans, the Korean war veterans, even World War II veterans. There are families today in which a 70-year-old woman is taking care of her husband who lost his legs in Vietnam, and day after day, year after year she is getting virtually no support from the government.

This legislation has the strong support of the Paralyzed Veterans of America and many other organizations that say we can't ignore those people. I don't know what my friend from Louisiana feels about this. Let's talk about it.

Here is the bottom line. The bottom line is, as I have said many times, I do support the provision the Senator from Louisiana speaks about. We do need these facilities. But we need a lot more. We need cooperation and people coming together.

I believe the Senator from Louisiana said there were 44 people who voted in opposition. He is right. He forgot to mention that there were 56 who voted for this bill, with the support of every veterans organization in America. One person was absent who would have voted for it, so 57 voted for it and 44 voted against it. Unfortunately, in the rules of the Senate, when we have a Republican filibuster, we do need 60 votes. I am looking for three more Republican votes. One of those votes I would very much appreciate receiving is from the Senator from Louisiana. That would make me two votes shy. And we think we are making some progress with some other Republicans who understand that we must address the serious needs facing the veterans community.

I again extend my request to the Senator from Louisiana to work with me. But pending that, I ask unanimous consent that the Senate proceed to Calendar No. 297, S. 1950, with the Sanders amendment, which is at the desk and is the text of S. 1982, the Comprehensive Veterans Health and Benefits and Military Retirement Pay Restoration Act.

The PRESIDING OFFICER. Is there objection? The Senator from Louisiana.

Mr. VITTER. Madam President, I object on behalf of myself and 43 other Senators.

The PRESIDING OFFICER. Objection is heard.

Mr. VITTER. If not for any other reason but because of the substantive concerns with the bill.

The PRESIDING OFFICER. Objection is heard.

Mr. SANDERS. Madam President, I hear what my colleague from Louisiana says. I hear that he objects to passing legislation which has the support of virtually every veterans organization in the country that represents many millions of veterans. I hear him objecting to legislation which has the support of 57 Members of the U.S. Senate. I hear him objecting to what I believe is legislation which has the support of the vast majority of the American people, who do believe we should do right by our veterans. It is very easy to send people off to war; it is a lot harder to take care of them when they come home.

I would simply say that I look forward to sitting down with my colleague from Louisiana and other Republican colleagues—and we are doing that right now but specifically with my colleague from Louisiana, Senator VITTER—and seeing where we can agree and how we can create some significant legislation to address the very serious problems facing the veterans community.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, just to briefly repeat, I did object on behalf of myself and 43 other Senators about major provisions in this bill. I am happy to talk about it. I am happy to work on it. I am happy to work with Senator BURR, who is the ranking member on the committee, who has been communicating all these concerns to Senator SANDERS and his staff. But I think that is very different from objecting to a focused community-based clinic bill that has no objection on the merits.

I just think it is a shame not to try to do those things where we have agreement—let's move forward—not to move forward. That would be moving forward in a substantial way. That would quickly improve the lives of veterans in 27 communities and in 18 States, including Lafayette and Lake Charles—communities that certainly Senator LANDRIEU and I very much care about and very much want to have their VA issues addressed in this way.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, I simply reiterate my hope that Senator VITTER would sit down with me, his staff would sit down with my staff, and we can work out our differences. I have always been willing to compromise and make changes in the legislation.

But for the veterans of this country who have suffered so much and who have been hurt so much, we owe them so much, and we have to do right by them.

Madam President, I yield the floor, and 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. WARNER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PUBLIC SERVICE RECOGNITION WEEK

HONORING HEIDI KING, CHUCK BOLEN, AND BRIAN STOUT

Mr. WARNER. Madam President, this week we celebrate Public Service Recognition Week to honor public servants at all levels of government for their admirable patriotism and contributions to our country.

We often forget that these public servants at all levels of government go to work every day with the sole mission to make this country a better and safer place to live. Day by day, they go about their work, often receiving little recognition for the great work they do.

Since 2010, I have come to the Senate floor on occasions to honor exemplary Federal employees—a tradition that was begun by my friend Senator Ted Kaufman.

Amongst the list of Federal employees we have honored across the country are some who serve here on this Senate floor.

Today I want to celebrate Public Service Recognition Week by taking this opportunity to recognize three federally employed Virginians who are doing exemplary work behind the scenes to make our government more effective and keep our fellow citizens safe.

Normally, we would have their photos here in the Chamber, but since we have three, we are going to recognize them all with this single poster. Again, these are exemplary Federal employees.

The first is Heidi King, who served as the Director of the Patient Safety Program Office at the Department of Defense and currently leads the DOD's Partnership for Patients.

While at DOD, she helped develop a patient safety program which helps medical professionals eliminate preventable medical errors.

Breakdowns in communication between doctors, nurses, and special care providers are historically the cause of many tragic medical events such as surgical errors, prescription mistakes, and hospital-acquired infections.

To combat this, Heidi coordinated with the Department of Health and Human Services to bring together more than 100 independent experts in the medical field. These experts developed a comprehensive training program for medical professionals to learn about the factors within their control that commonly contribute to errors.

In 2008, DOD implemented Heidi's program in combat support units in Iraq. As a result, communication errors decreased 65 percent, medication and transfusion errors decreased 85 percent, and the rate of bloodstream infections from catheters also dropped dramatically. Heidi should be proud of her work, which is directly responsible for the health of many brave soldiers.

In an effort to spread these best practices, the safety program has established 11 training centers across the country, where more than 6,200 medical professionals have participated to become master trainers and instructors. They then return to their health care systems to lead implementation of the program.

This is the kind of commonsense, cost-effective, yet also lifesaving program that does not get much recognition but is an example of a Federal employee going above and beyond the call of duty to help her fellow Americans and actually help the bottom line.

I would also like to recognize two TSA employees for their heroic actions that helped save a passenger's life.

While posted at Washington National Airport last month, TSA employee Chuck Bolen was told that a passenger was in need of immediate assistance.

As soon as Bolen saw the passenger slumped in the chair, he knew he did not have a lot of time and was prepared to do whatever was necessary to keep the passenger alive.

As the man's condition declined rapidly, Bolen sprinted to grab the nearest AED machine. With help from his colleague Brian Stout, a marine infantry sergeant who did three combat tours in Iraq and now works for TSA, they worked together to apply the AED machine. After a single attempt, the machine advised to begin CPR. Bolen initiated chest compressions and continued administering the lifesaving action, even after first responders arrived on the scene.

Thankfully, their quick collaborative actions paid off. While in the ambulance on the way to the hospital, the man's heart started and stopped several times, but today he is alive and recovering from triple bypass surgery.

I hope my colleagues will join me in honoring Heidi King, Chuck Bolen, and Brian Stout—truly great Virginians but also great civil servants—and all those who serve at the Department of Defense and the TSA for their hard work and dedication to our Nation.

While today we have highlighted three, as I mentioned at the outset, over the last 5 years I have come many times and have highlighted folks from across Virginia and across the country. As I mentioned, as well, there are people serving right now on this Senate floor who have received this kind of attention for their quiet dedication to duty and making the Senate a more functioning institution.

As we constantly come to the floor and debate the challenges of our budget and other issues, I think it is very important—while we may differ about which programs we support and what functions our government should take on—we never underestimate the enormous value our Federal employees contribute on a regular basis to the safety, security, and, quite honestly, the function of our national government.

I hope all my colleagues will join me in recognizing the efforts of public servants across the country during Public Service Recognition Week and thank them for the very important work they do every day.

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

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

The bill clerk proceeded to call the roll.

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

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

STUDENT DEBT

Ms. STABENOW. Mr. President, I rise to talk about an issue that impacts tens of millions of people across

the country and hangs over our entire economy, and that is student debt.

Borrowers have accumulated over $1.2 trillion in student debt. Think about that for a minute. That is more than people owe on their credit cards. Talk about a drag for not only the individual, for their family, but for the entire economy.

Students in my home State of Michigan are among the most heavily indebted in the country when they graduate. Frankly, we want them to get degrees, not debt, when they graduate.

Nearly two-thirds of students in Michigan who graduated in 2012 had student loan debt, with each student averaging nearly $29,000. So they walk outside the door—congratulations—take off the cap and gown and get a $29,000 bill.

This growing mountain of debt represents a threat to our economy and to the dreams of millions of Americans.

Today too many people are saddled with decades of debt just because they want a fair shot to go to college and to get ahead in life.

Instead of saving for a house, buying a car or just buying gas or groceries, millions of people are simply paying student loan payments month after month, year after year, decade after decade.

I hear from many of my constituents about how they are being crushed by the burden of student debt. I have seen it in my own extended family. They write about having $50,000 or $100,000 of debt. If you are going to medical school, if you are in specialty areas as a grad student, they have $200,000 or more in debt.

Some of the reforms we have already put in place help some borrowers by limiting the payments on their Federal loans relative to their incomes. That is a good thing, but this is not enough, and it doesn't do anything to help people who have private loans—oftentimes on top of the loans through the Federal Government. Some of these private loans carry interest rates like credit cards and are literally driving people into bankruptcy.

I have constituents who use words such as ''crippling'' or ''catastrophic.'' They talk about anxiety attacks.

One person wrote that because of the high interest rates on his private loans, ''it is getting to the point where [he] cannot eat because of [his] student loan payments.''

Another constituent, Thomas, wrote to me that each of his three children has a combination of Federal and private loans totaling $75,000 to $110,000—each.

What Thomas wrote to me really sums up the student debt crisis we are facing and that families across the country are facing:

> Loans are designed to give students a chance to go to college and to obtain high-income jobs. Somehow the interest they pay has become just another wound for college grads that have a tough time finding jobs. . . . It will leave grads with a high risk of default, not being able to pay for their dreams and not being able to fund their retirement accounts for many years.

That is crazy. That is just not right, and that is not how it should work in our country. That is certainly not what we think of when we think of striving for the American dream. Whether it is the Federal Government or the big banks, we should not be making a profit off the backs of students, and that is exactly what is happening.

That is why I am so proud to be fighting alongside Senator WARREN and my other colleagues to address this very urgent and growing problem.

Senator WARREN and I fought last year to stop students from getting stuck with a raw deal. Now we are back at it again this year, and we are going to keep fighting until we can solve this problem.

Horace Mann once called education ''the great equalizer'' in our society. Everyone who wants to work hard and go to college in order to simply have a fair shot in life should not be denied that opportunity.

It shouldn't be the great equalizer on debt. It has to be the great equalizer on opportunity.

These folks are willing to play by the rules, work hard, and pay back their loans on time. We have to make sure that the system isn't rigged against them.

The legislation we have introduced will not only help millions of Americans, it will also boost our economy by allowing borrowers to spend their money on a home, a car or just the needs of their families instead of interest payments. Nobody should have to put off getting married or starting a family just because of student loans.

We are not just talking only about young people, this bill helps students of all ages: students in their twenties, thirties, and beyond—young professionals and parents who have stepped up to help their children. In fact, the student loan debt has gotten so out of hand that senior citizens in the country owe tens of billions of dollars on student loans.

Our bill will help millions of responsible borrowers of all ages in every State across the country. The Bank On Students Emergency Loan Refinancing Act is a reasonable commonsense and fiscally responsible way to address the student loan crisis.

This is simply about giving those who want to go to college a fair shot to get ahead, making sure that those who already borrowed to get an education are not being unfairly weighed down by debt just so the government or the big banks can turn a profit.

I thank Senator WARREN for her leadership on this vital issue. This is about allowing all of those who currently have student loan debt to be able to refinance—to be able to refinance at a rate actually that was voted on, 3.68 percent, by colleagues on both sides 1 year ago. It is not a number that is picked out of the a hat. It will allow people to exchange an 11 percent or 12 percent on a private loan or a 6 percent, 7 percent or 8 percent interest rate on a public loan for something that is affordable, that will allow them to take those extra precious dollars, invest in their future, and the country's future.

That is what this is about. It is very simple, and it is paid for by what has been commonly called the Buffett rule, which basically says those who have benefited by the blessings of this country and those who are the wealthiest among us would contribute a little bit more to make sure that everybody has a fair shot at getting ahead.

We can't afford for America to be a big-shot economy. We have to make sure that everyone has a fair shot to make it. Nobody is asking for a handout; they are asking to work hard. They are asking to know that the system is not rigged against them.

They are asking to know that they are going to be able to go to college, get out of college, pay back their student loans at a reasonable, fair rate, buy a house, get married, have a career, have children, and go on to have the American dream. That is what this is about. This needs to get passed as quickly as possible so people know they are going to have the opportunity to get ahead in America.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. 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. REID. Mr. President, more than a year ago Senators SHAHEEN and PORTMAN worked on an energy efficiency bill—a good bill. That was more than a year ago. That bill was, as I have indicated, good, but during the past many months, through the energy committee and the work of RON WYDEN and others, that bill was improved greatly. RON WYDEN was chairman of that committee at the time, and they did so many good things with that piece of legislation. We had six cosponsors—three Democrats and three Republicans.

This bill would create 200,000 jobs, and it would help our Nation's energy proficiency significantly.

So I moved to proceed to the bill in September, this past September—and we have been through this a number of times, but I will repeat it very quickly. We were held up from doing that for a number of reasons, not the least of which was the junior Senator from Louisiana wanting to take away the health care for our staffs. That threw a few roadblocks in the way. So without going into detail, we never got that done.

But Senators SHAHEEN and PORTMAN, as I have indicated, did not give up. They worked hard to incorporate 10

separate bipartisan amendments into this bill. So the bill was good last September, but it is terrific now.

As a result of that, we improved the number of people who were willing to support this legislation. We went from 3 and 3 to 7 and 7—14 cosponsors of this bill. On the Republican side are Senators PORTMAN, AYOTTE, COLLINS, HOEVEN, ISAKSON, MURKOWSKI, and WICKER. On the Democratic side are Senators SHAHEEN, BENNET, COONS, FRANKEN, LANDRIEU, MANCHIN, and WARREN. There is a good mix of Senators on both sides. So we worked very hard to finalize a more bipartisan bill. I worked with them. I didn't give up. We continued to try to move forward. We did that, as we did with childcare recently. It was in March, actually. I have looked for every bipartisan bill we could come to the floor on. We did it with the childcare bill, as I said, and we should do it on this bill. That was my anticipation. And we were able to do it, I thought.

So this Shaheen-Portman bill is a very fine bill. I reached out to Republican Senators. To be honest, I didn't reach out to them; they reached out to me. They wanted to work to get this passed. Originally, the arrangement was, let's just pass this bill as it is.

Right before the Easter recess, I was asked: How about a sense-of-the-Senate resolution on Keystone?

I said: I don't want to do that. We already have an agreement.

Anyway, we relented and said OK. So I came back after the Easter recess, and that agreement we had, well, they said: Let's change it. We no longer want a sense-of-the-Senate resolution; we want a vote on a freestanding piece of legislation.

I said: We have an agreement.

Anyway, I relented and we had that proposal. So we had that all worked out. Then we were told there needs to be five more amendments.

So, as I have said before, this has been very hard to do, this shell game. It can be described in other ways, but it has been very difficult to pin down the Republicans for anything more than a day or two because they keep changing their minds.

So here we are, and my offer is this: If Shaheen-Portman passes, with the seven Republican cosponsors, we will have a freestanding vote forthwith on Keystone, with whatever time is fair. I have put 3 hours in the proposal I will make in just a minute, but it doesn't matter—whatever time they want for a freestanding vote on Keystone, which they have been wanting to have for a long time.

You get the picture, Mr. President. That is what I think should happen. It is a good bill, but it is so much better than it was a year ago. It is a great bill now, not a good bill.

So, Mr. President, I ask unanimous consent that at a time to be determined by me after consulting with Senator MCCONNELL, the Senate proceed to the consideration of Calendar No. 368, S. 2262; that there be no amendments, points of order, or motions in order to the bill other than budget points of order and applicable motions to waive; that there be up to 3 hours of debate on the bill equally divided between the two leaders or their designees; that upon the use or yielding back of time, the Senate proceed to vote on passage of the bill; that the bill be subject to a 60 affirmative-vote threshold; that if the bill is passed, the Senate proceed to Calendar No. 371, S. 2280, at a time to be determined by me after consultation with the Republican leader but no later than Thursday, May 22, 2014—and I will just enter the comment here that if they want it earlier, they can have it, but that is the date I have suggested—that there be no amendments, points of order or motions in order to the bill other than budget points of order and the applicable motions to waive; that there be up to, again, 3 hours of debate on the bill equally divided between the two leaders or their designees; that upon the use or yielding back of time, the Senate proceed to vote on passage of the bill; that the bill be subject to a 60 affirmative-vote threshold.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Mr. President, reserving the right to object, it has been my position since late last week that it would be appropriate for the minority—not having had but eight rollcall votes since July—to have five amendments of our choosing on this bill, and therefore I am going to propose a counter consent request at this time.

I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 368, S. 2262; that the only amendments in order be five amendments to be offered by myself or my designee related to energy policy, with the first amendment being my amendment No. 2982 on saving coal jobs, and with a 60-vote threshold on adoption of each amendment; that following the disposition of these amendments, the bill be read a third time and the Senate proceed to a vote on passage of the bill, as amended, if amended.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, Mr. President, I incorporate by reference the statement I made earlier today on this bill and reluctantly object.

The PRESIDING OFFICER. Objection is heard to the request of the Republican leader.

Is there objection to the original request?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The Republican leader.

Mr. MCCONNELL. Mr. President, earlier this morning I noted that the majority leader has refused for 7 years to allow a serious debate on energy in this Chamber. I said he has tried to stifle the voice of the American people again this current week as well, at a time when so many middle-class Americans are suffering from high energy costs, lost jobs, and stagnant wages in the Obama economy; at a time when global crises clarify not just the need but the opportunity for America to establish a greater energy presence overseas that would grow more jobs here at home; at a time when eastern Kentuckians are suffering a depression, made so much worse by this administration's elitist war on coal.

Well, Republicans are going to keep fighting. Even if Senate Democrats would rather pander to the far left and shut down debate, Republicans are going to keep fighting for the middle class. That is why we had hoped to offer forward-leaning amendments today which aim not just to increase energy security but also to improve national security and economic security for our middle class.

One amendment I had hoped to be able to offer would approve construction of the Keystone Pipeline, which everyone knows will create thousands of jobs right away.

One amendment would expedite the export of American energy to our global allies, which would create more of the jobs we need right here in the United States.

One amendment would have prevented the administration from moving forward with its plans to impose a national carbon tax through the back door, even though Congress already rejected the idea several years ago and even though we know it would devastate an already suffering middle class.

There is another amendment too, one I had planned to offer personally, along with the junior Senator from Louisiana and the senior Senator from North Dakota. It would halt the administration from moving forward with new regulations on coal-fired powerplants until the technology required to comply with the regulations is commercially viable, which it currently is not.

The Obama administration's extreme regulations would hammer existing coal facilities too, taking the ax to even more American coal jobs in the midst of an awful economy. These coal regulations are especially unfair to the people of my State. We know they would hit Kentuckians who are already suffering—constituents of mine who just want to put food on the table and feed their families. Congress needs to do something to help. That is why I would have offered that amendment today.

I remind my colleagues that the amendment we had hoped to offer is almost identical to legislation offered by the Democratic senior Senator from West Virginia that already passed the House of Representatives on a bipartisan basis. So there is no excuse not to pass it here. We hope the Senator from West Virginia and his Democratic colleagues will stand with us to do just that.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I will be very brief.

My friend talks about the left-leaning Senators. Three of the Democratic Senators who sponsored this legislation could be called anything but leaning left: LANDRIEU, MANCHIN, and WARNER. That brings a smile to anyone's face.

It is a fiction that we haven't had votes to debate energy policy. We have had trouble having bills because of the obstruction of the Republicans. But we voted on the Keystone matter before we did the budget debate where we had over 100 votes. That was last year. So we debated Keystone last year, we had a vote on it, and we are willing to have another vote on it.

It is my understanding we are now going to enter into debate on whatever people want to talk about for the next hour, and I understand we are going to have a series of votes at 3:45 p.m.

I ask unanimous consent that all remaining time postcloture on the motion to proceed be yielded back.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to the motion to proceed.

The motion was agreed to.

ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS ACT OF 2014

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 2262) to promote energy savings in residential buildings and industry, and for other purposes.

AMENDMENT NO. 3012

Mr. REID. Mr. President, on behalf of Senators SHAHEEN and PORTMAN, I call up substitute amendment No. 3012.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID], for Mrs. SHAHEEN and Mr. PORTMAN, proposes an amendment numbered 3012 to S. 2262.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. REID. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3023 TO AMENDMENT NO. 3012

Mr. REID. Mr. President, I have a first-degree amendment at the desk I ask to be reported.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3023 to amendment No. 3012.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

Mr. REID. I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3024 TO AMENDMENT NO. 3023

Mr. REID. Mr. President, I have a second-degree amendment which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3024 to amendment No. 3023.

The amendment is as follows:

In the amendment, strike ''1 day'' and insert ''2 days''.

AMENDMENT NO. 3025

Mr. REID. Mr. President, I have a first-degree amendment which is at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3025 to S. 2262.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

Mr. REID. I ask for the yeas and nays on that.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3026 TO AMENDMENT NO. 3025

Mr. REID. Mr. President, I have a second-degree amendment.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3026 to amendment No. 3025.

The amendment is as follows:

In the amendment, strike ''3 days'' and insert ''4 days''.

MOTION TO COMMIT WITH AMENDMENT NO. 3027

Mr. REID. Mr. President, I have a motion to commit S. 2262, with instructions, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the bill (S. 2262) to the Committee on Energy and Natural Resources with instructions to report back forthwith with an amendment numbered 3027.

Mr. REID. I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 5 days after enactment.

AMENDMENT NO. 3028 TO AMENDMENT NO. 3027

Mr. REID. Mr. President, I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3028 to the instructions of the motion to commit.

The amendment is as follows:

In the amendment, strike ''5 days'' and insert ''6 days''.

Mr. REID. I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3029 TO AMENDMENT NO. 3028

Mr. REID. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3029 to amendment No. 3028.

The amendment is as follows:

In the amendment, strike ''6 days'' and insert ''7 days''.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 2262, a bill to promote energy savings in residential buildings and industry, and for other purposes.

Harry Reid, Jeanne Shaheen, Edward J. Markey, Christopher A. Coons, Tammy Baldwin, Patty Murray, Richard J. Durbin, Barbara Boxer, Maria Cantwell, Ron Wyden, Robert Menendez, Jon Tester, Debbie Stabenow, Bill Nelson, Thomas R. Carper, Patrick J. Leahy, Mark R. Warner.

Mr. REID. I ask unanimous consent that the mandatory quorum required under rule XXII be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

EXPIRE ACT OF 2014—Motion To Proceed

Mr. REID. Mr. President, I now move to proceed to Calendar No. 366, S. 2260.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to the consideration of Calendar No. 366, S. 2260, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

Mr. REID. Mr. President, I ask unanimous consent that the time until 3:45

p.m. be equally divided and controlled between the two leaders or their designees; that at 3:45 p.m. it be in order for the Republican leader or his designee to offer up to two motions to table either the motion to commit S. 2262 or an amendment pending with respect to that bill; that if more than one motion to table is made, there be 2 minutes equally divided between the votes.

Mr. President, before you rule, I am agreeing to this, but I don't want this to set any precedent of any kind, because I personally believe these are out of order. But for purposes of moving through this afternoon, I ask this consent request.

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

Mr. REID. Mr. President, on the floor is Senator SHAHEEN from New Hampshire. I have never had a Senator better prepared than she on any issue that we bring up, who is more concerned about her State, and has worked harder on an issue than she has worked on the issue now before this body.

It is a shame that it appears my Republican counterpart has peeled off a couple of the cosponsors of this legislation, Republicans who aren't going to vote to finish this bill. What a shame. It happens every time we get to an issue which we are trying to move forward. It is the obstruction we have faced for going on 6 years. It is too bad. But I commend Senator SHAHEEN for her diligence. And I hope, prior to the final curtain call on Monday, we can work the next few days to try to come up with some way forward.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I thank the majority leader for his very kind words on my efforts, along with Senator PORTMAN's, on this legislation. I certainly share the hope that we can come to some agreement on amendments that will allow us to move forward on the bill.

Can the Presiding Officer tell me the status of the procedure right now?

The PRESIDING OFFICER. We are in divided time until 3:45.

Mrs. SHAHEEN. So I will have about 10 minutes for remarks. Is that correct?

The PRESIDING OFFICER. The majority has 24 minutes.

SHAHEEN-PORTMAN

Mrs. SHAHEEN. Mr. President, I came to the floor this afternoon to again talk about the importance of this bipartisan Energy Savings and Industrial Competitiveness Act, also known as Shaheen-Portman.

This legislation makes sense for all kinds of reasons, but I want to start with the fact that energy efficiency is the cheapest, fastest way to address this country's energy needs. The cheapest energy is energy we never have to create. So if we can reduce our energy consumption, we can save money.

Not only will this legislation create jobs, reduce pollution, and make our country more energy secure, but it will also save taxpayers billions of dollars a year through energy efficiency.

I would point to a study by the American Council for an Energy-Efficient Economy which shows in greater detail what this poster points out: This bill is going to create jobs, reduce pollution, and save taxpayers billions of dollars.

The legislation has been endorsed by over 260 businesses, organizations, environmental groups, and labor unions. It has a broad coalition of support. The legislation before us includes not just this bill as Senator PORTMAN and I originally introduced it, but it includes 10 bipartisan amendments which provide even more jobs, even more savings, and even more reduction in pollution.

According to the study by experts at the American Council for an Energy-Efficient Economy, by 2030 our legislation has the potential to create 192,000 jobs here in America—192,000 domestic jobs—to save consumers and businesses $16 billion a year, and to reduce carbon pollution by the equivalent of taking 22 million cars off the road.

We have a poster which lays this out very directly so people can see the difference this legislation would make: By 2030, 192,000 new jobs, save consumers $16.2 billion a year, and decrease carbon pollution by the equivalent of taking 22 million cars off the road. So those are the benefits just by embracing energy efficiency. The legislation does this without any mandates, without increasing the deficit. In fact, all of the authorizations in this bill are offset and we even see a $12 million deficit reduction, according to the Congressional Budget Office. We are going to be able to do all of this without a major government program, without increased government spending, without any mandates. The reason we are going to be able to do it is because there are opportunities that exist across all sectors of our economy to conserve energy and create good-paying, private sector jobs.

Shaheen-Portman addresses a number of opportunities to do this by reducing barriers to efficiency in the major energy-consuming sectors of the national economy. First is in the building sector. Buildings in this country consume almost 40 percent of all of our energy use. It also addresses the industrial sector that consumes more energy than any other sector in our domestic economy, and then it addresses the Federal Government.

The Federal Government is the biggest user of energy in our country. About 93 percent of that energy is used by the military. This legislation puts in place commonsense policies that deploy more efficient technologies and techniques. It has been endorsed by hundreds and hundreds of business coalitions, by environmental and efficiency groups, by labor unions, and we have seen a number of letters of support just in the last couple of weeks for this legislation. I introduced those into the RECORD yesterday.

One of the reasons we get the number of jobs, the amount of savings and benefits from pollution is because since we first introduced the bill last year we have added 10 bipartisan amendments that make this bill even better. Senator PORTMAN and I have worked closely and continually with Senators from both sides of the aisle as well as stakeholders and industry advocates who want to improve the bill, and we have incorporated their bipartisan, substantive amendments into the text. Those amendments expand sections of the bill that address energy efficiency barriers in buildings, the manufacturing sector, the Federal Government, and also puts in place regulatory relief provisions to maintain the underlying principle of advancing efficiency in the private sector.

The bill enjoys even more support from groups such as the Edison Electric Institute, the Business Roundtable, the American Gas Association, the National Rural Electric Cooperative Association, the U.S. Chamber of Commerce, the National Association of Manufacturers, the Painters and Allied Trades, and the Natural Resources Defense Council. It is unusual to have energy legislation that enjoys such a broad coalition of support from across many sectors.

As we heard just now on the floor, there is a difference of opinion about how to move forward on both sides of the aisle. I am hopeful we can come to an agreement, that we can agree there are amendments both sides would like to see added to the bill, so that even though we have 10 more amendments in this legislation than when we first introduced it, there could still be an opportunity, I hope, for some additional amendments to be added. That is what we are working on. I know everybody is acting in good faith to try to get that done. So I hope we can maintain the bipartisan spirit of this bill as Senator PORTMAN and the Senate leadership and I work to see how we can come to an agreement that moves this legislation forward.

I know there are others who would like to speak, and I hope to have an opportunity throughout the afternoon to add some more reasons why I think we should support this legislation.

I ask unanimous consent that the remaining time during the quorum call be divided equally between both sides.

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

Mrs. SHAHEEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. BEGICH. 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. BEGICH. Mr. President, I come to speak in support of the Shaheen-Portman bill, otherwise known as the Energy Savings and Industrial Competitiveness Act. As I like to put it, it

saves money and saves energy. Keep it simple.

It comes at an important time, and it is no surprise that as someone from Alaska, I care about oil and gas issues, energy issues, energy efficiency. This is a bill that is important to talk about but also hopefully to pass and move to the House to take up.

Conservation makes sense. It saves money and makes people more comfortable in their homes and workplaces and also is good for the economy and environment. It is particularly important to Alaska.

Alaska's per capita energy costs are the highest in the Nation. We have long and cold winters, limited infrastructure in rural parts of the State, and we spend more on energy than anywhere else. So we have the most to gain from energy efficiency improvements. In Alaska, energy costs affect every aspect of life. Energy costs are driving people away from the traditional homes in rural Alaska. It is getting too expensive to heat even the smallest of homes. The cost of fuel to run your boat or snow machine for subsistence hunting and fishing is sky-high. In Fairbanks, AK, filling your fuel tank to heat your home could easily cost you $1,900, and that may only last half of the winter. Electric heat isn't much better. Right now in Fairbanks electricity costs 19 cents per kilowatt, which is not a good alternative to heat your home. Bundling all the costs of energy together puts a lot of pressure on the pocketbook.

That is why I fought to get a permit to restart the Healy coal plant and make sure the existing coal plant at the University of Alaska, Fairbanks, is exempt from EPA regulations. We need to stabilize energy costs while making investments in energy efficiency; otherwise, communities such as Fairbanks will become unaffordable to live in.

For schools in Alaska, 75 percent of the energy costs goes into space heating. Money that is spent on heating and electricity is money they cannot spend in the classroom, making sure we have the best education for our young people. As an example, the State of Alaska alone spends $62 million a year on energy, one-tenth of the State's operating budget.

Our State provides energy to the rest of the Nation. Yet our residents can't afford to live where they want to live or in many cases where their families have lived for generations. Energy efficiency can have an immediate and profound effect on the lives of people in these communities.

The Shaheen-Portman bill is deficit neutral. It is estimated that by 2030 it will save consumers $60 billion and create nearly 160,000 jobs, a good sign after this month's jobs report of almost 280,000 jobs added to the private sector and to our economy.

I filed an amendment to provide a $5,000 tax credit toward the purchase of energy-efficient home heating and cooling appliances for families living in very high energy consumption States; for example, converting a home from expensive heating fuel to cleaner, more efficient natural gas or clean-burning woodstoves, even replacing appliances with newer and more energy-efficient models to cut back on electric use and lower energy bills. For example, an ENERGY STAR certified refrigerator uses 20 percent less energy than the current standard and 40 percent less energy than the standard in 2001.

As many of my colleagues have expressed, it is disappointing that this Senate takes so long to deal with a fairly modest bill. Let's be honest. While it is all good policy, this is very modest legislation. Congress has not passed major energy legislation since 2007, and the energy landscape has radically changed. The costs of renewable energy have decreased drastically as solar, wind, hydro, geothermal, and biomass resources have grown all across this country. A rational energy policy for our Nation includes both renewable and nonrenewable energy resources.

Directional drilling, hydraulic fracturing has changed the traditional energy production landscape too. Production is way up. After Saudi Arabia and Russia, the United States is traditionally the third largest producer of crude. The final numbers are not in yet for 2013, but it looks as though we are about to be No. 1 or very close to it. Yet we still rely too much on foreign oil.

The United States consumes about 19 billion barrels of oil per day. All told, about 13 million barrels per day of our demand is supplied by U.S. products—crude, natural gas liquids, and ethanol. It still leaves another 5 to 6 million barrels per day from other countries, many of whom don't like us very much, and that is where Alaska comes in.

We can play a significant role by providing U.S. production and creating some good jobs too. The potential is huge. The Trans-Alaska Pipeline delivers 550,000 barrels a day, just over 10 percent of the domestic oil production. That is down from a peak of 2 million barrels a day 25 years ago, but there is a lot more oil and gas to go after.

Producers of oil and gas create incredibly high-paying jobs. The average sector wage in Alaska is $117,000, and we can produce more jobs.

After 20 years of stagnant growth, we started development in the Arctic again with the Chukchi and Beaufort exploration wells in 2012. We are making strides to return in the summer of 2015. Alaska can ensure our energy security and economic prosperity through development of our domestic resources, thereby reducing our reliance on foreign oil.

Our picture very clearly shows the volume of capacity in Alaska and where we fit in in the world, and this is just what we know about. If we add Cook Inlet to it—let me give you the sense of the potential in the Arctic. Chukchi has 15.4 billion barrels of oil and 77 trillion cubic feet of gas. Beaufort has 8.2 billion barrels of oil and 28 trillion cubic feet of gas. NPR–A has 1 billion barrels of oil.

The issue of the NPR–A, which is the National Petroleum Reserve—this area has only had slight exploration over the years, and now we are starting to develop in that area. We have now moved forward on the first well.

I was very pleased that one of my first acts, working with the administration, was getting the administration to see the light of day and solving the problem with the first issue of the CD–5. Production at the first well—one well, one development—is at 17,000 barrels a day. The second one is right next door, which is called GMT–1, and will produce another 30,000 or 40,000 barrels of oil a day. And, of course, there is ANWR, which we estimate has around 10-plus billion barrels of oil. Again, Alaska is a storehouse of energy, not only oil and gas, but many others.

The point I want to make is that the oil and gas industry—the study that was done in Alaska—can produce 54,000 jobs and has over 50 years worth of production in the Arctic. If you look at it from local and State and government revenues over the 50 years, it is well over $100 billion, plus another $150 billion in payroll.

Another issue, which is important to Alaska, and also to this country is the liquefied natural gas export. A project can produce many jobs and create huge economic opportunity throughout this country. We estimate a project that will move gas off the North Slope, which will then be distributed around the world, will be worth about $65 billion in development. There will be an 800-mile pipeline, liquefication plant, and marine terminal. It will be the largest and most expensive energy project in North America. It will create up to 15,000 design and construction jobs, and up to 1,000 jobs during operation. LNG will have an export capacity of 2.5 billion cubic feet a day of natural gas sales to overseas buyers which can total more than $12 billion a year.

The steel pipe to construct that 800-mile pipeline, which is 42 inches in diameter—almost an inch thick—is so big that it will take a single pipe mill 2 years to produce that. This will only add to the important role the oil and gas industry plays in the national economy.

Nine percent of all the jobs in 2011 came from the oil and gas sector and 37,000 direct jobs were created nationwide. As I said earlier, they are good-paying jobs.

I have two or three more points to make before I close. As I talk about oil and gas, it is not only important for Alaska's economy, it is also an important part of the whole energy system in this country. We have a huge amount of it. We are happy the Arctic is moving forward. Again, this project was stalled for many years, but it is now moving in the right direction.

The same was true for the NPR–A. It was stalled out for many years, but now it is moving in the right direction.

Alaska is unique in many ways. This bill talks about energy conservation and what we can do to preserve the capacity of our energy use. By 2025, Alaska will be at 50 percent renewable energy internal consumption. We embrace conservation everywhere we can.

I can tell you from my own experience that not only is my home energy-efficient, but the commercial buildings that I operate are also energy-efficient. We have new boiler systems that are 98 percent more efficient. As a result, we are saving the tenants lots of money every year. We installed new energy-efficient windows, and other elements, which have made those buildings more efficient, thereby saving them money and allowing us to put more money back into the complexes.

Even though this is not a comprehensive bill, it is a piece of legislation that gets us to do some energy policy in this country down the road.

The Presiding Officer lives on the east coast, and I live in Alaska, so we are far apart by thousands of miles, but we still have the same issues. Consumers want more efficient facilities and more efficient buildings to lower their costs so they can save money and more energy so they can create new development—new economic development. That is what this bill does in many ways.

By creating conservation and creating more energy-efficient legislation, such as this, we are creating jobs just by this act. I think it is important that we look at this bill from a broad perspective and do what we can to make ourselves more dependent on our own energy sources, be they oil and gas or energy-efficient renewable energy or energy-efficient projects. The more we are dependent on our own resources and less dependent on foreign oil, the better off we will be from a national security perspective and from an economic perspective.

I will leave with one statistic. Because of all the work to become more dependent on our own energy resources and more energy efficient, we are sending $100 billion less overseas to foreign countries for petro oil over this last year.

I appreciate having a moment to talk on the floor. I am not only interested in talking about Alaska's oil and gas, but also how we can improve energy efficiency, conservation, and renewable energy. There is nothing that pits one against the other. It is all about the projects and working together.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative 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.

Ms. MURKOWSKI. Mr. President, we are here today to discuss the energy efficiency bill and what may or may not be the status on any given amendments. I want to take a few minutes this afternoon to speak about the issue of liquefied natural gas exports.

Senator BARRASSO has proposed a bill that would provide for fast-track status for DOE licensing to LNG projects to export to members of WTO countries.

As we focus on our opportunities that we have when it comes to our natural gas, our LNG, and the opportunities for Federal support for energy projects overseas, I think it is important to recognize there is a little inconsistency going on with this administration slow-walking infrastructure and hydrocarbon development in this country. I will give a couple of examples. The Export-Import Bank has supported a slew of LNG-related transactions over the past couple of decades. These are structured and project-financed transactions, these are loan guarantees, and some are even direct loans. With the assistance of the Ex-Im Bank and my committee staff, the Congressional Research Service has compiled a report on this subject which I would like to reference at this time.

I emphasize that this is a list for LNG-related projects only. * * * if not exhaustive of the other kinds of energy-related infrastructure that the Federal Government finances overseas.

So what we have here are projects that are LNG-related transactions that have been moved through the Export-Import Bank.

Over $350 million in loan guarantees for equipment and services went to Trinidad and Tobago in 1996. In 1997, we saw over $775 million in loan guarantees go to Qatar and Oman for engineering and management services, for cryogenic heat exchanges, for compressors, and for gas turbine drives. In 2000 there was a loan guarantee of over $70 million that went to Malaysia. In 2002 there was a $135 million loan guarantee for equipment and services for Nigeria. Then between 2005 and 2006 we had over $800 million in loan guarantees for liquefaction and facilities-related engineering services to Qatar. In 2008 there was a $400 million direct loan for equipment and services to Peru; then in 2010 $3 billion in direct loan and loan guarantees for equipment and services to Papua New Guinea.

In 2012 there was nearly $3 billion in direct loans for engineering services to Australia. There was a large project that included the liquefaction plant, a shipping terminal, and transmission lines. Then just last year there was another $1.8 billion in direct loans to Australia for facilities construction.

There have been over a dozen projects, eight countries, and $10 billion in financing.

I think it is important to recognize that the Export-Import Bank is one of the few agencies in the Federal Government that actually turns a profit, and my objective in listing these projects is not to oppose the financing—that is not what we are talking about—but, rather, to point out the inconsistency that we have in some policies. Simply put, we are financing LNG export projects overseas because they are a good idea. We like that approach. But we are politicizing the project for their review here at home.

If LNG projects can create wealth and can support jobs in Australia and in Qatar, they can and will do the same here in the United States of America.

But this administration is stalling on other infrastructure and development initiatives, not just LNG export facilities. We have the Keystone XL Pipeline. It is a great example. Offshore development is yet another example.

Another Federal agency, the Overseas Private Investment Corporation, has supported oil and gas projects in other countries.

I also reference for my colleagues this afternoon another CRS report that was commissioned by my committee staff. So OPIC—this is not OPEC but OPIC—has provided insurance and financing to companies operating in Indonesia, Guatemala, Egypt, and Botswana. The bigger list includes, back in 2002, $25 million of insurance for a liquefied petroleum gas storage facility in Guatemala. In 2005, we had a $2.5 million insurance for a natural gas pipeline in Benin; $2.5 million in insurance for a gas pipeline in Togo; $45 million in insurance for another pipeline in Ghana; $320 million in insurance for an offshore natural gas pipeline in Israel.

Again, I am not saying that financing this is a wrong idea or a bad idea; I am asking the simple question: If this is good enough for helping other countries, why are we not doing it here at home?

There is a third Federal agency I wish to briefly mention that has supported energy-related projects overseas. This is the Trade and Development Agency. It funds feasibility studies, pilot projects, technical assistance, reverse trade missions, and various training activities. I reference for my colleagues a third CRS report, again commissioned by my committee staff, that showcases some of these activities.

Specifically, on LNG, the Trade and Development Agency funded feasibility studies for: LNG import and power generation in Thailand back in 2004, CNG/LNG distribution in Indonesia in 2005, import terminals in Lithuania and Romania in 2008, floating LNG storage and regasification in Ghana in 2011, and reverse trade missions to Turkey in 2005 and South Africa in 2008 on LNG-related issues.

The Trade and Development Agency has also funded energy-related technical related assistance to Brazil, Colombia, Peru, India, Sri Lanka, Jordan, Morocco, Afghanistan, Azerbaijan, and Nigeria. They have funded reverse trade missions with Cambodia, Vietnam, Iraq, Kazakhstan, Turkmenistan, Georgia, and Hungary.

Again, helping other countries to develop their energy resources while helping American companies find opportunities to generate jobs here in the United States is a worthwhile policy as well. It is a worthwhile policy abroad and a worthwhile policy at home.

I know my colleague from South Dakota wants to say a few words this afternoon.

I yield the floor, and I thank my colleagues for their attention.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, in a moment I intend to propound a unanimous consent request that it be in order for me to offer my amendment No. 3002 to S. 2262, but I will speak for just a moment if I might about it.

I think it is unfortunate that we are here in the Senate with Senate Democrats continuing to block Republican amendments that would approve the Keystone XL Pipeline, stop the administration's war on affordable energy, and expand liquid natural gas exports to our allies overseas.

My amendment No. 3002 is on the list of commonsense amendments that should be voted on as part of the Shaheen-Portman energy efficiency bill.

As with almost all of the President's energy policies, the EPA's anticipated ground level ozone regulations would do serious damage to our economy and to working Americans. In fact, this regulation is expected to be the most expensive in the EPA's history.

In 2010 the EPA proposed lowering the permitted ground level ozone levels from 75 parts per billion to 60 to 70 parts per billion. The energy industry estimate suggests that lowering the ground level ozone concentration to 60 parts per billion would cost businesses more than $1 trillion a year between 2020 and 2030—$1 trillion a year. Job losses as a result of this measure would total a staggering $7.3 million by the year 2020, devastating entire industries, especially U.S. manufacturing industries.

Even by the EPA's own estimates—this is the EPA's own estimate—this regulation could cost up to $90 billion per year—far outpacing the cost of any EPA regulations we have ever seen before. My own State of South Dakota would lose tens of thousands of jobs in manufacturing, natural resources, mining, and construction. In fact, the cost of this regulation is so great that when the EPA first proposed lower levels in 2010, the White House delayed the regulation until after the President's reelection.

My amendment No. 3002 would stop the administration's upcoming proposal on ground level ozone which is anticipated to be proposed and put out by December of this year. It is a very straightforward amendment. First, it would require the EPA to consider the cost and feasibility of new ozone regulations. It might surprise many Americans to know that the EPA isn't even allowed to consider costs when setting these new regulations. My amendment would fix that.

Additionally, my amendment would force the EPA to focus on the worst areas for smog before dramatically expanding this regulation to the rest of the country. There are 221 counties across 27 States in this country that don't meet the current standard of 75 parts per billion. This chart shows the areas of the country and, as we can see, they are heavily populated, more urban areas of the country.

It makes sense to me that we ought to focus on these urban areas before expanding ozone regulations to areas such as western South Dakota where we clearly don't have a smog problem. Under my amendment, 85 percent of these counties would have to achieve full compliance with the existing standard before the EPA could move forward with a lower level that dramatically expands the reach of ozone regulations.

So this is what it looks like today. These are the 200 some counties that are not in compliance, and my amendment would require 85 percent of those to be in compliance before we could expand the map to where it would look like this, referring to my chart. This is what the proposal would do. Now, look at how much of the United States is covered by that expanded map. The provision in the Clean Air Act was enacted in the 1970s to address smog in downtown L.A., not background ozone levels in western South Dakota.

We should continue to focus on the worst areas for ground level ozone before dramatically expanding those regulations to rural areas of the country.

I hope the majority will stop blocking votes on this and other job-creating amendments that are offered by Republican Members. Senator REID has blocked all but nine rollcall votes on Republican amendments since last July. That is one a month. One Republican amendment, on average, a month has been voted on here in the Senate over the last nine months. By contrast, the House Democrats—the minority in the House—have gotten votes on 125 amendments over the same period—12 times the number of amendments that have been allowed Republicans here in the Senate.

A number of my colleagues have been to the floor, and we heard from the Senator from Alaska, Ms. MURKOWSKI. Senator BARRASSO has an LNG export amendment that I think is very relevant to this debate and very important to this country to both our energy security and national security interests. I am going to continue to ask that the majority provide a chance for Republicans to participate in this debate by allowing a vote on my amendment and the many others that are pertinent to the economy of this country, to creating jobs in this country, to providing energy independence for this country, to providing energy security for this country, and to making sure we don't get crazy regulations that subject areas of western South Dakota to smog regulations that were designed for downtown L.A. That is a fairly straightforward, simple, commonsense suggestion, and it is what my amendment would accomplish.

UNANIMOUS CONSENT REQUEST—S. 2262

So I see we have a Democratic Senator on the floor who would, I expect, object to this request.

I ask unanimous consent that it be in order for me to offer my amendment No. 3002 to S. 2262.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. THUNE. Thank you, Mr. President. I regret that. I think it is unfortunate. I know there are many others of my colleagues on this side who have amendments they would like to have votes on and to have an opportunity to debate. It is the first time we have debated an energy bill since 2007. It is of fundamental importance to this country on so many levels.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, how much time do we have remaining?

The PRESIDING OFFICER. There is 1½ minutes remaining.

Mr. BARRASSO. Mr. President, this week members of both parties have offered a number of energy-related amendments to the pending bill. The minority leader has even said he is willing to limit the number of amendments to five—five energy-related amendments—and the majority leader continues to say no.

I am not sure what the majority leader is afraid of in terms of allowing people to vote. People come to the Senate and they are expected to speak up and tell people their positions on various issues.

One of the amendments I had hoped to offer today expedites liquefied natural gas exports. The magazine The Economist recently published an article with the headline: ''The petro-state of America: The energy boom is good for America and the world. It would be nice if Barack Obama helped a bit.''

The article explains that the process for obtaining permits to export liquefied natural gas from the United States is insanely slow.

This isn't an exaggeration. In over 3½ years, the administration has approved only seven applications to export LNG. The administration is sitting on 24 pending applications. Fourteen have been pending for more than a year, and some have been pending for more than 2 years. These administration delays are unacceptable. The excuses have run out.

We have introduced legislation. LNG exports are a critical component of stopping Russian aggression against our key allies and strategic partners. Nine of our NATO allies import 40 percent or more of their natural gas from

Russia. Four of our NATO allies import 100 percent of their natural gas from Russia. These are our allies. Yet they are heavily dependent on Russia for their energy.

LNG exports would help our NATO allies as well as our strategic partners and allow them to free themselves from Russian energy. That is why our NATO allies are calling on us—on Congress—and the United States to expedite these LNG exports. These will give our allies an alternative supplier of natural gas and enable them to resist Russia's aggression.

It is going to be an added benefit for our country in terms of creating thousands of good-paying jobs here in the United States. As the Economist explained, LNG exports ''could generate tankerloads of cash'' for America. The exports will create jobs in gasfields in Wyoming, steel mills in the Midwest, and at our Nation's ports.

I thank the Presiding Officer.

I yield the floor.

ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS ACT OF 2014—Continued

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I ask unanimous consent for 30 seconds for a unanimous consent request.

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

Mr. THUNE. Mr. President, I understand that a number of Senators have filed amendments related to energy policy, and I think they ought to be allowed to offer those amendments.

I ask unanimous consent that it be in order for me to offer amendment No. 3013.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. THUNE. Parliamentary inquiry, Mr. President. Is it correct that no Senator is permitted to offer an amendment to this bill while the majority leader's amendments and motions are pending?

The PRESIDING OFFICER. The Senator is correct that at present there is no place for another amendment on the Senate's amendment tree.

Mr. THUNE. Then, Mr. President, in order to offer amendment No. 3013, I move to table the Reid amendment No. 3023, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. DURBIN. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Is a unanimous consent request necessary for action just taken by the Senator from South Dakota?

The PRESIDING OFFICER. A unanimous consent was previously granted for two motions to table.

Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET) and the Senator from Arkansas (Mr. PRYOR) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

Further, if present and voting, the Senator from Arkansas (Mr. BOOZMAN) would have voted ''yea.''

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

The result was announced—yeas 45, nays 52, as follows:

[Rollcall Vote No. 132 Leg.]

YEAS—45

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Graham	Murkowski
Blunt	Grassley	Paul
Burr	Hatch	Portman
Chambliss	Heller	Risch
Coats	Hoeven	Roberts
Coburn	Inhofe	Rubio
Cochran	Isakson	Scott
Collins	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kirk	Thune
Crapo	Lee	Toomey
Cruz	Manchin	Vitter
Enzi	McCain	Wicker

NAYS—52

Baldwin	Heinrich	Reed
Begich	Heitkamp	Reid
Blumenthal	Hirono	Rockefeller
Booker	Johnson (SD)	Sanders
Boxer	Kaine	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Landrieu	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Coons	Markey	Udall (NM)
Donnelly	McCaskill	Walsh
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden
Hagan	Murray	
Harkin	Nelson	

NOT VOTING—3

Bennet	Boozman	Pryor

The motion was rejected.

Mr. BARRASSO. Mr. President, parliamentary inquiry: Is it correct that no Senator is permitted to offer an amendment to this bill while the majority leader's amendments and motions are pending?

The PRESIDING OFFICER. At present there is no place for another amendment on the Senate's amendment tree. The Senator is correct.

Mr. BARRASSO. Mr. President, in order to offer amendment No. 2981, I move to table the Reid amendment No. 3025.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion to table.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from Arkansas (Mr. PRYOR), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

Further, if present and voting, the Senator from Arkansas (Mr. BOOZMAN) would have voted ''yea.''

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

The result was announced—yeas 45, nays 51, as follows:

[Rollcall Vote No. 133 Leg.]

YEAS—45

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Graham	Murkowski
Blunt	Grassley	Paul
Burr	Hatch	Portman
Chambliss	Heller	Risch
Coats	Hoeven	Roberts
Coburn	Inhofe	Rubio
Cochran	Isakson	Scott
Collins	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kirk	Thune
Crapo	Lee	Toomey
Cruz	Manchin	Vitter
Enzi	McCain	Wicker

NAYS—51

Baldwin	Harkin	Murray
Begich	Heinrich	Nelson
Blumenthal	Heitkamp	Reed
Booker	Hirono	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Landrieu	Stabenow
Casey	Leahy	Tester
Coons	Levin	Udall (CO)
Donnelly	Markey	Udall (NM)
Durbin	McCaskill	Walsh
Feinstein	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Hagan	Murphy	Wyden

NOT VOTING—4

Bennet	Pryor
Boozman	Sanders

The motion was rejected.

The PRESIDING OFFICER. The senior Senator from Minnesota.

MORNING BUSINESS

Ms. KLOBUCHAR. 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.

STUDENT LOAN DEBT

Ms. KLOBUCHAR. Mr. President, I want to thank Senators HARKIN, WARREN, and DURBIN for their leadership on the important issue of student debt. In the United States we all appreciate the value of education. We know it leads to higher paying jobs, and we know it leads to better health and even longer lives. Education gives everyone in this country a fair shot.

My grandpa never graduated from high school. He worked 1,500 feet underground in the mines in Ely, MN. He

saved money in a coffee can in the basement so he could send my dad to college. My dad went to a community 2-year college and then went on to the University of Minnesota, where he earned his journalism degree. He went from those hard-scrabble mines in Ely, MN, on to a journalism career where he got to interview everyone from Mike Ditka to Ronald Reagan to Ginger Rogers. My mom taught second grade until she was 70 years old. I still run into people who tell me what a great teacher she was. And here I stand, a U.S. Senator, the granddaughter of an iron ore miner, the daughter of a teacher and a newspaperman, and the first woman elected to this job from my State. One thing I know for sure: It would not have been possible without education. It would not have been possible without my parents, my grandparents, and my teachers, who believed in me and believed in the value of education.

I still remember getting into college. I still remember back then—and I graduated from high school in 1978—that it was $10,000 a year to go to the college I went to. I remember my dad thinking: I can't afford this. We went and met with the student loan and financial aid people. He was wearing his brown polyester pants, and he had all these coins in his pockets. Somehow we were able to get this done through loans and through his financing a good part of it. Back then, on a journalist's salary and my mom's teacher salary, we were able to afford a college like that. But now I see my daughter and I know how much it has changed and how expensive it is. Yet it is still so necessary.

Higher education doesn't just benefit individual students, it benefits our entire economy by creating a more flexible, productive, and mobile workforce at a time when more jobs require some form of postsecondary education. In manufacturing now, more jobs require postsecondary education than not. We cannot allow cost to be a barrier to opportunity when we have job openings right now.

I see my friend the Senator from North Dakota, and I know they have job openings in North Dakota. We have job openings in Minnesota. We have job openings that require skill, that require post-high school skills. Yet a lot of our kids can't afford to get those degrees.

Rising costs for education are putting a strain on families and students and making college seem out of reach for too many young people. Many find themselves deeply in debt long before they set foot in the workplace.

This student debt hangs like an anchor around not just these students but around our entire economy, and it is dragging us down. Graduates with high debt may delay making key investments, such as saving for retirement or getting married or buying a home.

We had a hearing today in the Joint Economic Committee with Chairman Yellen of the Federal Reserve, and she talked about the fact that while our economy is improving, housing is still flat. She talked about the fact that housing is flat because so many young people aren't forming households. They are not getting houses.

Student debt may impact a person's career choices by deterring graduates from taking jobs in order to pursue jobs that allow them to pay their debt. So we don't have people going into teaching.

According to the report I released as Senate chair of the Joint Economic Committee, our State has one of the highest rates of student debt in the country, with 71 percent of recent graduates in Minnesota having a loan debt compared to 66 percent nationally. The average debt load of student borrowers who graduated in 2011 in Minnesota is also more than $3,000 higher than the national average. It is over $30,000 in our State compared to $27,000 nationally.

The good news is that there are things we can do. As you know, Mr. President, last summer we acted to prevent the interest rates on subsidized Stafford loans from doubling. Yesterday we introduced the Bank on Students Emergency Loan Refinancing Act in the Senate. This bill would give student loan borrowers a fair shot at managing their debt by offering them the opportunity to refinance their debt at the same low rates offered to new borrowers in the student loan program.

Outstanding student loans now total more than $1.2 trillion. That even means something in Washington. It surpasses total credit card debt and affects 40 million Americans. That is why I am a cosponsor of the Bank on Students Emergency Loan Refinancing Act—because it is time we gave students a chance to refinance their loans and find better financial footing.

Education is the pathway to economic opportunity. Workers with higher levels of education have experienced much faster wage growth and lower unemployment rates than other workers. But the increasing level of student debt in recent years presents challenges for graduates just beginning their careers. These bright young people should be planning for their futures, not struggling financially because they worked hard to earn their degrees.

Our country has come a long way since my grandpa saved that money in a coffee can in his basement so he could send my dad to college. There are parents all over America who want to do the same thing, but the money they have to save right now couldn't fit in a coffee can. That is why we have to make it easier and not harder for our students.

I urge my colleagues to support this bill and pass this bill so students can manage their debt and build a better future for themselves and for their families.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

ENERGY EFFICIENCY

Mr. HATCH. Mr. President, this is the first time since 2007 the Senate has taken up and considered an energy bill. I am pleased we are finally discussing this important issue. I hope we will also take time to talk about our country's recent boom in oil and gas production.

In the years since our last energy debate in the Senate, the United States has transitioned from a position of inordinate dependence on foreign energy sources to become one of the largest energy producers in the world today. Much of this is the result of technological innovation, and we must do everything possible to make it easier for domestic companies to access, refine, and transport the oil and gas that has become available with recent advances in technology.

In my view, energy efficiency and industrial competitiveness should not be addressed without also addressing energy production. The two are necessarily interrelated, and it makes no sense to treat each in isolation. But that isn't happening today. As a result, we are missing a critical opportunity to have an important debate on how best to invest our Nation's resources to support domestic energy production.

The bill we have been discussing establishes new programs promoting energy efficiencies for buildings and manufacturing. It authorizes new spending for career skills and workforce training. But instead of simply devoting additional resources to energy efficiency programs, we should first understand the impact of existing energy sector programs administered by the Federal Government and, most critically, have a serious conversation about broader energy policy.

If the Senate actually functioned the way it was designed and I was given the opportunity, I would have called up amendment No. 3015, which would eliminate some of the duplication and overlap which has become so prevalent as the size and scope of the Federal Government continues to expand.

Our Federal bureaucracy has grown to the point that government agencies are simply unaware many of the programs they administer are duplicated by similar—and sometimes nearly identical—programs administered in other Federal agencies.

The Federal Leviathan has become so large and complex that the left hand literally doesn't know what the right hand is doing, especially when it comes to spending taxpayer moneys. This is simply unacceptable.

Our national government has grown so unwieldy that coordination between its individual parts cannot be assumed and often must instead be mandated. This phenomenon is certainly the case with many of the programs that would receive funding if this bill was enacted as currently written.

Currently, the Department of Labor, the Department of Education, and the Department of Energy each administer

programs that fund training and education targeted specifically at the energy sector. I am sure the Federal bureaucrats in each of these three agencies are trying to do as best they can. But it can't possibly be necessary or, for that matter, wise for all three agencies to be doing the same thing.

The obvious solution is for the Department of Energy to ensure there are no federally funded programs with the same stated objectives as the programs they are already administering.

My amendment requires the Secretary of Energy to coordinate with the Secretary of Labor and the Secretary of Education prior to issuing any career skills and workforce training funding opportunity announcements to ensure that these three departments are not issuing redundant and overlapping grants.

We cannot keep spending more taxpayer dollars in the same inefficient ways. Energy efficiency is important, but far more important is our Nation's overall energy policy. We should be discussing energy efficiency only as part of that critical debate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

KEYSTONE XL PIPELINE

Ms. LANDRIEU. Mr. President, I wish to speak about the debate which has gone on the last 2 days on this floor about two very important issues related to a stronger energy policy for America.

As I said earlier in the week, and I was proven to be correct, it is unlikely we would develop an energy policy in the next 4 days in open debate on the floor of the Senate. Lots of people came down and talked about things they thought should be in it. Many of those things I agree with, but there is a process we go through, and we are working through—not as quickly as some people would like, but we are making a lot of progress.

Right now on the floor of the Senate are two very important pillars or two very important cornerstones or two very important first steps which could be taken in the building of a stronger, more vibrant, more commonsense, more middle-class-friendly, more job-creating energy policy than the one we have right now.

The saddest thing about watching this debate or speeches which sort of parade as if it is a debate, but it is not really—pretend that it is a debate but it is not—the speeches we have heard are not outlining the truth to the American public about what is going on.

We have the opportunity the next time the Senate gathers early next week to have a cloture vote on an energy efficiency bill. That means bring debate to an end and vote on an energy efficiency bill which will create hundreds of thousands of jobs, supported by the U.S. Chamber of Commerce, the American Chemistry Council, and the Environmental Defense Fund. Hundreds of organizations have come together across the political spectrum looking here for common sense and cooperation, and they are not finding much of either.

These coalitions have spent an enormous amount of time lobbying Members of the House and the Senate to pass an efficiency bill led by Senator SHAHEEN and Senator PORTMAN, two very respected Members of this body—one Republican with strong conservative credentials, one Democrat with strong progressive credentials but both demonstrating in their career the ability to work together and find common ground, exactly what the American public is asking for. We can ask any Republican, any Democrat, any Independent, and they say: Can't you all work together and find a way forward?

So Senator PORTMAN and Senator SHAHEEN did. They brought a bill to committee. I wasn't the chair. I can't take credit for this. RON WYDEN is the chair and LISA MURKOWSKI is the ranking member. They can take credit for this. They came up with a fantastic bill which creates jobs, saves a lot of energy, and is our best source of energy through efficiency. It creates jobs right here in America. It is the cleanest energy we can produce.

So these two terrific Senators come and bring us a bill. It is debated in public, in committee, and amazingly comes out of committee I think on a vote of 19 to 3, a very important piece of building an energy policy.

Even as chair of this committee now—and I hope to remain chair for many years to come. There is an election between that and that aspirational goal, so we shall see. I would like to remain chair. But I can promise it is not going to be one bill which comes out of the energy committee that builds an energy policy.

First of all, part of the bills have to come out of the Finance Committee. They are about tax policy related to the generation of all sorts of different kinds of electricity not even in my jurisdiction. There are some issues that have to come out of the commerce committee, which has jurisdiction and authorization over pipelines. There are other committees that are going to have to contribute to strengthening and building an energy policy where America can be independent and secure, where we can have partnerships with Canada and Mexico, producing the cleanest fuels possible and generating electricity in the cleanest way possible, abundantly and affordably and reliably for our people, that will make manufacturing soar in this Nation, that will give opportunities for more domestic drilling both onshore and offshore.

The people I represent want this so badly, and they know it can happen. I am not sure why more Senators don't understand this can happen, but it is going to take cooperation. It is going to take a little give-and-take. I guess that is too much to ask and that is so sad. I guess it is too much to ask for a little cooperation and a little give-and-take.

So this energy efficiency bill comes to the floor, and it is held up because many Members want other pieces of the energy plan. They most certainly have good ideas. Most certainly there are good ideas out there on both sides of the aisle, but there is one idea that is very powerful. To say how powerful it is, I am not going to read my words about it. I have already spoken about it is time to build the Keystone Pipeline now. It is time to stop studying now.

I respect the President's review of the situation. I disagree with the length of time he has taken and with the decision he made last week to continue to study. I have said respectfully to him: Mr. President, the time for studying is over. The time for building is now. The process has run its course over 5 years, five studies. Every one of them has come down on the side of building it for jobs, for security, and it is better for the environment to transport this product, these oil sands, from one of our best friends, Canada, by pipeline than by either rail or truck.

Everyone in this country knows how dangerous and crowded the highways and railways are. One does not need to serve on the transportation committee of the Senate or House to understand that issue. Every mother, every father, every 17-year-old with a driver's license—in our State it is 16, and maybe in some States it is 20—understands how scary it is to drive on highways with big trucks filled with, unfortunately, sometimes dangerous things.

Why would we want this for our children? Why can't we add to the 2.9 million miles of pipeline we have and build a pipeline with Canada? We are not talking about building a pipeline with Cuba or Venezuela. We are talking about Canada—our best ally, our greatest trading partner, and our partner on the frontlines of wars, in the research labs we partner with them—to build a pipeline to safely move oil they are going to produce one way or another because they need it for their economy and the world needs it. They have the highest environmental standards in the world.

Our highways are crowded. Our trains are crowded. Trains are colliding all over the country. Every morning in some section of the country there is another train that has run off the track with horrible materials being spilled into waters and rivers. I think Democrats are upset about that, Republicans are upset about it.

There is one very big idea, very big amendment to the efficiency bill I think the Republicans would truly like; that is, to have a vote on the Keystone Pipeline. As the chair of the committee, I know that is their strong feeling. I am a supporter of the Keystone Pipeline. So I think to myself: Let's see if we could maybe make this work.

The Republican leadership has been saying for months they want a vote—not a resolution, not a sense of the Senate, which we have already had, but a straight up-or-down vote on a directive to build the pipeline.

So I think to myself: This seems to be fair, a little give-and-take. Democrats aren't happy—not everybody—with the Keystone Pipeline, not all Republicans are happy with the efficiency, but the business community is broadly supportive of both and so are labor unions. So we have labor unions, the business community, and the environmental community which is strongly in favor of efficiency.

Of course many of the strongest voices are not for Keystone and I understand that. We have a different view. I respectfully disagree with their position, but this is a big country. It is a democracy, and we represent that democracy right here at these desks.

So I think to myself in my Louisiana way: Maybe if every side gives a little bit, we could get two very important things done, when nothing much is getting done in the energy sector, which is what we need to move our economy forward, to get labor unions working, to get people who aren't in labor unions working, to create jobs—hundreds of thousands, millions of jobs. Everybody is talking about that in their campaigns.

It is upsetting to me to know how many people are running for reelection in this Chamber who go home and talk about jobs and then turn around and come here and vote no. They talk about jobs at home and vote no in the U.S. Senate—no for efficiency jobs, no for the Keystone Pipeline.

It is very interesting. I am going to read what some of the Republican leaders have said about Keystone. Maybe they have changed their minds since they have said these, and over the weekend maybe the press could ask them if they have had a change of heart.

Senator WICKER said on January 25, 2013:

> Many Americans understand the economic importance of moving forward with the Keystone pipeline and what that means for job creation and energy security in the United States. It is imperative that we continue to press the Administration to approve this critical project.

So next week on Monday or Tuesday, my friend, the Senator from Mississippi, is going to have an opportunity to vote to press the President on Keystone and to vote for a bill that he is a cosponsor of—the energy efficiency bill. Again, he is going to have a chance to press the President of the United States to build the Keystone Pipeline, using all the power he has as a Senator from the State of Mississippi to do that, and to vote on the energy efficiency bill. I hope he will follow his words and his promise.

Senator CHAMBLISS and Senator ISAKSON, in a letter to President Obama on February 11, 2014, said:

> By any reasonable standard, the Keystone Pipeline is clearly in our national interest. Keystone will greatly advance our energy security interests by establishing a reliable supply of oil from one of the most stable trading partners and closest friends, and will lead to economic growth and help create good jobs, sustainable jobs for U.S. workers.

I would like to add my name to this. They might not want me to, but I would like to add my name so it would say that Senator ISAKSON, Senator CHAMBLISS, and Senator LANDRIEU believe in this. I couldn't have said it better myself.

So I wonder what they will do next week when we have a chance to vote on the efficiency bill and on the pipeline.

Senator CORNYN, the minority whip, on May 7, said:

> It might be better to build this pipeline so we could safely transport oil from Canada down to refineries in my State where it can be converted to gasoline, aviation fuel and the like, and the process will create an awful lot of jobs.

May 7 floor statement from Senator CORNYN.

This pipeline connects to refineries in Texas. So I wonder, the Senators from Texas—Senator CRUZ, Senator CORNYN—are you going to vote for an up-or-down vote on Keystone and vote on the efficiency bill? You can vote no, you can vote yes on the efficiency bill. Energy efficiency may not be important to people in Texas. The chambers of commerce in Texas may not have a position. I think they are very supportive, from what I have looked at, and the national chamber of commerce is on board. Maybe that is not important to them, but I think it is.

I spend a lot of time in Texas. It is a neighboring State. They have a big economy. I do a lot of work for their coastal restoration. People tell me that even though jobs are plentiful in Texas, thank goodness—not in every community but in many communities and in Louisiana—we can always use more. Building and construction jobs are local in nature, putting our architects and engineers to work. The engineers were in my office last week saying: Senator LANDRIEU, some of our engineers are busy, but some of them aren't, and we could put a lot of engineers to work on this energy efficiency bill.

So if Senator CORNYN wants to actually build the pipeline and press the President to build it, he is going to have a chance to vote up or down on whether he wants to do that, and the opportunity is to do it in conjunction with an up-or-down vote on an energy efficiency bill. Democrats get a little bit of what they want, Republicans get a little bit of what they want, and what the country gets is cooperation and a chance for jobs, which is all they want, really—good jobs.

Senator INHOFE:

> President Obama and the administration no longer have a valid reason to stall the final stages of the pipeline. Approving the Keystone Pipeline is one thing the President can do today with his pen that will create thousands of jobs.

The President said he is not going to do it. The question is, Will Senator INHOFE join with enough of us to pass a bill that presses him to do it? I think if we could get the vote on the floor, we might be able to get our 60 votes. I have never said we were guaranteed—there is no guarantee, but we are very close. We have 11 Democratic cosponsors, including myself, on a bill with 45 Republicans. We are just three or four short. I think that would be defined as ''pressing.''

Senator BURR said this in January 2012:

> Today I join 43 other Senators in introducing a bill to continue construction on the Keystone XL Pipeline, a project that will take great steps towards improving our energy security as well as create jobs for thousands of American workers. Despite claims that promoting energy security and creating jobs are top priorities, President Obama has rejected the permit earlier this month.

Senator MCCONNELL said:

> The Keystone Pipeline—a good example of something that would create jobs for the American people.

As Senator MCCONNELL knows, there might be quite a few people from Kentucky who are out of work who could travel not too far. It is better to work at home and be with your family and kids—I understand that—but lots of times people have to travel distances to work. Sometimes people want to travel those distances because the jobs available to them at home are minimum wage, and if they travel and get out, they can make handsome sums—working tough hours and long hours, but people have been doing it for decades. I know there are people in Kentucky who would like jobs. So I am hoping that next week when Senator MCCONNELL has some time to think through this as the minority leader, he can come to the floor and say: You know what, this isn't such a bad deal after all.

Senator SHAHEEN and Senator PORTMAN have presented a bill that is supported by the Chamber of Commerce and the Environmental Defense Fund and so many business organizations that depend on me and Senator REID to help them create private sector jobs in America.

This isn't a government program. This is creating private sector high-paying jobs, saving energy. We have been working on it for 5 years. This is not a new idea. This is not something Senator SHAHEEN and Senator PORTMAN are doing in an election year.

I thank Senator SHAHEEN for her great leadership. She started working on this when she was Governor, before she even got to the Senate of the United States. She is an expert on energy efficiency. I can remember when former-President Clinton came to our caucus several years ago. Senator SHAHEEN was one of the first to stand up and ask him several important and very timely questions and say: Mr. President, you have given us a way forward here on a piece of energy legislation that I think both Republicans and

Democrats can support. I am looking forward to leading it.

This was years ago. This isn't an election-year ploy; this is a half a decade of work.

So my question to my Republican friends is, Do you want to build the Keystone Pipeline or do you want an issue to talk about? Because it seems to me that we can get a vote on the efficiency bill and on the Keystone Pipeline, so we actually are doing what you all say you want to do, which is to press the President.

That is all our power is. I know it is hard for people to realize this, but our powers are limited by the Constitution. We are Senators; we are not Presidents. We have equal power to the Presidency, not more and not less. So while some people might want to run around and convince people in their hometowns that they have more power than the President, they do not. They have equal power. So let's exercise it. Let's press, which is what our job is—pressing the administration. Sometimes administrations don't want to do what Congress does, so Congress presses forward. But we don't want to press, I don't think. I think they want to talk or have an issue to talk about.

I would like to have a vote. I would like to separate the wheat from the chaff, clear the fog. This is not complicated at all.

You have heard a lot about amendments, amendments, amendments. There is one thing that is more important than all the amendments—more important than Senator VITTER's amendment, Senator BARRASSO's amendment, more important than any amendments on our side—that is, are we going to vote to build the Keystone Pipeline? Right now, 70 percent of the people of the United States support building the pipeline. Right now, the studies have been completed. Right now, the evidence is in.

I know there are people on this floor who disagree, and I want to be as respectful as I can. There is no one on the floor here debating this now, but if you did come, I would most certainly appreciate you talking about it if you are opposed. I know there are people who still feel as if Keystone is not the right thing to do, but the evidence is in on that, and we should build it. It is important to secure America's domestic production. It is important for America to not rely on outsiders—particularly those who aren't our friends—for the energy we need to keep our economy growing and strong.

It is very disheartening for me to read the headlines every day—and I know from my constituents that it is for them, too—and see what is going on in Ukraine and watch Europe not being able to be as strong as I know Europe wants to be. I know they want to be stronger, but because they depend so much on Russia for their gas and they are not energy independent, they have to be careful about what they do to come to the Ukraine's aid. Anybody can understand that. It doesn't take a diplomat to explain what is going on.

Does America ever want to be too weak to stand up to Russia? I don't think so. Does America ever want to be too weak to stand up to China? No. Do we ever want to be too weak to stand up to India if we have to, or Venezuela? No. So build the pipeline. We have already built 2.9 million miles of pipe. I have 9,000 miles of pipeline in Louisiana. We have been building them a long time. Yes, sometimes they have not been laid correctly. Yes, Federal agencies and State agencies have failed the people in many instances in making sure the environment was as protected as it should be. But we know how to build energy infrastructure. And I will tell you that the people of Louisiana would much rather build infrastructure than put uniforms on our sons and daughters and send them halfway around the world so we can get gasoline in our cars.

Let me put it plainly. I lost 44 men in Iraq and Afghanistan. Gone. I have hundreds of wounded soldiers. When you ask me what the price is—build the Keystone Pipeline or continue to have wars over oil—I don't know, it is pretty easy for me.

I am not going to let people come down to the floor here and get away with talking about these amendments because it is not about amendments. It is not about process. It is about whether this Senate wants to press this legislation. Press. That is all we can do. We can't make the President do anything unless we can override the veto if he vetoes it, and that has happened before—not often, but it has happened—but that is what the Constitution says.

So let's take it one step at a time. Let's press on to build the pipeline, get an up-or-down vote. Let's move forward on an energy efficiency bill that the House has actually, amazingly, passed a good version of. Think about it. Not only has a Democratic-controlled Senate passed an efficiency bill with seven Republican cosponsors and at least a dozen more who I know would vote for the bill if allowed to by their leader, Mr. MCCONNELL, but the Republican-controlled House has already passed an energy efficiency bill. So we would just go to conference with these two bills and work out the details, and all of these organizations that have lobbied and spent money and time to try to explain this to us—''Please, can you all help us create jobs we need right here at home? We would be so happy and encouraged that the Democratic process is working''—showing them that we are hearing them and listening to them would be a really terrific step forward.

Finally, you will hear some Republican leaders say: Well, Senator, that sounds great, but you have to deliver us 60 votes for Keystone.

No, I never said I could deliver 60 votes for Keystone. I said I would try to deliver 60 votes. That is all I can do.

I said I would try, and I have tried my best. We had three Democrats last year. We now have 11 Democrats. I am not doing this by myself. Senator HEITKAMP has been extraordinarily helpful, Senator MCCASKILL has been wonderful, and Senator TESTER has been helping, as has Senator DONNELLY. So many of our colleagues have been working very hard over here. We are so close. It is not about amendments, it is about Keystone. That is the amendment, Keystone.

If we can have a separate vote on Keystone and a separate vote on energy efficiency, we can press the House to act and get those two matters, hopefully, to the President's desk. That is the best we can do. What the President decides to do after that, I don't know. He has a responsibility, and we have a responsibility. He will exercise it as he sees fit, but we need to do our job. We can't worry about doing his job. He needs to do his job.

It is time to build the Keystone Pipeline.

I will submit for the RECORD the dozens of comments made by my Republican friends about how important it is to build the pipeline. They didn't say: Let's build the pipeline and also pass three other important pieces of legislation. They didn't say: Let's build the pipeline, but we don't really want to build the pipeline until we can get votes on X, Y, and Z. They said the most important thing we can do—and 70 percent of the American public supports it, and it is growing every day—is to build this pipeline. Labor and business support it. A broad range of people supports it, with the exception of Nebraska, which has not made its final decision. Our law allows for Nebraska courts to make the final decision about where that pipeline will be laid because the people of Nebraska did not want it laid in one of the largest water aquifers in North America, so they moved the line, which is appropriate, and so that is being worked out. Other than that, we are ready to go.

I particularly hope the people of Kentucky will ask Senator MITCH MCCONNELL if he is ready to build the Keystone Pipeline and if he is ready to vote to press the President to build the Keystone Pipeline, which is within the limits of our power. Our powers are limited, but we could exercise them to the fullest. I hope we will do that, and I hope next week we will get a straight-up vote on the efficiency bill Senator PORTMAN and Senator SHAHEEN have worked so hard on that is supported by a broad range of coalition members, and I hope that coalition will generate and get its members activated between now and Tuesday.

I hope those in America who want to build this Keystone Pipeline will also activate their phones, their emails, and contact their legislators, particularly our two leaders HARRY REID and MITCH MCCONNELL, who will ultimately be responsible for whether these votes occur.

All we can do is do our best. I think I have demonstrated a real effort to get

this done, and I thank my colleagues over here who have been extraordinarily helpful. We hope we can find common sense, common ground, and do what the Senate of the United States can do, press forward to create jobs for the American people.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here now for the 66th consecutive week the Senate has been in session to ask my colleagues to wake up to the threat of climate change. The topic has become taboo for Republicans in Congress, and so the discussion on climate change is somewhat one-sided around here, but the recent comprehensive National Climate Assessment released this week shows Americans are witnessing the effects of climate change in every State of our Nation.

Colleagues, read the assessment. Find out how climate change is affecting every region of the country.

In March I visited Iowa, where I heard over and over that Iowans are awake to the threat of climate change and are actually ready to hold Presidential candidates accountable on climate when they go there for the first-in-the-Nation Presidential caucus.

Over the April recess I spent 5 days traveling down the southeastern coast of North Carolina, South Carolina, Georgia, and Florida. I went there to talk to people on that coast firsthand. I met with scientists, students, outdoorsmen, faith leaders, and State and local officials—people of diverse backgrounds, but all of them have one thing in common: their concern for the coastal communities they love. These folks know climate change is real because they see it where they live. They are not waiting around for this Chamber to get organized. They are acting.

Last week I spoke here about the business owners, community leaders, and researchers I met in North Carolina. From there I headed into South Carolina. My first stop was the University of South Carolina's Baruch Institute for Marine and Coastal Sciences.

At the Baruch Institute, I learned how salt marshes—the ocean's nurseries and our first line of defense against storms and hurricanes—have to adapt to rising sea levels. These marshes retain sediment as the tide goes in and out, and they slowly increase their elevation as the sea level rises, if given enough time.

Dr. Jim Morris, director of the Baruch Institute, has been studying these marshes for decades. He is a renowned expert. He explained that sea level rise is starting to happen so fast that the marshes may not keep up. If they can't keep up, then the marsh deteriorates to mudflat, and the mudflat deteriorates to open water, which is already happening in places I visited. That deterioration from marsh to mudflat can devastate coastal property, infrastructure, and wildlife.

Business as usual means sea level rise increases of 3 feet or more by 2100. This chart illustrates what the Baruch Marine Institute and surrounding marshes would look like after this sea level change—before and after. It would be pretty much a goner.

Next I visited the Cape Romain National Wildlife Refuge, which extends for 22 miles and encompasses more than 6,000 acres of barrier islands, salt marshes, intricate coastal waterways, sandy beaches, fresh and brackish water impoundments, and maritime forest. Sea level rise threatens this area as well.

One signal: Last year over 70 percent of endangered loggerhead turtle nests had to be relocated by people in order to prevent them from being flooded. This is a place where these turtles have been nesting for centuries, but now look at how coastal erosion is affecting their nests. These are the turtle eggs, and the coast has eroded. National Park Service officials there told me:

> This is not just about wildlife. This is about the community. It's about your livelihood and well-being.

They are right.

According to a foreword in the report titled ''Climate Change Impacts to Natural Resources in South Carolina'' by Alvin Taylor, director of the South Carolina Department of Natural Resources—I mean, tell me how people from South Carolina are denying climate change is real when the State published a report called ''Climate Change Impacts to Natural Resources in South Carolina.''

Here is what the report says:

> Climate-related changes may adversely affect the environment in many ways, potentially disrupting or damaging ecological services, water supply, agriculture, forestry, fish and wildlife species, endangered species, and commercial and recreational fishing . . . Fishing, hunting, and wildlife viewing contributes almost $2.2 billion annually to South Carolina's economy and supports nearly 59,000 jobs.

How can they pretend it is not real? Business owners and executives in South Carolina are starting to take action on climate change. There is a South Carolina Small Business Chamber of Commerce, headed by Frank Knapp, who has organized something called the South Carolina Businesses Acting on Rising Seas to raise awareness among businesses and their customers of the threat posed to the Palmetto State. In cities including Charleston and Myrtle Beach, coastal businesses threatened by rising sea levels are displaying strips of blue tape in their window fronts where the water level would be to show their support for taking action.

I continued down the coast and visited Charleston's Fort Johnson, where marine research facilities are located for NOAA, the College of Charleston, the South Carolina Department of Natural Resources, and the Medical University of South Carolina. The tide gauges in Charleston are up over 10 inches since the early 1920s. Deny that all you want. It is a measurement, it is not a theory.

This chart shows what Fort Johnson would look like with 3 feet of sea level rise, which is projected for 2100. Nearly all the research facilities at Fort Johnson would be lost ironically to the very seas their research helps us understand. Three feet could actually be on the low end of sea level rise by 2100. This chart of Fort Johnson demonstrates what 3 feet of sea level rise looks like.

During my visit at Fort Johnson, I heard from students, faculty, elected officials, and Federal and State employees all working at the leading edge of climate change and adaptation research. One scientist, Dr. Peter Moeller, described how climate change is allowing algae species to grow in waters where they were previously not found. As these algae species migrate to new areas, they encounter bacteria, fungi, and other unfamiliar algae. As Dr. Moeller explained to me, under these conditions, previously nontoxic algae can make dangerous toxins that are novel to science and nature. It almost sounds as if science fiction, but these are the consequences of human-caused climate change.

My last stop in South Carolina was at a roundtable discussion at the Coastal Conservation League. There I heard from a diverse group of South Carolinians—researchers, environmental advocates, business owners, and faith leaders—about their efforts to raise awareness to the threats of climate change and to promote clean energy. I learned this: South Carolinians are not afraid to talk about climate change and how it is affecting their State—at least not until they get to Washington.

When WCBD-TV in Charleston asked Representative MARK SANFORD about my visit to his State, he actually said something quite nice. He said:

> At our family farm in Beaufort, I've watched over the last 50 years as sea levels have risen and affected salt edges of the farm. I applaud Senator WHITEHOUSE for getting people together in the Lowcountry today to discuss this problem, and while we would likely approach solutions differently, building the conversation is a necessary first step.

That is a helpful opening, and I appreciate that.

Jim Gandy, chief meteorologist for WLTX Columbia, has been forecasting South Carolina weather for 28 years. He is affectionately known as South Carolina's weatherman. Jim was at the White House this week to interview President Obama about the National

Climate Assessment. Through his blog, ''Weather and Climate Matter,'' and his broadcasts, Jim makes weather and climate understandable for his viewers. I spoke with him while I was in South Carolina, and I learned that his TV station thought it may actually take some heat for Jim's discussing climate change on the air, and they were braced for the flow back. It never came. South Carolinians have their eyes open. It is only taboo here in Washington.

I continued down into Georgia, to the heart of the Savannah Historic District. Audrey Platt, the former vice-chair of the Garden Club of America's Conservation Committee, invited me to her historic home in Savannah for a local meeting of the Garden Club joined by Savannah Mayor Edna Jackson. Also there was Reverend Mary Beene from the Faith Presbyterian Church who talked about the M.K. Pentecost Ecology Fund they run for ecological stewardship of natural resources.

We headed out to Fort Pulaski and Tybee Island. There is a tide gauge at Fort Pulaski. It takes measurements. It is not complicated. It produces clear, irrefutable facts, not theories. At Fort Pulaski, NOAA measures that sea level has risen over eight inches. Projections for 2100 put most of this region under water. This chart shows that sea level rise of 3 feet will devastate the area.

Here is Fort Pulaski, GA, and the coast around it. That is what is left with 3 feet of sea level rise.

On Tybee Island I had lunch with city officials and council members, representatives of the Georgia conservancy, NOAA scientists, Georgia Garden Club members, and local sustainability directors. The message was clear: Sea level is rising. Oceans are warming. Infrastructure and ecosystems that Georgians depend on are being threatened. One example: According to a University of Georgia biologist, sea level rise will affect the State's oyster crop. The oysters in Georgia thrive at the tidal edge, sometimes above water, sometimes below water, as the tide goes up and down. As rising sea levels come up, it will cause the oyster habitat to shift or leave them vulnerable to predation as they spend more time under water. Being out of the water actually protects them from underwater predators.

The people of Tybee Island are preparing. Councilman Paul Wolff showed me the storm-water tide gate, which the City of Tybee put in place to accommodate higher tides and rising seas. He explained to me that the road out to Tybee Island—Tybee Road—which is, by the way, the island's only access road, will be flooded as much as 45 times per year with just one foot of sea level rise, and the city has already put in place a short-term plan for 14 to 20 inches of sea level rise by 2060. What does that do to an island's economy if, 45 days of the year, people can't get there?

Down the coast, I visited the University of Georgia's Marine Institute at Sapelo Island and its director Dr. Merryl Alber. Sapelo is a barrier island off the coast of Georgia managed by the Georgia Department of Natural Resources. The Marine Institute is a world renowned field station for research into coastal ecosystems. Here I learned how they measure what they call blue carbon, the amount of carbon stored in the salt marsh. They are doing that as part of the National Science Foundation's long-term ecological research program.

Salt marsh, as it turns out, are huge carbon sinks. They absorb massive amounts of carbon. But the carbon that is stored there may be returned to the atmosphere and add to the climate problem if salt marshes succumb to sea level rise and have nowhere to migrate. We also heard how the intruding salt water is changing local marsh ecosystems and jeopardizing fresh water supply.

Georgia actually runs a Coastal Management Program Coastal Incentive Grant Program to increase knowledge about sea level rise. If Georgia runs a Coastal Management Program Coastal Incentive Grant Program on sea level rise, how can people who represent Georgia in Washington pretend this isn't occurring?

I ended the day in Georgia out on the water with Charlie Phillips, who is a terrific character, a great guy to be with—a local, very successful clammer. We went out on his air boat over the marshes that he built himself. He is also very knowledgeable. He is a member of the South Atlantic Fishery Management Council that runs the regional fishery. He has been an outdoorsman his whole life, and he needs fresh, clean water for his Georgia clams. Unfortunately, Charlie says that changes in climate are hurting the ecosystem that supports his livelihood—his and his employees. He worries about the future of his business.

This is South Carolina and Georgia. When you actually go there, what do you find? Business owners, researchers, faith leaders, and elected officials, all responding to changes that they are witnessing. They understand. They see the risks that climate change poses, and they hope their representatives in Congress will wake up to the danger of climate change, the home-State danger that their constituents are already seeing happening right around them.

After seeing the beauty of both South Carolina and Georgia along those lovely coasts, it is painful to see there the early warning symptoms of climate change. It called to mind President Theodore Roosevelt's message from more than 100 years ago to America's schoolchildren. It is sort of old fashioned language, but that was 1907. He said this:

> [I]n your full manhood and womanhood, you will want what nature once so bountifully supplied and man so thoughtlessly destroyed. And because of that want, you will reproach us, not for what we have used, but for what we have wasted. . . . [A]ny nation which in its youth lives only for the day, reaps without sowing, and consumes without husbanding, must expect the penalty of the prodigal. . . .

The people I met in South Carolina and Georgia, along with a huge majority of Americans nationwide, know that climate change is real. They see it happening in their lives, and they want us to take action. It is time for Congress to listen to their voices. It is time for Congress to listen to the fishermen who see the fisheries moving around and the oceans warming. It is time for us to listen to the clammers at the seashore who see the changes in the sea level and know what it means for them. It is time for us to listen to the foresters who see the pine beetle killing forests by the hundreds of square miles, and the firefighters who fight fires in those forests who see the fire season expanding by 60 days. It is time for us to listen to the farmers who see unprecedented drought and flooding. It is time for Congress to listen to the voices of their constituents before we all, in our foolishness and in our folly, must pay the penalty of the prodigal. Indeed, it is time for Congress to wake up.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

DEPARTMENT OF VETERANS AFFAIRS

Mr. MORAN. Mr. President, I spoke yesterday on the Senate floor about my concerns with the nature of the way the Department of Veterans Affairs is being operated. Much of my concern occurred as a result of conversations I have had with veterans back home in Kansas and their experiences both on the benefit and medical side—some real concerns with individual examples of what has happened in some of our VA facilities in our State, and this growing sense that the Department of Veterans Affairs has become unable, unwilling, to provide the necessary services in a cost-effective, efficient, timely manner that our veterans so deserve.

As I indicated yesterday, there is no group of people I hold in higher regard than those who have served our country and believe that the benefits that were promised our veterans must be provided to them, and I am concerned that is no longer the case.

I also indicated yesterday that I have served on the House and Senate Veterans' Affairs Committee for now 18 years. I was the chairman of the health care subcommittee. I have worked with nine secretaries of the Department of Veterans Affairs. During that time I always had the sense, until the last few years, that things were always getting better for our veterans. Today, the frustration that I bring to share with my colleagues is the belief that many veterans no longer have hope that the

Department of Veterans Affairs is there to meet their needs and to care for them.

In preparing for those remarks yesterday—but really in studying this issue over the last several years—there is a real shocking development, which is the number of times we hear stories, incidents, facts about what is going on with our veterans at the Department of Veterans Affairs and the services being provided. Just to highlight to my colleagues, based upon inspector general reports that are then, in part, based upon press reports, are some things we have seen and heard about the Department of Veterans Affairs and their efforts to care for America's veterans.

The one that is in the news at the moment—there is an additional IG report that is being anticipated—the Phoenix Veterans Affairs Hospital administration apparently developed a secret waiting list of up to 1,600 sick veterans who were forced to wait months to see a doctor. It is believed that at least 40 U.S. veterans died waiting for their appointment as a result of being placed on the secret waiting list. Again, this is being investigated, a report is expected, and we will see what that report says. But, clearly, this is one of huge concern, resulting in potentially the death of veterans.

There is a wait time cover-up. According to the GAO—the Government Accountability Office—last year, quoting them:

> It's unclear how long an appointment has been delayed because no one can really give you accurate information . . . It is so bad that [GAO staff] have found evidence that VA hospitals tried to cover up wait times, fudged numbers, and backdated delayed appointments in an effort to make things appear better than they are. In addition, the GAO states that ''nothing has been implemented that we know of at this point'' despite the fact that the GAO and the VA Inspector General ''reported similar findings for over a decade.''

Reports of falsifying records were stored in the VA clinic at Fort Collins, CO, where the VA's Office of Medical Inspector found that ''clerks were instructed on how to falsify appointment records so it appeared the small staff of doctors was seeing patients within the agency's goal of 14 days.'' In fact, the investigation determined that clerical staff at the Colorado clinic were punished if they allowed records to reflect that a veteran waited longer than 14 days. Let me say that again. In fact, the investigators determined that clinical staff at the Colorado clinic were punished if they allowed records to reflect that a veteran waited longer than 14 days.

No oversight in quality of care. In December, the GAO reported on VA hospitals finding that patients were not being protected from doctors who have historically provided substandard treatment. None of the hospitals examined by the GAO in Dallas, Nashville, Seattle, and Augusta, ME, adhered to all of the requirements to review and adequately identify providers who are able to deliver safe, quality patient care.

In Los Angeles in 2012, more than 40,000 requests for diagnoses were ''administratively closed'' and essentially purged from the books so reported wait times would be dropped. In Dallas in 2012 another 13,000 appointments were canceled. According to the Washington Examiner, the VA canceled more than 1.5 million medical orders with no guarantee that the patients actually received the treatment or that the tests that were required by those orders were given.

By the VA's own admission in an April of 2014 fact sheet, cancer screening delays accounted for the deaths of at least 23 patients in VA facilities nationwide, and another 53 patients suffered from some type of harm due to improper care. Reports have also linked poor patient care, maintenance issues, and unsanitary practices to at least six preventable deaths in Columbia, SC, five in Pittsburgh, four in Atlanta, and three each in Memphis and Augusta, GA.

Other reports:

More than 1,800 veteran patients in the St. Louis VA Medical Center may have been exposed to HIV and hepatitis as a result of unsanitary dental equipment. The facility has remained under fire for patient deaths, persistent patient safety issues, and critical reports. Despite the problems at the medical center, the facilities director from 2000 to 2013 received nearly $25,000 in bonuses during her tenure there.

CNN reported that after they obtained VA internal documents that deal with patients diagnosed with cancer in 2010 and 2011, at least 19 veterans died because of delays in simple medical screenings such as colonoscopies or endoscopies at various VA hospitals or clinics. Let me say that again. In 2010 and 2011, 19 veterans died because of delays in getting simple medical screenings related to cancer. The veterans were part of 82 vets who have died or are dying or have suffered serious injuries as a result of delayed diagnosis or treatment.

Loopholes in VA performance. An Iraq and Afghanistan combat vet, who is also a former mental health administrator at the VA Medical Center in Manchester, NH, said in April 2012 that VA hospital managers across the country regularly sought loopholes to get around meeting performance requirements. He explained that ''meeting a performance target, rather than meeting the needs of the veteran, becomes the overriding priority in providing care.'' He went on to say that ''offering bonuses to managers to make sure they met performance requirements creates a perverse administrative incentive to find and exploit loopholes . . . that will allow the facility to meet its numbers without actually providing the services or meeting the expectation the measure dictates.''

Finally, this one. It is not from the inspector general's report. But in a hearing before the House Veterans' Affairs Committee on April 9—about a month ago—the deputy for the VA inspector general for health care inspections stated:

> I believe that the VA has lost its focus on the importance of providing quality medical care as its primary mission. . . . There is no good explanation for these events. They are not consistent with good medical practice, they're not consistent with common sense and they're not consistent with VA policies that exist.

It is amazing to me—it is so troubling to me—we have these reports over a long period of time across the country—not isolated incidents. It is even more troubling to me—despite these reports, these inspections, these criticisms of the VA—it is hard to find any evidence the VA is doing anything to improve its record, its performance, or to better care for the veterans of our country. We should demand more, and we need leadership at the Department of Veterans Affairs that will do so.

As I indicated yesterday, I do not believe this is a matter of money. There has been a 60-percent increase in VA spending since 2009—normal increases of 2, 3, or 4 percent each year over the last several years. As I indicated yesterday, the President himself talked about how successful the administration has been in providing the necessary resources for the Department of Veterans Affairs.

Our veterans deserve better care and treatment. These are the folks we ought to honor and esteem. These are the people who we must live up to with our commitments to provide the benefits and health care they deserve and have earned.

If these were isolated instances, they would be a terrible thing. But because they are so pervasive, because they are so widespread, and because there appears to be no effort to correct the problems, it is important—it is critical—that Congress and the American people demand better service, care, and treatment for our Nation's heroes.

I yield the floor and 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. FRANKEN. 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. FRANKEN. Mr. President, I wish to speak today as in morning business.

The PRESIDING OFFICER. The Senate is currently in morning business.

STUDENT LOAN DEBT

Mr. FRANKEN. Thank you, Mr. President.

I rise today to talk about the growing problem of student debt and the college affordability crisis that is gripping our Nation. I also rise to talk about one of the things we need to do

to address this crisis; that is, to pass the Bank on Students Emergency Loan Refinancing Act, which I was proud to join Senator ELIZABETH WARREN of Massachusetts in introducing yesterday.

We have to take action on student debt because it is a huge problem in this country. The total amount of student loan debt held by Americans is more than $1.2 trillion today—surpassing the total amount of credit card debt in our Nation. More and more Americans are becoming saddled with large amounts of student debt and that limits their ability to buy homes, save for retirement, and make other purchases that will help keep our economy growing.

My State—Minnesota—has the unfortunate distinction of being the State with the fourth highest average debt for students graduating from a 4-year college, at over $30,000 per student. Over the last several years, I have held college affordability roundtables in Minnesota to hear from students and families about the challenges they face in paying for college and to talk about ways to make the situation better. Let me tell you about one of the stories I heard.

Last month, at the University of Minnesota in Minneapolis, I met Joelle Stangler, a sophomore who is the incoming student class president. With a 4.12 GPA, Joelle graduated from Rogers High School in Minnesota as their valedictorian. She was also senior class president and the captain of her volleyball team. Joelle does not lack motivation when it comes to school.

Both of Joelle's parents were teachers, and, in fact, she comes from a long line of educators going back six generations. But a couple years ago, Joelle's mom Cassie Stangler made the difficult decision to quit her job as a fifth grade teacher to go to work in the private sector, where she could get more money, so she could help send her four kids to college.

Among the fifth grade classes in her school district, Mrs. Stangler's students showed some of the highest rates of improvement on test scores. We lost a great teacher because of how expensive post-secondary education is.

Not only that, even with her mom's sacrifice, Joelle, who is only in her second year of college, already has $12,000 in student loans. She estimates that her total debt will be around $30,000 by the time she graduates. Again, that is even with her mom leaving the job she loves, the job as a society we would want her to be in and that she is so great at.

At the roundtables I have around the State of Minnesota, I always hear about students working multiple jobs, sometimes even putting in 40 hours a week while going to school full time. Working and school is good. It is not bad necessarily. Some work can help students manage their time, become more productive, and of course help pay for college, but evidence shows that when a student starts to work more than 15 hours a week, it becomes harder for the student to maintain good grades in school and to graduate from school on time. Students are working more because college is becoming less and less affordable and they are still taking out more and more student loans and graduating with more and more debt, despite having worked while they were in school.

I do not think that is right. I do not think it is productive for our country. One student at the last roundtable I did told me: I can work 40 hours a week and have less debt or I can work 20 hours a week and be more involved in school. That is not the kind of choice students should have to face in America. I have talked to students who work full time while going to school and actually sell their blood every once in a while to help pay maybe their rent or their housing.

Recently, some encouraging things have happened in Minnesota. Thanks to the work of Gov. Mark Dayton and the State legislature, our State's public colleges and universities received an increase in funding from the State. Last year, after more than a decade of spending cuts to higher education and tuition increases in Minnesota, the State increased higher education funding for this academic year and next academic year by 10 percent, including a 15-percent increase in need-based State grants.

This much needed funding has allowed the public universities and colleges in Minnesota to hold their tuition steady, instead of passing on higher costs to Minnesota's students. This has been a significant victory for Minnesota students and families, but students are still facing daunting costs in paying for college and they are still graduating with far too much debt.

In the Senate I have been working on a number of solutions to the college affordability problem. I have two bipartisan bills with Senator CHUCK GRASSLEY of Iowa that would help students and families understand college costs and compare the costs of different colleges as they go through the process of selecting a school. Our Net Price Calculator Improvement Act makes these online tools more user friendly in order to give students and their families a better estimate of college costs before they decide where to apply to college.

Senator GRASSLEY and I have another bill that will require schools to use a universal financial aid letter. Right now these letters are incredibly confusing. They do often clearly indicate what is a grant and what is a loan. A lot of people do not think—they say ''award letters'' on them sometimes and they include loans. A lot of people do not consider a loan an award. They use different terminology. If you get a Stafford subsidized loan in one letter, it might say ''Stafford subsidized loan,'' this amount.

Another, it might have a code number, an X5382. When we put out this bill, I got all kinds of calls from college counselors and from high school counselors, saying thank you. Our bill would make sure students and their families and their counselors get clear and uniform information so they can make apples-to-apples comparisons between what the different schools are offering.

Another part of the college affordability problem which is often overlooked is the price of textbooks. Students in Minnesota are spending an average of $1,400 per year on textbooks, $200 more than the national average. One Minnesotan I have heard from, Kari Cooper at Bemidji State, has to choose between paying for her textbooks and paying her rent. She ends up putting her textbook costs on her credit card.

I introduced a bill with Senator DICK DURBIN of Illinois called the Affordable College Textbook Act that would address this problem. Our bill would expand the use of free, online, open-source college textbooks, which are a great alternative to the traditional expensive kind. This is a great way to reduce the overall cost of going to college.

College students such as Kari, Joelle, and countless others are working incredibly hard when they are still taking on significant amounts of debt. Part of the reason this debt will stay with them for a good portion of their lives is that they are paying such high interest rates.

Many college graduates are locked into loans with interest rates as high as 10 percent, which makes it all the more difficult to pay off your student loan. The last thing our students need is to be saddled with high interest rates on student loans that continue to burden them long after graduation. There is a clear commonsense solution. That solution is contained in the bill I am proud to have joined Senator WARREN in introducing, the Bank on Students Emergency Loan Refinancing Act.

Students and graduates should be able to take advantage of lower interest rates and refinance their loans. When interest rates are low, homeowners, businesses, and even local governments regularly refinance their debt. Yet despite being the biggest student lender by far, the Federal Government offers no refinancing options to student borrowers.

Once a person graduates, if they have a high interest rate on their student loans, they are stuck with that high interest rate forever. That is not right for our students and families and it is damaging to the long-term well-being of our country because it holds people back from making decisions that help drive economic growth: the decision to buy a home, to start a family, start a new business, to purchase big-ticket items such as a car.

Our new bill would allow students and graduates who have existing private and public student loan debt from

their undergraduate education to refinance these loans at less than 4 percent. Last summer we came together in Congress to prevent the interest rate on new student loans from doubling. Thanks to that effort, undergraduate students taking out new loans now have a rate of 3.86 percent. The bill we introduced yesterday would enable students and graduates who are saddled with higher interest rates on their undergraduate loans to refinance at the same 3.86 percent rate.

There are nearly 40 million Americans with outstanding student loans. Many of them face interest rates higher than 3.86 percent, some of them much higher. This legislation will give them a chance to cut down their debt and keep more of their hard-earned paychecks. It will help thousands of students in Minnesota who, similar to Joelle and Kari, are doing everything they can to get their college degree.

So many Minnesotans in schools across the State show tremendous perseverance and grit in getting a college education and in cobbling together the resources to pay for it. They should not end up with crushing debt and be unable to take advantage of lower interest rates to reduce that debt, when so many other kinds of debt—almost every other kind of debt you are able to refinance.

We have a lot to do and a long way to go to reduce student debt for our students and make college more affordable. Doing that will help more Americans find jobs to support their families, help more employers find qualified workers for their businesses, and help our economy prosper. Passing this bill will be one important step we can and we should take.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I applaud the efforts of Senator FRANKEN and Senators DURBIN and WARREN and JACK REED, who will speak after me, for their efforts on dealing with the terrible burden of debt that far too many young people in this country face. We know it is bad for them. We know this is a burdensome, onerous debt. We know it is bad for their families. In many cases, mothers and fathers cosign these loans and have to put off other kinds of things they want to and should do in their lives.

We know what it means to those families and to the economy and those communities where these students come out of college with huge debt. They cannot buy a car. They cannot buy a home. They cannot start a business. In many cases they put off getting married and starting a family because of debt. None of this is good.

Think back a generation. I heard Senator KLOBUCHAR speak today on the floor. She went to what we consider in this country an exclusive, very expensive university. She scrounged together, her teacher mother, her father—I was in the Presiding Officer's chair as she was speaking. Her father is a reporter, a journalist, columnist, as my wife is. He did not make a lot of money. It was difficult to come up with tuition, room and board for AMY KLOBUCHAR, a young 18-year-old student then, but they were able to do it. I looked back at my wife who graduated college 30-plus years ago, the daughter of a maintenance worker in a powerplant, a union member, 35 years in the union. She is the oldest of four. Her parents absolutely had a commitment to send her to college but could not afford it. Her mother took a job as a home care worker as Connie was approaching college age. She is the oldest. She went to a State university, Kent State University, one of the fine State universities in our State.

She graduated in 1979 with only about $1,200 in student loan debt. She worked part of that time, she got grants, but college tuition was so much less expensive then, not just at private, more elite schools but at State universities especially and community colleges. Now it is so out of reach for far too many families.

As the students approach that day and have these discussions with their parents, it is important to try to think through how these students who do not necessarily have a lot of sophistication yet in finances, how they look at this. A recent study found that two-thirds of student loan borrowers were not as aware of the difference between Federal student loans and riskier, higher interest private student loans.

So they go into this not necessarily always with eyes wide open. They are idealistic. They are enthusiastic about going off to school. They want to get ahead. They do not want to put too big a burden on their parents or obviously on themselves, but they are not, according to the study, aware of the differences between Federal student loans and these higher interest private student loans.

Many students then take out private student loans, even though they are eligible for the more affordable Federal ones. You can't expect students to have a fair shot at building a successful livelihood if we don't give them the tools to succeed. That is why the Know Before You Owe Private Student Loan Act is so important. The bill would require private student loan lenders to clearly state the difference between the student's ultimate cost of attending college and the student's estimated financial assistance.

They should be taking full advantage of any Federal financial aid packages they may qualify for before taking on any private student loan debt, although they so often don't know that because this is complicated.

Second, our bill would provide loan statements to borrowers and their families at least once every 3 months so they can understand what they are getting into. Also, it would require private student loan lenders to submit an annual report to the Consumer Financial Protection Bureau about student loans.

We know private student loans typically have significantly higher interest rates. They offer more limited payment options. They offer no relief for graduates who are underpaid, have been laid off or are unable to find work.

That is why my Refinancing Education Funding to Invest for the Future, or REFIF Act, addresses this problem by authorizing the Treasury Department to make the private student loan market more efficient. It would allow borrowers to refinance their more costly private loans into more affordable loans at no cost to taxpayers.

Now the Bank on Students Emergency Loan Refinancing Act would allow homeowners to refinance and lock in lower Federal interest rates. All of these pieces of legislation will give students a fair shot at the American dream of going to school—whether they choose to go to Lorain or Cincinnati State Technical and Community College, whether they want to go west to Otterbein, a private school in Ohio or Denison or Oberlin or whether they want to go to a larger State university such as Ohio State or usually Toledo or Youngstown State.

It would allow those with private student loans into the Federal program, saving hundreds and possibly thousands of dollars by switching to the lower Federal interest rates.

We all hear it. The Presiding Officer hears it from his Connecticut residents. Senator REED hears it from Rhode Island, and we will hear from people in our States pleading for help. Let me share a couple of them, and then I will yield the floor for Senator REED.

Kelly McVicker, a father of three in Toledo—I spoke with him on the phone and I talked to him. We went to Perrysburg High School, a suburb of Toledo—an affluent suburb—but still a place where students struggle with student loans and student debt.

When Kelly was 17, he took out a $48,000 student loan to get his degree. Today he is 31, working to pay down that original loan, which has now grown to $73,000, while also trying to support his family.

He took out a $48,000 loan. He has been working, he has been going to school, and he has been doing what people and what society asked of him, and yet he is now saddled with this $73,000 debt.

Andrea, from the same part of the State, the northeast corner of Ohio, wrote to me from Williams County saying:

> I have been repaying my student loan religiously for about 14 years, and I feel as though my payment never goes down.
>
> My interest rate is 7.75 percent. When I contact my lender, they have no offer to lower the rate.
>
> I find it hard to believe when my mortgage is 3.25 percent, and so is my auto loan. I can even get a credit card with zero percent interest.
>
> I would be better off defaulting and let the companies take care of it.

I am married with three children. At this rate, I will still be paying off school loans when my oldest goes to college.

I did not have the luxury of having financial help from my parents, and I am trying not to let that happen to my own children.

Higher education is extremely important to my husband and me, and as a middle class family, there doesn't seem to be much help in this area.

I am a frustrated person who seems to be indebted to student loans, and I don't want the same for my children.

All of these pleas, whether they come from Providence or whether they come from Cleveland, are from people who want to do the right thing. They want to get out from under these loans, but they want to pay them. They want to pay them back. They just want an interest rate that is more competitive when they see what their home mortgage interest rates are.

For Andrea from Williams County, her interest rates for her home mortgage are less than half of what she is paying for student loans. Why should that be? We need to respond to these pleas for help from so many of our constituents of all ages, of both genders, from all across our States in communities, small towns, big cities, and rural areas.

Across the country there are responsible borrowers who have played by the rules and are still finding themselves coming up short. Unless we act, we will have a generation of Americans unable to build a life for themselves because they are in a nonstop cycle of dealing with costly loan repayment.

It is important. We have the opportunity, by passing these bills, to give Americans the fair shot they need at paying off their loans, of going to school, of getting ahead, starting businesses, starting families, buying homes, and getting this economy back on track.

We can do this, and it is important we start today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. I thank my colleagues Senator FRANKEN and Senator BROWN for their leadership and very wise comments on this issue, which is one of the most difficult ones that young Americans face, and that is paying for college and student loans.

As my colleague had indicated, this is just really the tip of the iceberg because these debts that they have accumulated will prevent them from buying homes, from starting families, and ultimately affects our economy in a tremendously disruptive way.

All of this is coming into very sharp focus as we begin the graduation season. We have high school seniors who are choosing a college to attend. We have college graduates who are leaving campus and facing a very difficult job market. Those who are going to college are looking at huge potential debt. Those who are leaving college already have, in most cases, those debts and are now thinking about how they can deal with them as they go forward.

Outstanding student loan debt today is at an estimated $1.2 trillion, and it is growing.

According to the Institute for College Access and Success, between 2008 and 2012, average student loan debt increased by an average of 6 percent per year—much, much faster than the rate of inflation. So we have an issue that is not only critical today, but it is getting worse each and every day.

Seventy percent of the class of 2012 graduated with student loans, and the average student debt was $29,400. That is a lot of money. With that debt and with a job that is paying modest wages, or in many cases not being able to find such a job, it is very difficult to pay those loans.

I just met with the presidents of all my colleges and universities in Rhode Island, and we talked about the urgency of this issue. Rhode Island ranked fifth in the Nation for average debt, with students owing an average of more than $31,000 when they graduate from college. We are fifth in the Nation.

We are also, I would like to point out, regretfully, first in the Nation in unemployment. We have the classic situation of Rhode Island graduates leaving with an average of $31,000 of debt and struggling in one of the toughest job markets in the United States to find work. That is a very difficult combination to bear; that is so for so many young people not only in Rhode Island but in Ohio, Massachusetts, and people across this country.

This debt is a huge drag on our economy. It is a threat to our future.

We have to take action. We just can't sit back and watch this get worse each day as it is.

First, we must commit to lowering costs for low- and middle-income families. The Pell grant is the foundation for making college affordable.

It is the work of my distinguished predecessor, Senator Claiborne Pell, who understood that if you could make college affordable for talented Americans, they could remake this country and the world. For decades we did that. We provided the kinds of resources and grants that allowed talented, but not wealthy, students to go to school, to leave school without huge debts, and to begin immediately to apply their talents to the issues that confronted this country and this world.

In fact, I would argue that his foresight back in the 1960s and 70s set the stage for all of these great sorts of revolutions.

Why did we have a telecommunications revolution? Because we had not only the educated scientists and engineers to develop transistors, to develop all of these new technologies, but we also had the most educated population in the world to use them.

That wasn't an accident. That was building on the GI bill in the 1940s, with the Higher Education Act in the 1960s, adding the Pell grant in the 1970s, to make college affordable and accessible to the widest section of Americans.

That has been the engine that has driven our growth and our economic progress over many decades. That engine is sputtering right now because of the debt that is being put on these students because the cost of college is going up.

We certainly have to reject the proposal in the House by some of our Republican colleagues that would roll back investment in the Pell grant. We have to do more to make the Pell grant accessible to more citizens, more Americans.

Second, we have to tackle this student loan debt crisis.

The Federal Government should not be generating revenue from student loan interest payments. Instead, we should be offering lower rates. That is why I introduced the Responsible Student Loan Solutions Act to set interest rates to cover our costs and nothing more, and allow for refinancing of loans that are at high fixed rates.

I was pleased to work with Senator WARREN of Massachusetts, who is an extraordinary leader on this issue, to develop a new student loan refinancing bill that would enable student loan borrowers to refinance at the rate that was enacted under the Bipartisan Student Loan Certainty Act last year.

We also have to hold loan servicers accountable for treating borrowers fairly. Students must get accurate and clear information about their repayment options, and that is why Senator DURBIN's Borrowers' Bill of Rights Act is so critically important. I am proud that he has joined us on the floor, and I am very proud to be a cosponsor of this legislation.

Third, States, colleges, and universities have to step up. They have to do more to provide the resources, to provide the efficiencies, so that we can make college more affordable for all of our citizens.

I have introduced the Partnerships for Affordability and Student Success Act to reinvigorate the Federal-State partnership for higher education with an emphasis on need-based grant aid.

One of the problems we have, frankly, is that in the 1970s, if you looked at the Pell grant, it would cover roughly three quarters of tuition at a public four-year university. Now it covers only about one-third of tuition for those who can get the grant.

If we could go back to those times where you could basically get—if you were a low-income deserving student—a grant, we wouldn't have such a crisis in student debt. So we have to make grant aid more accessible, and that requires a State, Federal, university, and college partnership. A recent report presented at the American Educational Research Association found that grant aid increased the likelihood of graduation for low-income students while unsubsidized student loans resulted in a decrease in graduation rates.

If we are worried about graduating young people from college, the one

thing we can do is take the worry of debt off their shoulders, take the uncertainty of trying to put together, cobble together, financing for education by giving them the grants that used to be something we thought were part and parcel of the American dream.

We also know that one of the main reasons tuition has skyrocketed is that State appropriations for higher education have declined. According to the State Higher Education Finance report, State spending per full-time equivalent students reached its lowest point in 25 years in 2011.

States do have to put more into their State and university college systems. I say that knowing full well the challenges the States face, some of which are the result of policies and guidance that we have given them. But if the States are not willing to put more resources in, it ultimately is shifted on to the shoulders of students, and ultimately there is only so much weight they can bear.

States have to reinvest in higher education, and we can help give them incentives to do that, rather than disincentives. I hope our legislation will do that.

Finally, colleges and universities must take greater responsibility for affordability and student loan debt. This is not something that is beyond their prerogatives. They are not helpless in this. They have to not only advise students on the best course of action—in fact, in my view, colleges, public, private, for profit, nonprofit, should be fiduciaries, really. They should operate in the best interests of students, not the best interest of the bottom line, not to make up for lost State contributions, not to sign up for esoteric deals with financial companies because they get a huge payment back in return.

Just as in the classroom, they should be trying to give these students the best education. In the financial aid office they should be giving them the best deal possible on paying for college.

To ensure that, to basically make sure that all of these institutions have some, as they say, skin in the game, I introduced the Protect Student Borrowers Act with Senators DURBIN and WARREN. I must say this is also the result of some hard lessons we learned in the financial crisis. If institutions don't have an interest in the loans they are making—in fact, if they are encouraging people to take loans they cannot afford—disaster is just days, months, weeks away. It is coming. We want them to be more responsible. So we would ask them, as the percentage of their students who default rises, that these institutions start sharing some of the risk; that they start being conscious of the arrangements they are giving, the tuition they are charging, the courses they are offering; that they have a vested interest in their students succeeding, and not the institution getting as much money as possible.

I know there are other colleagues on the floor, and I have more to say about this, but we have a great deal of work to do here. This is about a fair shot for all of our students and all of our families. Working with Senator WARREN and Senator DURBIN and my other colleagues, we are going to try to make a difference for students across this land.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I want to thank my colleague from Rhode Island, Senator REED. Senator ELIZABETH WARREN, our new colleague from Massachusetts, and Senator REED and I have started this effort, but we are welcoming ideas and supporters from both sides of the aisle to join us.

The conversation tonight on the floor of the Senate may be the most important conversation that millions of American families could hear, because we are talking about student debt. Student debt in this country has reached the breaking point. It has reached the point where the cover of Time magazine would have a question mark. It shows a student headed off to college and the comment of the question mark is, Is It Worth It?

It has reached the point where the cost of higher education is so high, the indebtedness associated with it so high, that many are stepping back now to ask that very basic question: Is it worth it, to go this deeply in debt for college courses—an associate's degree, a bachelor's degree, or more? That question would have been unthinkable in my day—unthinkable. If there was one driving idea in my mind from my mother and father, it was stay in school, go to college, do the best you can and don't quit, keep working at it. Thank goodness, for me—thank goodness, for me—the Soviet Union decided to launch Sputnik. That was the biggest break I ever got in my life and I didn't even realize it.

It was October 1957. They launched this basketball-sized satellite that circled the globe. We didn't have any rockets or satellites at the time, and this satellite, as it circled the globe, let off this beep and signaled it was out there. You couldn't hear that beep on Earth with the ordinary powers of individuals—some scientist could pick up that signal—but they heard that beep on the floor of the Senate. What happened is Members of the Senate came in here—Democrats and Republicans—scared to death. We knew Russia had the bomb and now they had satellites.

We did a lot of work. We started preparing our Department of Defense to get ready; something may be coming our way. Then something happened which was nothing short of amazing. Somebody said: If we are going to beat the Russians, if we are going to beat the Soviets, we are going to need an awful lot of educated people, and so they came up with an idea. It was the first time in history the Federal Government had ever conceived of an idea of loaning money to college students to go to school, unless you were a veteran, with the GI bill. You didn't have to be a veteran. They would loan money to students to go to college, and they called it the National Defense Education Act. Sounds right, doesn't it? If we are going to defend America, we need education. So we will loan money to students all across America to go to college.

What that did was to completely destroy the stereotypes of colleges and universities, which used to be for the very brightest and the sons and daughters of graduates. In the 1960s, after the National Defense Education Act, higher education was democratized and a young high school student from East St. Louis, IL, walked into the admissions office at Georgetown University and went to school with a National Defense Education Act loan from my Federal Government.

I didn't borrow much money because it didn't cost much money, though it seemed like a lot at the time. The deal was you borrowed it, and then, in the 10 years after you graduated—you got 1 year grace period—you paid it off in 10 installments with 3 percent interest, which I did. I borrowed money for college and law school. Did I know whether that was a good idea to go in debt for college? I didn't, other than the fact I had been told over and over and over the best thing you can do with your life is to go to college.

Fast forward 50 years. Fast forward from that experience in my youth to today. Imagine a student with the same motivation for college is sitting in an admissions office and, instead of being told they may have to borrow $500 or $1,000, they are told they may have to borrow $20,000 to go to school 1 year. Imagine a 19-year-old student making a decision about being $20,000 in debt. How in the world can they make that decision? They are still motivated, they want that college education, and so they basically say: I will sign up. The admissions officer has said classes start next week. If you sign these papers you will be in there. If you don't sign the papers, you won't be. So students are signing up.

All across America, the indebtedness these students, and many times their parents, are incurring is building up to record levels. There is more student loan debt in America than credit card debt. There are tragic stories emerging from it—stories of students deeply in debt, dropping out of school with no degree; stories of students deeply in debt finishing school unable to find a job; and stories of students deeply in debt going to semiworthless, for-profit schools with diplomas not worth the paper they are written on.

What happens at the end of the day? The debt of these students is not like any other debt. Luckily, we have as a colleague in the Senate Senator ELIZABETH WARREN, who once taught the bankruptcy course at Harvard Law School, so she can help correct me if I am wrong—at least fill in some blanks

for me here. Currently, if someone declares bankruptcy in America today, there are some debts you cannot discharge. I am going to try to remember a few of them; she can help me with the others.

You cannot discharge taxes owed to the government. You still have to pay that. You cannot discharge money you owe for alimony and child support, if I am not mistaken.

I don't know if there is another category, but I am going to add student loans here, and I yield to my colleague, with the permission of the Chair. Did I get an A on that or at least a B?

Ms. WARREN. The Senator got an A.

Mr. DURBIN. All right. So the fourth category is student loans. If you end up in debt with a student loan, it is one of the few loans in your life you can't discharge in bankruptcy. The money you borrowed for your home, yes, that is dischargeable; the money you borrowed for your car, yes, that is dischargeable; the money your borrowed for a boat, yes, that is dischargeable; the credit line you have just for your ordinary expenses, yes, that is dischargeable; but when it comes down to student loans, it is a debt you carry to the grave. You either pay it or they will hound you for as long as you live.

That is why it is different than other debts. That is why we came together and said it is time for us to look at these student loans, the amount of debt which students and families are carrying, and do something about it.

Three bills emerged. The first bill I call the student borrower bill of rights. It says when you sit down at that desk in the admissions office they have to tell you what your rights are. They have to tell you the government loan you could use to pay for your education has a lower interest rate, more reasonable terms, can be consolidated at a later point in your life, a limitation on how much money out-of-pocket you are going to have to pay based on your income, and you might have some forgiveness if you go into some areas such as teaching and nursing. You have to be told this.

Right now, students sitting across from that admissions officer are being steered into the most expensive, worst loans. So the bill I have offered—the student loan borrower bill of rights—says, first, tell them the truth. Tell them the best circumstances for them to borrow money, if they need to borrow it.

Secondly, the bill of JACK REED of Rhode Island basically says that a university has a vested interest in making sure a student doesn't borrow too darned much money; that a student doesn't get so deeply in debt they can never pay it back. That university, if they do not accept that responsibility, could be on the line themselves for some of that debt.

Think they will take it a little more seriously? You bet they will. That is the Reed bill, which I am cosponsoring.

To discuss the third bill, I wish to defer to the Senator from Massachusetts, with the permission of the Chair. It is the one that is a really critical element in this approach to dealing with student loans and student debt. With the permission of the Chair, I ask to enter into a dialogue with the Senator from Massachusetts.

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

Mr. DURBIN. I want to, at this point, yield to the Senator from Massachusetts to describe for the RECORD her refinancing proposal.

Ms. WARREN. I thank the Senator from Illinois.

It starts with the premise right where the Senator was, and that is the Federal Government, once upon a time, lent money to our students. My colleague remembers the NDEA loans that went out at 3 percent. The Federal Government was subsidizing those loans, making it easier for students to be able to borrow.

Where we have ended up today is that instead of there, we have students with outstanding student loan debt at 6 percent, at 7 percent, at 8 percent, at 9 percent, and even higher. So this isn't just to cover the cost of the loans. This is double, in some cases, what it takes, triple, in some cases, what it takes to cover the cost of the loans. That means the administrative costs, the bad debt costs—the costs of borrowing the money.

So last summer, we were looking at new student loans that were coming through—the interest rates were about to double—and Congress, Democrats and Republicans, said if the interest rate doubles up to 7 percent, that is too high. So Congress said that for all new borrowers in 2013, the interest rate would be 3.86 percent on undergraduate loans, 5.41 percent on graduate loans, and 6.41 percent for PLUS loans. Make no mistake, the government still makes money—not a lot but the government still makes money on those loans.

What we propose is to take all of the outstanding student loan debt and refinance it at those interest rates—exactly the same rates that virtually every Republican agreed to last summer, many Democrats agreed to last summer, and to say we are going to finance it down. So kids who are trapped in loans at 8 percent, at 9 percent, and even higher will be able to get these lower interest rates on their loans. It will save some people hundreds of dollars a year, it will save some thousands of dollars a year.

We propose to pay for that by enacting the Buffet rule—closing some tax loopholes on millionaires and billionaires—so we can bring down the interest rate for our students.

Mr. DURBIN. I thank the Senator from Massachusetts, and I see the majority leader is on the floor, so I will close with this:

These three proposals—students being admitted to college should be told the truth about their debt and the best way to minimize their debt; that the colleges will not loan more money than is reasonable or be on the hook themselves, if they do; and that students have an opportunity to refinance their student loans—would have a dynamic impact on student debt in America today and give working families and students a fair shot at a higher education they can afford without a debt that would cripple them for life.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding rule XXII, on Thursday, May 8, 2014, at 11:15 a.m., the Senate proceed to vote on cloture on Calendar No. 655, the Talwani nomination; Calendar No. 656, Peterson; Calendar No. 657, Rosenstengel, then proceed to consideration and vote on confirmation of Calendar No. 526, Hamamoto; further, that if cloture is invoked on Calendar Nos. 655, 656, or 657, all postcloture time be considered expired and at 1:45 p.m. tomorrow afternoon, the Senate proceed to vote on confirmation of the nominations in the order listed; further, that following disposition of Calendar No. 657, Rosenstengel, the Senate proceed to vote on Calendar No. 690, Rosenbaum, and proceed to consideration and vote on confirmation of Calendar No. 615, Mitchell, and that if cloture is invoked on Calendar No. 690, all postcloture time be considered expired and on Monday, May 12, 2014, at 5:30 p.m., the Senate proceed to vote on confirmation of Calendar No. 690, Rosenbaum; further, that upon disposition of Calendar No. 690, the Senate proceed to the consideration and vote on confirmation of Calendar No. 560, Croley; further, that there be 2 minutes for debate prior to each vote, equally divided in the usual form; that any rollcall votes, following the first in the series, be 10 minutes in length; further, that if confirmed, 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 the nominations; that any statements related to the nominations 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. Is there objection?

Without objection, it is so ordered.

Mr. President, tomorrow there will be about four rollcall votes in the morning beginning at 11:15 and as many as five rollcall votes beginning at 1:45 tomorrow afternoon.

The PRESIDING OFFICER. The Senator from Connecticut.

STUDENT LOAN DEBT

Mr. MURPHY. Mr. President, I wish to very briefly join my colleagues here

in support of the effort being led by Senator DURBIN, Senator WARREN, Senator REID, and Senator HARKIN. They have done such incredible work on behalf of students all across the country.

One of the most amazing statistics to me is a simple one. Not so long ago the United States was No. 1 in the world when it came to the number of young people who had college degrees. In a very short amount of time, we have precipitously fallen from No. 1 to No. 12 due to the fact that other countries have caught up, which is an issue in and of itself, but it also has something to do with the fact that the cost of college has become calamitous for students all across this country, and it is taking kids a lot longer to complete their degrees—many of whom are starting and never even finishing.

I am an example of the squeeze that American families are in. I don't complain about the income my wife and I make, but we are both paying back our student loans and we are saving for our kids' student loans. So I know the amount of a family's income that can be gobbled up trying to pay back prior college and save for future college, and I know where that money would go if it weren't going to pay for those two costs. For us, that money would go into the local economy.

So this is the middle-class issue of our generation, as my colleague Senator SCHATZ often says, because it is not just about families trying to pay back college and save for college; it is also about all of the places that money could go if it weren't going to the banks and the Federal Government, which are making a pretty profit off of this system as it is.

Finally, I will make a pitch for a piece of legislation that Senator SCHATZ, myself, and Senators MURRAY and SANDERS have introduced because I think we need to have two conversations. One is about making sure we reduce the financial burden for families, but there is also a conversation we need to have about putting pressure on schools to reduce the ticket price, the sticker price of attending college. We, frankly, haven't done a very good job of leveraging the $140 billion we spend on financial aid to pressure colleges to do the right thing.

There is one for-profit college in California that takes in 1.6 billion every year of taxpayer dollars, and the average student there spends only 3 months on campus because they start school and never finish it. Their loan default rates are above 30 percent. That is a terrible investment for those kids but also for the Federal taxpayers' dollars.

Our piece of legislation—which we hope will be considered in the broader reauthorization of higher education statutes in this country—would say it is time we hold colleges to a different standard and force them to get serious about costs and quality. In the end, that will be just as helpful—keeping control of quality and cost at our colleges—as the effort being led by so many of my colleagues on the floor here tonight.

I am very glad to join in this effort. It is a personal cause for me and my family given that we are living this reality today but one that is a much greater imperative for all families who have been struggling with this burden across the State the Presiding Officer and I represent.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I am going to be very brief, and I will come back tomorrow to speak at greater length.

One of the things Americans know is that college is becoming more of a necessity and is getting to be priced like more of a luxury. We can't have that. When college is a ticket to success—not just income success but even recent surveys show longevity and happiness—it is a crying shame when any American deserves to go to college but doesn't go or doesn't go to the right college because he or she can't afford it. We aim to change that in a variety of ways, but the one Senator WARREN has talked about and taken the lead on is in terms of refinancing.

It is absolutely outrageous that students who got out of college in the last 5 to 20 years are paying 8 percent, 9 percent, and up to 13 percent in interest. If they took out a loan today, they would pay 3 percent or 4 percent. This puts huge burdens on their shoulders in their prime earning years and their family-forming years. It crimps the housing market because if you have $30,000 in student loans, you are not likely to take out a $100,000 mortgage.

So all we are asking for is a fair shot. If you deserve to go to college, you should have a fair shot at affording college. And if you have gone to college, you should have a fair shot at being able to pay your debts and live a decent life. It is very simple.

We Democrats are focusing our attention on what the average American needs, giving the average American a fair shot. And there is probably no place where that fair shot is less attainable than in college affordability and in acquired student loan debt.

I hope people will listen to us in the next several weeks. I hope my colleagues on the other side of the aisle—unlike on minimum wage or equal pay—will join us in coming up with a bipartisan proposal. I hope we can do something for these students—those who have already gone to college and are paying disproportionate interest and those who are going to college and need to afford it. Everyone deserves a fair shot in America, and they certainly deserve a fair shot, if they have earned a place in college, to afford that place in college.

I look forward to continuing this discussion and debate in the next several weeks to come.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, I commend the Senator from New York and all of my colleagues who have been here.

Forty million borrowers in this country have student loan debt. Student loan debt is exploding, and it threatens the financial stability of our young people and the financial stability of this country.

I am pleased to see so many of my colleagues here tonight talking about this problem because, make no mistake, this is an emergency. Outstanding student loans now total more than $1.2 trillion, and millions of young people are struggling to keep up with their payments.

It doesn't have to be this way. Congress set artificially high interest rates on old student loans which generate extra money for the government. The GAO recently projected that the government will bring in $66 billion on just the slice of student loans issued between 2007 and 2012. Those are the kinds of profits that would make a Fortune 500 CEO proud.

These young people didn't go to the mall and run up charges on a credit card. They worked hard and they learned new skills that will benefit this country and help us build a stronger America. They deserve a fair shot at an affordable education, and we can give them immediate relief by cutting the interest rate on existing student loans. We should cut those interest rates and cut those government profits.

Yesterday I joined with 27 of my colleagues to introduce the Bank on Students Emergency Loan Refinancing Act, which will do just that. The idea is simple. With interest rates near historic lows, businesses, homeowners, and even local governments have refinanced their debts. But a graduate who took out an unsubsidized loan before July 1 of last year is locked in to an interest rate of nearly 7 percent. Older loans run 8 percent, 9 percent, and even higher. We need to bring those rates down, and we need to do it now.

Bank on Students would allow student loan borrowers the opportunity to lower their interest rates on old loans to match the rates the government offers to new borrowers—3.86 percent on undergraduate loans, 5.41 percent for graduate loans, and 6.41 percent for PLUS loans.

I wish to be clear. These rates are still higher than what it costs the government to run its student loan program. Our work will not be done until we have eliminated all of the Federal profits on these loans. But this legislation is an important step in that direction, and it is a step both Republicans and Democrats should support.

Last year nearly every Republican in Congress—in the House and the Senate—voted for the exact same loan rates in this legislation. If Republicans believe that 3.86 percent is good enough for new undergraduate borrowers, then

it should be good enough for all existing undergraduate borrowers. There is no reason on Earth to say some kids can get a better deal than others when they all worked hard to do exactly what we wanted them to do—get an education.

This legislation won't add a single dime to our deficit. The Bank on Students legislation adopts the Buffett rule, which limits tax loopholes for millionaires and billionaires. Every dollar we bring in as a result of that change will go directly to supporting lower interest rates on existing student loans.

We only introduced this bill yesterday, but we are already getting a great response. Think tanks such as Demos, student groups such as Young Invincibles, teacher groups such as the American Federation of Teachers and the National Education Association have all come forward and endorsed this proposal. Letters and emails and phone calls are already pouring in. I am also encouraged by the fact that some Republicans have also come forward to say they are open to considering a refinancing proposal.

I want to be clear. This should not be a partisan issue. I am eager to work with any of my colleagues who believe we need to do something about the growing student debt crisis. If the Republicans have issues with this proposal, if they want to suggest different offsets or policy changes, they should bring their ideas forward. What we can't do is continue to ignore this problem and hope it will go away on its own.

Congress made this mess by setting artificially high interest rates that are crushing our kids. It is Congress's responsibility to clean it up.

I don't kid myself. Refinancing will not fix everything broken in the higher education system. But the need for comprehensive reform must not blind us to the urgency of addressing the massive debt that is already crushing our young people.

This is personal for me. I grew up in an America that made it a priority to invest in its young people and the opportunity to go to college. An affordable college and affordable loans opened a million doors for me. I will keep fighting to make sure every kid who works hard and plays by the rules gets a fair shot.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Connecticut.

HONORING LORI GELLATLY

Mr. BLUMENTHAL. Mr. President, I am tremendously honored to follow my colleague from Massachusetts, Senator WARREN, who has so zealously and thoughtfully developed a program that deals with the breaking, calamitous burden of student debt which affects so many of our young people across this country, including my State of Connecticut, and I thank her for her great work.

I wish to talk about that issue following the very eloquent remarks of my colleagues, Senators DURBIN, REID, BROWN, as well as SCHUMER and Senator WARREN, to be followed by Senator BALDWIN. But first I wish to take a moment or two to express my deepest condolences for the family of Lori Gellatly, who was shot and killed today in Oxford, CT. This tragedy is not only saddening but shocking because Lori is dead and her mother is seriously wounded and in very dire condition. They were shot by her estranged husband who was under an ex parte restraining order from a judge and who is suspected. All we have right now are allegations of his committing this atrocious crime. My heart goes out to their family and to their children. She left two children behind.

There will be time to talk about the lessons we can learn from domestic violence like this shocking infamy. In her application for the restraining order she described a violent altercation with her estranged husband which made her ''afraid for her kids and herself.'' She was granted an ex parte order but it was only temporary. A hearing to consider a permanent restraining order was scheduled to take place literally tomorrow. Connecticut law prohibits anybody who is the subject of a full 1-year restraining order from possessing a firearm. Federal law has applications as well to individuals under a permanent restraining order, but this prohibition does not extend under Connecticut law to an individual who is subject to an ex parte order.

I recently met with Representative Gabby Giffords to discuss the nexus and close connection between the issue of domestic violence and gun violence. Together with my colleagues Senators MURPHY and DURBIN we discussed this problem and potential remedies. In this calendar year alone five other homicides have taken place stemming from intimate partner violence in Connecticut alone. So the issue of temporary restraining orders is an even more acute aspect of this problem. According to the Domestic Violence Intervention Program, women in abusive relationships are more than 7 times more likely to be killed by an intimate partner after 2 weeks of leaving the relationship than at any other time. We ought to do much more to protect victims of domestic violence during this extremely vulnerable time—indeed a time when they are most vulnerable.

While we will have time in the future to discuss this tragedy, right now my heart, my prayers, and my family's thoughts go out to Mary Jackson, Lori's mom, as well as Lori's two children and all of the family, and my thoughts and prayers are with them.

STUDENT DEBT

Mr. BLUMENTHAL. Mr. President, I would like to proceed with remarks on the student debt and loan issue, and I will be brief because I know it is late. There have been some very remarkable and eloquent remarks and personal stories about the meaning of college education.

My dad came to this country in 1955 at the age of 17 without even a high school degree. He never had one. He spoke very little or no English and had virtually nothing more than the shirt on his back and knew no one. Throughout his life one of his highest aspirations was for his children, my brother and me, to have a college education. He valued it almost more than anything else that he could hope for us to have. It was part of his dream. For him and countless immigrants and countless working men and women born in this country for decades, a college education has been part of the American dream, part of the fair shot that every American should have, an economic opportunity at self-fulfillment and developing their full potential because that is what education helps us to do. That is the reason why Americans are going into debt at unprecedented levels, because they believe in that American dream and the fair shot that it gives people through opportunity in this greatest Nation in the history of the world. It is part of our DNA as Americans that we aspire to educate and fulfill all of our potential, which benefits not only us but the whole country and all of our society.

The average level of debt in Connecticut is about $27,000—calamitously bad not only for those individuals but also for our Nation. For the individuals it means that financially crippling burden stops them from marrying at the time they wish, having children when they might like, starting businesses, buying homes, and moving forward with their lives. Who can start a small business with tens of thousands of dollars of debt? Risk taking is constrained and straitjacketed. People's personal lives are affected and changed forever.

Student debt today has increased concurrently to approximately $1.2 trillion in this country. What we are doing in this proposal by providing a fair shot to those folks who have debt now and those who will incur it in the future is simply enabling them to do what people are able to do with other kinds of debt, whether it is their homes or their cars—to refinance so that they get the benefit of lower interest rates so they avoid that financially crippling burden saddling their lives so that they are able to buy homes, start families, and begin businesses in ways that benefit them and everyone in our society.

There is another dark side of this conversation which is that the American government profits off the backs of students who have incurred debt and who are beginning their lives in debt right now. In fact, the United States profits from these loans even at 3.86 percent. So the stark crass fact is that even with this relief that we are suggesting and proposing and agitating to

give to these students who have debt now, graduates that are out there with debt with 8, 10, some 11 or 12 percent interest rates, the U.S. Government will still make money from those loans—less money but the loans are still profit-making.

We should regard higher education as an investment in the future and not a revenue source or profit source. We should regard students as an investment—a personnel investment, a human resources investment, to put it again in crass business terms—that will pay off for years, not as immediate profit centers. That kind of wise investment looks beyond this quarter or next quarter. It looks to the human revenue in quality of life and contributions and new inventions that will change our lives for the better, in a more productive workplace that will make our companies more successful and profitable.

I hear from people all around the State of Connecticut. I got a stirring and moving email today from Bob in Naugatuck who told me his granddaughter has a student loan that he has cosigned and therefore he is potentially liable for it. Dean told me about his master's degree and that he is $55,000 in debt, struggling to support his family with his wife. Between them they have four jobs.

Alese, a mother of three, went back to school when her children were young because she ''wanted to make sure they had an example to follow when they finished high school.'' She is now $46,000 in debt.

As much as our economy is recovering, these folks are in danger of being left behind.

There are other measures that we should adopt, such as the uniform forms for college costs that will fully inform people about what debt they are incurring, the Pell grant expansion, the bills mentioned for net price calculated, and expanding other types of grants. We should take a step forward to provide a fair shot for all Americans in this measure that enables refinancing of loans that otherwise will crush our human potential and leave us poorer as a Nation.

I thank the Chair, and I yield the floor for my distinguished colleague from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I rise today to speak about a growing crisis in our Nation that threatens our economy and the future strength of our country. A college education should be a path to the middle class, not a path to indebtedness. But today America carries the burden of $1.2 trillion in student loan debt.

In my home State of Wisconsin almost 70 percent of the students graduating from 4-year institutions will have student loan debt, and the average debt amount will be $28,000. This is real money. This is real money that isn't going into growing our economy at a time when we desperately need economic growth. This is real money that isn't going towards buying a student's or graduate's first car or first home.

The total amount of student debt in the United States has tripled in the last decade, from $363 billion in the year 2005 to over $1 trillion today. At the same time Federal financial support for students has not kept up with the need. The Pell Grant once covered $7 out of every $10. Today it covers $3 out of every $10 in college costs. In addition many States have scaled back their investments in higher education. The fact is that State investment in higher education has declined significantly over past decades, which has exacerbated the problem, particularly as States struggle to balance their budgets in these tough economic times. Their investments in students have decreased, meaning higher tuition, fewer grants, and fewer scholarships.

I heard from Wisconsin students that the cost of a higher education in my State puts college out of reach for too many. Thirty years ago undergraduate tuition at the University of Wisconsin-Madison campus was about $1,000. Today it is well over $8,000, and it is not just in my home State of Wisconsin. Across the country tuition at public 4-year colleges has tripled. This all means that more students are borrowing through Federal student loan programs to cover the high cost of a higher education. For students in the University of Wisconsin system, unmet need after grants and scholarships is over $9,000, nearly doubling in the last decade. Yet the Federal Government limits on subsidized loans have remained relatively stagnant over those same 30 years. In many cases the limit on what a student can borrow through the Stafford Loan Program means their loans will not even cover the cost of tuition, let alone other significant college expenses. The promise of a higher education has instead become a burden that has fallen squarely on the shoulders of students and their families.

Today, reflecting the trend of shifting costs onto students, 44 percent of college operating expenses are paid through tuition. Nationwide, 49 States, including my home State of Wisconsin, are spending less on higher education than they did before the great recession. Wisconsin has seen a 20-percent decline in State spending on higher education since 2008 while instate tuition has increased by almost 6 percent over the same time period.

It has not always been this way, and we seem to have lost touch with the American idea of building a path to the middle class by making a strong investment in higher education and giving Americans a fair shot at upward mobility.

In 1944, starting with the compact to returning soldiers from World War II made through the GI bill, our Nation made a commitment to future progress by investing in education. Between 1944 and 1951, 8 million veterans received education benefits, including many former distinguished Members of this body.

In 1958 President Dwight Eisenhower, a Republican, signed the National Defense Education Act, providing loans for college students and funds to encourage young people to enter teaching careers—the precursor to our current program for student loans.

President Lyndon Johnson built upon this legacy. A cornerstone of the Great Society was a path to the middle class through a college education. The Higher Education Act of 1965 gave us the Federal Student Loan Program, known today as the Stafford Loan Program, and the Educational Opportunity Grant Program, known today as the Pell Grant Program. This generation of Americans and lawmakers lived in trying times. Yet they still had the foresight to make the hard choices, the choices necessary to invest in the future—our future.

Throughout our Nation's history, the Federal Government has made major investments in expanding access to higher education for all people willing to work hard to pursue their dreams. Unfortunately, in recent years we have neglected that proud legacy.

Recently, Congress lowered interest rates for new borrowers but not for those borrowers who are stuck paying back old loans with much higher interest rates, be they public or private. Further, for those who are in true financial distress, Congress has made discharging loans in bankruptcy nearly impossible, first by eliminating this option for Federal loans in 1995 and then for private loans as well in 2005.

Tonight we are giving a voice to the debt crisis that faces millions of American families and students. Tonight we are giving voice to a number of solutions that can address this crisis if we work across party lines.

I believe Congress must take action, and that is why I am proud to join my fellow freshman colleague Senator WARREN as a cosponsor in support of the Bank on Students Emergency Loan Refinancing Act. This legislation would allow those with outstanding student loan debt to refinance their debt at the lower rates currently offered to new borrowers. It is simple. It is paid for by making millionaires and billionaires pay their fair share in taxes to give our students a fair shot at a bright future, and it will help strengthen the economic security of American families who are struggling with this debt.

I believe making college affordable is one of the most important steps we can take toward rebuilding our middle class and breathing new life into the American dream. I want to live in an America where everyone has a fair shot at getting ahead.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, it is an honor to stand here with a chorus of my colleagues speaking about an issue that goes to the core of the idea of this country; that is, every generation will be better than the one before. It is the idea that in this Nation we should lead globally in enriching the lives of our citizenry.

The Presiding Officer and I talked a few seconds ago. He said he was going home after this to put his kids to bed. I hope the Presiding Officer doesn't mind me sharing that. I know the Presiding Officer is going to teach his kids the same thing my parents taught me: Work hard and play by the rules so you can go to college and try to achieve your dreams.

When I have traveled all over the State of New Jersey—North Jersey and South Jersey, from urban towns to suburban towns and even rural towns—I have heard the same kind of frustration, which is the rising costs of college. Not only that, I see more and more people who try to take on the challenge of paying for those rising costs and find themselves saddled with staggering debt. The facts reflect the sentiments, frustrations, concerns, and anguish that I hear.

Today the average student graduates from college with around $29,000 in loans. That is up from an average of $27,600 in 2011 and $23,792 in 2010. In fact, right now in New Jersey 16 percent of my constituents are carrying student debt. That is over 1 million New Jerseyans who are weighed down by this significant financial obligation.

Let me put this in perspective because it has a ripple effect within our economy. Take, for example, our housing. Housing is such an important driver to economic development, and it is an important driver to jobs. Owning a home is a dream many people in America have as well. Well, the reduced purchasing power due to high student debt levels is holding back people's ability to help drive our economy forward.

The housing industry, which is still recovering from a crisis, is an example. The National Association of Realtors cited student loan debt as a primary reason for the decline in housing purchases among first-time buyers. Of 20 percent of first-time buyers who find it difficult to save for a downpayment, 54 percent of first-time buyers said student loans make it tough to save money. According to a recent survey by the National Association of Realtors, about half of all the people polled in a survey said student debt was a huge obstacle to buying a home. According to the Federal Reserve of New York, from 2009 to 2012 home ownership rates fell twice as much for 30-year-olds who had a history of student loans than it did for those who don't.

This is a problem which is impacting families, and it is stifling people's ability to participate and make our economy robust. It is making job growth a challenge. It has many different layers.

What I want to focus on for the last few moments is my desire to keep America No. 1. When it comes to educating our populous, we should be and have been historically top in the globe, especially at the higher education levels. When we created programs that many of my colleagues have cited—I heard Senator DURBIN speak about programs that literally took him from a lower middle-class environment to achieving his dreams. Accessing affordable college loans allowed him to achieve his dreams. We created these programs because we understood that the workforce in this Nation is essential for economic competitiveness. Indeed, in a global knowledge-based economy, it is the knowledge of the people that drives the economy forward. Without highly skilled workers, America simply won't be able to compete in this new global economy. This wisdom has been understood for decades, for generations. You educate your workforce to the highest levels on the globe, and your economy will lead the globe.

Well, today we are seeing challenges, and we are seeing this reality change. Today the average price of a college degree in the United States has climbed to $13,856. Compare that with some of our critical global competitors. Take the UK, for example. In the UK, the average cost is $5,288 for a higher education. Take Germany, another one of our global competitors. German students pay a mere $933. Those competitive economies understand that they don't want to put up barriers so their young people can learn. They want to remove them.

The cost of college in America puts our young people at a severe disadvantage compared to their peers around the world. It is not a level playing field. We are asking our kids to compete globally, but we are putting up barriers that are unique to this economy.

When the cost of college in the United States is now more than 51 percent of the median income in America—let me say that one more time. The cost of college in America is now 51 percent of the median income in America, while the cost of college in Germany is just 4.3 percent of that country's median income. When the United States has one of the highest percentages of adults—we are one of the top in the globe for adults 55 to 64. That generation of Americans which had the kinds of student loan programs and opportunities Senator DURBIN talked about are at the top, but only 43 percent of Americans ages 25 to 34 have a degree. Instead of that younger group being at the top, America has now—compared to our competitors—fallen to 16th place globally.

In other words, older Americans who benefited from a rational system of affordable college and abundant affordable loans are leading. Madam President, 55- to 64-year-olds are leading the globe in the percentage of population with a college degree. The younger we are getting in our country, the lower we are falling in our competitiveness with our competitors in terms of the kids who have college degrees. We wonder why that is. It is because the ability to afford college has been getting more and more difficult.

I am encouraged by my colleagues. We should be doing everything to encourage forthcoming generations to pursue higher education so we don't slide further in global rankings and compromise our long-term ability to compete. That is why I am standing here right now. That is why I am proud to cosponsor Senator WARREN's newly introduced legislation, the Bank on Students Emergency Loan Refinancing Act, which would allow those with outstanding student loan debt to refinance at the lower interest rates currently offered to new borrowers. It simply allows them to refinance loans the way you can with a mortgage and other types of loans. This will make us more competitive.

I commend a lot of my colleagues who spoke here. I especially commend Senator HARKIN, Senator REED, and Senator GILLIBRAND, who have been so active in calling attention to this issue.

We cannot afford for the cost of obtaining a higher education to be decades of crushing debt. It is unacceptable. The legislation we are talking about today seeks to lighten the burden on student borrowers and to put money back in their pockets and to help fuel our economy but, more importantly, to help everyone understand that in this Nation we are still doing everything possible to lead the globe in education.

There is a lot of work to do. My team is trying to focus on some issues I saw as mayor. For example, when I was mayor we worked with schools and financial aid counselors to help families simply fill out these forms that are necessary to obtain aid.

The College Board estimates that 2.3 million students do not fill out the free application for financial aid form, better known as the FAFSA form. They don't fill it out because of its complexities. They don't fill it out because of issues that make it difficult to even report what is necessary. As a result, many qualified students are skipping this process because they find it complex and burdensome. They are not even getting into college, not even afforded that pathway to cultivate their genius and apply it to our economy.

So much more can be done. This should be a national call to make college as affordable in this generation as it was for past generations. Past generations in America led the globe and drove the top economy on Earth because of that education, but now we are raising the wall and shutting out more of our young minds from this pathway because of unaffordable colleges.

For individuals, a college education translates to more than just odd job opportunities, more than just higher earnings, it is an ascent up the economic ladder.

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

Mr. BOOKER. Mr. President, I will conclude with this: In a recent study, it was found that the United States could add $500 billion to the gross domestic product over the next 15 years by increasing the number of workers with postsecondary education by 20 million—more workers, a greater economy, a more successful America, and a nation that leads the globe. Let's do and learn from what our parents and grandparents knew and did in this body and around the Nation.

Let's make college affordable for our citizens.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, on the Senate floor we have been focusing on policies that give Americans a fair shot, bills that would help to reverse the growing trend of income inequality and create more opportunities to climb the economic ladder, the idea that if you work hard and plays by the rules, you can do well for your family and you can create a better opportunity for your children and their children.

Making college more affordable and reducing student loan debt is central to these goals. In fact, I think it is the middle-class issue of our generation.

It is hard to get ahead nowadays without a college degree, but the cost of college is growing faster than the cost of all other consumer goods—twice as fast as health care costs.

The growing cost of college is preventing some from getting a degree in the first place and leaving others with unmanageable levels of debt. This is the middle-class issue of our time.

Students have taken on more than $1 trillion in debt to cover the cost of college. Student debt is now the fastest growing and highest consumer debt burden behind mortgages.

This debt burden is not sustainable. Saddled with this debt, young adults are delaying starting families, buying homes and cars, and starting new businesses. The rate at which students are failing to repay their loans is alarming. Over one-third of borrowers who are in repayment are delinquent on their loans by 90 days or more. One-third of borrowers are delinquent.

One of my constituents from Wahiawa, HI, took out a loan to help their son go to college. The loan was for $92,000 in 2006. Today they owe $143,000. This local resident says:

> The interest compounds. It's like a loan shark, pretty close. There's no way out. No way to pay it, ever.

We are hearing these stories far too often from many families in Hawaii and across the country, and they need our help. A college education is supposed to be a path to opportunity and the American dream, not a life of debt. It is clear our current system is not working.

The Federal Government is giving $140 billion a year in financial aid to institutions of higher learning in Federal grants and loans. That is good, not bad. Higher education is the straightest line for us to develop the workforce we need and for people to move up the economic ladder, but with that $140 billion we should be making college more affordable for students. Instead, we are getting the opposite result for the $140 billion.

Average Pell grant awards have increased by almost 20 percent in the past 10 years. In that same time period, Pell grants covered 25 percent less of the average public school's tuition and fees. We are paying more and we are getting less. There is a growing gap between the financial aid that is available to students and the cost of college. To fill that gap, students are loading up on debt.

Last summer, Congress passed a bipartisan student loan compromise that lowered the student loan interest rate for new borrowers, but millions of student borrowers were left out of that deal and are paying much higher rates.

I am proud to join Senator WARREN in introducing the Bank on Students Emergency Loan Refinancing Act. This bill will allow students with outstanding student loan debt to refinance at the same low interest rates offered to new borrowers under the bipartisan student loan compromise.

That is fair. Students struggling with student debt deserve to get the same deal Congress is giving to new borrowers. But when we talk about making colleges more affordable, we need to remember that lowering student loan interest rates is only part of the problem. It is not just the interest; it is the principal.

We need a bold long-term plan to bring down the cost of college. That is why I introduced the College Affordability and Innovation Act with Senators CHRIS MURPHY, PATTY MURRAY, and BERNIE SANDERS. The bill is about holding schools accountable to taxpayers and students. We want to reward those schools that are focused on affordability and give incentives for the rest to make affordability part of their mission. If you are a college, you can have whatever mission you want, but you have no special right to Federal funding.

Our bill says, very simply, if you receive Federal dollars, part of your mission must be about affordability and access. There are potentially billions of dollars that are not being used wisely.

As we invest in higher education—and we should, through student loan subsidies and Federal financial aid—we should make sure schools are actually fulfilling our Federal public policy goals of making college more affordable and more accessible for all students.

Let's work together to make sure a college education is a path of opportunity for all students and not a life of debt.

NATIONAL COMMISSION ON THE FUTURE OF THE ARMY ACT

Mr. LEAHY. Mr. President, yesterday Senator GRAHAM and I introduced a bill to establish a National Commission on the Future of the Army, an independent panel that will bear the responsibility of analyzing some major changes to the U.S. Army that were proposed in the President's budget. The Army's budget for Fiscal Year 2015 sets a path toward major, irreversible changes to Army capacity and capability, particularly in the Army National Guard and Army Reserves, that cannot be ignored by the Congress.

Senator GRAHAM, my fellow co-chair of the Senate National Guard Caucus, has said repeatedly that these changes fundamentally alter what it means for the National Guard to be a combat reserve of the Army. The changes would also render the Nation's operational reserve insufficient in its ability to retain gains in experience and readiness that the reserve has achieved over a decade of continuous deployment. Most dramatically, these changes would transfer all of the National Guard's AH–64 Apaches to the active component, leaving the Nation without any combat reserves for one of the aircraft most essential to ground operations.

But the changes that the President's budget proposal would begin to make next year go much deeper. They would eventually reduce the Nation's Army National Guard to 315,000 soldiers, the fewest in decades. The Chief of Staff of the Army, General Odierno, testified before the Appropriations Committee's Subcommittee on Defense that this number is too low.

General Odierno said that, at that level, if any of our assumptions about future conflict were wrong—that is unless operations were short, decisive, and did not require significant sustainability—then we would not be prepared. Our Nation's defense would be ill-prepared for future conflicts in the mold of past conflicts like Afghanistan, Iraq, Vietnam, or Korea.

No one needs to be reminded of the tight fiscal constraints our government currently faces, and that sequestration, unfortunately, remains the law of the land. Simply barring any changes from taking place in America's Army is not an option. The legislation that Senator GRAHAM and I propose will allow several of the Army's proposed cost-avoidance measures to move forward, while permitting time for a commission to study the major and truly controversial changes that have been proposed.

In addition to tasking the commission with considering overall size and force mix of the Army, this legislation calls for an evaluation of force generation assumptions. That is because the policies put into place during 13 years of war are not the same as those that will be needed post-drawdown, and determining the right modifications is essential to planning for the use and structure of the Army of the next decade.

Congress, under the authorities granted by the Constitution, has a responsibility to both raise and equip armies, and to regulate that portion of the militia which is called into Federal Service. When a budget proposal makes changes in those areas that are as considerable as these, it is entirely appropriate for Congress to hit the pause button and to ask for a second look.

We look forward to working with Members on both sides of the aisle to ensure that we properly balance and size the Army, and that we do not repeat past mistakes by needlessly discarding the depth of our forces.

TRIBUTE TO LEWIS D. CARTER JR.

Mr. MCCONNELL. Mr. President, I rise today to honor an accomplished educator from my home State, the Commonwealth of Kentucky. Lewis D. Carter Jr. will retire from his position of superintendent of the Monroe Country Schools on July 1—nearly 40 years after beginning his career in education.

An intense passion for education runs throughout the Carter family. Lewis's grandfather was the first in the family to hold the post of superintendent of the Monroe County Schools in the early 1900s. His father also held the position for 28 years until his retirement in 1980, and his great-aunt and his great-uncle held the same position near the time of his grandfather. For Carter, teaching the next generation of children might as well be ingrained in his DNA.

Carter got his start in 1975 teaching health and PE. Since then, he has held positions across the education field. In 1991, he was made principal of Tompkinsville Elementary School. In 1994, he began 10 years as the director of adult education, in addition to coordinating the School to Work program. More recently he served as the deputy executive director of the Kentucky Education Cabinet—an assignment that immediately preceded his current position.

Carter will have plenty to keep him busy in retirement. In addition to his large family he and his wife of 42 years, Sheila, have two children and six grandchildren—Lewis will let you know that he has a ''hunting, fishing and golfing list'' that requires his attention.

While Lewis can look forward to some much deserved fun in his retirement, he will be sorely missed in the Monroe County School System. Lewis's big heart and passion for education serve as an example for us all. I ask that my U.S. Senate colleagues join me in honoring this exemplary citizen.

Mr. President, The Daily Times recently published an article chronicling Lewis D. Carter Jr.'s career. I ask unanimous consent that the full article be printed in the RECORD.

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

[From the Daily Times, April 11, 2014]

CARTER WILL RETIRE

(By Gina Kinslow)

After five years as superintendent of Monroe County schools, Lewis Carter is stepping down.

Carter announced his retirement Thursday night during the Monroe County Board of Education meeting. It becomes effective July 1.

After making his announcement, staff members and others present for the meeting, applauded and gave him a standing ovation.

Carter cited his age as one reason for retiring. He is 62. ''I think it's time [to retire],'' he said. ''I feel like it's time.''

Another reason for retiring is the success the school system has achieved in the last five years.

''I want to make sure when I retire that everything is good,'' he said.

Carter read a lengthy list of accomplishments for the school district before announcing his retirement.

''When I first came here, we set goals as the whole administrative staff,'' he said. ''We met every single goal without exception. When our team met the last goal, I said to myself, 'That's good.' That was in December.''

That last goal was seeing Monroe County High School become a high-achieving school and being listed in the 94.6 percentile.

''When I came here, we were like in the 28 percentile,'' he said.

Carter pointed out successes achieved by other schools in the district, including Monroe County Middle School becoming a national school to watch and being named one of the top-10 achieving middle schools in the state.

He noted Tompkinsville Elementary has been named a Blue Ribbon School nominee and Gamaliel Elementary won the Winners' Circle Choice Award in the Kentucky Tell Survey. GES was also recognized by the Kentucky Department of Education as an honor school two years in a row.

Joe Harrison Carter Elementary was named the overall winner of the Governor's Cup academic competition and has been recognized as K-PREP [Kentucky Performance Rating for Educational Progress] progressing school.

Toby Chapman, school board chairman, learned of Carter's retirement plans on Tuesday and said the news came as a shock.

''He had another year on his contract. I thought he was going to stay, but evidently he's ready to go,'' Chapman said.

Carter had a two-year contract with the school board to serve as superintendent.

Chapman praised Carter for the good job he has done as superintendent.

''I won't say we've always seen eye-to-eye on everything, but we've always worked out what was best for the kids,'' Chapman said.

Carter succeeded Rachel Ford and Liz Willett, who served as interim superintendents, following the resignation of George Wilson as superintendent.

Prior to becoming superintendent of Monroe County schools, Carter served as deputy executive director of the Kentucky Workforce and Education Cabinet. He also served in many roles for the Monroe County school system during his career, including as assistant principal and then principal of Tompkinsville Elementary.

He began his career in education in 1975 teaching health and physical education, as well as coaching school athletic teams.

As for his retirement plans, Carter said, ''I have a hunting, fishing and golfing list. I plan to have fun.''

Dr. Michael Carter, school board member, said he will miss Carter.

''Lewis has always been a great spokesman for our school and I know he truly cares about our schools and our children,'' he said. ''I don't think we will find anybody who cares more than Mr. Carter does.''

Eddie Proffitt, also a school board member, said Carter has done a lot for the school system.

''He was a good superintendent. He will be hard to replace,'' Proffitt said.

The search for a replacement will begin as soon as possible.

''e're going to meet with Lewis tomorrow. We are going to call a lawyer and get the ball rolling, so probably in the next couple of weeks we'll be advertising for applications,'' Chapman said.

He hopes to have a new superintendent hired by the first of June, so they can spend a month working with Carter, since his last day will be June 30.

CONDEMNING ABDUCTION OF FEMALE STUDENTS IN NIGERIA

Mr. NELSON. Mr. President, the recent kidnappings of over 200 schoolgirls in Nigeria by Boko Haram, a terrorist organization whose name translates to ''Western education is sinful,'' has captured the world's attention and stirred global outrage.

These girls were abducted from their classrooms at gunpoint and their captors are now reportedly threatening to sell them into child marriages and slavery.

The Senate unanimously approved a resolution condemning Boko Haram for kidnapping these young girls and terrorizing the people of Nigeria, and Secretary of State John Kerry has publicly condemned the kidnappings, calling them an ''unconscionable crime'' and pledging our assistance.

Such inhumanity simply cannot be tolerated. As a nation, we must do all that we can to assist the people of Nigera and help them find these missing children.

Our thoughts and prayers are with them, and I am hopeful they will be reunited with their families soon.

HONORING ISRAELI PRESIDENT SHIMON PERES

Mr. MCCAIN. Mr. President, today I was honored to take part in a ceremony honoring Israeli President Shimon Peres. I ask unanimous consent that the remarks I made at the ceremony be printed in the RECORD.

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

[May 7, 2014]

LUNCHEON IN HONOR OF SHIMON PERES

REMARKS BY SENATOR JOHN MCCAIN

It is my pleasure to join all of you today as we honor President Shimon Peres, one of the bravest and most principled political leaders of our time. I was honored to join with my colleagues in the Senate to pass legislation bestowing the congressional gold medal on this great man. I was not surprised when that legislation passed unanimously, and it my hope that our colleagues in the House will move forward with their own legislation soon.

President Peres deserves this honor. The story of his life is entwined with the story of

the birth and development of the State of Israel, and in him we see the essence of Israel itself—an invincible spirit that cannot be denied. Through his determination, his strength and perseverance, and his profound compassion, President Peres enabled a seemingly impossible dream to become a reality and changed forever the destiny of the Jewish people.

Even as a young man, Shimon Peres showed a dedication to public service and a commitment to the pursuit of justice and peace. He was an active leader in the ''Working Youth'' group, he founded a kibbutz in the Jordan Valley, and became a member of the Haganah [hah-gah-nah]—all before he reached 21.

Over the course of his seventy years of public service, President Peres has served as a member of the Knesset for 48 years and held virtually every position in dozens of cabinets, serving in nearly two dozen ministerial posts including twice as Prime Minister, and as Defense Minister, Treasury Minister, and Foreign Minister. He was then elected as the ninth President of the State of Israel, the position he holds today.

I have met many brave and inspiring people in my life, but there are few who have done more to preserve freedom for future generations than Shimon Peres. He recognized that the highest duty of leaders is to protect and preserve the freedom and security of their people, even in the face of hostility and in the face of doubt and disappointment. And this is just what President Peres has done, not only for the Jewish people but for all people.

He has been a leader for strength, building Israel's military and defense capabilities. He has been a leader for prosperity, helping make Israel one of the strongest economies in the world today. And he has been a leader for peace, making difficult and sometimes unpopular decisions in persuading the Palestinians to pursue negotiations and find peace for all, standing by his belief that all children, both Israeli and Arab alike, deserve the chance to grow up and grow old free from the threat of violence and tyranny.

In the time that I have known Shimon Peres, I have been inspired by his statesmanship, leadership, courage and civility. And among his many virtues, I have been most inspired by his idealism. Shimon Peres has always been a dreamer. He once said that ''dreaming is only being pragmatic''—words that drew criticism from some and laughter from others.

But he is right, of course. It is difficult to understand how someone who has witnessed such unspeakable horrors in his life can still place such faith in dreams. But it is due in part to his optimism and idealism, and his willingness to serve on behalf of those dreams, that Israel exists today. By never giving up on his dreams, Shimon Peres reminds us that we do not need to give in to complacency or cynicism—and why we can't afford to.

So I join all of you in recognizing the great achievements of Shimon Peres. And I thank you for devoting your time to honor this great man. With your help, it is my hope that our friends in the House will complete the necessary legislation, and all of us in Congress will be able to join together to express the abiding affection and admiration that we and the American people have for one of Israel's most distinguished sons—a man whose inspiration and impact will endure far beyond the generations who have witnessed them.

RECOGNIZING MARRINER S. ECCLES

Mr. HATCH. Over time, many Utahns have been honored for their contributions to our country, and perhaps no one contributed more to our Nation's economic success at such a critical time than Marriner S. Eccles. I am honored to stand with the Eccles family this week as the Federal Reserve unveils a statue of Marriner Eccles in the atrium of the Marriner S. Eccles Building of the Federal Reserve Board in Washington, DC.

Marriner Stoddard Eccles was born in Logan, UT, on September 9, 1890, the oldest of nine children. Following the death of his father, who had become a leading industrialist with numerous enterprises, Marriner, at the young age of 22, took over the leadership of his father's businesses that were left to his mother, Ellen Eccles, and Marriner and his siblings. Previously, Marriner had worked in several of his father's businesses, had served a mission for the Church of Jesus Christ of Latter Day Saints, LDS, in Scotland and had attended Brigham Young College in Logan.

A superb business analyst and bold administrator, he reorganized and consolidated his father's industrial conglomerate and banking network. Eccles, along with his brother George, joined with the Browning family in Ogden, UT, to form the Eccles-Browning Affiliated Banks, believed to be the first multibank holding company in the United States.

With the onset of the Great Depression of the 1930s, banks around the country faced customers rushing to withdraw their deposits. The Eccles-Browning Affiliated Banks withstood several bank runs, and in the process, Eccles began to understand the need for a compensatory fiscal and monetary policy. In July of 1933, Eccles was one of the experts summoned by the Senate Finance Committee to travel to Washington to counsel Congress on the profound economic turmoil that was occurring across the country.

Eccles delivered 38 pages of testimony, including a distinct 5-point plan for fixing the economy. ''We must correct the causes of the depression rather than deal with the effects of it!'' became one of the most quoted lines from Eccles' dramatic testimony. His five-point plan included unemployment relief through direct aid to the States, a bank deposit guarantee program, canceling the World War I Allies' war debt, implementing a national minimum wage, and establishing a national economic planning board.

Eccles made his points clearly enough that the Roosevelt administration invited Eccles to join as an Assistant Treasury Secretary. Even when asked by President Franklin Delano Roosevelt to become a Governor of the Federal Reserve Board, Eccles stood strong and replied he would ''not unless fundamental changes [were] made in the (Federal Reserve).''

Eccles' involvement with policymaking did not stop there. He became involved with the Emergency Banking Act of 1933, the Federal Housing Act of 1934, and the 1933 law creating the Federal Deposit Insurance Corporation. With FDR's blessing, Eccles rewrote the 1935 Federal Reserve Act and became the first Chairman of the reorganized Federal Reserve Board, serving from 1936 to 1948. In February 1944, Roosevelt appointed Eccles to another 14-year term and Eccles stayed on the Board until 1951, when he resigned, marking a total of 17 years of service.

Eccles' talents combined with the policies he supported helped counter the recession crisis of 1937–1938, which in turn helped build America's economic strength prior to the attack on Pearl Harbor and World War II.

Many at the time considered Marriner Eccles' policies to be radical, but there is little doubt that his influence at the Federal Reserve continues to benefit our country today.

It is my honor to stand with the Eccles family this week and unveil yet another tribute to this remarkable Utahn we are so proud of.

EXPANDING OPPORTUNITY THROUGH QUALITY CHARTER SCHOOLS

Mr. ALEXANDER. Mr. President, I am here to support the introduction of a bill I am cosponsoring, the Expanding Opportunity Through Quality Charter Schools Act.

Charter schools are about freedom for teachers, choices for parents, and more and better opportunities for students.

I gave the weekly address for the Republican Party on Easter weekend, and I said that, instead of mandating tasks for you to do, government should enable you to create a happier, safer, more prosperous life.

This bill is just the kind of proposal that enables people. It enables parents to help their children get a real opportunity by choosing better schools for them to attend. It enables students to learn and succeed. It enables teachers to succeed by giving them the freedom to use their firsthand knowledge.

And it enables administrators to succeed by freeing them from bureaucratic mandates and giving them the chance to use their good judgment.

The bill would continue the Federal charter schools program, which since 1994 has given grants to states to start new charter schools. It would make improvements to that program to ensure that those funds are used as effectively as possible to increase the number of high-quality charter schools.

Specifically, this bill would invest more Federal funds in the replication and expansion of high-quality charter schools with a proven record of success, while still giving States the flexibility to invest in innovative new models.

The bill would continue Federal support for non-profit organizations which help charter schools find suitable facilities, while also encouraging States to assist charter schools in this task.

It would provide those hard-working and creative educators seeking to open

charter schools with greater flexibility in how they use Federal startup grants, for example, by allowing them to use the funds for transportation or for facilities improvements if that is what they decide is the best use of funds.

Finally, this legislation would encourage States to provide charter schools with the support they need to be successful and to hold them accountable when they fail to demonstrate positive results.

Last summer, Senator RAND PAUL and I sat in a room with the parents who had been able to get their child into a charter school in Nashville, where 600 students were left on the waiting list.

It was an emotional experience to hear these parents talk about their child getting this opportunity, to hear the students talk about how well they are doing, and to hear from the teachers who spend their lives helping these students.

Charter schools are public schools stripped of many Federal, State and union rules and constraints placed on traditional public schools. The money the State government would ordinarily spend on their district school follows each child to the charter school instead.

Charter schools cannot charge tuition, and any student who wants to attend a charter school may do so if space is available.

If more students want to attend than can be accommodated, the charter school must use a lottery to decide which students receive a seat.

Several years ago I visited the Memphis Academy of Science and Engineering, a charter school in Memphis. While most Memphis students were on spring break at the time, the sophomores I visited were in the classroom studying Advanced Placement biology.

Because the school's teachers have the flexibility to do what is best for their students, the school was open 12 hours a day and on Saturday mornings because many of these children did not have as much at home as others. And these children, who the year before had been at schools deemed ''low-performing,'' were succeeding.

These students were fortunate because their parents had the opportunity to choose this charter school, and their children were lucky enough to win a seat.

Across Tennessee, more than 15,000 students now have that same opportunity to attend one of 68 charter schools—and they are thriving as a result.

A recent study by Stanford University found that, on average, Tennessee students attending charter schools gain the equivalent of 86 additional days of instruction in reading and 72 additional days of instruction in math each year than do students attending district schools.

In other words, they make almost a year-and-a-half's worth of progress in a single school year.

About 60 percent of students attending charter schools in Tennessee are low-income, more than 90 percent are African American or Hispanic.

In other words, charter schools in Tennessee are making a difference for those students who have traditionally been least well served by our Nation's public schools.

We have come a long way since 1992, when, in my last act as U.S. Education Secretary under George H.W. Bush, I sent a letter to every school superintendent across the country, urging them to consider replicating the early successes of charter schools in Minnesota—which were then called ''start-from-scratch schools.''

At the time, there were only a dozen charter schools in existence. Today, there are well over 6,000, serving over 2.5 million students. Nearly 5 percent of all public schools students in the United States now attend charters.

Most important—the fact that should give great urgency to our effort here today—there are an estimated 580,000 students on waiting lists for charter schools throughout the Nation.

That is because parents and students see that charter schools are working.

RECOGNIZING THE FRANKLIN REGIONAL COMMUNITY

Mr. TOOMEY. Mr. President, today I wish to recognize the heroic acts of students and teachers during the crisis at Franklin Regional High School in Murrysville, PA. The entire community displayed astounding courage in the face of tragedy.

On the morning of April 9, 2014, a knife-wielding student assaulted students and teachers at Franklin Regional High School. During the attack, 24 people were injured, some gravely. However, thanks to the selfless actions of students, faculty, and support staff, the attacker was subdued and additional harm was prevented.

Students shielded friends from danger and administered emergency first aid, an attentive student had the composure to sound the fire alarm to warn people to exit the building, and several brave individuals put their safety on the line to incapacitate the attacker. At a time of crisis, the Franklin Regional family proved their commitment to one another.

I also want to acknowledge the brave actions of law enforcement and emergency personnel whose quick arrival ensured the safety of our students. Their prompt arrival provided life-saving medical attention to injured students and the community remains indebted to their vigilance.

I believe that the Senate should recognize the Franklin Regional community for their bravery and resiliency. It is imperative that the community knows that our country shares their grief and stands with them as they overcome this tragedy.

ADDITIONAL STATEMENTS

RECOGNIZING ADAM BOYD

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Adam Boyd for his hard work as an intern in my Washington, DC, office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Adam is a native of Cheyenne, WY, and a graduate of Cheyenne East High School. He is also a recent graduate of the University of Wyoming, where he earned a degree in French. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts during his time in my office.

I thank Adam for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.•

RECOGNIZING MARTHA CROSBY

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Martha Crosby for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Martha is from Richmond, VA. She is a recent graduate of Virginia Commonwealth University, where she earned a degree in political science, concentration in politics and government. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last few months.

I thank Martha for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.•

RECOGNIZING PATTERSON OAKS

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Patterson Oaks for her hard work as an intern in my Casper, WY, office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Patterson is a native of Casper, WY where she graduated from Natrona County High School. She attends Casper College where she is pursuing a degree in paralegal studies. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I thank Patterson for the dedication she has shown while working for me

and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

RECOGNIZING MICKALA SCHMIDT

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Mickala Schmidt for her hard work as an intern in my Casper, WY, office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Mickala is a native of Casper, WY where she graduated from Natrona County High School. She attends Casper College where she is pursuing a degree in international studies and education. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I thank Mickala for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

RECOGNIZING EMILY SMITHSON

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Emily Smithson for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Emily is from San Marcos, CA. She is a recent graduate of Brigham Young University-Hawaii, where she earned a degree in political science and history. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts during her time in my office.

I thank Emily for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

RECOGNIZING MATTHEW SPENNY

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Matthew Spenny for his hard work as an intern in my Washington, DC, office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Matthew is from Laramie, WY, and is and a graduate of the University of Wyoming, where he earned a degree in communication and journalism. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I thank Matthew for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

HARDIN COUNTY, IOWA

● Mr. HARKIN. Mr. President, the strength of my State of Iowa lies in its vibrant local communities, where citizens come together to foster economic development, make smart investments to expand opportunity, and take the initiative to improve the health and well-being of residents. Over the decades, I have witnessed the growth and revitalization of so many communities across my State. And it has been deeply gratifying to see how my work in Congress has supported these local efforts.

I have always believed in accountability for public officials, and this, my final year in the Senate, is an appropriate time to give an accounting of my work across four decades representing Iowa in Congress. I take pride in accomplishments that have been national in scope—for instance, passing the Americans with Disabilities Act and spearheading successful Farm Bills. But I take a very special pride in projects that have made a big difference in local communities across my State.

Today, I would like to give an accounting of my work with leaders and residents of Hardin County to build a legacy of a stronger local economy, better schools and educational opportunities, and a healthier, safer community.

Between 2001 and 2013, the creative leadership in your community has worked with me to secure funding in Hardin County worth over $2.3 million and successfully acquired financial assistance from programs I have fought hard to support, which have provided more than $10 million to the local economy.

Of course my favorite memory of working together has to be our shared commitment to school construction, renovation, and fire safety through the Harkin grant program. Working together with state and local communities, this funding has ensured Iowa students are learning in schools that are safe, and modern. I look forward to learning about the renovations made possible in Hardin County.

Among the highlights:

Investing in Iowa's economic development through targeted community projects: In Northern Iowa, we have worked together to grow the economy by making targeted investments in important economic development projects including improved roads and bridges, modernized sewer and water systems, and better housing options for residents of Hardin County. In many cases, I have secured Federal funding that has leveraged local investments and served as a catalyst for a whole ripple effect of positive, creative changes. For example, working with mayors, city council members, and local economic development officials in Hardin County, I have fought for funding for the Iowa National Guard Readiness Center in Iowa Falls worth $2 million, helping to create jobs and expand economic opportunities.

School grants: Every child in Iowa deserves to be educated in a classroom that is safe, accessible, and modern. That's why, for the past decade and a half, I have secured funding for the innovative Iowa Demonstration Construction Grant Program—better known among educators in Iowa as Harkin grants for public schools construction and renovation. Across 15 years, Harkin grants worth more than $132 million have helped school districts to fund a range of renovation and repair efforts—everything from updating fire safety systems to building new schools. In many cases, these Federal dollars have served as the needed incentive to leverage local public and private dollars, so it often has a tremendous multiplier effect within a school district. Over the years, Hardin County has received $396,191 in Harkin grants. Similarly, schools in Hardin County have received funds that I designated for Iowa Star Schools for technology totaling $73,350.

Agricultural and rural development: Because I grew up in a small town in rural Iowa, I have always been a loyal friend and fierce advocate for family farmers and rural communities. I have been a member of the House or Senate Agriculture Committee for 40 years—including more than 10 years as chairman of the Senate Agriculture Committee. Across the decades, I have championed farm policies for Iowans that include effective farm income protection and commodity programs; strong, progressive conservation assistance for agricultural producers; renewable energy opportunities; and robust economic development in our rural communities. Since 1991, through various programs authorized through the farm bill, Hardin County has received more than $6.6 million from a variety of farm bill programs.

Keeping Iowa communities safe: I also firmly believe that our first responders need to be appropriately trained and equipped, able to respond to both local emergencies and to statewide challenges such as—for instance, the methamphetamine epidemic. Since 2001, Hardin County's fire departments have received over $1.3 million for firefighter safety and operations equipment.

Disability Rights: Growing up, I loved and admired my brother Frank, who was deaf. But I was deeply disturbed by the discrimination and obstacles he faced every day. That is why I have always been a passionate advocate for full equality for people with

disabilities. As the primary author of the Americans with Disabilities Act (ADA) and the ADA Amendments Act, I have had four guiding goals for our fellow citizens with disabilities: equal opportunity, full participation, independent living and economic self-sufficiency. Nearly a quarter century since passage of the ADA, I see remarkable changes in communities everywhere I go in Iowa—not just in curb cuts or closed captioned television, but in the full participation of people with disabilities in our society and economy, folks who at long last have the opportunity to contribute their talents and to be fully included. These changes have increased economic opportunities for all citizens of Hardin County, both those with and without disabilities. And they make us proud to be a part of a community and country that respects the worth and civil rights of all of our citizens.

This is at least a partial accounting of my work on behalf of Iowa, and specifically Hardin County, during my time in Congress. In every case, this work has been about partnerships, cooperation, and empowering folks at the State and local level, including in Hardin County, to fulfill their own dreams and initiatives. And, of course, this work is never complete. Even after I retire from the Senate, I have no intention of retiring from the fight for a better, fairer, richer Iowa. I will always be profoundly grateful for the opportunity to serve the people of Iowa as their Senator.●

HAMILTON COUNTY, IOWA

● Mr. HARKIN. Mr. President, the strength of my State of Iowa lies in its vibrant local communities, where citizens come together to foster economic development, make smart investments to expand opportunity, and take the initiative to improve the health and well-being of residents. Over the decades, I have witnessed the growth and revitalization of so many communities across my State. And it has been deeply gratifying to see how my work in Congress has supported these local efforts.

I have always believed in accountability for public officials, and this, my final year in the Senate, is an appropriate time to give an accounting of my work across four decades representing Iowa in Congress. I take pride in accomplishments that have been national in scope—for instance, passing the Americans with Disabilities Act and spearheading successful Farm Bills. But I take a very special pride in projects that have made a big difference in local communities across my State.

Today, I would like to give an accounting of my work with leaders and residents of Hamilton County to build a legacy of a stronger local economy, better schools and educational opportunities, and a healthier, safer community.

Between 2001 and 2013, the creative leadership in your community has worked with me to secure funding in Hamilton County worth over $548,000 million and successfully acquired financial assistance from programs I have fought hard to support, which have provided more than $7.6 million to the local economy.

Of course my favorite memories of working together have to include Webster City's commitment to rebuilding crumbling schools with Harkin school construction grants, and Jewell's tremendous success in downtown restoration through Main Street Iowa grants.

Among the highlights:

Main Street Iowa: One of the greatest challenges we face—in Iowa and all across America—is preserving the character and vitality of our small towns and rural communities. This isn't just about economics. It is also about maintaining our identity as Iowans.

Main Street Iowa helps preserve Iowa's heart and soul by providing funds to revitalize downtown business districts. This program has allowed towns like Jewell to use that money to leverage other investments to jumpstart change and renewal. I am so pleased that Hamilton County has earned $240,000 through this program. These grants build much more than buildings. They build up the spirit and morale of people in our small towns and local communities.

School grants: Every child in Iowa deserves to be educated in a classroom that is safe, accessible, and modern. That's why, for the past decade and a half, I have secured funding for the innovative Iowa Demonstration Construction Grant Program—better known among educators in Iowa as Harkin grants for public schools construction and renovation. Across 15 years, Harkin grants worth more than $132 million have helped school districts to fund a range of renovation and repair efforts—everything from updating fire safety systems to building new schools. In many cases, these Federal dollars have served as the needed incentive to leverage local public and private dollars, so it often has a tremendous multiplier effect within a school district. Over the years, Hamilton County has received $308,341 in Harkin grants. Similarly, schools in Hamilton County have received funds that I designated for Iowa Star Schools for technology totaling $65,000.

Agricultural and rural development: Because I grew up in a small town in rural Iowa, I have always been a loyal friend and fierce advocate for family farmers and rural communities. I have been a member of the House or Senate Agriculture Committee for 40 years—including more than 10 years as chairman of the Senate Agriculture Committee. Across the decades, I have championed farm policies for Iowans that include effective farm income protection and commodity programs; strong, progressive conservation assistance for agricultural producers; renewable energy opportunities; and robust economic development in our rural communities. Since 1991, through various programs authorized through the farm bill, Hamilton County has received more than $5.9 million from a variety of farm bill programs.

Keeping Iowa communities safe: I also firmly believe that our first responders need to be appropriately trained and equipped, able to respond to both local emergencies and to statewide challenges such as—for instance, the methamphetamine epidemic. Since 2001, Hamilton County's fire departments have received over $324,000 for firefighter safety and operations equipment.

Disability Rights: Growing up, I loved and admired my brother Frank, who was deaf. But I was deeply disturbed by the discrimination and obstacles he faced every day. That is why I have always been a passionate advocate for full equality for people with disabilities. As the primary author of the Americans with Disabilities Act (ADA) and the ADA Amendments Act, I have had four guiding goals for our fellow citizens with disabilities: equal opportunity, full participation, independent living and economic self-sufficiency. Nearly a quarter century since passage of the ADA, I see remarkable changes in communities everywhere I go in Iowa—not just in curb cuts or closed captioned television, but in the full participation of people with disabilities in our society and economy, folks who at long last have the opportunity to contribute their talents and to be fully included. These changes have increased economic opportunities for all citizens of Hamilton County, both those with and without disabilities. And they make us proud to be a part of a community and country that respects the worth and civil rights of all of our citizens.

This is at least a partial accounting of my work on behalf of Iowa, and specifically Hamilton County, during my time in Congress. In every case, this work has been about partnerships, cooperation, and empowering folks at the State and local level, including in Hamilton County, to fulfill their own dreams and initiatives. And, of course, this work is never complete. Even after I retire from the Senate, I have no intention of retiring from the fight for a better, fairer, richer Iowa. I will always be profoundly grateful for the opportunity to serve the people of Iowa as their Senator.●

MONONA COUNTY, IOWA

● Mr. HARKIN. Mr. President, the strength of my State of Iowa lies in its vibrant local communities, where citizens come together to foster economic development, make smart investments to expand opportunity, and take the initiative to improve the health and well-being of residents. Over the decades, I have witnessed the growth and revitalization of so many communities

across my State. It has been deeply gratifying to see how my work in Congress has supported these local efforts.

I have always believed in accountability for public officials, and this, my final year in the Senate, is an appropriate time to give an accounting of my work across 4 decades representing Iowa in Congress. I take pride in accomplishments that have been national in scope—for instance, passing the Americans with Disabilities Act and spearheading successful farm bills. But I take a very special pride in projects that have made a big difference in local communities across my State.

Today, I would like to give an accounting of my work with leaders and residents of Monona County to build a legacy of a stronger local economy, better schools and educational opportunities, and a healthier, safer community.

Between 2001 and 2013, the creative leadership in your community has worked with me to secure funding in Monona County worth over $1.7 million and successfully acquired financial assistance from programs I have fought hard to support, which have provided more than $4.8 million to the local economy.

Of course my favorite memory of working together has to be our shared commitment to school construction, renovation, and fire safety through the Harkin grant program. Working together with State and local communities, this funding has ensured Iowa students are learning in schools that are safe, and modern. I look forward to learning about the renovations made possible in Monona County.

Among the highlights:

Investing in Iowa's economic development: In Western Iowa, we have worked together to grow the economy by making targeted investments in important economic development projects including improved roads and bridges, modernized sewer and water systems, and better housing options for residents of Monona County. In many cases, I have secured Federal funding that has leveraged local investments and served as a catalyst for a whole ripple effect of positive, creative changes. For example, I have consistently fought for job training dollars which have meant more than $800,000 in Monona County, helping to create jobs and expand economic opportunities.

School grants: Every child in Iowa deserves to be educated in a classroom that is safe, accessible, and modern. That is why, for the past decade and a half, I have secured funding for the innovative Iowa Demonstration Construction Grant Program—better known among educators in Iowa as Harkin grants for public schools construction and renovation. Across 15 years, Harkin Grants worth more than $132 million have helped school districts to fund a range of renovation and repair efforts—everything from updating fire safety systems to building new schools. In many cases, these Federal dollars have served as the needed incentive to leverage local public and private dollars, so it often has a tremendous multiplier effect within a school district. Over the years, Monona County has received $985,638 in Harkin Grants. Similarly, schools in Monona County have received funds that I designated for Iowa Star Schools for technology totaling $57,500.

Keeping Iowa communities safe: I also firmly believe that our first responders need to be appropriately trained and equipped, able to respond to both local emergencies and to statewide challenges such as—for instance, the methamphetamine epidemic. Since 2001, Monona County's fire departments have received over $498,000 for firefighter safety and operations equipment.

Disability Rights: Growing up, I loved and admired my brother Frank, who was deaf. But I was deeply disturbed by the discrimination and obstacles he faced every day. That is why I have always been a passionate advocate for full equality for people with disabilities. As the primary author of the Americans with Disabilities Act, ADA, and the ADA Amendments Act, I have had four guiding goals for our fellow citizens with disabilities: equal opportunity, full participation, independent living and economic self-sufficiency. Nearly a quarter century since passage of the ADA, I see remarkable changes in communities everywhere I go in Iowa—not just in curb cuts or closed captioned television, but in the full participation of people with disabilities in our society and economy, folks who at long last have the opportunity to contribute their talents and to be fully included. These changes have increased economic opportunities for all citizens of Monona County, both those with and without disabilities. And they make us proud to be a part of a community and country that respects the worth and civil rights of all of our citizens.

This is at least a partial accounting of my work on behalf of Iowa, and specifically Monona County, during my time in Congress. In every case, this work has been about partnerships, cooperation, and empowering folks at the State and local level, including in Monona County, to fulfill their own dreams and initiatives. And, of course, this work is never complete. Even after I retire from the Senate, I have no intention of retiring from the fight for a better, fairer, richer Iowa. I will always be profoundly grateful for the opportunity to serve the people of Iowa as their Senator.●

RECOGNIZING OWL'S MOTHER'S DAY CAMPAIGN

● Mr. NELSON. Mr. President, today I wish to recognize OWL and the important work that it does for older women in our country. For more than 30 years, OWL has served as the only national nonprofit to focus solely on the issues of aging American women and be the voice for the 74 million mid-life and older women in our country.

Every Mother's Day, OWL focuses on a key issue that affects our Nation's aging women—our mothers, grandmothers, wives, sisters, aunts, and friends. Past issues of OWL's Mother's Day Campaign have ranged from examining our Nation's health care system, addressing the growing epidemic of elder abuse, and educating women on end-of-life choices. This year, OWL has chosen to focus on the need for quality, accessible long-term care. Women often serve as the primary caregivers for a loved one, and women also may need long-term services and supports as they outlive men. Today, OWL is hosting a briefing to unveil a report on key findings and discuss how this year's Mother's Day Campaign can create a dialogue around this topic.

I particularly look forward to seeing their findings this year. As chairman of the Senate Special Committee on Aging and particularly this May in observance of Older Americans Month, I am well aware of the need to examine the long-term care system in America. As the population ages and more Americans need long-term care services and supports, it is important that they receive high-quality care without placing a burden on their families. The Aging Committee has and will continue to examine this topic and raise awareness of the issues surrounding our Nation's long-term care.

OWL's continued work across the Nation is more critical now than ever before, and we must ensure that our existing long-term care system is able to meet the needs of America's women.●

REMEMBERING ROBERT LEON DUNLAP

● Mr. SCOTT. Mr. President, I would like to take a moment today to note the passing of Robert Leon Dunlap, of North Charleston, SC. He died Thursday, April 17 at the age of 83.

Dunlap attended Midland Park Elementary School and graduated from North Charleston High School. He served in the Army during the Korean war, and was a 52-year veteran of the Charleston County Volunteer Fire and Rescue Squad. Robert was also married to Gloria Massalon Dunlap for 52 years.

Assistant Chief Dunlap helped found, and served in, the North Charleston Volunteer Rescue Association, which in 1973 was expanded to include all of Charleston County. This volunteer organization responds for accidents, fires, and land and water rescues. Dunlap was the association's treasurer more than 50 years. He earned the Order of the Palmetto for his services, and the current North Charleston headquarters is named in his honor.

While fulfilling his rescue duties, Dunlap also worked at the Charleston Naval Shipyard. During his 39-year career he earned many awards and commendations, including the Navy Meritorious Civilian Service Award.

Dunlap was a life member of the Veterans of Foreign Wars Post 5091, and served as post commander from 1959–1960. He also volunteered with the Boy Scouts, worked with Civil Defense, and donated over five gallons of blood to the American Red Cross.

Dunlap was buried with military honors at Carolina Memorial Park. I join the hundreds of people who attended his funeral and the people of North Charleston in expressing the deepest admiration for his life and work.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a treaty which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

NOTIFICATION OF THE PRESIDENT'S INTENT TO WITHDRAW THE DESIGNATION OF RUSSIA AS A BENEFICIARY DEVELOPING COUNTRY UNDER THE GENERALIZED SYSTEM OF PREFERENCES (GSP) PROGRAM—PM 40

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance:

To the Congress of the United States:

Consistent with section 502(f)(2) of the Trade Act of 1974 (the ''1974 Act'') (19 U.S.C. 2462(f)(2)), I am providing notice of my intent to withdraw the designation of Russia as a beneficiary developing country under the Generalized System of Preferences (GSP) program.

Sections 501(1) and (4) of the 1974 Act (19 U.S.C. 2461(1) and (4)), provide that, in affording duty-free treatment under the GSP, the President shall have due regard for, among other factors, the effect such action will have on furthering the economic development of a beneficiary developing country through the expansion of its exports and the extent of the beneficiary developing country's competitiveness with respect to eligible articles.

Section 502(c) of the 1974 Act (19 U.S.C. 2462(c)) provides that, in determining whether to designate any country as a beneficiary developing country for purposes of the GSP, the President shall take into account various factors, including the country's level of economic development, the country's per capita gross national product, the living standards of its inhabitants, and any other economic factors he deems appropriate.

Having considered the factors set forth in sections 501 and 502(c) of the 1974 Act, I have determined that it is appropriate to withdraw Russia's designation as a beneficiary developing country under the GSP program because Russia is sufficiently advanced in economic development and improved in trade competitiveness that continued preferential treatment under the GSP is not warranted. I intend to issue a proclamation withdrawing Russia's designation consistent with section 502(f)(2) of the 1974 Act.

BARACK OBAMA.
THE WHITE HOUSE, *May 7, 2014.*

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13338 OF MAY 11, 2004, WITH RESPECT TO THE BLOCKING OF PROPERTY OF CERTAIN PERSONS AND PROHIBITION OF EXPORTATION AND RE-EXPORTATION OF CERTAIN GOODS TO SYRIA—PM 41

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), provides for the automatic termination of a national emergency, unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the actions of the Government of Syria declared in Executive Order 13338 of May 11, 2004—as modified in scope and relied upon for additional steps taken in Executive Order 13399 of April 25, 2006, Executive Order 13460 of February 13, 2008, Executive Order 13572 of April 29, 2011, Executive Order 13573 of May 18, 2011, Executive Order 13582 of August 17, 2011, Executive Order 13606 of April 22, 2012, and Executive Order 13608 of May 1, 2012—is to continue in effect beyond May 11, 2014.

The regime's brutal war on the Syrian people, who have been calling for freedom and a representative government, endangers not only the Syrian people themselves, but could yield greater instability throughout the region. The Syrian regime's actions and policies, including supporting terrorist organizations and impeding the Lebanese government's ability to function effectively, continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue in effect the national emergency declared with respect to this threat and to maintain in force the sanctions to address this national emergency.

In addition, the United States condemns the Asad regime's use of brutal violence and human rights abuses and calls on the Asad regime to stop its violent war and allow a political transition in Syria that will forge a credible path to a future of greater freedom, democracy, opportunity, and justice.

The United States will consider changes in the composition, policies, and actions of the Government of Syria in determining whether to continue or terminate this national emergency in the future.

BARACK OBAMA.
THE WHITE HOUSE, *May 7, 2014.*

NOTICE

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE ACTIONS OF THE GOVERNMENT OF SYRIA

On May 11, 2004, pursuant to his authority under the International Emergency Economic Powers Act, 50 U.S.C. 1701–1706, and the Syria Accountability and Lebanese Sovereignty Restoration Act Of 2003, Public Law 108–175, the President issued Executive Order 13338, in which he declared a national emergency with respect to the actions of the Government of Syria. To deal with this national emergency, Executive Order 13338 authorized the blocking of property of certain persons and prohibited the exportation or re-exportation of certain goods to Syria. The national emergency was modified in scope and relied upon for additional steps taken in Executive Order 13399 of April 25, 2006, Executive Order 13460 of February 13, 2008, Executive Order 13572 of April 29, 2011, Executive Order 13573 of May 18, 2011, Executive Order 13582 of August 17, 2011, Executive Order 13606 of April 22, 2012, and Executive Order 13608 of May 1, 2012.

The President took these actions to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions of the Government of Syria in supporting terrorism, maintaining its then-existing occupation of Lebanon, pursuing weapons of mass destruction and missile programs, and undermining U.S. and international efforts with respect to the stabilization and reconstruction of Iraq.

The regime's brutal war on the Syrian people, who have been calling for freedom and a representative government, endangers not only the Syrian people themselves but also is generating instability throughout the region. The Syrian regime's actions and policies, including the use of chemical

weapons, supporting terrorist organizations, and impeding the Lebanese government's ability to function effectively, continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. As a result, the national emergency declared on May 11, 2004, and the measures to deal with that emergency adopted on that date in Executive Order 13338; on April 25, 2006, in Executive Order 13399; on February 13, 2008, in Executive Order 13460; on April 29, 2011, in Executive Order 13572; on May 18, 2011, in Executive Order 13573; on August 17, 2011, in Executive Order 13582; on April 22, 2012, in Executive Order 13606; and on May 1, 2012, in Executive Order 13608; must continue in effect beyond May 11, 2014. Therefore, in accordance with section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), I am continuing for 1 year the national emergency declared with respect to the actions of the Government of Syria.

In addition, the United States condemns the Asad regime's use of brutal violence and human rights abuses and calls on the Asad regime to stop its violent war and allow a political transition in Syria that will forge a credible path to a future of greater freedom, democracy, opportunity, and justice.

The United States will consider changes in the composition, policies, and actions of the Government of Syria in determining whether to continue or terminate this national emergency in the future.

This notice shall be published in the Federal Register and transmitted to the Congress.

BARACK OBAMA.
THE WHITE HOUSE, *May 7, 2014*.

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 9:38 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 4120. An act to amend the National Law Enforcement Museum Act to extend the termination date.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

At 11:55 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2672. An act to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to provide for an application process for interested parties to apply for an area to be designated as a rural area, and for other purposes.

H.R. 2919. An act to amend titles 5 and 28, United States Code, to require annual reports to Congress on, and the maintenance of databases on, awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes.

H.R. 3329. An act to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

H.R. 3468. An act to amend the Federal Credit Union Act to extend insurance coverage to amounts held in a member account on behalf of another person, and for other purposes.

H.R. 3584. An act to amend the Federal Home Loan Bank Act to authorize privately insured credit unions to become members of a Federal home loan bank, and for other purposes.

H.R. 4292. An act to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title.

H.R. 4386. An act to allow the Secretary of the Treasury to rely on State examinations for certain financial institutions, and for other purposes.

The message also announced that pursuant to section 743(b)(3) of the Consolidated Appropriations Act, 2014 (Public Law 113–76), and the order of the House of January 3, 2013, the Minority Leader appoints the following individuals on the part of the House of Representatives to the National Commission on Hunger: Dr. Deborah Alice Frank, MD of Brookline, Massachusetts, and William Howard Shore of Boston, Massachusetts.

ENROLLED BILL SIGNED

At 1:41 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 4192. An act to amend the Act entitled ''An Act to regulate the height of buildings in the District of Columbia'' to clarify the rules of the District of Columbia regarding human occupancy of penthouses above the top story of the building upon which the penthouse is placed.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2919. An act to amend titles 5 and 28, United States Code, to require annual reports to Congress on, and the maintenance of databases on, awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes; to the Committee on the Judiciary.

H.R. 3329. An act to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3468. An act to amend the Federal Credit Union Act to extend insurance coverage to amounts held in a member account on behalf of another person, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3584. An act to amend the Federal Home Loan Bank Act to authorize privately insured credit unions to become members of a Federal home loan bank, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 4292. An act to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title; to the Committee on the Judiciary.

H.R. 4386. An act to allow the Secretary of the Treasury to rely on State examinations for certain financial institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 2824. An act to amend the Surface Mining Control and Reclamation Act of 1977 to stop the ongoing waste by the Department of the Interior of taxpayer resources and implement the final rule on excess spoil, mining waste, and buffers for perennial and intermittent streams, and for other purposes.

H.R. 3826. An act to provide direction to the Administrator of the Environmental Protection Agency regarding the establishment of standards for emissions of any greenhouse gas from fossil fuel-fired electric utility generating units, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5606. A communication from the Director of Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Devices; Ophthalmic Devices; Classification of the Eyelid Weight'' (Docket No. FDA–2013–N–0069) received in the Office of the President of the Senate on April 30, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–5607. A communication from the Director of Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Labeling: Nutrient Content Claims; Alpha-Linolenic Acid, Eicosapentaenoic Acid, and Docasahexaenoic Acid Omega-3 Fatty Acids'' ((Docket Nos. FDA–2007–0601, FDA–2004–N–0382, FDA–2005–P–0371, and FDA–2006–P–0224 (formerly Docket Nos. 2004N–0217, 2005P–0189, and 2006P–0137, respectively))(RIN0910–ZA28)) received in the Office of the President of the Senate on May 1, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–5608. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Parts 4022 and 4044) received in the Office of the President of the Senate on May 1, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–5609. A communication from the Acting Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled ''Vertical Tandem Lifts'' (RIN1218–AC72) received in the

Office of the President of the Senate on May 1, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–5610. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''National Plan to Address Alzheimer's Disease: 2014 Update''; to the Committee on Health, Education, Labor, and Pensions.

EC–5611. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary for Science and Technology, Department of Homeland Security, received in the Office of the President of the Senate on May 1, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–5612. A communication from the Acting Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Change in Submission Requirements for State Mitigation Plans'' ((44 CFR Part 201) (Docket No. FEMA–2012–0001)) received in the Office of the President of the Senate on May 1, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–5613. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Political Activity—State or Local Officers or Employees; Federal Employees Residing in Designated Localities; Federal Employees'' (RIN3206–AM87) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–5614. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Prevailing Rate Systems; Special Wage Schedules for Nonappropriated Fund Automotive Mechanics'' (RIN3206–AM63) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–5615. A communication from the Comptroller General of the United States, Government Accountability Office, transmitting, pursuant to law, a report relative to the Office's audit of the United States government's fiscal years 2013 and 2012 consolidated financial statements; to the Committee on Homeland Security and Governmental Affairs.

EC–5616. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Inspector General's Semiannual Report for the six-month period from October 1, 2013 through March 31, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–5617. A communication from the Chair, U.S. Sentencing Commission, transmitting, pursuant to law, the amendments to the federal sentencing guidelines that were proposed by the Commission during the 2013–2014 amendment cycle; to the Committee on the Judiciary.

EC–5618. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, an annual report on crime victims' rights; to the Committee on the Judiciary.

EC–5619. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone: Giants Enterprises Fireworks Display, San Francisco Bay, San Francisco, CA'' ((RIN1625–AA00) (Docket No. USCG–2014–0174)) received in the Office of the President of the Senate on May 6, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5620. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Ohio River, Mile 803.5 to 804.5'' ((RIN1625–AA00) (Docket No. USCG–2014–0186)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5621. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone for Fireworks Display, Patapsco River, Northwest Harbor (East Channel); Baltimore, MD'' ((RIN1625–AA00) (Docket No. USCG–2014–0236)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5622. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zones; Naval Base Point Loma; Naval Mine Anti Submarine Warfare Command; San Diego Bay, San Diego, CA'' ((RIN1625–AA87) (Docket No. USCG–2013–0580)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5623. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Lucas Oil Drag Boat Racing Series; Thompson Bay, Lake Havasu City, AZ'' ((RIN1625–AA00) (Docket No. USCG–2014–0153)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5624. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; BWRC West Coast Nationals; Parker, AZ'' ((RIN1625–AA00) (Docket No. USCG–2014–0140)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5625. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; New Jersey Intracoastal Waterway (NJICW), Barnegat Bay, Seaside Heights, NJ'' ((RIN1625–AA00) (Docket No. USCG–2013–0926)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5626. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Lucas Oil Drag Boat Racing Series; Lake Havasu City, AZ'' ((RIN1625–AA00) (Docket No. USCG–2014–0058)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5627. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety zone; Sea World San Diego Fireworks, Mission Bay; San Diego, CA'' ((RIN1625–AA00) (Docket No. USCG–2014–0015)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5628. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; The Boat Show Marathon; Lake Havasu, AZ'' ((RIN1625–AA00) (Docket No. USCG–2014–0102)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5629. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation, Rotary Club of Fort Lauderdale New River Raft Race, New River; Fort Lauderdale, FL'' ((RIN1625–AA00) (Docket No. USCG–2014–0001)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5630. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Charleston Race Week, Charleston Harbor; Charleston, SC'' ((RIN1625–AA00) (Docket No. USCG–2014–0096)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5631. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone, Texas City Channel; Texas City, TX'' ((RIN1625–AA00) (Docket No. USCG–2014–0034)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5632. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone: Akadama Fireworks Display, Richmond Inner Harbor, Richmond, CA'' ((RIN1625–AA00) (Docket No. USCG–2014–0133)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5633. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Lake Havasu Gran Prix; Lake Havasu, AZ'' ((RIN1625–AA00) (Docket No. USCG–2014–0177)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5634. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Pago Pago Harbor, American Samoa'' ((RIN1625–AA00) (Docket No. USCG–2014–0014)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5635. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; Gulf Intracoastal Waterway, Inner Harbor Navigation

Canal, New Orleans, LA'' ((RIN1625–AA00) (Docket No. USCG–2009–0139)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5636. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations; Eighth Coast Guard District Annual and Recurring Marine Events Update'' ((RIN1625–AA00) (Docket No. USCG–2013–1061)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5637. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Xterra Swim, Myrtle Beach, SC'' ((RIN1625–AA00) (Docket No. USCG–2014–0161)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5638. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; Eighth Coast Guard District Annual and Recurring Safety Zones Update'' ((RIN1625–AA00) (Docket No. USCG–2013–1060)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5639. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Helicopter Lift Operations, Main Branch Chicago River, Chicago, IL'' ((RIN1625–AA00) (Docket No. USCG–2014–0128)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5640. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Great Egg Harbor Bay, (Ship Channel and (Beach Thorofare NJICW)), Somers Point and Ocean City, NJ'' ((RIN1625–AA00) (Docket No. USCG–2014–0121)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5641. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Military Munitions Recovery, Raritan River, Raritan, NJ'' ((RIN1625–AA00) (Docket No. USCG–2014–0153)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5642. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; Arthur Kill, NY and NJ'' ((RIN1625–AA00) (Docket No. USCG–2011–0727)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5643. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Bat Mitzvah Celebration Fireworks Display; Joshua Cove; Guilford, CT'' ((RIN1625–AA00) (Docket No. USCG–2014–0158)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5644. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Areas; Bars along the Coasts of Oregon and Washington'' ((RIN1625–AA00) (Docket No. USCG–2013–0216)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5645. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Low Country Splash, Wando River, Cooper River, and Charleston Harbor; Charleston, SC'' ((RIN1625–AA00) (Docket No. USCG–2014–0110)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5646. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones, Delaware River, Pea Patch Island Anchorage No. 5 and Reedy Point South Anchorage No. 3'' ((RIN1625–AA00) (Docket No. USCG–2014–0051)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5647. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; Revolution 3 Triathlon, Lake Erie, Sandusky Bay, Sandusky, OH'' ((RIN1625–AA00) (Docket No. USCG–2012–0730)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5648. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone, Barnegat Inlet; Barnegat Light, NJ'' ((RIN1625–AA00) (Docket No. USCG–2014–0145)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5649. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Broad Creek, Laurel, DE'' ((RIN1625–AA00) (Docket No. USCG–2013–0778)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5650. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; Piscataqua River Channel Obstruction near Memorial Bridge, Piscataqua River, Portsmouth, NH'' ((RIN1625–AA00) (Docket No. USCG–2014–0159)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5651. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations and Safety Zones; Recurring Events in Northern New England'' ((RIN1625–AA00) (Docket No. USCG–2013–0904)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5652. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events, Tred Avon River; Between Bellevue, MD and Oxford, MD'' ((RIN1625–AA00) (Docket No. USCG–2013–1059)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5653. A communication from the Deputy Assistant Administrator for Operations, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Final Rule To Allow Northeast Multispecies Sector Vessels Access to Year-Round Closed Areas'' (RIN0648–BD09) received in the Office of the President of the Senate on May 1, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5654. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Coastal Fisheries Cooperative Management Act Provisions; American Lobster Fishery'' (RIN0648–AT31) received in the Office of the President of the Senate on May 1, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5655. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Specifications and Management Measures'' (RIN0648–BD65) received in the Office of the President of the Senate on May 1, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5656. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Fisheries; Pacific Tuna Fisheries; Fishing Restrictions in the Eastern Pacific Ocean'' (RIN0648–BD52) received in the Office of the President of the Senate on May 1, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5657. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Final 2014 and 2015 Harvest Specifications for Groundfish; Correction'' (RIN0648–XC895) received in the Office of the President of the Senate on May 1, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5658. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled

''Temporary Rule To Establish Separate Annual Catch Limits and Accountability Measures for Blueline Tilefish in the South Atlantic Region'' (RIN0648–BD87) received in the Office of the President of the Senate on May 1, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5659. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Framework Adjustment 8'' (RIN0648–BD65) received in the Office of the President of the Senate on May 1, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5660. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trimester Closure and Trip Limit Adjustments for the Common Pool Fishery'' (RIN0648–XD212) received in the Office of the President of the Senate on May 6, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5661. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Trawl Catcher Vessels in the Central Regulatory Area of the Gulf of Mexico'' (RIN0648–XD225) received in the Office of the President of the Senate on April 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5662. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Phase 1 Reopening for the Directed Butterfish Fishery'' (RIN0648–XD205) received in the Office of the President of the Senate on April 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5663. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Biennial Specifications and Management Measures; Inseason Adjustments'' (RIN0648–BE10) received in the Office of the President of the Senate on April 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5664. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XD182) received in the Office of the President of the Senate on April 30, 2014; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. SHAHEEN:

S. 2296. A bill to require the Secretary of Veterans Affairs to employ at least three decision review officers at each regional office of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TESTER:

S. 2297. A bill to make demonstration grants to eligible local educational agencies or consortia of eligible local educational agencies for the purpose of reducing the student-to-school nurse ratio in public elementary schools and secondary schools; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself and Ms. COLLINS):

S. 2298. A bill to provide for a lifetime National Recreational Pass for any veteran with a service-connected disability, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. JOHNSON of South Dakota (for himself, Ms. MURKOWSKI, Mr. BEGICH, Mr. FRANKEN, Mr. HEINRICH, Ms. HIRONO, Mr. SCHATZ, Mr. TESTER, Mr. UDALL of New Mexico, and Mr. KING):

S. 2299. A bill to amend the Native American Programs Act of 1974 to reauthorize a provision to ensure the survival and continuing vitality of Native American languages; to the Committee on Indian Affairs.

By Mr. DONNELLY (for himself and Mr. WICKER):

S. 2300. A bill to amend title 10, United States Code, to require the Secretary of Defense to conduct periodic mental health assessments for members of the Armed Forces and to submit reports with respect to mental health, and for other purposes; to the Committee on Armed Services.

By Mr. HATCH (for himself, Mr. SCHUMER, Mr. PORTMAN, Mr. MARKEY, Mr. TOOMEY, Mrs. MURRAY, Mr. GRAHAM, Mrs. FEINSTEIN, Mr. GRASSLEY, Mr. MCCAIN, Mr. CORNYN, Ms. KLOBUCHAR, and Mr. PRYOR):

S. 2301. A bill to amend section 2259 of title 18, United States Code, and for other purposes; to the Committee on the Judiciary.

By Mrs. SHAHEEN (for herself, Mr. MCCAIN, Mr. CARDIN, Mr. KAINE, Mr. KIRK, Mr. MARKEY, and Mr. PORTMAN):

S. 2302. A bill to provide for a 1-year extension of the Afghan Special Immigrant Visa Program, and for other purposes; to the Committee on the Judiciary.

By Mr. MURPHY (for himself and Mr. BLUMENTHAL):

S. 2303. A bill to require the Secretary of the Treasury to mint coins in commemoration of the United States Coast Guard; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KIRK (for himself, Ms. LANDRIEU, Mr. ALEXANDER, Mr. BENNET, Mrs. FEINSTEIN, Mr. PAUL, Mr. ISAKSON, Mr. RUBIO, Mr. VITTER, Mr. CORNYN, Mr. SCOTT, Mr. BOOKER, Mr. HATCH, Mr. CARPER, Mr. MCCONNELL, and Mr. CRUZ):

S. 2304. A bill to amend the charter school program under the Elementary and Secondary Education Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 40

At the request of Mr. HATCH, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 40, a bill to restore Americans' individual liberty by striking the Federal mandate to purchase insurance.

S. 162

At the request of Mr. FRANKEN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 162, a bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

S. 257

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 257, a bill to amend title 38, United States Code, to require courses of education provided by public institutions of higher education that are approved for purposes of the educational assistance programs administered by the Secretary of Veterans Affairs to charge veterans tuition and fees at the in-State tuition rate, and for other purposes.

S. 398

At the request of Ms. COLLINS, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 398, a bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes.

S. 399

At the request of Mr. HATCH, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 399, a bill to protect American job creation by striking the Federal mandate on employers to offer health insurance.

S. 489

At the request of Mr. THUNE, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 489, a bill to amend the Tariff Act of 1930 to increase and adjust for inflation the maximum value of articles that may be imported duty-free by one person on one day, and for other purposes.

S. 1011

At the request of Mr. JOHANNS, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1011, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

S. 1174

At the request of Mr. BLUMENTHAL, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1174, a bill to award a Congressional Gold Medal to the 65th Infantry Regiment, known as the Borinqueneers.

S. 1431

At the request of Mr. WYDEN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 1431, a bill to permanently extend the Internet Tax Freedom Act.

S. 1839

At the request of Mr. BEGICH, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1839, a bill to make certain luggage and travel articles eligible for duty-free treatment under the Generalized System of Preferences, and for other purposes.

S. 1862

At the request of Mr. BLUNT, the names of the Senator from Illinois (Mr.

DURBIN), the Senator from Rhode Island (Mr. REED), the Senator from California (Mrs. BOXER), the Senator from Indiana (Mr. DONNELLY), the Senator from Florida (Mr. NELSON) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 1862, a bill to grant the Congressional Gold Medal, collectively, to the Monuments Men, in recognition of their heroic role in the preservation, protection, and restitution of monuments, works of art, and artifacts of cultural importance during and following World War II.

S. 2012

At the request of Mr. WHITEHOUSE, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2012, a bill to amend the Controlled Substances Act to more effectively regulate anabolic steroids.

S. 2117

At the request of Ms. WARREN, the names of the Senator from Alaska (Mr. BEGICH) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 2117, a bill to amend title 5, United States Code, to change the default investment fund under the Thrift Savings Plan, and for other purposes.

S. 2182

At the request of Mr. WALSH, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2182, a bill to expand and improve care provided to veterans and members of the Armed Forces with mental health disorders or at risk of suicide, to review the terms or characterization of the discharge or separation of certain individuals from the Armed Forces, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

S. 2193

At the request of Mr. ALEXANDER, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 2193, a bill to amend the Horse Protection Act to provide increased protection for horses participating in shows, exhibitions, or sales, and for other purposes.

S. 2194

At the request of Ms. HIRONO, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 2194, a bill to improve the Federal Pell Grant program, and for other purposes.

S. 2209

At the request of Mr. CARDIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2209, a bill to require a report on accountability for war crimes and crimes against humanity in Syria.

S. 2226

At the request of Mr. UDALL of New Mexico, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2226, a bill to establish a WaterSense program within the Environmental Protection Agency.

S. 2265

At the request of Mr. PAUL, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 2265, a bill to prohibit certain assistance to the Palestinian Authority.

S. 2270

At the request of Ms. COLLINS, the names of the Senator from Virginia (Mr. WARNER) and the Senator from North Carolina (Mrs. HAGAN) were added as cosponsors of S. 2270, a bill to clarify the application of certain leverage and risk-based requirements under the Dodd-Frank Wall Street Reform and Consumer Protection Act.

S. 2282

At the request of Mr. ROBERTS, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2282, a bill to prohibit the provision of performance awards to employees of the Internal Revenue Service who owe back taxes.

S. 2292

At the request of Ms. WARREN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2292, a bill to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes.

S. 2295

At the request of Mr. LEAHY, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from Wyoming (Mr. BARRASSO), the Senator from Kansas (Mr. MORAN), the Senator from South Dakota (Mr. JOHNSON) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 2295, a bill to establish the National Commission on the Future of the Army, and for other purposes.

S. RES. 433

At the request of Ms. LANDRIEU, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. Res. 433, a resolution condemning the abduction of female students by armed militants from the Government Girls Secondary School in the northeastern province of Borno in the Federal Republic of Nigeria.

AMENDMENT NO. 2990

At the request of Mr. BARRASSO, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of amendment No. 2990 intended to be proposed to S. 2262, a bill to promote energy savings in residential buildings and industry, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. JOHNSON of South Dakota (for himself, Ms. MURKOWSKI, Mr. BEGICH, Mr. FRANKEN, Mr. HEINRICH, Ms. HIRONO, Mr. SCHATZ, Mr. TESTER, Mr. UDALL of New Mexico, and Mr. KING):

S. 2299. A bill to amend the Native American Programs Act of 1974 to reauthorize a provision to ensure the survival and continuing vitality of Native American languages; to the Committee on Indian Affairs.

Mr. JOHNSON of South Dakota. Mr. President, today Senator MURKOWSKI and I introduce the Native American Languages Reauthorization Act of 2014. We are also joined by our fellow colleagues and cosponsors of this bill: Senators BEGICH, FRANKEN, HEINRICH, HIRONO, KING, SCHATZ, TESTER, and TOM UDALL.

Since the Native American Languages Act of 1992 became law, we have made considerable progress in keeping native languages alive. The Native American Languages Act of 1992 established a grant program within the Native American Programs Act of 1974 to ensure the survival of native languages. Through the Health and Human Services Department Administration for Native Americans, the native languages grant program has made documented impacts on the revival of Native languages across Indian Country.

The bill we introduce today will reauthorize the native languages grant program until fiscal year 2019. The Native language grant program has made several reports to Congress on the significant impacts that its grants have for native communities. In the 2012 report on the Impact and Effectiveness of Administration for Native American Projects, out of the 63 total language grantees, Administration for Native Americans evaluated 22 language projects from across Indian Country. The 2012 impact data showed that from these 22 projects a total of 178 language teachers were trained; 2,340 youth had increased their ability to speak a Native language or achieved fluency; and 2,586 adults had increased their ability to speak a Native language or achieved fluency.

Promoting Native language programs will strengthen our Native cultures and, according to the National Indian Education Association, will also promote higher academic success in other areas of learning. The continuity of Native languages is a link to previous generations and should be preserved for future generations.

The Native Americans Languages Act has helped to save native languages and encourages both young children and adults to develop a fluency in their Native language. Across South Dakota and Indian Country, this vital grant funding gives the opportunity for our cherished Native elders to sit down with the younger generation to pass on native languages. We must continue our efforts to promote Native language revitalization programs to ensure the preservation of Native American cultures, histories, and traditions.

I urge my colleagues to join us and reauthorize this important legislation

to save and preserve native languages before it is too late.

By Mr. HATCH (for himself, Mr. SCHUMER, Mr. PORTMAN, Mr. MARKEY, Mr. TOOMEY, Mrs. MURRAY, Mr. GRAHAM, Mrs. FEINSTEIN, Mr. GRASSLEY, Mr. MCCAIN, Mr. CORNYN, Ms. KLOBUCHAR, and Mr. PRYOR):

S. 2301. A bill to amend section 2259 of title 18, United States Code, and for other purposes; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, today I will introduce legislation that will help victims of one of the most vicious crimes and one of the most evil crimes in our society: child pornography.

When Congress enacted the Violence Against Women Act more than 20 years ago—and I had a lot to do with that, and then-Senator Biden deserves an awful lot of the credit for that—the law required that the defendant in a child sexual exploitation case must pay restitution ''for the full amount of the victim's losses.'' Those losses can include lost income as well as expenses for medical services, therapy, rehabilitation, transportation, and childcare.

The restitution statute works in a straightforward way for crimes that involve individual defendants who cause specific harm to particular victims. But child pornography is different. Victims not only suffer from the initial abuse, but they continue to suffer as images of that abuse are created, distributed, and possessed. As the Supreme Court recently put it, ''Every viewing of child pornography is a repetition of the victim's abuse.''

In the Internet age, a child pornography victim's abuse never ends, but identifying everyone who contributes to that ongoing abuse can be difficult, if not impossible. A predator who commits and records the abuse might be readily identified. Those who distribute those images, however, are harder to find, and many who obtain and possess them might never be identified at all. They may get lost in the crowd. They may seek safety in shadows. But the harm they cause to victims is no less devastating.

Our challenge is to craft a restitution statute suited for this unique kind of crime. We are meeting that challenge today by introducing the Amy and Vicky Child Pornography Victim Restitution Improvement Act. Amy and Vicky are victims in two of the most widely distributed child pornography series in the world. They know how difficult it is to seek restitution for ongoing harm caused by unknown people.

The Supreme Court reviewed Amy's case and issued a decision on April 23, titled ''Paroline v. United States.'' The Court said the existing restitution statute is not suited for her kind of case because it requires proving how one defendant's possession of particular images concretely harmed an individual victim. That is simply impossible to prove and puts the burden on victims forever to chase defendants only to recover next to nothing.

Several of my colleagues, both Republican and Democratic, joined me on a legal brief in that case. We hoped that the Supreme Court would construe the existing statute in a way that was workable to protect child pornography victims. The Court chose not to do that, and it is up to Congress to craft a statute that works. I believe we are up to the task, and the bill I am introducing today is the way to do it.

The Amy and Vicky act creates an effective, balanced restitution process for victims of child pornography that responds to the Supreme Court's decision in Paroline v. United States. It does three things. First, it considers a victim's total losses, including from individuals who may not have yet been identified. This step reflects the unique nature of child pornography and its ongoing impact on its victims. Secondly, the bill requires real and timely restitution and gives judges options for making that happen. Third, it allows defendants who have contributed to the same victim's losses to spread the cost of restitution among themselves. If a victim was harmed by a single defendant, the defendant must pay full restitution for all of the victim's losses, but if a victim was harmed by multiple individuals, a judge has options for imposing restitution on a defendant, depending on the circumstances of the case. The defendant can be required to pay the full amount of the victim's losses or the defendant can pay less than the full amount but at least a statutory minimum for crimes, such as possession, distribution or production of the child pornography.

In its decision in the Paroline case, the Supreme Court discussed whether a defendant should pay full restitution for harms that he did not cause entirely by himself. At the same time, the Court recognized that the harm from child pornography flows from the trade or the continuing traffic in the images. It would be perverse to say that as more individuals contribute to a victim's harm and loss by obtaining images of her abuse, the less responsible each of them is so that the victim ends up with nothing. The Amy and Vicky act addresses these issues.

A defendant may sue others who have harmed the same victim in order to spread the costs of restitution but must do so in a timely fashion and only after the victim has received real and timely payment. As my colleagues may know, Federal law already provides for criminal defendants who must pay restitution to do so on a payment schedule suitable for their individual circumstances.

I wish to thank three groups of people who have been critical in bringing us to this point only 2 weeks after the Supreme Court's decision. First and foremost, I wish to recognize and thank both Amy and Vicky, the brave women for whom this bill is named who represent so many child pornography victims. Amy and Vicky both endorse this legislation.

I ask unanimous consent that a letter from each of them be printed in the RECORD.

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

AMY'S LETTER SUPPORTING THE AMY AND VICKY CHILD PORNOGRAPHY VICTIM RESTITUTION IMPROVEMENT ACT OF 2014

I am writing today to give my support to the Amy and Vicky Child Pornography Victim Restitution Improvement Act of 2014. It is very important that this law get passed as soon as possible.

The past eight years of my life have been filled with hope and horror. Life was pretty horrible when I realized that the pictures of my childhood sex abuse were on the Internet for anyone and everyone to see. Imagine the worst most humiliating moments of your life captured for everyone to see forever. Then imagine that as a child you didn't even really know what was happening to you and you didn't want it to happen but you couldn't stop it. You were abused, raped, and hurt and this is something that other people want. They enjoy it. They can't stop collecting it and asking for it and trading it with other people. And it's you. It's your life and your pain that they are enjoying. And it never stops and you are helpless to do anything ever to stop it. That's horror.

There was also hope. Hope in finding someone who could help me like my parents and my lawyer. And hope in meeting Joy, my psychologist, who was the first person who really understood what I was going through. Then I met Cindy, my therapist, who also really helped me with all the twists and turns with what I was feeling when I tried to make sense of my life and what had happened to me as a child and what is happening to me on the Internet. I felt lots of hope when my lawyer started collecting restitution to help me pay my bills and my therapist and for a car to drive to therapy and to just try to create some kind of 'normal' life. Things were getting better and better.

Then we started having problems with the restitution law. Judges sometimes gave me just $100 and sometimes nothing at all. A few judges really got it, like when I was at the Fifth Circuit oral argument two years ago and the judges agreed that the child sex abuse images of me really do cause ongoing and long-term harm. The article by Emily Bazelon in the New York Times also really helped to tell my story so that people can understand what it's like to live with child pornography every day of your life. I was really happy to discover recently that her article received honorable mention in a contest recognizing excellence in journalism.

After a long time and a lot of court hearings all over the country, my case was finally at the Supreme Court. I couldn't believe how long and how far my case and my story had gone until I was sitting there in the Supreme Court surrounded by so many of the people who have supported me and helped me during these years. To hear the justices discussing my case and my life was really overwhelming and gave me lots of hope not just for myself but for other victims like Vicky who I met for the first time right before the oral argument. I know there were other victims there too who are too afraid to speak out and too afraid to even think about what happened to them and what is happening to them online, on the Internet, because of their childhood sexual abuse and child pornography. I hoped that at last the very important people on the Supreme Court would decide that not just me, but all the victims like me—who were so young when all these horrible things happened to us—could get the restitution we need to try and live a life like everyone else.

All the justices were respectful and it was obvious that they had thought a lot about the issues. When the oral argument finished I was really hopeful that we would win the case. It felt good doing something this significant to make a difference in the world. It was a great feeling after so many years of just trying to get it right.

My hope turned to horror when the Court decided two weeks ago that restitution was ''impossible'' for victims like me and Vicky and so many others. I couldn't believe that something which is called mandatory restitution (twice) was so hard to figure out. It just seemed like something somewhere was missing. Why, if so many people are committing this serious crime, why are the victims of that crime, who are and were children after all, left out? The Court's decision was even worse than getting no restitution at all. It was sort of like getting negative restitution. It was a horrible day.

This is why I am so happy, and hopeful, that Congress can fix this problem once and for all. Maybe if they put mandatory in the law for a third time judges will get it that restitution really really really must be given to victims! After all this time and all the hearings and appeals and the Supreme Court, I definitely agree that restitution needs improvement and hopefully this bill, the Amy and Vicky Child Pornography Restitution Improvement Act of 2014, can finally make restitution happen for all victims of this horrible crime.

Thank you for supporting this law and working so hard to give victims the hope and help they need to overcome the nightmares and memories that most others will never know. Thank you Senator Hatch and Senator Schumer for making my hope real!

AMY (no longer) Unknown.

''VICKY,'' C/O CAROL L. HEPBURN,
ATTORNEY AT LAW,
Seattle, WA, May 3, 2014.

Re Support for Amy and Vicky Child Pornography Restitution Improvement Act

Hon. ORRIN HATCH,
Senator, U.S. Congress,
Washington DC.

DEAR SENATOR HATCH: I am the subject of the ''Vicky'' series of child pornography images, which I have been told by law enforcement agents is one of the most widely traded in the world. I am writing to you under pseudonym, and through my attorney, because I have been stalked by pedophiles in the recent past and I am concerned that disclosure of my legal name and address could lead to further stalking.

I appreciate the Supreme Court's recent recognition in the Paroline decision of the pain and loss suffered by victims and the need for mandatory restitution. This upholds both the victim's need for compensation and helping the offender realize they have hurt an actual person. The difficult part of this decision is the immense amount of time and work investment that will be required by the victim to collect restitution, without the guarantee that they will ever collect the full amount to be made whole again. With each case in which the victim seeks restitution from someone who has possessed and/or distributed their images, there is an emotional cost just for being involved in the case. It brings up the painful reality of the victim's situation of never-ending humiliation and puts it right in the victim's face once again. This decision places on the victim the huge burden of several years of litigation without any promise of closure. This is a dismal prospect because it leaves victims like Amy and myself with the choice between not pursuing restitution (which would not provide us with the help we desperately need to heal) or continuing to have this painful part of our lives in our face on a regular basis for several more years, if not decades. Without any guidelines as to how the district courts will calculate restitution from each offender, I worry that the emotional toll may not be adequately compensated for in the end. I sincerely hope that Congress will take the time to create some guidelines for restitution for victims of child pornography possession and distribution that will protect the victim and enable them to receive full compensation.

I would be happy to talk with you about this at some later time. I am currently very pregnant and due to deliver my first child in two weeks. I respectfully ask that you support this legislation and do all that you can to see that it becomes law.

Very truly yours,

''VICKY''.

Mr. HATCH. Second, I wish to thank Amy and Vicky's legal team who were instrumental in developing this legislation. They include Professor Paul Cassell at the University of Utah School of Law, one of the leading authorities on criminal law in this country, and attorneys James Marsh of New York and Carol Hepburn in Seattle. Professor Cassell argued the Paroline case before the Supreme Court, and it is the experience of these tireless advocates that informed how to respond to that decision.

Third, I wish to thank the Senators on both sides of the aisle who join me in introducing this bill. In particular, I wish to recognize the senior Senator from New York Mr. SCHUMER who also signed on to the legal brief I filed in the Paroline case. We serve together on the Judiciary Committee, and he has long been a champion for crime victims.

I ask unanimous consent that an editorial from today's Washington Post be printed in the RECORD.

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

[From the Washington Post, May 6, 2014]

CONGRESS NEEDS TO ACT TO ALLOW VICTIMS OF CHILD SEX ABUSE TO RECOVER RESTITUTION

(By Editorial Board)

''I am a 19 year old girl and I am a victim of child sex abuse and child pornography. I am still discovering all the ways that the abuse and exploitation I suffer has hurt me. . . .'' So began the victim impact statement of a young woman who was 8 when she was raped but whose abuse has never ended because the uncle who assaulted her took pictures that have been widely trafficked on the Internet. ''It is hard to describe what it feels like to know that at any moment, anywhere, someone is looking at pictures of me as a little girl being abused by my uncle and is getting some kind of sick enjoyment from it,'' she wrote.

The Supreme Court did not dispute her suffering nor her right to receive restitution from viewers who take pleasure in her abuse and create the sordid market demand for child pornography. But the court set aside the $3.4 million awarded her. Now Congress needs to fix the law.

The 5-to-4 ruling in Paroline v. United States is a double-edged sword for the advocates of child pornography victims. It upholds part of the Violence Against Women Act, which calls for restitution to victims such as ''Amy Unknown,'' as the woman is identified in court papers, but it limits the amount of damages proximate to the harm caused by a specific offender—a standard that puts the burden on the victim and makes it difficult to collect damages.

Doyle Randall Paroline, who pleaded guilty to possessing child pornography that included images of Amy, was ordered by an appeals court to pay all of the $3.4 million owed to Amy for the psychological damage and lost income she has suffered. The court's majority, in an opinion written by Justice Anthony M. Kennedy, ruled that Mr. Paroline should be assessed an amount that is not trivial but comports with ''the defendant's relative role in the causal process that underlies the victim's general losses.''

Justice Kennedy acknowledged that his approach ''is not without difficulties.'' How should a court calculate the harm caused by one person's possession of an image seen by thousands? Mathematically dividing the total amount by the number of estimated views produces an amount so small as to be insulting rather than therapeutic. What, in short, is the right number between zero and $3.4 million?

The justices are right in thinking that Congress should revisit the issue. Legislation set to be introduced Wednesday by Sens. Charles E. Schumer (D–N.Y.) and Orrin G. Hatch (R–Utah) seems to be a step in the right direction, with its outline of options for full victim recovery when multiple individuals are involved and giving multiple defendants who have banned the same victim the ability to sue each other to spread the cost of restitution. The court was clear in its opinion that ''the victim should someday collect restitution for all her child pornography losses.'' Congress needs to provide the tools to turn that someday into reality.

Mr. HATCH. It says that the Amy and Vicky Child Pornography Victim Restitution Improvement Act is ''a step in the right direction.''

I urge all of my colleagues to join us in enacting this legislation. It creates a practical process and recognizes the unique kind of harm caused by child pornography and requires restitution in a manner that will actually help victims.

In her letter, Amy writes that the legislation we are introducing today ''can finally make restitution happen for all victims of this horrible crime.''

Let's get it done.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3010. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table.

SA 3011. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3012. Mrs. SHAHEEN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the bill S. 2262, supra.

SA 3013. Mr. McCONNELL (for himself, Mr. VITTER, and Mr. HOEVEN) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3014. Mr. COBURN (for himself, Mr. TOOMEY, and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3015. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3016. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3017. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3018. Mr. FLAKE (for himself, Mr. MCCAIN, and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3019. Mr. FLAKE (for himself, Mr. TOOMEY, and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3020. Mr. FLAKE (for himself, Mrs. FISCHER, and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3021. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3022. Mr. BENNET (for himself, Mr. COBURN, Mr. CARPER, and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3023. Mr. REID proposed an amendment to amendment SA 3012 submitted by Mrs. SHAHEEN (for herself and Mr. PORTMAN) to the bill S. 2262, supra.

SA 3024. Mr. REID proposed an amendment to amendment SA 3023 proposed by Mr. REID to the amendment SA 3012 submitted by Mrs. SHAHEEN (for herself and Mr. PORTMAN) to the bill S. 2262, supra.

SA 3025. Mr. REID proposed an amendment to the bill S. 2262, supra.

SA 3026. Mr. REID proposed an amendment to amendment SA 3025 proposed by Mr. REID to the bill S. 2262, supra.

SA 3027. Mr. REID proposed an amendment to the bill S. 2262, supra.

SA 3028. Mr. REID proposed an amendment to amendment SA 3027 proposed by Mr. REID to the bill S. 2262, supra.

SA 3029. Mr. REID proposed an amendment to amendment SA 3028 proposed by Mr. REID to the amendment SA 3027 proposed by Mr. REID to the bill S. 2262, supra.

SA 3030. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3031. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3032. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3033. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3034. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3035. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3036. Mr. TOOMEY (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3037. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3038. Mr. UDALL of Colorado (for himself, Mr. BEGICH, and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3039. Mr. UDALL of Colorado (for himself and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3040. Mr. UDALL of Colorado (for himself, Mr. BEGICH, and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3041. Ms. KLOBUCHAR (for herself and Mr. HOEVEN) submitted an amendment intended to be proposed by her to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3042. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3043. Mr. BROWN (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 2262, supra; which was ordered to lie on the table.

SA 3044. Mr. REID (for Mr. PRYOR (for himself, Mr. COONS, Mr. BEGICH, and Mr. WYDEN)) submitted an amendment intended to be proposed by Mr. Reid, of NV to the bill S. 2262, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3010. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. _____. COMPLIANCE WITH LACEY ACT AMENDMENTS OF 1981.

Section 5 of Public Law 112–237 (126 Stat. 1629) is amended by inserting after ''zebra mussels'' the following: ''and other fish, wildlife, and plants present in Lake Texoma that are prohibited under section 3 of such Act (16 U.S.C. 3372) or under section 42 of title 18, United States Code''.

SA 3011. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title V, insert the following:

SEC. 5___. APPROVAL OF CERTAIN SETTLEMENTS UNDER ENDANGERED SPECIES ACT OF 1973.

(a) DEFINITIONS.—Section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532) is amended—

(1) by redesignating paragraphs (12) through (21) as paragraphs (13) through (22), respectively;

(2) by redesignating paragraphs (1) through (10) as paragraphs (2), (3), (4), (5), (7), (8), (9), (10), (11), and (12), respectively;

(3) by inserting before paragraph (2) (as so redesignated) the following:

''(1) AFFECTED PARTY.—The term 'affected party' means any person (including a business entity), or any State, tribal government, or local subdivision, the rights of which may be affected by a determination made under section 4(a) in an action brought under section 11(g)(1)(C).''; and

(4) by inserting after paragraph (5) (as so redesignated) the following:

''(6) COVERED SETTLEMENT.—The term 'covered settlement' means a consent decree or a settlement agreement in an action brought under section 11(g)(1)(C).''.

(b) INTERVENTION; APPROVAL OF COVERED SETTLEMENT.—Section 11(g) of the Endangered Species Act of 1973 (16 U.S.C. 1540(g)) is amended—

(1) in paragraph (3), by adding at the end the following:

''(C) PUBLISHING COMPLAINT; INTERVENTION.—

''(i) PUBLISHING COMPLAINT.—

''(I) IN GENERAL.—Not later than 30 days after the date on which the plaintiff serves the defendant with the complaint in an action brought under paragraph (1)(C) in accordance with Rule 4 of the Federal Rules of Civil Procedure, the Secretary of the Interior shall publish the complaint in a readily accessible manner, including electronically.

''(II) FAILURE TO MEET DEADLINE.—The failure of the Secretary to meet the 30-day deadline described in subclause (I) shall not be the basis for an action under paragraph (1)(C).

''(ii) INTERVENTION.—

''(I) IN GENERAL.—After the end of the 30-day period described in clause (i), each affected party shall be given a reasonable opportunity to move to intervene in the action described in clause (i), until the end of which a party may not file a motion for a consent decree or to dismiss the case pursuant to a settlement agreement.

''(II) REBUTTABLE PRESUMPTION.—In considering a motion to intervene by any affected party, the court shall presume, subject to rebuttal, that the interests of that affected party would not be represented adequately by the parties to the action described in clause (i).

''(III) REFERRAL TO ALTERNATIVE DISPUTE RESOLUTION.—

''(aa) IN GENERAL.—If the court grants a motion to intervene in the action, the court shall refer the action to facilitate settlement discussions to—

''(AA) the mediation program of the court; or

''(BB) a magistrate judge.

''(bb) PARTIES INCLUDED IN SETTLEMENT DISCUSSIONS.—The settlement discussions described in item (aa) shall include each—

''(AA) plaintiff;

''(BB) defendant agency; and

''(CC) intervenor.'';

(2) by striking paragraph (4) and inserting the following:

''(4) LITIGATION COSTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the court, in issuing any final order in any action brought under paragraph (1), may award costs of litigation (including reasonable attorney and expert witness fees) to any party, whenever the court determines such an award is appropriate.

''(B) COVERED SETTLEMENT.—

''(i) CONSENT DECREES.—The court shall not award costs of litigation in any proposed covered settlement that is a consent decree.

''(ii) OTHER COVERED SETTLEMENTS.—

''(I) IN GENERAL.—For a proposed covered settlement other than a consent decree, the court shall ensure that the covered settlement does not include payment to any plaintiff for the costs of litigation.

''(II) MOTIONS.—The court shall not grant any motion, including a motion to dismiss, based on the proposed covered settlement described in subclause (I) if the covered settlement includes payment to any plaintiff for the costs of litigation.''; and

(3) by adding at the end the following:

''(6) APPROVAL OF COVERED SETTLEMENT.—

''(A) DEFINITION OF SPECIES.—In this paragraph, the term 'species' means a species that is the subject of an action brought under paragraph (1)(C).

''(B) IN GENERAL.—

''(i) CONSENT DECREES.—The court shall not approve a proposed covered settlement that is a consent decree unless each State and county in which the Secretary of the Interior believes a species occurs approves the covered settlement.

''(ii) OTHER COVERED SETTLEMENTS.—

''(I) IN GENERAL.—For a proposed covered settlement other than a consent decree, the court shall ensure that the covered settlement is approved by each State and county in which the Secretary of the Interior believes a species occurs.

''(II) MOTIONS.—The court shall not grant any motion, including a motion to dismiss, based on the proposed covered settlement described in subclause (I) unless the covered settlement is approved by each State and county in which the Secretary of the Interior believes a species occurs.

''(C) NOTICE.—

''(i) IN GENERAL.—The Secretary of the Interior shall provide to each State and county in which the Secretary of the Interior believes a species occurs notice of a proposed covered settlement.

''(ii) DETERMINATION OF RELEVANT STATES AND COUNTIES.—The defendant in a covered settlement shall consult with each State described in clause (i) to determine each county in which the Secretary of the Interior believes a species occurs.

''(D) FAILURE TO RESPOND.—The court may approve a covered settlement or grant a motion described in subparagraph (B)(ii)(II) if, not later than 45 days after the date on which a State or county is notified under subparagraph (C)—

''(i)(I) a State or county fails to respond; and

''(II) of the States or counties that respond, each State or county approves the covered settlement; or

''(ii) all of the States and counties fail to respond.

''(E) PROOF OF APPROVAL.—The defendant in a covered settlement shall prove any State or county approval described in this paragraph in a form—

''(i) acceptable to the State or county, as applicable; and

''(ii) signed by the State or county official authorized to approve the covered settlement.''.

SA 3012. Mrs. SHAHEEN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Energy Savings and Industrial Competitiveness Act of 2014''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definition of Secretary.

TITLE I—BUILDINGS

Subtitle A—Building Energy Codes

Sec. 101. Greater energy efficiency in building codes.

Subtitle B—Worker Training and Capacity Building

Sec. 111. Building training and assessment centers.
Sec. 112. Career skills training.

Subtitle C—School Buildings

Sec. 121. Coordination of energy retrofitting assistance for schools.

Subtitle D—Better Buildings

Sec. 131. Energy efficiency in Federal and other buildings.
Sec. 132. Separate spaces with high-performance energy efficiency measures.
Sec. 133. Tenant star program.

Subtitle E—Energy Information for Commercial Buildings

Sec. 141. Energy information for commercial buildings.

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Sec. 302. Availability of funds for design updates.
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Subtitle A—Third-party Certification Under Energy Star Program

Sec. 401. Third-party certification under Energy Star program.

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Sec. 411. High-performance green Federal buildings.

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Sec. 431. Energy performance requirement for Federal buildings.
Sec. 432. Federal building energy efficiency performance standards; certification system and level for green buildings.
Sec. 433. Enhanced energy efficiency underwriting.

Subtitle E—Third Party Testing

Sec. 441. Voluntary certification programs for air conditioning, furnace, boiler, heat pump, and water heater products.

TITLE V—MISCELLANEOUS

Sec. 501. Offset.
Sec. 502. Budgetary effects.
Sec. 503. Advance appropriations required.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term ''Secretary'' means the Secretary of Energy.

TITLE I—BUILDINGS

Subtitle A—Building Energy Codes

SEC. 101. GREATER ENERGY EFFICIENCY IN BUILDING CODES.

(a) DEFINITIONS.—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832) is amended—

(1) by striking paragraph (14) and inserting the following:

''(14) MODEL BUILDING ENERGY CODE.—The term 'model building energy code' means a voluntary building energy code and standards developed and updated through a consensus process among interested persons, such as the IECC or the code used by—

''(A) the Council of American Building Officials, or its legal successor, International Code Council, Inc.;

''(B) the American Society of Heating, Refrigerating, and Air-Conditioning Engineers; or

''(C) other appropriate organizations.''; and

(2) by adding at the end the following:

''(17) IECC.—The term 'IECC' means the International Energy Conservation Code.

''(18) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).''.

(b) STATE BUILDING ENERGY EFFICIENCY CODES.—Section 304 of the Energy Conservation and Production Act (42 U.S.C. 6833) is amended to read as follows:

''SEC. 304. UPDATING STATE BUILDING ENERGY EFFICIENCY CODES.

''(a) IN GENERAL.—The Secretary shall—

''(1) encourage and support the adoption of building energy codes by States, Indian tribes, and, as appropriate, by local governments that meet or exceed the model building energy codes, or achieve equivalent or greater energy savings; and

''(2) support full compliance with the State and local codes.

''(b) STATE AND INDIAN TRIBE CERTIFICATION OF BUILDING ENERGY CODE UPDATES.—

''(1) REVIEW AND UPDATING OF CODES BY EACH STATE AND INDIAN TRIBE.—

''(A) IN GENERAL.—Not later than 2 years after the date on which a model building energy code is updated, each State or Indian tribe shall certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively.

''(B) DEMONSTRATION.—The certification shall include a demonstration of whether or not the energy savings for the code provisions that are in effect throughout the State or Indian tribal territory meet or exceed—

''(i) the energy savings of the updated model building energy code; or

''(ii) the targets established under section 307(b)(2).

''(C) NO MODEL BUILDING ENERGY CODE UPDATE.—If a model building energy code is not updated by a target date established under section 307(b)(2)(D), each State or Indian tribe shall, not later than 2 years after the specified date, certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively, to meet or exceed the target in section 307(b)(2).

''(2) VALIDATION BY SECRETARY.—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

''(A) determine whether the code provisions of the State or Indian tribe, respectively, meet the criteria specified in paragraph (1); and

''(B) if the determination is positive, validate the certification.

''(c) IMPROVEMENTS IN COMPLIANCE WITH BUILDING ENERGY CODES.—

''(1) REQUIREMENT.—

''(A) IN GENERAL.—Not later than 3 years after the date of a certification under subsection (b), each State and Indian tribe shall certify whether or not the State and Indian tribe, respectively, has—

''(i) achieved full compliance under paragraph (3) with the applicable certified State and Indian tribe building energy code or with the associated model building energy code; or

''(ii) made significant progress under paragraph (4) toward achieving compliance with the applicable certified State and Indian tribe building energy code or with the associated model building energy code.

''(B) REPEAT CERTIFICATIONS.—If the State or Indian tribe certifies progress toward achieving compliance, the State or Indian tribe shall repeat the certification until the State or Indian tribe certifies that the State or Indian tribe has achieved full compliance, respectively.

''(2) MEASUREMENT OF COMPLIANCE.—A certification under paragraph (1) shall include documentation of the rate of compliance based on—

''(A) independent inspections of a random sample of the buildings covered by the code in the preceding year; or

''(B) an alternative method that yields an accurate measure of compliance.

''(3) ACHIEVEMENT OF COMPLIANCE.—A State or Indian tribe shall be considered to achieve full compliance under paragraph (1) if—

''(A) at least 90 percent of building space covered by the code in the preceding year substantially meets all the requirements of the applicable code specified in paragraph (1), or achieves equivalent or greater energy savings level; or

''(B) the estimated excess energy use of buildings that did not meet the applicable code specified in paragraph (1) in the preceding year, compared to a baseline of comparable buildings that meet this code, is not more than 5 percent of the estimated energy use of all buildings covered by this code during the preceding year.

''(4) SIGNIFICANT PROGRESS TOWARD ACHIEVEMENT OF COMPLIANCE.—A State or Indian tribe shall be considered to have made significant progress toward achieving compliance for purposes of paragraph (1) if the State or Indian tribe—

''(A) has developed and is implementing a plan for achieving compliance during the 8-year-period beginning on the date of enactment of this paragraph, including annual targets for compliance and active training and enforcement programs; and

''(B) has met the most recent target under subparagraph (A).

''(5) VALIDATION BY SECRETARY.—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

''(A) determine whether the State or Indian tribe has demonstrated meeting the criteria of this subsection, including accurate measurement of compliance; and

''(B) if the determination is positive, validate the certification.

''(d) STATES OR INDIAN TRIBES THAT DO NOT ACHIEVE COMPLIANCE.—

''(1) REPORTING.—A State or Indian tribe that has not made a certification required under subsection (b) or (c) by the applicable deadline shall submit to the Secretary a report on—

''(A) the status of the State or Indian tribe with respect to meeting the requirements and submitting the certification; and

''(B) a plan for meeting the requirements and submitting the certification.

''(2) FEDERAL SUPPORT.—For any State or Indian tribe for which the Secretary has not validated a certification by a deadline under subsection (b) or (c), the lack of the certification may be a consideration for Federal support authorized under this section for code adoption and compliance activities.

''(3) LOCAL GOVERNMENT.—In any State or Indian tribe for which the Secretary has not validated a certification under subsection (b) or (c), a local government may be eligible for Federal support by meeting the certification requirements of subsections (b) and (c).

''(4) ANNUAL REPORTS BY SECRETARY.—

''(A) IN GENERAL.—The Secretary shall annually submit to Congress, and publish in the Federal Register, a report on—

''(i) the status of model building energy codes;

''(ii) the status of code adoption and compliance in the States and Indian tribes;

''(iii) implementation of this section; and

''(iv) improvements in energy savings over time as result of the targets established under section 307(b)(2).

''(B) IMPACTS.—The report shall include estimates of impacts of past action under this section, and potential impacts of further action, on—

''(i) upfront financial and construction costs, cost benefits and returns (using investment analysis), and lifetime energy use for buildings;

''(ii) resulting energy costs to individuals and businesses; and

''(iii) resulting overall annual building ownership and operating costs.

''(e) TECHNICAL ASSISTANCE TO STATES AND INDIAN TRIBES.—The Secretary shall provide technical assistance to States and Indian tribes to implement the goals and requirements of this section, including procedures and technical analysis for States and Indian tribes—

''(1) to improve and implement State residential and commercial building energy codes;

''(2) to demonstrate that the code provisions of the States and Indian tribes achieve equivalent or greater energy savings than the model building energy codes and targets;

''(3) to document the rate of compliance with a building energy code; and

''(4) to otherwise promote the design and construction of energy efficient buildings.

''(f) AVAILABILITY OF INCENTIVE FUNDING.—

''(1) IN GENERAL.—The Secretary shall provide incentive funding to States and Indian tribes—

''(A) to implement the requirements of this section;

''(B) to improve and implement residential and commercial building energy codes, including increasing and verifying compliance with the codes and training of State, tribal, and local building code officials to implement and enforce the codes; and

''(C) to promote building energy efficiency through the use of the codes.

''(2) ADDITIONAL FUNDING.—Additional funding shall be provided under this subsection for implementation of a plan to achieve and document full compliance with residential and commercial building energy codes under subsection (c)—

''(A) to a State or Indian tribe for which the Secretary has validated a certification under subsection (b) or (c); and

''(B) in a State or Indian tribe that is not eligible under subparagraph (A), to a local government that is eligible under this section.

''(3) TRAINING.—Of the amounts made available under this subsection, the State or Indian tribe may use amounts required, but not to exceed $750,000 for a State, to train State and local building code officials to implement and enforce codes described in paragraph (2).

''(4) LOCAL GOVERNMENTS.—States may share grants under this subsection with local governments that implement and enforce the codes.

''(g) STRETCH CODES AND ADVANCED STANDARDS.—

''(1) IN GENERAL.—The Secretary shall provide technical and financial support for the development of stretch codes and advanced standards for residential and commercial buildings for use as—

''(A) an option for adoption as a building energy code by local, tribal, or State governments; and

''(B) guidelines for energy-efficient building design.

''(2) TARGETS.—The stretch codes and advanced standards shall be designed—

''(A) to achieve substantial energy savings compared to the model building energy codes; and

''(B) to meet targets under section 307(b), if available, at least 3 to 6 years in advance of the target years.

''(h) STUDIES.—The Secretary, in consultation with building science experts from the National Laboratories and institutions of higher education, designers and builders of energy-efficient residential and commercial buildings, code officials, and other stakeholders, shall undertake a study of the feasibility, impact, economics, and merit of—

''(1) code improvements that would require that buildings be designed, sited, and constructed in a manner that makes the buildings more adaptable in the future to become zero-net-energy after initial construction, as advances are achieved in energy-saving technologies;

''(2) code procedures to incorporate measured lifetimes, not just first-year energy use, in trade-offs and performance calculations; and

''(3) legislative options for increasing energy savings from building energy codes, including additional incentives for effective State and local action, and verification of compliance with and enforcement of a code other than by a State or local government.

''(i) EFFECT ON OTHER LAWS.—Nothing in this section or section 307 supersedes or modifies the application of sections 321 through 346 of the Energy Policy and Conservation Act (42 U.S.C. 6291 et seq.).

''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section and section 307 $200,000,000, to remain available until expended.''.

(c) FEDERAL BUILDING ENERGY EFFICIENCY STANDARDS.—Section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) is amended by striking ''voluntary building energy code'' each place it appears in subsections (a)(2)(B) and (b) and inserting ''model building energy code''.

(d) MODEL BUILDING ENERGY CODES.—Section 307 of the Energy Conservation and Production Act (42 U.S.C. 6836) is amended to read as follows:

''SEC. 307. SUPPORT FOR MODEL BUILDING ENERGY CODES.

''(a) IN GENERAL.—The Secretary shall support the updating of model building energy codes.

''(b) TARGETS.—

''(1) IN GENERAL.—The Secretary shall support the updating of the model building energy codes to enable the achievement of aggregate energy savings targets established under paragraph (2).

''(2) TARGETS.—

''(A) IN GENERAL.—The Secretary shall work with State, Indian tribes, local governments, nationally recognized code and standards developers, and other interested parties to support the updating of model building energy codes by establishing one or more aggregate energy savings targets to achieve the purposes of this section.

''(B) SEPARATE TARGETS.—The Secretary may establish separate targets for commercial and residential buildings.

''(C) BASELINES.—The baseline for updating model building energy codes shall be the 2009 IECC for residential buildings and ASHRAE Standard 90.1–2010 for commercial buildings.

''(D) SPECIFIC YEARS.—

''(i) IN GENERAL.—Targets for specific years shall be established and revised by the Secretary through rulemaking and coordinated with nationally recognized code and standards developers at a level that—

''(I) is at the maximum level of energy efficiency that is technologically feasible and life-cycle cost effective, while accounting for the economic considerations under paragraph (4);

''(II) is higher than the preceding target; and

''(III) promotes the achievement of commercial and residential high-performance buildings through high performance energy efficiency (within the meaning of section 401 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17061)).

''(ii) INITIAL TARGETS.—Not later than 1 year after the date of enactment of this clause, the Secretary shall establish initial targets under this subparagraph.

''(iii) DIFFERENT TARGET YEARS.—Subject to clause (i), prior to the applicable year, the Secretary may set a later target year for any of the model building energy codes described in subparagraph (A) if the Secretary determines that a target cannot be met.

''(iv) SMALL BUSINESS.—When establishing targets under this paragraph through rulemaking, the Secretary shall ensure compliance with the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note; Public Law 104–121).

''(3) APPLIANCE STANDARDS AND OTHER FACTORS AFFECTING BUILDING ENERGY USE.—In establishing building code targets under paragraph (2), the Secretary shall develop and adjust the targets in recognition of potential savings and costs relating to—

''(A) efficiency gains made in appliances, lighting, windows, insulation, and building envelope sealing;

''(B) advancement of distributed generation and on-site renewable power generation technologies;

''(C) equipment improvements for heating, cooling, and ventilation systems;

''(D) building management systems and SmartGrid technologies to reduce energy use; and

''(E) other technologies, practices, and building systems that the Secretary considers appropriate regarding building plug load and other energy uses.

''(4) ECONOMIC CONSIDERATIONS.—In establishing and revising building code targets under paragraph (2), the Secretary shall consider the economic feasibility of achieving the proposed targets established under this section and the potential costs and savings for consumers and building owners, including a return on investment analysis.

''(c) TECHNICAL ASSISTANCE TO MODEL BUILDING ENERGY CODE-SETTING AND STANDARD DEVELOPMENT ORGANIZATIONS.—

''(1) IN GENERAL.—The Secretary shall, on a timely basis, provide technical assistance to model building energy code-setting and standard development organizations consistent with the goals of this section.

''(2) ASSISTANCE.—The assistance shall include, as requested by the organizations, technical assistance in—

''(A) evaluating code or standards proposals or revisions;

''(B) building energy analysis and design tools;

''(C) building demonstrations;

''(D) developing definitions of energy use intensity and building types for use in model building energy codes to evaluate the efficiency impacts of the model building energy codes;

''(E) performance-based standards;

''(F) evaluating economic considerations under subsection (b)(4); and

''(G) developing model building energy codes by Indian tribes in accordance with tribal law.

''(3) AMENDMENT PROPOSALS.—The Secretary may submit timely model building energy code amendment proposals to the model building energy code-setting and standard development organizations, with supporting evidence, sufficient to enable the model building energy codes to meet the targets established under subsection (b)(2).

''(4) ANALYSIS METHODOLOGY.—The Secretary shall make publicly available the entire calculation methodology (including input assumptions and data) used by the Secretary to estimate the energy savings of code or standard proposals and revisions.

''(d) DETERMINATION.—

''(1) REVISION OF MODEL BUILDING ENERGY CODES.—If the provisions of the IECC or ASHRAE Standard 90.1 regarding building energy use are revised, the Secretary shall make a preliminary determination not later than 90 days after the date of the revision, and a final determination not later than 15 months after the date of the revision, on whether or not the revision will—

''(A) improve energy efficiency in buildings compared to the existing model building energy code; and

''(B) meet the applicable targets under subsection (b)(2).

''(2) CODES OR STANDARDS NOT MEETING TARGETS.—

''(A) IN GENERAL.—If the Secretary makes a preliminary determination under paragraph (1)(B) that a code or standard does not meet the targets established under subsection (b)(2), the Secretary may at the same time provide the model building energy code or standard developer with proposed changes that would result in a model building energy code that meets the targets and with supporting evidence, taking into consideration—

''(i) whether the modified code is technically feasible and life-cycle cost effective;

''(ii) available appliances, technologies, materials, and construction practices; and

''(iii) the economic considerations under subsection (b)(4).

''(B) INCORPORATION OF CHANGES.—

''(i) IN GENERAL.—On receipt of the proposed changes, the model building energy code or standard developer shall have an additional 270 days to accept or reject the proposed changes of the Secretary to the model building energy code or standard for the Secretary to make a final determination.

''(ii) FINAL DETERMINATION.—A final determination under paragraph (1) shall be on the modified model building energy code or standard.

''(e) ADMINISTRATION.—In carrying out this section, the Secretary shall—

''(1) publish notice of targets and supporting analysis and determinations under this section in the Federal Register to provide an explanation of and the basis for such actions, including any supporting modeling, data, assumptions, protocols, and cost-benefit analysis, including return on investment; and

''(2) provide an opportunity for public comment on targets and supporting analysis and determinations under this section.

''(f) VOLUNTARY CODES AND STANDARDS.—Notwithstanding any other provision of this section, any model building code or standard established under section 304 shall not be binding on a State, local government, or Indian tribe as a matter of Federal law.''.

Subtitle B—Worker Training and Capacity Building

SEC. 111. BUILDING TRAINING AND ASSESSMENT CENTERS.

(a) IN GENERAL.—The Secretary shall provide grants to institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) and Tribal Colleges or Universities (as defined in section 316(b) of that Act (20 U.S.C. 1059c(b))) to establish building training and assessment centers—

(1) to identify opportunities for optimizing energy efficiency and environmental performance in buildings;

(2) to promote the application of emerging concepts and technologies in commercial and institutional buildings;

(3) to train engineers, architects, building scientists, building energy permitting and enforcement officials, and building technicians in energy-efficient design and operation;

(4) to assist institutions of higher education and Tribal Colleges or Universities in training building technicians;

(5) to promote research and development for the use of alternative energy sources and distributed generation to supply heat and power for buildings, particularly energy-intensive buildings; and

(6) to coordinate with and assist State-accredited technical training centers, community colleges, Tribal Colleges or Universities, and local offices of the National Institute of Food and Agriculture and ensure appropriate services are provided under this section to each region of the United States.

(b) COORDINATION AND NONDUPLICATION.—

(1) IN GENERAL.—The Secretary shall coordinate the program with the industrial research and assessment centers program and with other Federal programs to avoid duplication of effort.

(2) COLLOCATION.—To the maximum extent practicable, building, training, and assessment centers established under this section shall be collocated with Industrial Assessment Centers.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000, to remain available until expended.

SEC. 112. CAREER SKILLS TRAINING.

(a) IN GENERAL.—The Secretary shall pay grants to eligible entities described in subsection (b) to pay the Federal share of associated career skills training programs under which students concurrently receive classroom instruction and on-the-job training for the purpose of obtaining an industry-related certification to install energy efficient buildings technologies, including technologies described in section 307(b)(3) of the Energy Conservation and Production Act (42 U.S.C. 6836(b)(3)).

(b) ELIGIBILITY.—To be eligible to obtain a grant under subsection (a), an entity shall be a nonprofit partnership described in section 171(e)(2)(B)(ii) of the Workforce Investment Act of 1998 (29 U.S.C. 2916(e)(2)(B)(ii)).

(c) FEDERAL SHARE.—The Federal share of the cost of carrying out a career skills training program described in subsection (a) shall be 50 percent.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000, to remain available until expended.

Subtitle C—School Buildings

SEC. 121. COORDINATION OF ENERGY RETROFITTING ASSISTANCE FOR SCHOOLS.

(a) DEFINITION OF SCHOOL.—In this section, the term ''school'' means—

(1) an elementary school or secondary school (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

(2) an institution of higher education (as defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a));

(3) a school of the defense dependents' education system under the Defense Dependents'

Education Act of 1978 (20 U.S.C. 921 et seq.) or established under section 2164 of title 10, United States Code;

(4) a school operated by the Bureau of Indian Affairs;

(5) a tribally controlled school (as defined in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511)); and

(6) a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))).

(b) DESIGNATION OF LEAD AGENCY.—The Secretary, acting through the Office of Energy Efficiency and Renewable Energy, shall act as the lead Federal agency for coordinating and disseminating information on existing Federal programs and assistance that may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools.

(c) REQUIREMENTS.—In carrying out coordination and outreach under subsection (b), the Secretary shall—

(1) in consultation and coordination with the appropriate Federal agencies, carry out a review of existing programs and financing mechanisms (including revolving loan funds and loan guarantees) available in or from the Department of Agriculture, the Department of Energy, the Department of Education, the Department of the Treasury, the Internal Revenue Service, the Environmental Protection Agency, and other appropriate Federal agencies with jurisdiction over energy financing and facilitation that are currently used or may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools;

(2) establish a Federal cross-departmental collaborative coordination, education, and outreach effort to streamline communication and promote available Federal opportunities and assistance described in paragraph (1), for energy efficiency, renewable energy, and energy retrofitting projects that enables States, local educational agencies, and schools—

(A) to use existing Federal opportunities more effectively; and

(B) to form partnerships with Governors, State energy programs, local educational, financial, and energy officials, State and local government officials, nonprofit organizations, and other appropriate entities, to support the initiation of the projects;

(3) provide technical assistance for States, local educational agencies, and schools to help develop and finance energy efficiency, renewable energy, and energy retrofitting projects—

(A) to increase the energy efficiency of buildings or facilities;

(B) to install systems that individually generate energy from renewable energy resources;

(C) to establish partnerships to leverage economies of scale and additional financing mechanisms available to larger clean energy initiatives; or

(D) to promote—

(i) the maintenance of health, environmental quality, and safety in schools, including the ambient air quality, through energy efficiency, renewable energy, and energy retrofit projects; and

(ii) the achievement of expected energy savings and renewable energy production through proper operations and maintenance practices;

(4) develop and maintain a single online resource Web site with contact information for relevant technical assistance and support staff in the Office of Energy Efficiency and Renewable Energy for States, local educational agencies, and schools to effectively access and use Federal opportunities and assistance described in paragraph (1) to develop energy efficiency, renewable energy, and energy retrofitting projects; and

(5) establish a process for recognition of schools that—

(A) have successfully implemented energy efficiency, renewable energy, and energy retrofitting projects; and

(B) are willing to serve as resources for other local educational agencies and schools to assist initiation of similar efforts.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the implementation of this section.

Subtitle D—Better Buildings

SEC. 131. ENERGY EFFICIENCY IN FEDERAL AND OTHER BUILDINGS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of General Services.

(2) COST-EFFECTIVE ENERGY EFFICIENCY MEASURE.—The terms ''cost-effective energy efficiency measure'' and ''measure'' mean any building product, material, equipment, or service and the installing, implementing, or operating thereof, that provides energy savings in an amount that is not less than the cost of such installing, implementing, or operating.

(b) MODEL PROVISIONS, POLICIES, AND BEST PRACTICES.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the Secretary and after providing the public with an opportunity for notice and comment, shall develop model leasing provisions and best practices in accordance with this subsection.

(2) COMMERCIAL LEASING.—

(A) IN GENERAL.—The model commercial leasing provisions developed under this subsection shall, at a minimum, align the interests of building owners and tenants with regard to investments in cost-effective energy efficiency measures to encourage building owners and tenants to collaborate to invest in such measures.

(B) USE OF MODEL PROVISIONS.—The Administrator may use the model provisions developed under this subsection in any standard leasing document that designates a Federal agency (or other client of the Administrator) as a landlord or tenant.

(C) PUBLICATION.—The Administrator shall periodically publish the model leasing provisions developed under this subsection, along with explanatory materials, to encourage building owners and tenants in the private sector to use such provisions and materials.

(3) REALTY SERVICES.—The Administrator shall develop policies and practices to implement cost-effective energy efficiency measures for the realty services provided by the Administrator to Federal agencies (or other clients of the Administrator), including periodic training of appropriate Federal employees and contractors on how to identify and evaluate those measures.

(4) STATE AND LOCAL ASSISTANCE.—The Administrator, in consultation with the Secretary, shall make available model leasing provisions and best practices developed under this subsection to State, county, and municipal governments to manage owned and leased building space in accordance with the goal of encouraging investment in all cost-effective energy efficiency measures.

SEC. 132. SEPARATE SPACES WITH HIGH-PERFORMANCE ENERGY EFFICIENCY MEASURES.

Subtitle B of title IV of the Energy Independence and Security Act of 2007 (42 U.S.C. 17081 et seq.) is amended by adding at the end the following:

''SEC. 424. SEPARATE SPACES WITH HIGH-PERFORMANCE ENERGY EFFICIENCY MEASURES.

''(a) DEFINITIONS.—In this section:

''(1) HIGH-PERFORMANCE ENERGY EFFICIENCY MEASURE.—The term 'high-performance energy efficiency measure' means a technology, product, or practice that will result in substantial operational cost savings by reducing energy consumption and utility costs.

''(2) SEPARATE SPACES.—The term 'separate spaces' means areas within a commercial building that are leased or otherwise occupied by a tenant or other occupant for a period of time pursuant to the terms of a written agreement.

''(b) STUDY.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary, acting through the Assistant Secretary of Energy Efficiency and Renewable Energy, shall complete a study on the feasibility of—

''(A) significantly improving energy efficiency in commercial buildings through the design and construction, by owners and tenants, of separate spaces with high-performance energy efficiency measures; and

''(B) encouraging owners and tenants to implement high-performance energy efficiency measures in separate spaces.

''(2) SCOPE.—The study shall, at a minimum, include—

''(A) descriptions of—

''(i) high-performance energy efficiency measures that should be considered as part of the initial design and construction of separate spaces;

''(ii) processes that owners, tenants, architects, and engineers may replicate when designing and constructing separate spaces with high-performance energy efficiency measures;

''(iii) policies and best practices to achieve reductions in energy intensities for lighting, plug loads, heating, cooling, cooking, laundry, and other systems to satisfy the needs of the commercial building tenant;

''(iv) return on investment and payback analyses of the incremental cost and projected energy savings of the proposed set of high-performance energy efficiency measures, including consideration of available incentives;

''(v) models and simulation methods that predict the quantity of energy used by separate spaces with high-performance energy efficiency measures and that compare that predicted quantity to the quantity of energy used by separate spaces without high-performance energy efficiency measures but that otherwise comply with applicable building code requirements;

''(vi) measurement and verification platforms demonstrating actual energy use of high-performance energy efficiency measures installed in separate spaces, and whether such measures generate the savings intended in the initial design and construction of the separate spaces;

''(vii) best practices that encourage an integrated approach to designing and constructing separate spaces to perform at optimum energy efficiency in conjunction with the central systems of a commercial building; and

''(viii) any impact on employment resulting from the design and construction of separate spaces with high-performance energy efficiency measures; and

''(B) case studies reporting economic and energy saving returns in the design and construction of separate spaces with high-performance energy efficiency measures.

''(3) PUBLIC PARTICIPATION.—Not later than 90 days after the date of the enactment of this section, the Secretary shall publish a notice in the Federal Register requesting

public comments regarding effective methods, measures, and practices for the design and construction of separate spaces with high-performance energy efficiency measures.

''(4) PUBLICATION.—The Secretary shall publish the study on the website of the Department of Energy.''.

SEC. 133. TENANT STAR PROGRAM.

Subtitle B of title IV of the Energy Independence and Security Act of 2007 (42 U.S.C. 17081 et seq.) (as amended by section 132) is amended by adding at the end the following:

''SEC. 425. TENANT STAR PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) HIGH-PERFORMANCE ENERGY EFFICIENCY MEASURE.—The term 'high-performance energy efficiency measure' has the meaning given the term in section 424.

''(2) SEPARATE SPACES.—The term 'separate spaces' has the meaning given the term in section 424.

''(b) TENANT STAR.—The Administrator of the Environmental Protection Agency, in consultation with the Secretary of Energy, shall develop a voluntary program within the Energy Star program established by section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a), which may be known as Tenant Star, to promote energy efficiency in separate spaces leased by tenants or otherwise occupied within commercial buildings.

''(c) EXPANDING SURVEY DATA.—The Secretary of Energy, acting through the Administrator of the Energy Information Administration, shall—

''(1) collect, through each Commercial Buildings Energy Consumption Survey of the Energy Information Administration that is conducted after the date of enactment of this section, data on—

''(A) categories of building occupancy that are known to consume significant quantities of energy, such as occupancy by data centers, trading floors, and restaurants; and

''(B) other aspects of the property, building operation, or building occupancy determined by the Administrator of the Energy Information Administration, in consultation with the Administrator of the Environmental Protection Agency, to be relevant in lowering energy consumption;

''(2) with respect to the first Commercial Buildings Energy Consumption Survey conducted after the date of enactment of this section, to the extent full compliance with the requirements of paragraph (1) is not feasible, conduct activities to develop the capability to collect such data and begin to collect such data; and

''(3) make data collected under paragraphs (1) and (2) available to the public in aggregated form and provide such data, and any associated results, to the Administrator of the Environmental Protection Agency for use in accordance with subsection (d).

''(d) RECOGNITION OF OWNERS AND TENANTS.—

''(1) OCCUPANCY-BASED RECOGNITION.—Not later than 1 year after the date on which sufficient data is received pursuant to subsection (c), the Administrator of the Environmental Protection Agency shall, following an opportunity for public notice and comment—

''(A) in a manner similar to the Energy Star rating system for commercial buildings, develop policies and procedures to recognize tenants in commercial buildings that voluntarily achieve high levels of energy efficiency in separate spaces;

''(B) establish building occupancy categories eligible for Tenant Star recognition based on the data collected under subsection (c) and any other appropriate data sources; and

''(C) consider other forms of recognition for commercial building tenants or other occupants that lower energy consumption in separate spaces.

''(2) DESIGN- AND CONSTRUCTION-BASED RECOGNITION.—After the study required by section 424(b) is completed, the Administrator of the Environmental Protection Agency, in consultation with the Secretary and following an opportunity for public notice and comment, may develop a voluntary program to recognize commercial building owners and tenants that use high-performance energy efficiency measures in the design and construction of separate spaces.''.

Subtitle E—Energy Information for Commercial Buildings

SEC. 141. ENERGY INFORMATION FOR COMMERCIAL BUILDINGS.

(a) REQUIREMENT OF BENCHMARKING AND DISCLOSURE FOR LEASING BUILDINGS WITHOUT ENERGY STAR LABELS.—Section 435(b)(2) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17091(b)(2)) is amended—

(1) by striking ''paragraph (2)'' and inserting ''paragraph (1)''; and

(2) by striking ''signing the contract,'' and all that follows through the period at the end and inserting the following:

''signing the contract, the following requirements are met:

''(A) The space is renovated for all energy efficiency and conservation improvements that would be cost effective over the life of the lease, including improvements in lighting, windows, and heating, ventilation, and air conditioning systems.

''(B)(i) Subject to clause (ii), the space is benchmarked under a nationally recognized, online, free benchmarking program, with public disclosure, unless the space is a space for which owners cannot access whole building utility consumption data, including spaces—

''(I) that are located in States with privacy laws that provide that utilities shall not provide such aggregated information to multitenant building owners; and

''(II) for which tenants do not provide energy consumption information to the commercial building owner in response to a request from the building owner.

''(ii) A Federal agency that is a tenant of the space shall provide to the building owner, or authorize the owner to obtain from the utility, the energy consumption information of the space for the benchmarking and disclosure required by this subparagraph.''.

(b) DEPARTMENT OF ENERGY STUDY.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete a study, with opportunity for public comment—

(A) on the impact of—

(i) State and local performance benchmarking and disclosure policies, and any associated building efficiency policies, for commercial and multifamily buildings; and

(ii) programs and systems in which utilities provide aggregated information regarding whole building energy consumption and usage information to owners of multitenant commercial, residential, and mixed-use buildings;

(B) that identifies best practice policy approaches studied under subparagraph (A) that have resulted in the greatest improvements in building energy efficiency; and

(C) that considers—

(i) compliance rates and the benefits and costs of the policies and programs on building owners, utilities, tenants, and other parties;

(ii) utility practices, programs, and systems that provide aggregated energy consumption information to multitenant building owners, and the impact of public utility commissions and State privacy laws on those practices, programs, and systems;

(iii) exceptions to compliance in existing laws where building owners are not able to gather or access whole building energy information from tenants or utilities;

(iv) the treatment of buildings with—

(I) multiple uses;

(II) uses for which baseline information is not available; and

(III) uses that require high levels of energy intensities, such as data centers, trading floors, and televisions studios;

(v) implementation practices, including disclosure methods and phase-in of compliance;

(vi) the safety and security of benchmarking tools offered by government agencies, and the resiliency of those tools against cyber-attacks; and

(vii) international experiences with regard to building benchmarking and disclosure laws and data aggregation for multitenant buildings.

(2) SUBMISSION TO CONGRESS.—At the conclusion of the study, the Secretary shall submit to Congress a report on the results of the study.

(c) CREATION AND MAINTENANCE OF DATABASES.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act and following opportunity for public notice and comment, the Secretary, in coordination with other relevant agencies shall, to carry out the purpose described in paragraph (2)—

(A) assess existing databases; and

(B) as necessary—

(i) modify and maintain existing databases; or

(ii) create and maintain a new database platform.

(2) PURPOSE.—The maintenance of existing databases or creation of a new database platform under paragraph (1) shall be for the purpose of storing and making available public energy-related information on commercial and multifamily buildings, including—

(A) data provided under Federal, State, local, and other laws or programs regarding building benchmarking and energy information disclosure;

(B) buildings that have received energy ratings and certifications; and

(C) energy-related information on buildings provided voluntarily by the owners of the buildings, in an anonymous form, unless the owner provides otherwise.

(d) COMPETITIVE AWARDS.—Based on the results of the research for the portion of the study described in subsection (b)(1)(A)(ii), and with criteria developed following public notice and comment, the Secretary may make competitive awards to utilities, utility regulators, and utility partners to develop and implement effective and promising programs to provide aggregated whole building energy consumption information to multitenant building owners.

(e) INPUT FROM STAKEHOLDERS.—The Secretary shall seek input from stakeholders to maximize the effectiveness of the actions taken under this section.

(f) REPORT.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Secretary shall submit to Congress a report on the progress made in complying with this section.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (b) $2,500,000 for each of fiscal years 2014 through 2018, to remain available until expended.

TITLE II—INDUSTRIAL EFFICIENCY AND COMPETITIVENESS

Subtitle A—Manufacturing Energy Efficiency

SEC. 201. PURPOSES.

The purposes of this subtitle are—

(1) to reform and reorient the industrial efficiency programs of the Department of Energy;

(2) to establish a clear and consistent authority for industrial efficiency programs of the Department;

(3) to accelerate the deployment of technologies and practices that will increase industrial energy efficiency and improve productivity;

(4) to accelerate the development and demonstration of technologies that will assist the deployment goals of the industrial efficiency programs of the Department and increase manufacturing efficiency;

(5) to stimulate domestic economic growth and improve industrial productivity and competitiveness; and

(6) to strengthen partnerships between Federal and State governmental agencies and the private and academic sectors.

SEC. 202. FUTURE OF INDUSTRY PROGRAM.

(a) IN GENERAL.—Section 452 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111) is amended by striking the section heading and inserting the following: ''**FUTURE OF INDUSTRY PROGRAM**''.

(b) DEFINITION OF ENERGY SERVICE PROVIDER.—Section 452(a) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111(a)) is amended—

(1) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively; and

(2) by inserting after paragraph (2):

''(3) ENERGY SERVICE PROVIDER.—The term 'energy service provider' means any business providing technology or services to improve the energy efficiency, power factor, or load management of a manufacturing site or other industrial process in an energy-intensive industry, or any utility operating under a utility energy service project.''.

(c) INDUSTRIAL RESEARCH AND ASSESSMENT CENTERS.—Section 452(e) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111(e)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting appropriately;

(2) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary'';

(3) in subparagraph (A) (as redesignated by paragraph (1)), by inserting before the semicolon at the end the following: '', including assessments of sustainable manufacturing goals and the implementation of information technology advancements for supply chain analysis, logistics, system monitoring, industrial and manufacturing processes, and other purposes''; and

(4) by adding at the end the following:

''(2) COORDINATION.—

''(A) IN GENERAL.—To increase the value and capabilities of the industrial research and assessment centers, the centers shall—

''(i) coordinate with Manufacturing Extension Partnership Centers of the National Institute of Standards and Technology;

''(ii) coordinate with the Building Technologies Program of the Department of Energy to provide building assessment services to manufacturers;

''(iii) increase partnerships with the National Laboratories of the Department of Energy to leverage the expertise and technologies of the National Laboratories for national industrial and manufacturing needs;

''(iv) increase partnerships with energy service providers and technology providers to leverage private sector expertise and accelerate deployment of new and existing technologies and processes for energy efficiency, power factor, and load management;

''(v) identify opportunities for reducing greenhouse gas emissions; and

''(vi) promote sustainable manufacturing practices for small- and medium-sized manufacturers.

''(3) OUTREACH.—The Secretary shall provide funding for—

''(A) outreach activities by the industrial research and assessment centers to inform small- and medium-sized manufacturers of the information, technologies, and services available; and

''(B) coordination activities by each industrial research and assessment center to leverage efforts with—

''(i) Federal and State efforts;

''(ii) the efforts of utilities and energy service providers;

''(iii) the efforts of regional energy efficiency organizations; and

''(iv) the efforts of other industrial research and assessment centers.

''(4) WORKFORCE TRAINING.—

''(A) IN GENERAL.—The Secretary shall pay the Federal share of associated internship programs under which students work with or for industries, manufacturers, and energy service providers to implement the recommendations of industrial research and assessment centers.

''(B) FEDERAL SHARE.—The Federal share of the cost of carrying out internship programs described in subparagraph (A) shall be 50 percent.

''(5) SMALL BUSINESS LOANS.—The Administrator of the Small Business Administration shall, to the maximum extent practicable, expedite consideration of applications from eligible small business concerns for loans under the Small Business Act (15 U.S.C. 631 et seq.) to implement recommendations of industrial research and assessment centers established under paragraph (1).

''(6) ADVANCED MANUFACTURING STEERING COMMITTEE.—The Secretary shall establish an advisory steering committee to provide recommendations to the Secretary on planning and implementation of the Advanced Manufacturing Office of the Department of Energy.''.

SEC. 203. SUSTAINABLE MANUFACTURING INITIATIVE.

(a) IN GENERAL.—Part E of title III of the Energy Policy and Conservation Act (42 U.S.C. 6341) is amended by adding at the end the following:

''SEC. 376. SUSTAINABLE MANUFACTURING INITIATIVE.

''(a) IN GENERAL.—As part of the Office of Energy Efficiency and Renewable Energy, the Secretary, on the request of a manufacturer, shall conduct onsite technical assessments to identify opportunities for—

''(1) maximizing the energy efficiency of industrial processes and cross-cutting systems;

''(2) preventing pollution and minimizing waste;

''(3) improving efficient use of water in manufacturing processes;

''(4) conserving natural resources; and

''(5) achieving such other goals as the Secretary determines to be appropriate.

''(b) COORDINATION.—The Secretary shall carry out the initiative in coordination with the private sector and appropriate agencies, including the National Institute of Standards and Technology, to accelerate adoption of new and existing technologies and processes that improve energy efficiency.

''(c) RESEARCH AND DEVELOPMENT PROGRAM FOR SUSTAINABLE MANUFACTURING AND INDUSTRIAL TECHNOLOGIES AND PROCESSES.—As part of the industrial efficiency programs of the Department of Energy, the Secretary shall carry out a joint industry-government partnership program to research, develop, and demonstrate new sustainable manufacturing and industrial technologies and processes that maximize the energy efficiency of industrial plants, reduce pollution, and conserve natural resources.''.

(b) TABLE OF CONTENTS.—The table of contents of the Energy Policy and Conservation Act (42 U.S.C. prec. 6201) is amended by adding at the end of the items relating to part E of title III the following:

''Sec. 376. Sustainable manufacturing initiative.''.

SEC. 204. CONFORMING AMENDMENTS.

(a) Section 106 of the Energy Policy Act of 2005 (42 U.S.C. 15811) is repealed.

(b) Sections 131, 132, 133, 2103, and 2107 of the Energy Policy Act of 1992 (42 U.S.C. 6348, 6349, 6350, 13453, 13456) are repealed.

(c) Section 2101(a) of the Energy Policy Act of 1992 (42 U.S.C. 13451(a)) is amended in the third sentence by striking ''sections 2102, 2103, 2104, 2105, 2106, 2107, and 2108'' and inserting ''sections 2102, 2104, 2105, 2106, and 2108 of this Act and section 376 of the Energy Policy and Conservation Act,''.

Subtitle B—Supply Star

SEC. 211. SUPPLY STAR.

The Energy Policy and Conservation Act is amended by inserting after section 324A (42 U.S.C. 6294a) the following:

''SEC. 324B. SUPPLY STAR PROGRAM.

''(a) IN GENERAL.—There is established within the Department of Energy a Supply Star program to identify and promote practices, recognize companies, and, as appropriate, recognize products that use highly efficient supply chains in a manner that conserves energy, water, and other resources.

''(b) COORDINATION.—In carrying out the program described in subsection (a), the Secretary shall—

''(1) consult with other appropriate agencies; and

''(2) coordinate efforts with the Energy Star program established under section 324A.

''(c) DUTIES.—In carrying out the Supply Star program described in subsection (a), the Secretary shall—

''(1) promote practices, recognize companies, and, as appropriate, recognize products that comply with the Supply Star program as the preferred practices, companies, and products in the marketplace for maximizing supply chain efficiency;

''(2) work to enhance industry and public awareness of the Supply Star program;

''(3) collect and disseminate data on supply chain energy resource consumption;

''(4) develop and disseminate metrics, processes, and analytical tools (including software) for evaluating supply chain energy resource use;

''(5) develop guidance at the sector level for improving supply chain efficiency;

''(6) work with domestic and international organizations to harmonize approaches to analyzing supply chain efficiency, including the development of a consistent set of tools, templates, calculators, and databases; and

''(7) work with industry, including small businesses, to improve supply chain efficiency through activities that include—

''(A) developing and sharing best practices; and

''(B) providing opportunities to benchmark supply chain efficiency.

''(d) EVALUATION.—In any evaluation of supply chain efficiency carried out by the Secretary with respect to a specific product, the Secretary shall consider energy consumption and resource use throughout the entire lifecycle of a product, including production, transport, packaging, use, and disposal.

''(e) GRANTS AND INCENTIVES.—

''(1) IN GENERAL.—The Secretary may award grants or other forms of incentives on a competitive basis to eligible entities, as determined by the Secretary, for the purposes of—

''(A) studying supply chain energy resource efficiency; and

''(B) demonstrating and achieving reductions in the energy resource consumption of commercial products through changes and improvements to the production supply and distribution chain of the products.

''(2) USE OF INFORMATION.—Any information or data generated as a result of the grants or incentives described in paragraph (1) shall be used to inform the development of the Supply Star Program.

''(f) TRAINING.—The Secretary shall use funds to support professional training programs to develop and communicate methods, practices, and tools for improving supply chain efficiency.

''(g) EFFECT OF OUTSOURCING OF AMERICAN JOBS.—For purposes of this section, the outsourcing of American jobs in the production of a product shall not count as a positive factor in determining supply chain efficiency.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for the period of fiscal years 2014 through 2023.''.

Subtitle C—Electric Motor Rebate Program

SEC. 221. ENERGY SAVING MOTOR CONTROL, ELECTRIC MOTOR, AND ADVANCED MOTOR SYSTEMS REBATE PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADVANCED MOTOR AND DRIVE SYSTEM.—The term ''advanced motor and drive system'' means an electric motor and any required associated electronic control that—

(A) offers variable or multiple speed operation;

(B) offers efficiency at a rated full load that is greater than the efficiency described for the equivalent rating in—

(i) table 12–12 of National Electrical Manufactures Association (NEMA MG 1–2011); or

(ii) section 431.446 of National Electrical Manufactures Association (2012); and

(C) uses—

(i) permanent magnet alternating current synchronous motor technology;

(ii) electronically commutated motor technology;

(iii) switched reluctance motor technology;

(iv) synchronous reluctance motor technology; or

(v) such other motor that has greater than 1 horsepower and uses a drive systems technology, as determined by the Secretary.

(2) ELECTRIC MOTOR.—The term ''electric motor'' has the meaning given the term in section 431.12 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(3) QUALIFIED PRODUCT.—The term ''qualified product'' means—

(A) a new constant speed electric motor control that—

(i) is attached to an electric motor; and

(ii) reduces the energy use of the electric motor by not less than 5 percent; and

(B) commercial or industrial machinery or equipment that—

(i) is manufactured and incorporates an advanced motor and drive system that has greater than 1 horsepower into a redesigned machine or equipment that did not previously make use of the advanced motor and drive system; or

(ii) was previously used and placed back into service in calendar year 2014 or 2015 that upgrades the existing machine or equipment with an advanced motor and drive system.

(b) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a program to provide rebates for expenditures made by qualified entities for the purchase and installation of qualified products.

(c) QUALIFIED ENTITIES.—A qualified entity under this section shall be—

(1) in the case of a qualified product described in subsection (a)(3)(A), the purchaser of the qualified product for whom the qualified product is installed; and

(2) in the case of a qualified product described in subsection (a)(3)(B)), the manufacturer of the machine or equipment that incorporated the advanced motor and drive system into the machine or equipment.

(d) REQUIREMENTS.—

(1) APPLICATION.—To be eligible to receive a rebate under this section, a qualified entity shall submit to the Secretary or an entity designated by the Secretary an application and certification in such form, at such time, and containing such information as the Secretary may require, including demonstrated evidence that the qualified entity purchased a qualified product and—

(A) in the case of a qualified product described in subsection (a)(3)(A)—

(i) demonstrated evidence that the qualified entity installed the qualified product in calendar year 2014 or 2015;

(ii) demonstrated evidence that the qualified product reduces motor energy use by not less than 5 percent, in accordance with procedures approved by the Secretary; and

(iii) the serial number, manufacturer, and model number from the nameplate of the installed motor of the qualified entity on which the qualified product was installed; and

(B) in the case of a qualified product described in subsection (a)(3)(B)—

(i) demonstrated evidence that the manufacturer—

(I) redesigned a machine or equipment of a manufacturer that did not previously make use of an advanced motor and drive system; or

(II) upgraded a used machine or equipment to incorporate an advanced motor and drive system;

(ii) demonstrated evidence that the qualified product was sold, installed, or placed back into service in calendar year 2014 or 2015; and

(iii) the serial number, manufacturer, and model number from the nameplate of the installed motor of the qualified entity with which the advanced motor and drive system is integrated.

(2) AUTHORIZED AMOUNT OF REBATE.—The Secretary may provide to a qualified entity that has satisfied the requirements of paragraph (1) a rebate the amount of which shall be equal to the product obtained by multiplying—

(A) the nameplate rated horsepower of—

(i) the electric motor to which the new constant speed electric motor control is attached;

(ii) the new electric motor that replaced a previously installed electric motor; or

(iii) the advanced electric motor control system; and

(B) $25.

(3) MAXIMUM AGGREGATE AMOUNT.—No entity shall be entitled to aggregate rebates under this section in excess of $250,000.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2014 and 2015, to remain available until expended.

Subtitle D—Transformer Rebate Program

SEC. 231. ENERGY EFFICIENT TRANSFORMER REBATE PROGRAM.

(a) DEFINITION OF QUALIFIED TRANSFORMER.—In this section, the term ''qualified transformer'' means a transformer that meets or exceeds the National Electrical Manufacturers Association (NEMA) Premium Efficiency designation, calculated to 2 decimal points, as having 30 percent fewer losses than the NEMA TP–1–2002 efficiency standard for a transformer of the same number of phases and capacity, as measured in kilovolt-amperes.

(b) ESTABLISHMENT.—Not later than January 1, 2014, the Secretary shall establish a program under which rebates are provided for expenditures made by owners of industrial or manufacturing facilities, commercial buildings, and multifamily residential buildings for the purchase and installation of a new energy efficient transformers.

(c) REQUIREMENTS.—

(1) APPLICATION.—To be eligible to receive a rebate under this section, an owner shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary may require, including demonstrated evidence that the owner purchased a qualified transformer.

(2) AUTHORIZED AMOUNT OF REBATE.—For qualified transformers, rebates, in dollars per kilovolt-ampere (referred to in this paragraph as ''kVA'') shall be—

(A) for 3-phase transformers—

(i) with a capacity of not greater than 10 kVA, 15;

(ii) with a capacity of not less than 10 kVA and not greater than 100 kVA, the difference between 15 and the quotient obtained by dividing—

(I) the difference between—

(aa) the capacity of the transformer in kVA; and

(bb) 10; by

(II) 9; and

(iii) with a capacity greater than or equal to 100 kVA, 5; and

(B) for single-phase transformers, 75 percent of the rebate for a 3-phase transformer of the same capacity.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2014 and 2015, to remain available until expended.

(e) TERMINATION OF EFFECTIVENESS.—The authority provided by this section terminates effective December 31, 2015.

TITLE III—FEDERAL AGENCY ENERGY EFFICIENCY

SEC. 301. ENERGY-EFFICIENT AND ENERGY-SAVING INFORMATION TECHNOLOGIES.

Section 543 of the National Energy Conservation Policy Act (42 U.S.C. 8253) is amended—

(1) by redesignating the second subsection (f) (relating to large capital energy investments) as subsection (g); and

(2) by adding at the end the following:

''(h) FEDERAL IMPLEMENTATION STRATEGY FOR ENERGY-EFFICIENT AND ENERGY-SAVING INFORMATION TECHNOLOGIES.—

''(1) DEFINITIONS.—In this subsection:

''(A) DIRECTOR.—The term 'Director' means the Director of the Office of Management and Budget.

''(B) INFORMATION TECHNOLOGY.—The term 'information technology' has the meaning given the term in section 11101 of title 40, United States Code.

''(2) DEVELOPMENT OF IMPLEMENTATION STRATEGY.—Not later than 1 year after the date of enactment of this subsection, each Federal agency shall collaborate with the Director to develop an implementation strategy (including best-practices and measurement and verification techniques) for the maintenance, purchase, and use by the Federal agency of energy-efficient and energy-saving information technologies.

''(3) ADMINISTRATION.—In developing an implementation strategy, each Federal agency shall consider—

''(A) advanced metering infrastructure;

''(B) energy efficient data center strategies and methods of increasing asset and infrastructure utilization;

''(C) advanced power management tools;

''(D) building information modeling, including building energy management; and

''(E) secure telework and travel substitution tools.

''(4) PERFORMANCE GOALS.—

''(A) IN GENERAL.—Not later than September 30, 2014, the Director, in consultation with the Secretary, shall establish performance goals for evaluating the efforts of Federal agencies in improving the maintenance, purchase, and use of energy-efficient and energy-saving information technology systems.

''(B) BEST PRACTICES.—The Chief Information Officers Council established under section 3603 of title 44, United States Code, shall supplement the performance goals established under this paragraph with recommendations on best practices for the attainment of the performance goals, to include a requirement for agencies to consider the use of—

''(i) energy savings performance contracting; and

''(ii) utility energy services contracting.

''(5) REPORTS.—

''(A) AGENCY REPORTS.—Each Federal agency subject to the requirements of this subsection shall include in the report of the agency under section 527 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17143) a description of the efforts and results of the agency under this subsection.

''(B) OMB GOVERNMENT EFFICIENCY REPORTS AND SCORECARDS.—Effective beginning not later than October 1, 2014, the Director shall include in the annual report and scorecard of the Director required under section 528 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17144) a description of the efforts and results of Federal agencies under this subsection.

''(C) USE OF EXISTING REPORTING STRUCTURES.—The Director may require Federal agencies to submit any information required to be submitted under this subsection though reporting structures in use as of the date of enactment of the Energy Savings and Industrial Competitiveness Act of 2014.''.

SEC. 302. AVAILABILITY OF FUNDS FOR DESIGN UPDATES.

Section 3307 of title 40, United States Code, is amended—

(1) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively; and

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

''(d) AVAILABILITY OF FUNDS FOR DESIGN UPDATES.—

''(1) IN GENERAL.—Subject to paragraph (2), for any project for which congressional approval is received under subsection (a) and for which the design has been substantially completed but construction has not begun, the Administrator of General Services may use appropriated funds to update the project design to meet applicable Federal building energy efficiency standards established under section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) and other requirements established under section 3312.

''(2) LIMITATION.—The use of funds under paragraph (1) shall not exceed 125 percent of the estimated energy or other cost savings associated with the updates as determined by a life cycle cost analysis under section 544 of the National Energy Conservation Policy Act (42 U.S.C. 8254).''.

SEC. 303. ENERGY EFFICIENT DATA CENTERS.

Section 453 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17112) is amended—

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

''(1) IN GENERAL.—Not later than 30 days after the date of enactment of the Energy Savings and Industrial Competitiveness Act of 2014, the Secretary and the Administrator shall—

''(A) designate an established information technology industry organization to coordinate the program described in subsection (b); and

''(B) make the designation public, including on an appropriate website.'';

(2) by striking subsections (e) and (f) and inserting the following:

''(e) STUDY.—The Secretary, with assistance from the Administrator, shall—

''(1) not later than December 31, 2014, make available to the public an update to the Report to Congress on Server and Data Center Energy Efficiency published on August 2, 2007, under section 1 of Public Law 109–431 (120 Stat. 2920), that provides—

''(A) a comparison and gap analysis of the estimates and projections contained in the original report with new data regarding the period from 2007 through 2013;

''(B) an analysis considering the impact of information technologies, to include virtualization and cloud computing, in the public and private sectors; and

''(C) updated projections and recommendations for best practices through fiscal year 2020; and

''(2) collaborate with the organization designated under subsection (c) in preparing the report.

''(f) DATA CENTER ENERGY PRACTITIONER PROGRAM.—

''(1) IN GENERAL.—The Secretary, in collaboration with the organization designated under subsection (c) and in consultation with the Administrator for the Office of E-Government and Information Technology within the Office of Management and Budget, shall maintain a data center energy practitioner program that leads to the certification of energy practitioners qualified to evaluate the energy usage and efficiency opportunities in data centers.

''(2) EVALUATIONS.—Each Federal agency shall consider having the data centers of the agency evaluated every 4 years by energy practitioners certified pursuant to the program, whenever practicable using certified practitioners employed by the agency.'';

(3) by redesignating subsection (g) as subsection (j); and

(4) by inserting after subsection (f) the following:

''(g) OPEN DATA INITIATIVE.—

''(1) IN GENERAL.—The Secretary, in collaboration with the organization designated under subsection (c) and in consultation with the Administrator for the Office of E-Government and Information Technology within the Office of Management and Budget, shall establish an open data initiative for Federal data center energy usage data, with the purpose of making the data available and accessible in a manner that empowers further data center optimization and consolidation.

''(2) ADMINISTRATION.—In establishing the initiative, the Secretary shall consider use of the online Data Center Maturity Model.

''(h) INTERNATIONAL SPECIFICATIONS AND METRICS.—The Secretary, in collaboration with the organization designated under subsection (c), shall actively participate in efforts to harmonize global specifications and metrics for data center energy efficiency.

''(i) DATA CENTER UTILIZATION METRIC.—The Secretary, in collaboration with the organization designated under subsection (c), shall assist in the development of an efficiency metric that measures the energy efficiency of the overall data center.''.

SEC. 304. BUDGET-NEUTRAL DEMONSTRATION PROGRAM FOR ENERGY AND WATER CONSERVATION IMPROVEMENTS AT MULTIFAMILY RESIDENTIAL UNITS.

(a) ESTABLISHMENT.—The Secretary of Housing and Urban Development (referred to in this section as the ''Secretary'') shall establish a demonstration program under which, during the period beginning on the date of enactment of this Act, and ending on September 30, 2017, the Secretary may enter into budget-neutral, performance-based agreements that result in a reduction in energy or water costs with such entities as the Secretary determines to be appropriate under which the entities shall carry out projects for energy or water conservation improvements at not more than 20,000 residential units in multifamily buildings participating in—

(1) the project-based rental assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), other than assistance provided under section 8(o) of that Act;

(2) the supportive housing for the elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); or

(3) the supportive housing for persons with disabilities program under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)).

(b) REQUIREMENTS.—

(1) PAYMENTS CONTINGENT ON SAVINGS.—

(A) IN GENERAL.—The Secretary shall provide to an entity a payment under an agreement under this section only during applicable years for which an energy or water cost savings is achieved with respect to the applicable multifamily portfolio of properties, as determined by the Secretary, in accordance with subparagraph (B).

(B) PAYMENT METHODOLOGY.—

(i) IN GENERAL.—Each agreement under this section shall include a pay-for-success provision—

(I) that will serve as a payment threshold for the term of the agreement; and

(II) pursuant to which the Department of Housing and Urban Development shall share a percentage of the savings at a level determined by the Secretary that is sufficient to cover the administrative costs of carrying out this section.

(ii) LIMITATIONS.—A payment made by the Secretary under an agreement under this section shall—

(I) be contingent on documented utility savings; and

(II) not exceed the utility savings achieved by the date of the payment, and not previously paid, as a result of the improvements made under the agreement.

(C) THIRD PARTY VERIFICATION.—Savings payments made by the Secretary under this section shall be based on a measurement and verification protocol that includes at least—

(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established preretrofit;

(ii) annual third party confirmation of actual utility consumption and cost for owner-paid utilities;

(iii) annual third party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and

(iv) annual third party determination of savings to the Secretary.

(2) TERM.—The term of an agreement under this section shall be not longer than 12 years.

(3) ENTITY ELIGIBILITY.—The Secretary shall—

(A) establish a competitive process for entering into agreements under this section; and

(B) enter into such agreements only with entities that demonstrate significant experience relating to—

(i) financing and operating properties receiving assistance under a program described in subsection (a);

(ii) oversight of energy and water conservation programs, including oversight of contractors; and

(iii) raising capital for energy and water conservation improvements from charitable organizations or private investors.

(4) GEOGRAPHICAL DIVERSITY.—Each agreement entered into under this section shall provide for the inclusion of properties with the greatest feasible regional and State variance.

(c) PLAN AND REPORTS.—

(1) PLAN.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed plan for the implementation of this section.

(2) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall—

(A) conduct an evaluation of the program under this section; and

(B) submit to Congress a report describing each evaluation conducted under subparagraph (A).

(d) FUNDING.—For each fiscal year during which an agreement under this section is in effect, the Secretary may use to carry out this section any funds appropriated to the Secretary for the renewal of contracts under a program described in subsection (a).

TITLE IV—REGULATORY PROVISIONS

Subtitle A—Third-party Certification Under Energy Star Program

SEC. 401. THIRD-PARTY CERTIFICATION UNDER ENERGY STAR PROGRAM.

Section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a) is amended by adding at the end the following:

''(e) THIRD-PARTY CERTIFICATION.—

''(1) IN GENERAL.—Subject to paragraph (2), not later than 180 days after the date of enactment of this subsection, the Administrator shall revise the certification requirements for the labeling of consumer, home, and office electronic products for program partners that have complied with all requirements of the Energy Star program for a period of at least 18 months.

''(2) ADMINISTRATION.—In the case of a program partner described in paragraph (1), the new requirements under paragraph (1)—

''(A) shall not require third-party certification for a product to be listed; but

''(B) may require that test data and other product information be submitted to facilitate product listing and performance verification for a sample of products.

''(3) THIRD PARTIES.—Nothing in this subsection prevents the Administrator from using third parties in the course of the administration of the Energy Star program.

''(4) TERMINATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), an exemption from third-party certification provided to a program partner under paragraph (1) shall terminate if the program partner is found to have violated program requirements with respect to at least 2 separate models during a 2-year period.

''(B) RESUMPTION.—A termination for a program partner under subparagraph (A) shall cease if the program partner complies with all Energy Star program requirements for a period of at least 3 years.''.

Subtitle B—Federal Green Buildings

SEC. 411. HIGH-PERFORMANCE GREEN FEDERAL BUILDINGS.

Section 436(h) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17092(h)) is amended—

(1) in the subsection heading, by striking ''SYSTEM'' and inserting ''SYSTEMS'';

(2) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—Based on an ongoing review, the Federal Director shall identify and shall provide to the Secretary pursuant to section 305(a)(3)(D) of the Energy Conservation and Production Act (42 U.S.C. 6834(a)(3)(D)), a list of those certification systems that the Director identifies as the most likely to encourage a comprehensive and environmentally sound approach to certification of green buildings.''; and

(3) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''system'' and inserting ''systems'';

(B) by striking subparagraph (A) and inserting the following:

''(A) an ongoing review provided to the Secretary pursuant to section 305(a)(3)(D) of the Energy Conservation and Production Act (42 U.S.C. 6834(a)(3)(D)), which shall—

''(i) be carried out by the Federal Director to compare and evaluate standards; and

''(ii) allow any developer or administrator of a rating system or certification system to be included in the review;'';

(C) in subparagraph (E)(v), by striking ''and'' after the semicolon at the end;

(D) in subparagraph (F), by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

''(G) a finding that, for all credits addressing grown, harvested, or mined materials, the system does not discriminate against the use of domestic products that have obtained certifications of responsible sourcing; and

''(H) a finding that the system incorporates life-cycle assessment as a credit pathway.''.

Subtitle C—Water Heaters

SEC. 421. GRID-ENABLED WATER HEATERS.

Part B of title III of the Energy Policy and Conservation Act (42 U.S.C. 6291 et seq.) is amended—

(1) in section 325(e), by adding at the end the following:

''(6) ADDITIONAL STANDARDS FOR GRID-ENABLED WATER HEATERS.—

''(A) DEFINITIONS.—In this paragraph:

''(i) ACTIVATION KEY.—The term 'activation key' means a physical device or control directly on the water heater, a software code, or a digital communication means—

''(I) that must be activated to enable the product to operate continuously and at its designed specifications and capabilities; and

''(II) without which activation the product will provide not greater than 50 percent of the rated first hour delivery of hot water certified by the manufacturer.

''(ii) GRID-ENABLED WATER HEATER.—The term 'grid-enabled water heater' means an electric resistance water heater—

''(I) with a rated storage tank volume of more than 75 gallons;

''(II) manufactured on or after April 16, 2015;

''(III) that has—

''(aa) an energy factor of not less than 1.061 minus the product obtained by multiplying—

''(AA) the rated storage volume of the tank, expressed in gallons; and

''(BB) 0.00168; or

''(bb) an efficiency level equivalent to the energy factor under item (aa) and expressed as a uniform energy descriptor based on the revised test procedure for water heaters described in paragraph (5);

''(IV) equipped by the manufacturer with an activation key; and

''(V) that bears a permanent label applied by the manufacturer that—

''(aa) is made of material not adversely affected by water;

''(bb) is attached by means of non-water-soluble adhesive; and

''(cc) advises purchasers and end-users of the intended and appropriate use of the product with the following notice printed in 16.5 point Arial Narrow Bold font:

''IMPORTANT INFORMATION: This water heater is intended only for use as part of an electric thermal storage or demand response program. It will not provide adequate hot water unless enrolled in such a program and activated by your utility company or another program operator. Confirm the availability of a program in your local area before purchasing or installing this product.'.

''(B) REQUIREMENT.—The manufacturer or private labeler shall provide the activation key only to utilities or other companies operating electric thermal storage or demand response programs that use grid-enabled water heaters.

''(C) REPORTS.—

''(i) MANUFACTURERS.—The Secretary shall require each manufacturer of grid-enabled water heaters to report to the Secretary annually the number of grid-enabled water heaters that the manufacturer ships each year.

''(ii) OPERATORS.—The Secretary shall require utilities and other demand response and thermal storage program operators to report annually the number of grid-enabled water heaters activated for their programs using forms of the Energy Information Agency or using such other mechanism that the Secretary determines appropriate after an opportunity for notice and comment.

''(iii) CONFIDENTIALITY REQUIREMENTS.—The Secretary shall treat shipment data reported by manufacturers as confidential business information.

''(D) PUBLICATION OF INFORMATION.—

''(i) IN GENERAL.—In 2017 and 2019, the Secretary shall publish an analysis of the data collected under subparagraph (C) to assess the extent to which shipped products are put into use in demand response and thermal storage programs.

''(ii) PREVENTION OF PRODUCT DIVERSION.—If the Secretary determines that sales of grid-enabled water heaters exceed by 15 percent or greater the number of such products activated for use in demand response and thermal storage programs annually, the Secretary shall, after opportunity for notice and comment, establish procedures to prevent product diversion for non-program purposes.

''(E) COMPLIANCE.—

''(i) IN GENERAL.—Subparagraphs (A) through (D) shall remain in effect until the Secretary determines under this section that grid-enabled water heaters do not require a separate efficiency requirement.

''(ii) EFFECTIVE DATE.—If the Secretary exercises the authority described in clause (i) or amends the efficiency requirement for grid-enabled water heaters, that action will take effect on the date described in subsection (m)(4)(A)(ii).

''(iii) CONSIDERATION.—In carrying out this section with respect to electric water heaters, the Secretary shall consider the impact on thermal storage and demand response programs, including the consequent impact on energy savings, electric bills, electric reliability, integration of renewable resources, and the environment.

''(iv) REQUIREMENTS.—In carrying out this subparagraph, the Secretary shall require

that grid-enabled water heaters be equipped with communication capability to enable the grid-enabled water heaters to participate in ancillary services programs if the Secretary determines that the technology is available, practical, and cost-effective.''; and

(2) in section 332—

(A) in paragraph (5), by striking ''or'' at the end;

(B) in the first paragraph (6), by striking the period at the end and inserting a semicolon;

(C) by redesignating the second paragraph (6) as paragraph (7);

(D) in subparagraph (B) of paragraph (7) (as so redesignated), by striking the period at the end and inserting ''; or''; and

(E) by adding at the end the following:

''(8) with respect to grid-enabled water heaters that are not used as part of an electric thermal storage or demand response program, for any person knowingly and repeatedly—

''(A) to distribute activation keys for those grid-enabled water heaters;

''(B) otherwise to enable the full operation of those grid-enabled water heaters; or

''(C) to remove or render illegible the labels of those grid-enabled water heaters.''.

Subtitle D—Energy Performance Requirement for Federal Buildings

SEC. 431. ENERGY PERFORMANCE REQUIREMENT FOR FEDERAL BUILDINGS.

Section 543 of the National Energy Conservation Policy Act (42 U.S.C. 8253) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) ENERGY PERFORMANCE REQUIREMENT FOR FEDERAL BUILDINGS.—

''(1) REQUIREMENT.—Subject to paragraph (2), each agency shall apply energy conservation measures to, and shall improve the design for the construction of, the Federal buildings of the agency (including each industrial or laboratory facility) so that the energy consumption per gross square foot of the Federal buildings of the agency in fiscal years 2006 through 2017 is reduced, as compared with the energy consumption per gross square foot of the Federal buildings of the agency in fiscal year 2003, by the percentage specified in the following table:

''Fiscal Year	Percentage Reduction
2006	2
2007	4
2008	9
2009	12
2010	15
2011	18
2012	21
2013	24
2014	27
2015	30
2016	33
2017	36

''(2) EXCLUSION FOR BUILDINGS WITH ENERGY INTENSIVE ACTIVITIES.—

''(A) IN GENERAL.—An agency may exclude from the requirements of paragraph (1) any building (including the associated energy consumption and gross square footage) in which energy intensive activities are carried out.

''(B) REPORTS.—Each agency shall identify and list in each report made under section 548(a) the buildings designated by the agency for exclusion under subparagraph (A).

''(3) REVIEW.—Not later than December 31, 2017, the Secretary shall—

''(A) review the results of the implementation of the energy performance requirements established under paragraph (1); and

''(B) based on the review conducted under subparagraph (A), submit to Congress a report that addresses the feasibility of requiring each agency to apply energy conservation measures to, and improve the design for the construction of, the Federal buildings of the agency (including each industrial or laboratory facility) so that the energy consumption per gross square foot of the Federal buildings of the agency in each of fiscal years 2018 through 2030 is reduced, as compared with the energy consumption per gross square foot of the Federal buildings of the agency in the prior fiscal year, by 3 percent.''; and

(2) in subsection (f)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (F), (G), and (H), respectively; and

(ii) by inserting after subparagraph (D) the following:

''(E) ONGOING COMMISSIONING.—The term 'ongoing commissioning' means an ongoing process of commissioning using monitored data, the primary goal of which is to ensure continuous optimum performance of a facility, in accordance with design or operating needs, over the useful life of the facility, while meeting facility occupancy requirements.'';

(B) in paragraph (2), by adding at the end the following:

''(C) ENERGY MANAGEMENT SYSTEM.—An energy manager designated under subparagraph (A) shall consider use of a system to manage energy use at the facility and certification of the facility in accordance with the International Organization for Standardization standard numbered 50001 and entitled 'Energy Management Systems'.'';

(C) by striking paragraphs (3) and (4) and inserting the following:

''(3) ENERGY AND WATER EVALUATIONS AND COMMISSIONING.—

''(A) EVALUATIONS.—Except as provided in subparagraph (B), effective beginning on the date that is 180 days after the date of enactment of the Energy Savings and Industrial Competitiveness Act of 2014, and annually thereafter, each energy manager shall complete, for each calendar year, a comprehensive energy and water evaluation and recommissioning or retrocommissioning for approximately 25 percent of the facilities of each agency that meet the criteria under paragraph (2)(B) in a manner that ensures that an evaluation of each facility is completed at least once every 4 years.

''(B) EXCEPTIONS.—An evaluation and recommissioning shall not be required under subparagraph (A) with respect to a facility that—

''(i) has had a comprehensive energy and water evaluation during the 8-year period preceding the date of the evaluation;

''(ii)(I) has been commissioned, recommissioned, or retrocommissioned during the 10-year period preceding the date of the evaluation; or

''(II) is under ongoing commissioning;

''(iii) has not had a major change in function or use since the previous evaluation and commissioning;

''(iv) has been benchmarked with public disclosure under paragraph (8) within the year preceding the evaluation; and

''(v)(I) based on the benchmarking, has achieved at a facility level the most recent cumulative energy savings target under subsection (a) compared to the earlier of—

''(aa) the date of the most recent evaluation; or

''(bb) the date—

''(AA) of the most recent commissioning, recommissioning, or retrocommissioning; or

''(BB) on which ongoing commissioning began; or

''(II) has a long-term contract in place guaranteeing energy savings at least as great as the energy savings target under subclause (I).

''(4) IMPLEMENTATION OF IDENTIFIED ENERGY AND WATER EFFICIENCY MEASURES.—

''(A) IN GENERAL.—Not later than 2 years after the date of completion of each evaluation under paragraph (3), each energy manager may—

''(i) implement any energy- or water-saving measure that the Federal agency identified in the evaluation conducted under paragraph (3) that is life-cycle cost effective; and

''(ii) bundle individual measures of varying paybacks together into combined projects.

''(B) MEASURES NOT IMPLEMENTED.—The energy manager shall, as part of the certification system under paragraph (7), explain the reasons why any life-cycle cost effective measures were not implemented under subparagraph (A) using guidelines developed by the Secretary.''; and

(D) in paragraph (7)(C), by adding at the end the following:

''(iii) SUMMARY REPORT.—The Secretary shall make available a report that summarizes the information tracked under subparagraph (B)(i) by each agency and, as applicable, by each type of measure.''.

SEC. 432. FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS; CERTIFICATION SYSTEM AND LEVEL FOR GREEN BUILDINGS.

(a) DEFINITIONS.—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832) (as amended by section 101(a)) is amended—

(1) in paragraph (6), by striking ''to be constructed'' and inserting ''constructed or altered''; and

(2) by adding at the end the following:

''(19) MAJOR RENOVATION.—The term 'major renovation' means a modification of building energy systems sufficiently extensive that the whole building can meet energy standards for new buildings, based on criteria to be established by the Secretary through notice and comment rulemaking.''.

(b) FEDERAL BUILDING EFFICIENCY STANDARDS.—Section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) is amended—

(1) in subsection (a)(3)—

(A) by striking ''(3)(A) Not later than'' and all that follows through subparagraph (B) and inserting the following:

''(3) REVISED FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS; CERTIFICATION FOR GREEN BUILDINGS.—

''(A) REVISED FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS.—

''(i) IN GENERAL.—Not later than 1 year after the date of enactment of the Energy Savings and Industrial Competitiveness Act of 2014, the Secretary shall establish, by rule, revised Federal building energy efficiency performance standards that require that—

''(I) new Federal buildings and alterations and additions to existing Federal buildings—

''(aa) meet or exceed the most recent revision of the International Energy Conservation Code (in the case of residential buildings) or ASHRAE Standard 90.1 (in the case of commercial buildings) as of the date of enactment of the Energy Savings and Industrial Competitiveness Act of 2014; and

''(bb) meet or exceed the energy provisions of State and local building codes applicable to the building, if the codes are more stringent than the International Energy Conservation Code or ASHRAE Standard 90.1, as applicable;

''(II) unless demonstrated not to be life-cycle cost effective for new Federal buildings and Federal buildings with major renovations—

''(aa) the buildings be designed to achieve energy consumption levels that are at least 30 percent below the levels established in the

version of the ASHRAE Standard or the International Energy Conservation Code, as appropriate, that is applied under subclause (I)(aa), including updates under subparagraph (B); and

''(bb) sustainable design principles are applied to the location, siting, design, and construction of all new Federal buildings and replacement Federal buildings;

''(III) if water is used to achieve energy efficiency, water conservation technologies shall be applied to the extent that the technologies are life-cycle cost effective;

''(IV) if life-cycle cost effective, as compared to other reasonably available technologies, not less than 30 percent of the hot water demand for each new Federal building or Federal building undergoing a major renovation be met through the installation and use of solar hot water heaters; and

''(V) in addition to complying with the other requirements under this paragraph, unless found not to be life-cycle cost effective, new Federal buildings that are at least 5,000 square feet in size shall comply with the Guiding Principles for Sustainable New Construction and Major Renovations (as established in the document entitled High Performance and Sustainable Buildings Guidance (Final) and dated December 1, 2008).

''(ii) LIMITATION.—Clause (i)(I) shall not apply to unaltered portions of existing Federal buildings and systems that have been added to or altered.

''(B) UPDATES.—Not later than 1 year after the date of approval of each subsequent revision of the ASHRAE Standard or the International Energy Conservation Code, as appropriate, the Secretary shall determine whether the revised standards established under subparagraph (A) should be updated to reflect the revisions, based on the energy savings and life-cycle cost-effectiveness of the revisions.'';

(B) in subparagraph (C), by striking ''(C) In the budget request'' and inserting the following:

''(C) BUDGET REQUEST.—In the budget request''; and

(C) by striking subparagraph (D) and inserting the following:

''(D) CERTIFICATION FOR GREEN BUILDINGS.—

''(i) SUSTAINABLE DESIGN PRINCIPLES.—Sustainable design principles shall be applied to the siting, design, and construction of buildings covered by this subparagraph.

''(ii) SELECTION OF CERTIFICATION SYSTEMS.—The Secretary, after reviewing the findings of the Federal Director under section 436(h) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17092(h)), in consultation with the Administrator of General Services, and in consultation with the Secretary of Defense relating to those facilities under the custody and control of the Department of Defense, shall determine those certification systems for green commercial and residential buildings that the Secretary determines to be the most likely to encourage a comprehensive and environmentally sound approach to certification of green buildings.

''(iii) BASIS FOR SELECTION.—The determination of the certification systems under clause (ii) shall be based on ongoing review of the findings of the Federal Director under section 436(h) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17092(h)) and the criteria described in clause (v).

''(iv) ADMINISTRATION.—In determining certification systems under this subparagraph, the Secretary shall—

''(I) make a separate determination for all or part of each system;

''(II) confirm that the criteria used to support the selection of building products, materials, brands, and technologies are fair and neutral (meaning that such criteria are based on an objective assessment of relevant technical data), do not prohibit, disfavor, or discriminate against selection based on technically inadequate information to inform human or environmental risk, and are expressed to prefer performance measures whenever performance measures may reasonably be used in lieu of prescriptive measures; and

''(III) use environmental and health criteria that are based on risk assessment methodology that is generally accepted by the applicable scientific disciplines.

''(v) CONSIDERATIONS.—In determining the green building certification systems under this subparagraph, the Secretary shall take into consideration—

''(I) the ability and availability of assessors and auditors to independently verify the criteria and measurement of metrics at the scale necessary to implement this subparagraph;

''(II) the ability of the applicable certification organization to collect and reflect public comment;

''(III) the ability of the standard to be developed and revised through a consensus-based process;

''(IV) an evaluation of the robustness of the criteria for a high-performance green building, which shall give credit for promoting—

''(aa) efficient and sustainable use of water, energy, and other natural resources;

''(bb) use of renewable energy sources;

''(cc) improved indoor environmental quality through enhanced indoor air quality, thermal comfort, acoustics, day lighting, pollutant source control, and use of low-emission materials and building system controls; and

''(dd) such other criteria as the Secretary determines to be appropriate; and

''(V) national recognition within the building industry.

''(vi) REVIEW.—The Secretary, in consultation with the Administrator of General Services and the Secretary of Defense, shall conduct an ongoing review to evaluate and compare private sector green building certification systems, taking into account—

''(I) the criteria described in clause (v); and

''(II) the identification made by the Federal Director under section 436(h) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17092(h)).

''(vii) EXCLUSIONS.—

''(I) IN GENERAL.—Subject to subclause (II), if a certification system fails to meet the review requirements of clause (v), the Secretary shall—

''(aa) identify the portions of the system, whether prerequisites, credits, points, or otherwise, that meet the review criteria of clause (v);

''(bb) determine the portions of the system that are suitable for use; and

''(cc) exclude all other portions of the system from identification and use.

''(II) ENTIRE SYSTEMS.—The Secretary shall exclude an entire system from use if an exclusion under subclause (I)—

''(aa) impedes the integrated use of the system;

''(bb) creates disparate review criteria or unequal point access for competing materials; or

''(cc) increases agency costs of the use.

''(viii) INTERNAL CERTIFICATION PROCESSES.—The Secretary may by rule allow Federal agencies to develop internal certification processes, using certified professionals, in lieu of certification by certification entities identified under clause (ii).

''(ix) PRIVATIZED MILITARY HOUSING.—With respect to privatized military housing, the Secretary of Defense, after consultation with the Secretary may, through rulemaking, develop alternative certification systems and levels than the systems and levels identified under clause (ii) that achieve an equivalent result in terms of energy savings, sustainable design, and green building performance.

''(x) WATER CONSERVATION TECHNOLOGIES.—In addition to any use of water conservation technologies otherwise required by this section, water conservation technologies shall be applied to the extent that the technologies are life-cycle cost-effective.

''(xi) EFFECTIVE DATE.—

''(I) DETERMINATIONS MADE AFTER DECEMBER 31, 2015.—The amendments made by section 432(b)(1)(C) of the Energy Savings and Industrial Competitiveness Act of 2014 shall apply to any determination made by a Federal agency after December 31, 2015.

''(II) DETERMINATIONS MADE ON OR BEFORE DECEMBER 31, 2015.—This subparagraph (as in effect on the day before the date of enactment of the Energy Savings and Industrial Competitiveness Act of 2014) shall apply to any use of a certification system for green commercial and residential buildings by a Federal agency on or before December 31, 2015.''; and

(2) by striking subsections (c) and (d) and inserting the following:

''(c) PERIODIC REVIEW.—The Secretary shall—

''(1) once every 5 years, review the Federal building energy standards established under this section; and

''(2) on completion of a review under paragraph (1), if the Secretary determines that significant energy savings would result, upgrade the standards to include all new energy efficiency and renewable energy measures that are technologically feasible and economically justified.''.

SEC. 433. ENHANCED ENERGY EFFICIENCY UNDERWRITING.

(a) DEFINITIONS.—In this section:

(1) COVERED AGENCY.—The term ''covered agency''—

(A) means—

(i) an executive agency, as that term is defined in section 102 of title 31, United States Code; and

(ii) any other agency of the Federal Government; and

(B) includes any enterprise, as that term is defined under section 1303 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4502).

(2) COVERED LOAN.—The term ''covered loan'' means a loan secured by a home that is issued, insured, purchased, or securitized by a covered agency.

(3) HOMEOWNER.—The term ''homeowner'' means the mortgagor under a covered loan.

(4) MORTGAGEE.—The term ''mortgagee'' means—

(A) an original lender under a covered loan or the holder of a covered loan at the time at which that mortgage transaction is consummated;

(B) any affiliate, agent, subsidiary, successor, or assignee of an original lender under a covered loan or the holder of a covered loan at the time at which that mortgage transaction is consummated;

(C) any servicer of a covered loan; and

(D) any subsequent purchaser, trustee, or transferee of any covered loan issued by an original lender.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

(6) SERVICER.—The term ''servicer'' means the person or entity responsible for the servicing of a covered loan, including the person or entity who makes or holds a covered loan if that person or entity also services the covered loan.

(7) SERVICING.—The term ''servicing'' has the meaning given the term in section 6(i) of

the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2605(i)).

(b) FINDINGS AND PURPOSES.—

(1) FINDINGS.—Congress finds that—

(A) energy costs for homeowners are a significant and increasing portion of their household budgets;

(B) household energy use can vary substantially depending on the efficiency and characteristics of the house;

(C) expected energy cost savings are important to the value of the house;

(D) the current test for loan affordability used by most covered agencies, commonly known as the ''debt-to-income'' test, is inadequate because it does not take into account the expected energy cost savings for the homeowner of an energy efficient home; and

(E) another loan limitation, commonly known as the ''loan-to-value'' test, is tied to the appraisal, which often does not adjust for efficiency features of houses.

(2) PURPOSES.—The purposes of this section are to—

(A) improve the accuracy of mortgage underwriting by Federal mortgage agencies by ensuring that energy cost savings are included in the underwriting process as described below, and thus to reduce the amount of energy consumed by homes and to facilitate the creation of energy efficiency retrofit and construction jobs;

(B) require a covered agency to include the expected energy cost savings of a homeowner as a regular expense in the tests, such as the debt-to-income test, used to determine the ability of the loan applicant to afford the cost of homeownership for all loan programs; and

(C) require a covered agency to include the value home buyers place on the energy efficiency of a house in tests used to compare the mortgage amount to home value, taking precautions to avoid double-counting and to support safe and sound lending.

(c) ENHANCED ENERGY EFFICIENCY UNDERWRITING CRITERIA.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall, in consultation with the advisory group established in subsection (f)(2), develop and issue guidelines for a covered agency to implement enhanced loan eligibility requirements, for use when testing the ability of a loan applicant to repay a covered loan, that account for the expected energy cost savings for a loan applicant at a subject property, in the manner set forth in paragraphs (2) and (3).

(2) REQUIREMENTS TO ACCOUNT FOR ENERGY COST SAVINGS.—The enhanced loan eligibility requirements under paragraph (1) shall require that, for all covered loans for which an energy efficiency report is voluntarily provided to the mortgagee by the mortgagor, the covered agency and the mortgagee shall take into consideration the estimated energy cost savings expected for the owner of the subject property in determining whether the loan applicant has sufficient income to service the mortgage debt plus other regular expenses. To the extent that a covered agency uses a test such as a debt-to-income test that includes certain regular expenses, such as hazard insurance and property taxes, the expected energy cost savings shall be included as an offset to these expenses. Energy costs to be assessed include the cost of electricity, natural gas, oil, and any other fuel regularly used to supply energy to the subject property.

(3) DETERMINATION OF ESTIMATED ENERGY COST SAVINGS.—

(A) IN GENERAL.—The guidelines to be issued under paragraph (1) shall include instructions for the covered agency to calculate estimated energy cost savings using—

(i) the energy efficiency report;

(ii) an estimate of baseline average energy costs; and

(iii) additional sources of information as determined by the Secretary.

(B) REPORT REQUIREMENTS.—For the purposes of subparagraph (A), an energy efficiency report shall—

(i) estimate the expected energy cost savings specific to the subject property, based on specific information about the property;

(ii) be prepared in accordance with the guidelines to be issued under paragraph (1); and

(iii) be prepared—

(I) in accordance with the Residential Energy Service Network's Home Energy Rating System (commonly known as ''HERS'') by an individual certified by the Residential Energy Service Network, unless the Secretary finds that the use of HERS does not further the purposes of this section; or

(II) by other methods approved by the Secretary, in consultation with the Secretary of Energy and the advisory group established in subsection (f)(2), for use under this section, which shall include a third-party quality assurance procedure.

(C) USE BY APPRAISER.—If an energy efficiency report is used under paragraph (2), the energy efficiency report shall be provided to the appraiser to estimate the energy efficiency of the subject property and for potential adjustments for energy efficiency.

(4) REQUIRED DISCLOSURE TO CONSUMER FOR A HOME WITH AN ENERGY EFFICIENCY REPORT.—If an energy efficiency report is used under paragraph (2), the guidelines to be issued under paragraph (1) shall require the mortgagee to—

(A) inform the loan applicant of the expected energy costs as estimated in the energy efficiency report, in a manner and at a time as prescribed by the Secretary, and if practicable, in the documents delivered at the time of loan application; and

(B) include the energy efficiency report in the documentation for the loan provided to the borrower.

(5) REQUIRED DISCLOSURE TO CONSUMER FOR A HOME WITHOUT AN ENERGY EFFICIENCY REPORT.—If an energy efficiency report is not used under paragraph (2), the guidelines to be issued under paragraph (1) shall require the mortgagee to inform the loan applicant in a manner and at a time as prescribed by the Secretary, and if practicable, in the documents delivered at the time of loan application of—

(A) typical energy cost savings that would be possible from a cost-effective energy upgrade of a home of the size and in the region of the subject property;

(B) the impact the typical energy cost savings would have on monthly ownership costs of a typical home;

(C) the impact on the size of a mortgage that could be obtained if the typical energy cost savings were reflected in an energy efficiency report; and

(D) resources for improving the energy efficiency of a home.

(6) PRICING OF LOANS.—

(A) IN GENERAL.—A covered agency may price covered loans originated under the enhanced loan eligibility requirements required under this section in accordance with the estimated risk of the loans.

(B) IMPOSITION OF CERTAIN MATERIAL COSTS, IMPEDIMENTS, OR PENALTIES.—In the absence of a publicly disclosed analysis that demonstrates significant additional default risk or prepayment risk associated with the loans, a covered agency shall not impose material costs, impediments, or penalties on covered loans merely because the loan uses an energy efficiency report or the enhanced loan eligibility requirements required under this section.

(7) LIMITATIONS.—

(A) IN GENERAL.—A covered agency may price covered loans originated under the enhanced loan eligibility requirements required under this section in accordance with the estimated risk of those loans.

(B) PROHIBITED ACTIONS.—A covered agency shall not—

(i) modify existing underwriting criteria or adopt new underwriting criteria that intentionally negate or reduce the impact of the requirements or resulting benefits that are set forth or otherwise derived from the enhanced loan eligibility requirements required under this subsection; or

(ii) impose greater buy back requirements, credit overlays, or insurance requirements, including private mortgage insurance, on covered loans merely because the loan uses an energy efficiency report or the enhanced loan eligibility requirements required under this subsection.

(8) APPLICABILITY AND IMPLEMENTATION DATE.—Not later than 4 years after the date of enactment of this Act, and before December 31, 2017, the enhanced loan eligibility requirements required under this subsection shall be implemented by each covered agency to—

(A) apply to any covered loan for the sale, or refinancing of any loan for the sale, of any home;

(B) be available on any residential real property (including individual units of condominiums and cooperatives) that qualifies for a covered loan; and

(C) provide prospective mortgagees with sufficient guidance and applicable tools to implement the required underwriting methods.

(d) ENHANCED ENERGY EFFICIENCY UNDERWRITING VALUATION GUIDELINES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(A) in consultation with the Federal Financial Institutions Examination Council and the advisory group established in subsection (f)(2), develop and issue guidelines for a covered agency to determine the maximum permitted loan amount based on the value of the property for all covered loans made on properties with an energy efficiency report that meets the requirements of subsection (c)(3)(B); and

(B) in consultation with the Secretary of Energy, issue guidelines for a covered agency to determine the estimated energy savings under paragraph (3) for properties with an energy efficiency report.

(2) REQUIREMENTS.—The enhanced energy efficiency underwriting valuation guidelines required under paragraph (1) shall include—

(A) a requirement that if an energy efficiency report that meets the requirements of subsection (c)(3)(B) is voluntarily provided to the mortgagee, such report shall be used by the mortgagee or covered agency to determine the estimated energy savings of the subject property; and

(B) a requirement that the estimated energy savings of the subject property be added to the appraised value of the subject property by a mortgagee or covered agency for the purpose of determining the loan-to-value ratio of the subject property, unless the appraisal includes the value of the overall energy efficiency of the subject property, using methods to be established under the guidelines issued under paragraph (1).

(3) DETERMINATION OF ESTIMATED ENERGY SAVINGS.—

(A) AMOUNT OF ENERGY SAVINGS.—The amount of estimated energy savings shall be determined by calculating the difference between the estimated energy costs for the average comparable houses, as determined in guidelines to be issued under paragraph (1),

and the estimated energy costs for the subject property based upon the energy efficiency report.

(B) DURATION OF ENERGY SAVINGS.—The duration of the estimated energy savings shall be based upon the estimated life of the applicable equipment, consistent with the rating system used to produce the energy efficiency report.

(C) PRESENT VALUE OF ENERGY SAVINGS.—The present value of the future savings shall be discounted using the average interest rate on conventional 30-year mortgages, in the manner directed by guidelines issued under paragraph (1).

(4) ENSURING CONSIDERATION OF ENERGY EFFICIENT FEATURES.—Section 1110 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3339) is amended—

(A) in paragraph (2), by striking ''; and'' and inserting a semicolon; and

(B) in paragraph (3), by striking the period at the end and inserting ''; and'' and inserting after paragraph (3) the following:

''(4) that State certified and licensed appraisers have timely access, whenever practicable, to information from the property owner and the lender that may be relevant in developing an opinion of value regarding the energy- and water-saving improvements or features of a property, such as—

''(A) labels or ratings of buildings;

''(B) installed appliances, measures, systems or technologies;

''(C) blueprints;

''(D) construction costs;

''(E) financial or other incentives regarding energy- and water-efficient components and systems installed in a property;

''(F) utility bills;

''(G) energy consumption and benchmarking data; and

''(H) third-party verifications or representations of energy and water efficiency performance of a property, observing all financial privacy requirements adhered to by certified and licensed appraisers, including section 501 of the Gramm-Leach-Bliley Act (15 U.S.C. 6801).

Unless a property owner consents to a lender, an appraiser, in carrying out the requirements of paragraph (4), shall not have access to the commercial or financial information of the owner that is privileged or confidential.''.

(5) TRANSACTIONS REQUIRING STATE CERTIFIED APPRAISERS.—Section 1113 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3342) is amended—

(A) in paragraph (1), by inserting before the semicolon the following: '', or any real property on which the appraiser makes adjustments using an energy efficiency report''; and

(B) in paragraph (2), by inserting after ''atypical'' the following: '', or an appraisal on which the appraiser makes adjustments using an energy efficiency report.''.

(6) PROTECTIONS.—

(A) AUTHORITY TO IMPOSE LIMITATIONS.—The guidelines to be issued under paragraph (1) shall include such limitations and conditions as determined by the Secretary to be necessary to protect against meaningful under or over valuation of energy cost savings or duplicative counting of energy efficiency features or energy cost savings in the valuation of any subject property that is used to determine a loan amount.

(B) ADDITIONAL AUTHORITY.—At the end of the 7-year period following the implementation of enhanced eligibility and underwriting valuation requirements under this section, the Secretary may modify or apply additional exceptions to the approach described in paragraph (2), where the Secretary finds that the unadjusted appraisal will reflect an accurate market value of the efficiency of the subject property or that a modified approach will better reflect an accurate market value.

(7) APPLICABILITY AND IMPLEMENTATION DATE.—Not later than 4 years after the date of enactment of this Act, and before December 31, 2017, each covered agency shall implement the guidelines required under this subsection, which shall—

(A) apply to any covered loan for the sale, or refinancing of any loan for the sale, of any home; and

(B) be available on any residential real property, including individual units of condominiums and cooperatives, that qualifies for a covered loan.

(e) MONITORING.—Not later than 1 year after the date on which the enhanced eligibility and underwriting valuation requirements are implemented under this section, and every year thereafter, each covered agency with relevant activity shall issue and make available to the public a report that—

(1) enumerates the number of covered loans of the agency for which there was an energy efficiency report, and that used energy efficiency appraisal guidelines and enhanced loan eligibility requirements;

(2) includes the default rates and rates of foreclosures for each category of loans; and

(3) describes the risk premium, if any, that the agency has priced into covered loans for which there was an energy efficiency report.

(f) RULEMAKING.—

(1) IN GENERAL.—The Secretary shall prescribe regulations to carry out this section, in consultation with the Secretary of Energy and the advisory group established in paragraph (2), which may contain such classifications, differentiations, or other provisions, and may provide for such proper implementation and appropriate treatment of different types of transactions, as the Secretary determines are necessary or proper to effectuate the purposes of this section, to prevent circumvention or evasion thereof, or to facilitate compliance therewith.

(2) ADVISORY GROUP.—To assist in carrying out this section, the Secretary shall establish an advisory group, consisting of individuals representing the interests of—

(A) mortgage lenders;

(B) appraisers;

(C) energy raters and residential energy consumption experts;

(D) energy efficiency organizations;

(E) real estate agents;

(F) home builders and remodelers;

(G) State energy officials; and

(H) others as determined by the Secretary.

(g) ADDITIONAL STUDY.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall reconvene the advisory group established in subsection (f)(2), in addition to water and locational efficiency experts, to advise the Secretary on the implementation of the enhanced energy efficiency underwriting criteria established in subsections (c) and (d).

(2) RECOMMENDATIONS.—The advisory group established in subsection (f)(2) shall provide recommendations to the Secretary on any revisions or additions to the enhanced energy efficiency underwriting criteria deemed necessary by the group, which may include alternate methods to better account for home energy costs and additional factors to account for substantial and regular costs of homeownership such as location-based transportation costs and water costs. The Secretary shall forward any legislative recommendations from the advisory group to Congress for its consideration.

Subtitle E—Third Party Testing

SEC. 441. VOLUNTARY CERTIFICATION PROGRAMS FOR AIR CONDITIONING, FURNACE, BOILER, HEAT PUMP, AND WATER HEATER PRODUCTS.

Section 326(b) of the Energy Policy and Conservation Act (42 U.S.C. 6296(b)) is amended by adding at the end the following:

''(6) VOLUNTARY CERTIFICATION PROGRAMS FOR AIR CONDITIONING, FURNACE, BOILER, HEAT PUMP, AND WATER HEATER PRODUCTS.—

''(A) DEFINITION OF BASIC MODEL GROUP.—In this paragraph, the term 'basic model group' means a set of models—

''(i) that share characteristics that allow the performance of 1 model to be generally representative of the performance of other models within the group; and

''(ii) in which the group of products does not necessarily have to share discrete performance.

''(B) RELIANCE ON VOLUNTARY CERTIFICATION PROGRAMS.—For the purpose of testing to verify the performance rating of, or receiving test reports from manufacturers certifying compliance with energy conservation standards and Energy Star specifications established under sections 324A, 325, and 342, the covered products described in paragraphs (3), (4), (5), (9), and (11) of section 322(a) and covered equipment described in subparagraphs (B), (C), (D), (F), (I), (J), and (K) of section 340(1), the Secretary and Administrator shall rely on voluntary certification programs that—

''(i) are nationally recognized;

''(ii) maintain a publicly available list of all certified products and equipment;

''(iii) as determined by the Secretary, annually test not less than 10 percent and not more than 30 percent of the basic model group of a program participant

''(iv) require the changing of the performance rating or removal of the product or equipment from the program, if verification testing determines that the performance rating does not meet the levels the manufacturer has certified to the Secretary;

''(v) require the qualification of new participants in the program through testing and production of test reports;

''(vi) allow for challenge testing of products and equipment within the scope of the program;

''(vii) require program participants to certify the performance rating of all covered products and equipment within the scope of the program;

''(viii) are conducted by a certification body that is accredited under International Organization for Standardization/ International Electrotechnical Commission (ISO/IEC) Standard 17065;

''(ix) provide to the Secretary—

''(I) an annual report of all test results;

''(II) prompt notification when program testing results in—

''(aa) the rerating of the performance rating of a product or equipment; or

''(bb) the delisting of a product or equipment; and

''(III) test reports, on the request of the Secretary or the Administrator, for Energy Star compliant products, which shall be treated as confidential business information as provided for under section 552(b)(4) of title 5, United States Code (commonly known as the ''Freedom of Information Act'');

''(x) use verification testing that—

''(I) is conducted by an independent test laboratory that is accredited under International Organization for Standardization/ International Electrotechnical Commission (ISO/IEC) Standard 17025 with a scope covering the tested products or equipment;

''(II) follows the test procedures established under this title; and

''(III) notes in each test report any instructions specified by the manufacturer or the representative of the manufacturer for the purpose of conducting the verification testing; and

''(xi) satisfy such other requirements as the Secretary has determined—

''(I) are essential to ensure standards compliance; or

''(II) have consensus support achieved through a negotiated rulemaking process.

''(C) ADMINISTRATION.—

''(i) IN GENERAL.—The Secretary shall not require—

''(I) manufacturers to participate in a voluntary certification program described in subparagraph (B); or

''(II) participating manufacturers to provide information that can be obtained through a voluntary certification program described in subparagraph (B).

''(ii) LIST OF COVERED PRODUCTS.—The Secretary or the Administrator may maintain a publicly available list of covered products and equipment certified under a program described in subparagraph (B) that distinguishes between—

''(I) covered products and equipment verified by the program; and

''(II) products not verified by the program.

''(iii) REDUCTION OF REQUIREMENTS.—Any rules promulgated by the Secretary that require testing of products or equipment for certification of performance ratings shall on average reduce requirements and burdens for manufacturers participating in a voluntary certification program described in subparagraph (B) for the products or equipment relative to other manufacturers.

''(iv) PERIODIC TESTING BY PROGRAM NONPARTICIPANTS.—In addition to certification requirements, the Secretary shall require a manufacturer that does not participate in a voluntary certification program described in subparagraph (B)—

''(I) to verify the accuracy of the performance rating of the product or equipment through periodic testing using the testing methods described in clause (iii) or (x) of subparagraph (B); and

''(II) to provide to the Secretary test results and, on request, test reports verifying the certified performance for each basic model group of the manufacturer.

''(v) RESTRICTIONS ON TEST LABORATORIES.—

''(I) IN GENERAL.—Subject to subclause (II), with respect to covered products and equipment, a voluntary certification program described in subparagraph (B) shall not be a test laboratory that conducts the testing on products or equipment within the scope of the program.

''(II) LIMITATION.—Subclause (I) shall not apply to Energy Star specifications established under section 324A.

''(vi) EFFECT ON OTHER AUTHORITY.—Nothing in this paragraph limits the authority of the Secretary or the Administrator to test products or equipment or to enforce compliance with any law (including regulations).''.

TITLE V—MISCELLANEOUS

SEC. 501. OFFSET.

Section 422(f) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17082(f)) is amended—

(1) in paragraph (3), by striking ''and'' after the semicolon at the end; and

(2) by striking paragraph (4) and inserting the following:

''(4) $200,000,000 for fiscal year 2013; and

''(5) $144,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 502. BUDGETARY EFFECTS.

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

SEC. 503. ADVANCE APPROPRIATIONS REQUIRED.

The authorization of amounts under this Act and the amendments made by this Act shall be effective for any fiscal year only to the extent and in the amount provided in advance in appropriations Acts.

SA 3013. Mr. MCCONNELL (for himself, Mr. VITTER, and Mr. HOEVEN) submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

Subtitle F—Electricity Security and Affordability

SEC. 451. SHORT TITLE.

This subtitle may be cited as the ''Electricity Security and Affordability Act''.

SEC. 452. STANDARDS OF PERFORMANCE FOR NEW FOSSIL FUEL-FIRED ELECTRIC UTILITY GENERATING UNITS.

(a) LIMITATION.—The Administrator of the Environmental Protection Agency may not issue, implement, or enforce any proposed or final rule under section 111 of the Clean Air Act (42 U.S.C. 7411) that establishes a standard of performance for emissions of any greenhouse gas from any new source that is a fossil fuel-fired electric utility generating unit unless such rule meets the requirements under subsections (b) and (c).

(b) REQUIREMENTS.—In issuing any rule under section 111 of the Clean Air Act (42 U.S.C. 7411) establishing standards of performance for emissions of any greenhouse gas from new sources that are fossil fuel-fired electric utility generating units, the Administrator of the Environmental Protection Agency (for purposes of establishing such standards)—

(1) shall separate sources fueled with coal and natural gas into separate categories; and

(2) shall not set a standard based on the best system of emission reduction for new sources within a fossil-fuel category unless—

(A) such standard has been achieved on average for at least one continuous 12-month period (excluding planned outages) by each of at least 6 units within such category—

(i) each of which is located at a different electric generating station in the United States;

(ii) which, collectively, are representative of the operating characteristics of electric generation at different locations in the United States; and

(iii) each of which is operated for the entire 12-month period on a full commercial basis; and

(B) no results obtained from any demonstration project are used in setting such standard.

(c) COAL HAVING A HEAT CONTENT OF 8300 OR LESS BRITISH THERMAL UNITS PER POUND.—

(1) SEPARATE SUBCATEGORY.—In carrying out subsection (b)(1), the Administrator of the Environmental Protection Agency shall establish a separate subcategory for new sources that are fossil fuel-fired electric utility generating units using coal with an average heat content of 8300 or less British Thermal Units per pound.

(2) STANDARD.—Notwithstanding subsection (b)(2), in issuing any rule under section 111 of the Clean Air Act (42 U.S.C. 7411) establishing standards of performance for emissions of any greenhouse gas from new sources in such subcategory, the Administrator of the Environmental Protection Agency shall not set a standard based on the best system of emission reduction unless—

(A) such standard has been achieved on average for at least one continuous 12-month period (excluding planned outages) by each of at least 3 units within such subcategory—

(i) each of which is located at a different electric generating station in the United States;

(ii) which, collectively, are representative of the operating characteristics of electric generation at different locations in the United States; and

(iii) each of which is operated for the entire 12-month period on a full commercial basis; and

(B) no results obtained from any demonstration project are used in setting such standard.

(d) TECHNOLOGIES.—Nothing in this section shall be construed to preclude the issuance, implementation, or enforcement of a standard of performance that—

(1) is based on the use of one or more technologies that are developed in a foreign country, but has been demonstrated to be achievable at fossil fuel-fired electric utility generating units in the United States; and

(2) meets the requirements of subsection (b) and (c), as applicable.

SEC. 453. CONGRESS TO SET EFFECTIVE DATE FOR STANDARDS OF PERFORMANCE FOR EXISTING, MODIFIED, AND RECONSTRUCTED FOSSIL FUEL-FIRED ELECTRIC UTILITY GENERATING UNITS.

(a) APPLICABILITY.—This section applies with respect to any rule or guidelines issued by the Administrator of the Environmental Protection Agency under section 111 of the Clean Air Act (42 U.S.C. 7411) that—

(1) establish any standard of performance for emissions of any greenhouse gas from any modified or reconstructed source that is a fossil fuel-fired electric utility generating unit; or

(2) apply to the emissions of any greenhouse gas from an existing source that is a fossil fuel-fired electric utility generating unit.

(b) CONGRESS TO SET EFFECTIVE DATE.—A rule or guidelines described in subsection (a) shall not take effect unless a Federal law is enacted specifying such rule's or guidelines' effective date.

(c) REPORTING.—A rule or guidelines described in subsection (a) shall not take effect unless the Administrator of the Environmental Protection Agency has submitted to Congress a report containing each of the following:

(1) The text of such rule or guidelines.

(2) The economic impacts of such rule or guidelines, including the potential effects on—

(A) economic growth, competitiveness, and jobs in the United States;

(B) electricity ratepayers, including low-income ratepayers in affected States;

(C) required capital investments and projected costs for operation and maintenance of new equipment required to be installed; and

(D) the global economic competitiveness of the United States.

(3) The amount of greenhouse gas emissions that such rule or guidelines are projected to reduce as compared to overall global greenhouse gas emissions.

(d) CONSULTATION.—In carrying out subsection (c), the Administrator of the Environmental Protection Agency shall consult with the Administrator of the Energy Information Administration, the Comptroller General of the United States, the Director of the National Energy Technology Laboratory,

and the Under Secretary of Commerce for Standards and Technology.

SEC. 454. REPEAL OF EARLIER RULES AND GUIDELINES.

The following rules and guidelines shall be of no force or effect, and shall be treated as though such rules and guidelines had never been issued:

(1) The proposed rule—

(A) entitled ''Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units'', published at 77 Fed. Reg. 22392 (April 13, 2012); and

(B) withdrawn pursuant to the notice entitled ''Withdrawal of Proposed Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units'', signed by the Administrator of the Environmental Protection Agency on September 20, 2013, and identified by docket ID number EPA–HQ–OAR–2011–0660.

(2) The proposed rule entitled ''Standards of Performance for Greenhouse Gas Emissions from New Stationary Sources: Electric Utility Generating Units'', signed by the Administrator of the Environmental Protection Agency on September 20, 2013, identified by docket ID number EPA–HQ–OAR–2013–0495, and published at 79 Fed. Reg. 1430 (January 8, 2014).

(3) With respect to the proposed rule described in paragraph (1), any successor or substantially similar proposed or final rule that—

(A) is issued prior to the date of the enactment of this Act;

(B) is applicable to any new source that is a fossil fuel-fired electric utility generating unit; and

(C) does not meet the requirements under subsections (b) and (c) of section 452.

(4) Any proposed or final rule or guidelines under section 111 of the Clean Air Act (42 U.S.C. 7411) that—

(A) are issued prior to the date of the enactment of this Act; and

(B) establish any standard of performance for emissions of any greenhouse gas from any modified or reconstructed source that is a fossil fuel-fired electric utility generating unit or apply to the emissions of any greenhouse gas from an existing source that is a fossil fuel-fired electric utility generating unit.

SEC. 455. DEFINITIONS.

In this subtitle:

(1) DEMONSTRATION PROJECT.—The term ''demonstration project'' means a project to test or demonstrate the feasibility of carbon capture and storage technologies that has received Federal Government funding or financial assistance.

(2) EXISTING SOURCE.—The term ''existing source'' has the meaning given such term in section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)), except such term shall not include any modified source.

(3) GREENHOUSE GAS.—The term ''greenhouse gas'' means any of the following:

(A) Carbon dioxide.

(B) Methane.

(C) Nitrous oxide.

(D) Sulfur hexafluoride.

(E) Hydrofluorocarbons.

(F) Perfluorocarbons.

(4) MODIFICATION.—The term ''modification'' has the meaning given such term in section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)).

(5) MODIFIED SOURCE.—The term ''modified source'' means any stationary source, the modification of which is commenced after the date of the enactment of this Act.

(6) NEW SOURCE.—The term ''new source'' has the meaning given such term in section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)), except that such term shall not include any modified source.

SA 3014. Mr. COBURN (for himself, Mr. TOOMEY, and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. ELIMINATION OF CORN ETHANOL MANDATE FOR RENEWABLE FUEL.

(a) REMOVAL OF TABLE.—Section 211(o)(2)(B)(i) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)(i)) is amended by striking subclause (I).

(b) CONFORMING AMENDMENTS.—Section 211(o)(2)(B) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)) is amended—

(1) in clause (i)—

(A) by redesignating subclauses (II) through (IV) as subclauses (I) through (III), respectively;

(B) in subclause (I) (as so redesignated), by striking ''of the volume of renewable fuel required under subclause (I),''; and

(C) in subclauses (II) and (III) (as so redesignated), by striking ''subclause (II)'' each place it appears and inserting ''subclause (I)''; and

(2) in clause (v), by striking ''clause (i)(IV)'' and inserting ''clause (i)(III)''.

(c) ADMINISTRATION.—Nothing in this section or the amendments made by this section affects the volumes of advanced biofuel, cellulosic biofuel, or biomass-based diesel that are required under section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)).

SA 3015. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 25, strike line 23 and insert the following:

(c) ADMINISTRATION.—To promote the efficiency and effectiveness of the programs, the Secretary shall—

(1) conduct or collect applicable third-party evaluations on every federally funded energy worker training program established during the 7–year period ending on the date of enactment of this Act, including technical training, on-the-job training, and industry-recognized credentialing programs; and

(2) publish and disseminate evidence-based guidance for the programs after considering the third-party evaluations.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is

SA 3016. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title V, insert the following:

SEC. 5____. WEATHERIZATION ASSISTANCE PROGRAM FOR LOW-INCOME PERSONS.

Section 415 of the Energy Conservation and Production Act (42 U.S.C. 6865) is amended by adding at the end the following:

''(f) ADMINISTRATION.—

''(1) IN GENERAL.—A State shall use up to 8 percent of any grant made by the Secretary under this part to track applicants for and recipients of weatherization assistance under this part to determine the impact of the assistance and eliminate or reduce reliance on the assistance over a period of not more than 3 years.

''(2) ANNUAL STATE PLANS.—A State may submit to the Secretary for approval within 90 days an annual plan for the administration of assistance under this part in the State that includes, at the option of the State—

''(A) local income eligibility standards for the assistance that are not based on the formula that are used to allocate assistance under this part; and

''(B) the establishment of revolving loan funds for multifamily affordable housing units.''.

SA 3017. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

In section 111, strike subsection (b) and insert the following:

(b) NONDUPLICATION.—The Secretary shall coordinate with the Secretary of Labor and the Secretary of Education prior to issuing any funding opportunity announcements under this Act to ensure that duplication does not occur.

SA 3018. Mr. FLAKE (for himself, Mr. MCCAIN, and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title V, insert the following:

SEC. 5____. OFFSETS FOR INCREASED COSTS TO FEDERAL AGENCIES FOR REGULATIONS LIMITING GREENHOUSE GAS EMISSIONS.

(a) IN GENERAL.—If the Administrator of the Environmental Protection Agency proposes a rule that limits greenhouse gas emissions and imposes increased costs on 1 or more other Federal agencies, the Administrator shall include in the proposed rule an offset from funds available to the Administrator for all projected increased costs that the proposed rule would impose on other Federal agencies.

(b) NO OFFSETS.—If the Administrator proposes a rule that limits greenhouse gas emissions and imposes increased costs on 1 or more other Federal agencies but does not provide an offset in accordance with paragraph (1), the Administrator may not finalize the rule until the promulgation of the final rule is approved by law.

SA 3019. Mr. FLAKE (for himself, Mr. TOOMEY, and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 5, strike line 17 and all that follows through page 6, line 11, and insert the following:

''(A) IN GENERAL.—If a State or Indian tribe has submitted written notification to the Secretary that the State or Indian tribe has decided to participate in the program

under this section, not later than 2 years after the date on which a model building energy code is updated, each participating State or Indian tribe shall certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively.

''(B) DEMONSTRATION.—The certification shall include a demonstration of whether or not the energy savings for the code provisions that are in effect throughout the State or Indian tribal territory meet or exceed—

''(i) the energy savings of the updated model building energy code; or

''(ii) the targets established under section 307(b)(2).

''(C) NO MODEL BUILDING ENERGY CODE UPDATE.—If a model building energy code is not updated by a target date established under section 307(b)(2)(D), the participating State or Indian tribe.

SA 3020. Mr. FLAKE (for himself, Mrs. FISCHER, and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

Strike subtitles C and D of title II.

SA 3021. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 15, lines 14 through 16, strike '', and verification of compliance with and enforcement of a code other than by a State or local government''.

SA 3022. Mr. BENNET (for himself, Mr. COBURN, Mr. CARPER, and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

After section 303, insert the following:

SEC. 304. FEDERAL DATA CENTER CONSOLIDATION.

(a) SHORT TITLE.—This section may be cited as the ''Data Center Consolidation Act of 2014''.

(b) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator for the Office of E-Government and Information Technology within the Office of Management and Budget.

(2) COVERED AGENCY.—The term ''covered agency'' means the following (including all associated components of the agency):

(A) Department of Agriculture;

(B) Department of Commerce;

(C) Department of Defense;

(D) Department of Education;

(E) Department of Energy;

(F) Department of Health and Human Services;

(G) Department of Homeland Security;

(H) Department of Housing and Urban Development;

(I) Department of the Interior;

(J) Department of Justice;

(K) Department of Labor;

(L) Department of State;

(M) Department of Transportation;

(N) Department of Treasury;

(O) Department of Veterans Affairs;

(P) Environmental Protection Agency;

(Q) General Services Administration;

(R) National Aeronautics and Space Administration;

(S) National Science Foundation;

(T) Nuclear Regulatory Commission;

(U) Office of Personnel Management;

(V) Small Business Administration;

(W) Social Security Administration; and

(X) United States Agency for International Development.

(3) FDCCI.—The term ''FDCCI'' means the Federal Data Center Consolidation Initiative described in the Office of Management and Budget Memorandum on the Federal Data Center Consolidation Initiative, dated February 26, 2010, or any successor thereto.

(4) GOVERNMENT-WIDE DATA CENTER CONSOLIDATION AND OPTIMIZATION METRICS.—The term ''Government-wide data center consolidation and optimization metrics'' means the metrics established by the Administrator under subsection (c)(2)(G).

(c) FEDERAL DATA CENTER CONSOLIDATION INVENTORIES AND STRATEGIES.—

(1) IN GENERAL.—

(A) ANNUAL REPORTING.—Except as provided in subparagraph (C), beginning in the first fiscal year after the date of enactment of this Act and each fiscal year thereafter, the head of each covered agency, assisted by the Chief Information Officer of the agency, shall submit to the Administrator—

(i) a comprehensive inventory of the data centers owned, operated, or maintained by or on behalf of the agency; and

(ii) a multi-year strategy to achieve the consolidation and optimization of the data centers inventoried under clause (i), that includes—

(I) performance metrics—

(aa) that are consistent with the Government-wide data center consolidation and optimization metrics; and

(bb) by which the quantitative and qualitative progress of the agency toward the goals of the FDCCI can be measured;

(II) a timeline for agency activities to be completed under the FDCCI, with an emphasis on benchmarks the agency can achieve by specific dates;

(III) year-by-year calculations of investment and cost savings for the period beginning on the date of enactment of this Act and ending on the date described in subsection (f), broken down by each year, including a description of any initial costs for data center consolidation and optimization and life cycle cost savings and other improvements, with an emphasis on—

(aa) meeting the Government-wide data center consolidation and optimization metrics; and

(bb) demonstrating the amount of agency-specific cost savings each fiscal year achieved through the FDCCI; and

(IV) any additional information required by the Administrator.

(B) USE OF OTHER REPORTING STRUCTURES.—The Administrator may require a covered agency to include the information required to be submitted under this subsection through reporting structures determined by the Administrator to be appropriate.

(C) DEPARTMENT OF DEFENSE REPORTING.—For any year that the Department of Defense is required to submit a performance plan for reduction of resources required for data servers and centers, as required under section 2867(b) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note), the Department of Defense—

(i) may submit to the Administrator, in lieu of the multi-year strategy required under subparagraph (A)(ii)—

(I) the defense-wide plan required under section 2867(b)(2) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note); and

(II) the report on cost savings required under section 2867(d) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note); and

(ii) shall submit the comprehensive inventory required under subparagraph (A)(i), unless the defense-wide plan required under section 2867(b)(2) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note)—

(I) contains a comparable comprehensive inventory; and

(II) is submitted under clause (i).

(D) STATEMENT.—Beginning in the first fiscal year after the date of enactment of this Act and each fiscal year thereafter, the head of each covered agency, acting through the Chief Information Officer of the agency, shall—

(i)(I) submit a statement to the Administrator stating whether the agency has complied with the requirements of this section; and

(II) make the statement submitted under subclause (I) publically available; and

(ii) if the agency has not complied with the requirements of this section, submit a statement to the Administrator explaining the reasons for not complying with such requirements.

(E) AGENCY IMPLEMENTATION OF STRATEGIES.—

(i) IN GENERAL.—Each covered agency, under the direction of the Chief Information Officer of the agency, shall—

(I) implement the strategy required under subparagraph (A)(ii); and

(II) provide updates to the Administrator, on a quarterly basis, of—

(aa) the completion of activities by the agency under the FDCCI;

(bb) any progress of the agency towards meeting the Government-wide data center consolidation and optimization metrics; and

(cc) the actual cost savings and other improvements realized through the implementation of the strategy of the agency.

(ii) DEPARTMENT OF DEFENSE.—For purposes of clause (i)(I), implementation of the defense-wide plan required under section 2867(b)(2) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note) by the Department of Defense shall be considered implementation of the strategy required under subparagraph (A)(ii).

(F) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the reporting of information by a covered agency to the Administrator, the Director of the Office of Management and Budget, or Congress.

(2) ADMINISTRATOR RESPONSIBILITIES.—The Administrator shall—

(A) establish the deadline, on an annual basis, for covered agencies to submit information under this section;

(B) establish a list of requirements that the covered agencies must meet to be considered in compliance with paragraph (1);

(C) ensure that information relating to agency progress towards meeting the Government-wide data center consolidation and optimization metrics is made available in a timely manner to the general public;

(D) review the inventories and strategies submitted under paragraph (1) to determine whether they are comprehensive and complete;

(E) monitor the implementation of the data center strategy of each covered agency that is required under paragraph (1)(A)(ii);

(F) update, on an annual basis, the cumulative cost savings realized through the implementation of the FDCCI; and

(G) establish metrics applicable to the consolidation and optimization of data centers

Government-wide, including metrics with respect to—

(i) costs;

(ii) efficiencies, including at least server efficiency; and

(iii) any other metrics the Administrator establishes under this subparagraph.

(3) COST SAVING GOAL AND UPDATES FOR CONGRESS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop, and make publically available, a goal, broken down by year, for the amount of planned cost savings and optimization improvements achieved through the FDCCI during the period beginning on the date of enactment of this Act and ending on the date described in subsection (f).

(B) ANNUAL UPDATE.—

(i) IN GENERAL.—Not later than 1 year after the date on which the goal described in subparagraph (A) is made publically available, and each year thereafter, the Administrator shall aggregate the reported cost savings of each covered agency and optimization improvements achieved to date through the FDCCI and compare the savings to the projected cost savings and optimization improvements developed under subparagraph (A).

(ii) UPDATE FOR CONGRESS.—The goal required to be developed under subparagraph (A) shall be submitted to Congress and shall be accompanied by a statement describing—

(I) whether each covered agency has in fact submitted a comprehensive asset inventory, including an assessment broken down by agency, which shall include the specific numbers, utilization, and efficiency level of data centers; and

(II) whether each covered agency has submitted a comprehensive consolidation strategy with the key elements described in paragraph (1)(A)(ii).

(4) GAO REVIEW.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Comptroller General of the United States shall review and verify the quality and completeness of the asset inventory and strategy of each covered agency required under paragraph (1)(A).

(B) REPORT.—The Comptroller General of the United States shall, on an annual basis, publish a report on each review conducted under subparagraph (A).

(d) ENSURING CYBERSECURITY STANDARDS FOR DATA CENTER CONSOLIDATION AND CLOUD COMPUTING.—

(1) IN GENERAL.—In implementing a data center consolidation and optimization strategy under this section, a covered agency shall do so in a manner that is consistent with Federal guidelines on cloud computing security, including—

(A) applicable provisions found within the Federal Risk and Authorization Management Program (FedRAMP); and

(B) guidance published by the National Institute of Standards and Technology.

(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of the Director of the Office of Management and Budget to update or modify the Federal guidelines on cloud computing security.

(e) WAIVER OF DISCLOSURE REQUIREMENTS.—The Director of National Intelligence may waive the applicability to any element (or component of an element) of the intelligence community of any provision of this section if the Director of National Intelligence determines that such waiver is in the interest of national security. Not later than 30 days after making a waiver under this subsection, the Director of National Intelligence shall submit to the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate and the Committee on Oversight and Government Reform and the Permanent Select Committee on Intelligence of the House of Representatives a statement describing the waiver and the reasons for the waiver.

(f) SUNSET.—This section is repealed effective on October 1, 2018.

SA 3023. Mr. REID proposed an amendment to amendment SA 3012 submitted by Mrs. SHAHEEN (for herself and Mr. PORTMAN) to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

SA 3024. Mr. REID proposed an amendment to amendment SA 3023 proposed by Mr. REID to the amendment SA 3012 submitted by Mrs. SHAHEEN (for herself and Mr. PORTMAN) to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; as follows:

In the amendment, strike ''1 day'' and insert ''2 days''.

SA 3025. Mr. REID proposed an amendment to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

SA 3026. Mr. REID proposed an amendment to amendment SA 3025 proposed by Mr. REID to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; as follows:

In the amendment, strike ''3 days'' and insert ''4 days''.

SA 3027. Mr. REID proposed an amendment to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; as follows:

At the end, add the following:

This Act shall become effective 5 days after enactment.

SA 3028. Mr. REID proposed an amendment to amendment SA 3027 proposed by Mr. REID to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; as follows:

In the amendment, strike ''5 days'' and insert ''6 days''.

SA 3029. Mr. REID proposed an amendment to amendment SA 3028 proposed by Mr. REID to the amendment SA 3027 proposed by Mr. REID to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; as follows:

In the amendment, strike ''6 days'' and insert ''7 days''.

SA 3030. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title V, insert the following:

SEC. 5_____. TRANSPARENCY AND FISCAL ACCOUNTABILITY.

(a) IN GENERAL.—Notwithstanding any other provision of law (including regulations), the Administrator of the Environmental Protection Agency shall track the use of taxpayer funds relating to the rulemaking processes of the Environmental Protection Agency that impact energy development, production, or generation, economic development, or job creation.

(b) REPORT.—

(1) IN GENERAL.—The Administrator of the Environmental Protection Agency shall submit to Congress and post on the website of the Environmental Protection Agency an annual report detailing the results of the evaluation under subsection (a).

(2) CONTENTS.—The annual report under paragraph (1) shall include a description of—

(A) the administrative costs associated with the rulemaking processes, including the personnel costs;

(B) the costs associated with holding public hearings and meetings;

(C) travel costs; and

(D) third-party expenses, such as the costs associated with hiring consultants and scientists.

SA 3031. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title V, insert the following:

SEC. 5_____. COOPERATIVE FEDERALISM.

Notwithstanding any other provision of law (including regulations), on the request of a State, the Administrator of the Environmental Protection Agency shall provide the State not less than 120 additional days to review and comment on any proposed regulation of the Environmental Protection Agency that the State determines will have an impact on energy development, production, or generation, economic development, or job creation in the State.

SA 3032. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 134, after line 25, add the following:

SEC. 5_____. CONVEYANCE TO STATES OF PROPERTY INTEREST IN STATE SHARE OF ROYALTIES AND OTHER PAYMENTS.

Section 35 of the Mineral Leasing Act (30 U.S.C. 191) is amended—

(1) in the first sentence of subsection (a), by striking ''shall be paid into the Treasury'' and inserting ''shall, except as provided in subsection (d), be paid into the Treasury'';

(2) in subsection (c)(1), by inserting ''and except as provided in subsection (d)'' before '', any rentals''; and

(3) by adding at the end the following:

''(d) CONVEYANCE TO STATES OF PROPERTY INTEREST IN STATE SHARE.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, on request of a State

(other than the State of Alaska) and in lieu of any payments to the State under subsection (a), the Secretary of the Interior shall convey to the State all right, title, and interest in and to 50 percent of all amounts otherwise required to be paid into the Treasury under subsection (a) from sales, bonuses, royalties (including interest charges), and rentals for all public land or deposits located in the State.

''(2) STATE OF ALASKA.—Notwithstanding any other provision of law, on request of the State of Alaska and in lieu of any payments to the State under subsection (a), the Secretary of the Interior shall convey to the State all right, title, and interest in and to 90 percent of all amounts otherwise required to be paid into the Treasury under subsection (a) from sales, bonuses, royalties (including interest charges), and rentals for all public land or deposits located in the State.

''(3) AMOUNT.—Notwithstanding any other provision of law, after a conveyance to a State under paragraph (1) or (2), any person shall pay directly to the State any amount owed by the person for which the right, title, and interest has been conveyed to the State under this subsection.

''(4) NOTICE.—The Secretary of the Interior shall promptly provide to each holder of a lease of public land to which subsection (a) applies that are located in a State to which right, title, and interest is conveyed under this subsection notice that—

''(A) the Secretary of the Interior has conveyed to the State all right, title, and interest in and to the amounts referred to in paragraph (1) or (2); and

''(B) the leaseholder is required to pay the amounts directly to the State.''.

SA 3033. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 5_____. REGIONAL HAZE PROGRAM.

Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency (referred to in this section as the ''Administrator'') shall not reject or disapprove in whole or in part a State regional haze implementation plan addressing any regional haze regulation of the Environmental Protection Agency (including the regulations described in section 51.308 of title 40, Code of Federal Regulations (or successor regulations)) if—

(1) the State has submitted to the Administrator a State implementation plan for regional haze that—

(A) considers the factors identified in section 169A of the Clean Air Act (42 U.S.C. 7491); and

(B) applies the relevant laws (including regulations);

(2) the Administrator fails to demonstrate using the best available science that a Federal implementation plan action governing a specific source, when compared to the State plan, results in at least a 1.0 deciview improvement in any class I area (as classified under section 162 of the Clean Air Act (42 U.S.C. 7472)); and

(3) implementation of the Federal implementation plan, when compared to the State plan, will result in an economic cost to the State or to the private sector of greater than $100,000,000 in any fiscal year or $300,000,000 in the aggregate.

SA 3034. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title V, insert the following:

SEC. 5_____. FEDERAL VEHICLE REPAIR COST SAVINGS.

(a) FINDINGS.—Congress finds that, in March 2013, the Government Accountability Office issued a report that confirmed that—

(1) there are approximately 588,000 vehicles in the civilian Federal fleet;

(2) Federal agencies spent approximately $975,000,000 on repair and maintenance of the Federal fleet in 2011;

(3) remanufactured vehicle components, such as engines, starters, alternators, steering racks, and clutches, tend to be less expensive than comparable new replacement parts; and

(4) the United States Postal Service and the Department of the Interior both informed the Government Accountability Office that the respective agencies rely on the use of remanufactured vehicle components to reduce costs.

(b) REQUIREMENT TO USE REMANUFACTURED VEHICLE COMPONENTS.—

(1) DEFINITIONS.—In this subsection:

(A) FEDERAL AGENCY.—The term ''Federal agency'' has the meaning given that term in section 102 of title 40, United States Code.

(B) REMANUFACTURED VEHICLE COMPONENT.—The term ''remanufactured vehicle component'' means a vehicle component (including an engine, transmission, alternator, starter, turbocharger, steering, or suspension component) that has been returned to same-as-new, or better, condition and performance by a standardized industrial process that incorporates technical specifications (including engineering, quality, and testing standards) to yield fully warranted products.

(2) REQUIREMENT.—The head of each Federal agency shall encourage the use of remanufactured vehicle components to maintain Federal vehicles—

(A) if using those components reduces the cost while maintaining quality; but

(B) not if using those components—

(i) does not reduce the cost of maintaining Federal vehicles;

(ii) lowers the quality of vehicle performance, as determined by the employee of the Federal agency responsible for the repair decision; or

(iii) delays the return to service of a vehicle.

SA 3035. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON NEW RULES FOR AUTOMATIC COMMERCIAL ICE MAKERS.

Notwithstanding any other provision of law, the Secretary of Energy shall not propose or finalize any new rule to increase energy conservation or efficiency standards for automatic commercial ice makers, including the proposed rule entitled ''Energy Conservation Program: Energy Conservation Standards for Automatic Commercial Ice Makers'' (79 Fed. Reg. 14846 (March 17, 2014)).

SA 3036. Mr. TOOMEY (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title V, insert the following:

SEC. 5_____. ELECTRIC GENERATING UNIT COMPLIANCE DELAY FOR CERTAIN EPA RULES.

(a) DEFINITION OF COAL REFUSE.—

(1) IN GENERAL.—In this section, the term ''coal refuse'' means any waste coal, rock, shale, slurry, culm, gob, boney, slate, clay and related materials, associated with or near a coal seam, that are—

(A) brought aboveground or otherwise removed from a coal mine in the process of mining coal; or

(B) separated from coal during cleaning or preparation operations.

(2) INCLUSIONS.—The term ''coal refuse'' includes underground development waste, coal processing waste, and excess spoil.

(b) COMPLIANCE DELAY.—An electric generating unit that uses coal refuse as the primary feedstock of the electric generating unit shall be exempt from the rule of the Environmental Protection Agency entitled ''National Emission Standards for Hazardous Air Pollutants From Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units'' (77 Fed. Reg. 9304 (February 16, 2012)) until December 31, 2017.

SA 3037. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON NEW RULES FOR RESIDENTIAL BOILERS.

Notwithstanding any other provision of law, the Secretary of Energy shall not propose or finalize any new rule to increase energy conservation or efficiency standards for residential boilers, including proposals described in the Department of Energy document entitled ''Energy Conservation Standards for Residential Boilers: Availability of Analytical Results and Modeling Tools'' (79 Fed. Reg. 8122 (February 11, 2014)).

SA 3038. Mr. UDALL of Colorado (for himself, Mr. BEGICH, and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5___. EXPEDITED APPROVAL OF EXPORTATION OF NATURAL GAS TO WORLD TRADE ORGANIZATION MEMBER COUNTRIES.

(a) IN GENERAL.—Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended—

(1) by striking ''(c) For purposes'' and inserting the following:

''(c) EXPEDITED APPLICATION AND APPROVAL PROCESS.—

''(1) DEFINITION OF WORLD TRADE ORGANIZATION MEMBER COUNTRY.—In this subsection, the term 'World Trade Organization member country' has the meaning given the term

'WTO member country' in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501).

''(2) EXPEDITED APPLICATION AND APPROVAL PROCESS.—For purposes''; and

(2) in paragraph (2) (as so designated), by inserting ''or to a World Trade Organization member country'' after ''trade in natural gas''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to applications for the authorization to export natural gas under section 3 of the Natural Gas Act (15 U.S.C. 717b) that are pending on, or filed on or after, the date of enactment of this Act.

SA 3039. Mr. UDALL of Colorado (for himself and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 501 and insert the following:

SEC. 5_____. ACCESS TO CONSUMER ENERGY INFORMATION (E-ACCESS).

(a) IN GENERAL.—The Secretary shall encourage and support the adoption of policies that allow electricity consumers access to their own electricity data.

(b) ELIGIBILITY FOR STATE ENERGY PLANS.—Section 362(d) of the Energy Policy and Conservation Act (42 U.S.C. 6322(d)) is amended—

(1) in paragraph (16), by striking ''and'' after the semicolon at the end;

(2) by redesignating paragraph (17) as paragraph (18); and

(3) by inserting after paragraph (16) the following:

''(17) programs—

''(A) to enhance consumer access to and understanding of energy usage and price information, including consumers' own residential and commercial electricity information; and

''(B) to allow for the development and adoption of innovative products and services to assist consumers in managing energy consumption and expenditures; and''.

(c) VOLUNTARY GUIDELINES FOR ELECTRIC CONSUMER ACCESS.—

(1) DEFINITIONS.—In this subsection:

(A) RETAIL ELECTRIC ENERGY INFORMATION.—The term ''retail electric energy information'' means—

(i) the electric energy consumption of an electric consumer over a defined time period;

(ii) the retail electric energy prices or rates applied to the electricity usage for the defined time period described in clause (i) for the electric consumer;

(iii) the estimated cost of service by the consumer, including (if smart meter usage information is available) the estimated cost of service since the last billing cycle of the consumer; and

(iv) in the case of nonresidential electric meters, any other electrical information that the meter is programmed to record (such as demand measured in kilowatts, voltage, frequency, current, and power factor).

(B) SMART METER.—The term ''smart meter'' means the device used by an electric utility that—

(i)(I) measures electric energy consumption by an electric consumer at the home or facility of the electric consumer in intervals of 1 hour or less; and

(II) is capable of sending electric energy usage information through a communications network to the electric utility; or

(ii) meets the guidelines issued under paragraph (2).

(2) VOLUNTARY GUIDELINES FOR ELECTRIC CONSUMER ACCESS.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, subject to subparagraph (B), the Secretary shall issue voluntary guidelines that establish model standards for implementation of retail electric energy information access in States.

(B) CONSULTATION.—Before issuing the voluntary guidelines, the Secretary shall—

(i) consult with—

(I) State and local regulatory authorities, including the National Association of Regulatory Utility Commissioners;

(II) other appropriate Federal agencies, including the National Institute of Standards and Technology;

(III) consumer and privacy advocacy groups;

(IV) utilities;

(V) the National Association of State Energy Officials; and

(VI) other appropriate entities, including groups representing commercial and residential building owners and groups that represent demand response and electricity data devices and services; and

(ii) provide notice and opportunity for comment.

(C) STATE AND LOCAL REGULATORY ACTION.—In issuing the voluntary guidelines, the Secretary shall, to the maximum extent practicable, be guided by actions taken by State and local regulatory authorities to ensure electric consumer access to retail electric energy information, including actions taken after consideration of the standard established under section 111(d)(17) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)(17)).

(D) CONTENTS.—

(i) IN GENERAL.—The voluntary guidelines shall provide guidance on issues necessary to carry out this subsection, including—

(I) the timeliness and specificity of retail electric energy information;

(II) appropriate nationally recognized open standards for data;

(III) the protection of data security and electric consumer privacy, including consumer consent requirements; and

(IV) issues relating to access of electric energy information for owners and managers of multitenant commercial and residential buildings.

(ii) INCLUSIONS.—The voluntary guidelines shall include guidance that—

(I) retail electric energy information should be made available to electric consumers (and third party designees of the electric consumers) in the United States—

(aa) in an electronic machine readable form, without additional charge, in conformity with nationally recognized open standards developed by a nationally recognized standards organization;

(bb) as timely as is reasonably practicable;

(cc) at the level of specificity that the data is transmitted by the meter or as is reasonably practicable; and

(dd) in a manner that provides adequate protections for the security of the information and the privacy of the electric consumer;

(II) in the case of an electric consumer that is served by a smart meter that can also communicate energy usage information to a device or network of an electric consumer or a device or network of a third party authorized by the consumer, the feasibility should be considered of providing to the consumer or third party designee, at a minimum, access to usage information (not including price information) of the consumer directly from the smart meter;

(III) retail electric energy information should be provided by the electric utility of the consumer or such other entity as may be designated by the applicable electric retail regulatory authority;

(IV) retail electric energy information of the consumer should be made available to the consumer through a website or other electronic access authorized by the electric consumer, for a period of at least 13 months after the date on which the usage occurred;

(V) consumer access to data, including data provided to owners and managers of commercial and multifamily buildings with multiple tenants, should not interfere with or compromise the integrity, security, or privacy of the operations of a utility and the electric consumer;

(VI) electric energy information relating to usage information generated by devices in or on the property of the consumer that is transmitted to the electric utility should be made available to the electric consumer or the third party agent designated by the electric consumer; and

(VII) the same privacy and security requirements applicable to the contracting utility should apply to third party agents contracting with a utility to process the customer data of that utility.

(E) REVISIONS.—The Secretary shall periodically review and, as necessary, revise the voluntary guidelines to reflect changes in technology, privacy needs, and the market for electric energy and services.

(d) VERIFICATION AND IMPLEMENTATION.—

(1) IN GENERAL.—A State may submit to the Secretary a description of the data sharing policies of the State relating to consumer access to electric energy information for certification by the Secretary that the policies meet the voluntary guidelines issued under subsection (c)(2).

(2) ASSISTANCE.—Subject to the availability of funds under paragraph (3), the Secretary shall make Federal amounts available to any State that has data sharing policies described in paragraph (1) that the Secretary certifies meets the voluntary guidelines issued under subsection (c)(2) to assist the State in implementing section 362(d)(17) of the Energy Policy and Conservation Act (42 U.S.C. 6322(d)(17)).

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $10,000,000 for fiscal year 2015, to remain available until expended.

SEC. 5_____. OFFSET.

Section 422(f) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17082(f)) is amended—

(1) in paragraph (3), by striking ''and'' after the semicolon at the end; and

(2) by striking paragraph (4) and inserting the following:

''(4) $200,000,000 for each of fiscal years 2013 and 2014;

''(5) $145,000,000 for fiscal year 2015; and

''(6) $100,000,000 for each of fiscal years 2016 through 2018.''.

SA 3040. Mr. UDALL of Colorado (for himself, Mr. BEGICH, and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title V, insert the following:

SEC. 5___. NATURAL GAS EXPORTS.

(a) DECISION DEADLINE.—

(1) IN GENERAL.—The Secretary shall issue a final decision, or a conditional decision in the case of an application that has not completed the review required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), on any application for authorization to export natural gas under section 3

of the Natural Gas Act (15 U.S.C. 717b) not later than 90 days after the later of—

(A) the end of the comment period for the decision as set forth in the applicable notice published in the Federal Register; or

(B) the date of enactment of this Act.

(2) CONDITIONAL DECISION.—If the Secretary issues a conditional decision pursuant to paragraph (1), the Secretary shall issue a final decision on any application for authorization to export natural gas under section 3 of the Natural Gas Act (15 U.S.C. 717b) not later than 60 days after conclusion of the review required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) JUDICIAL ACTION.—

(1) IN GENERAL.—The United States Court of Appeals for the circuit in which the export facility will be located pursuant to an application described in subsection (a) shall have original and exclusive jurisdiction over any civil action for the review of —

(A) an order issued by the Secretary with respect to the application; or

(B) the failure of the Secretary to issue a decision on the application.

(2) ORDER.—If the Court in a civil action described in paragraph (1) finds that the Secretary has failed to issue a decision on the application as required under subsection (a), the Court shall order the Secretary to issue the decision not later than 30 days after the order of the Court.

(3) EXPEDITED CONSIDERATION.—The Court shall—

(A) set any civil action brought under this subsection for expedited consideration; and

(B) set the matter on the docket as soon as practicable after the filing date of the initial pleading.

(c) PUBLIC DISCLOSURE OF EXPORT DESTINATIONS.—Section 3 of the Natural Gas Act (15 U.S.C. 717b) is amended by adding at the end the following:

''(g) PUBLIC DISCLOSURE OF LIQUEFIED NATURAL GAS EXPORT DESTINATIONS.—

''(1) IN GENERAL.—In the case of any authorization to export liquefied natural gas, the Secretary of Energy shall require the applicant to report to the Secretary of Energy the names of the 1 or more countries of destination to which the exported liquefied natural gas is delivered.

''(2) TIMING.—The applicant shall file the report required under paragraph (1) not later than—

''(A) in the case of the first export, the last day of the month following the month of the first export; and

''(B) in the case of subsequent exports, the date that is 30 days after the last day of the applicable month concerning the activity of the previous month.

''(3) DISCLOSURE.—The Secretary of Energy shall publish the information reported under this subsection on the website of the Department of Energy and otherwise make the information available to the public.''.

SA 3041. Ms. KLOBUCHAR (for herself and Mr. HOEVEN) submitted an amendment intended to be proposed by her to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 134, after line 25, add the following:

SEC. 5_____. ENERGY EFFICIENCY RETROFIT PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) APPLICANT.—The term ''applicant'' means a nonprofit organization that applies for a grant under this section.

(2) ENERGY-EFFICIENCY IMPROVEMENT.—

(A) IN GENERAL.—The term ''energy-efficiency improvement'' means an installed measure (including a product, equipment, system, service, or practice) that results in a reduction in use by a nonprofit organization for energy or fuel supplied from outside the nonprofit building.

(B) INCLUSIONS.—The term ''energy-efficiency improvement'' includes an installed measure described in subparagraph (A) involving—

(i) repairing, replacing, or installing—

(I) a roof or lighting system, or component of a roof or lighting system;

(II) a window;

(III) a door, including a security door; or

(IV) a heating, ventilation, or air conditioning system or component of the system (including insulation and wiring and plumbing improvements needed to serve a more efficient system);

(ii) a renewable energy generation or heating system, including a solar, photovoltaic, wind, geothermal, or biomass (including wood pellet) system or component of the system; and

(iii) any other measure taken to modernize, renovate, or repair a nonprofit building to make the nonprofit building more energy efficient.

(3) NONPROFIT BUILDING.—

(A) IN GENERAL.—The term ''nonprofit building'' means a building operated and owned by a nonprofit organization.

(B) INCLUSIONS.—The term ''nonprofit building'' includes a building described in subparagraph (A) that is—

(i) a hospital;

(ii) a youth center;

(iii) a school;

(iv) a social-welfare program facility;

(v) a faith-based organization; and

(vi) any other nonresidential and noncommercial structure.

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

(b) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a pilot program to award grants for the purpose of retrofitting nonprofit buildings with energy-efficiency improvements.

(c) GRANTS.—

(1) IN GENERAL.—The Secretary may award grants under the program established under subsection (b).

(2) APPLICATION.—The Secretary may award a grant under this section if an applicant submits to the Secretary an application at such time, in such form, and containing such information as the Secretary may prescribe.

(3) CRITERIA FOR GRANT.—In determining whether to award a grant under this section, the Secretary shall apply performance-based criteria, which shall give priority to applications based on—

(A) the energy savings achieved;

(B) the cost-effectiveness of the energy-efficiency improvement;

(C) an effective plan for evaluation, measurement, and verification of energy savings;

(D) the financial need of the applicant; and

(E) the percentage of the matching contribution by the applicant.

(4) LIMITATION ON INDIVIDUAL GRANT AMOUNT.—Each grant awarded under this section shall not exceed—

(A) an amount equal to 50 percent of the energy-efficiency improvement; and

(B) $200,000.

(5) COST SHARING.—

(A) IN GENERAL.—A grant awarded under this section shall be subject to a minimum non-Federal cost-sharing requirement of 50 percent.

(B) IN-KIND CONTRIBUTIONS.—The non-Federal share may be provided in the form of in-kind contributions of materials or services.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.

(e) OFFSET.—Section 942(f) of the Energy Policy Act of 2005 (42 U.S.C. 16251(f)) is amended by striking ''$250,000,000'' and inserting ''$200,000,000''.

SA 3042. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—METAL THEFT PREVENTION ACT

SEC. 601. SHORT TITLE.

This title may be cited as the ''Metal Theft Prevention Act of 2014''.

SEC. 602. DEFINITIONS.

In this title—

(1) the term ''critical infrastructure'' has the meaning given the term in section 1016(e) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (42 U.S.C. 5195c(e));

(2) the term ''specified metal'' means metal that—

(A)(i) is marked with the name, logo, or initials of a city, county, State, or Federal government entity, a railroad, an electric, gas, or water company, a telephone company, a cable company, a retail establishment, a beer supplier or distributor, or a public utility; or

(ii) has been altered for the purpose of removing, concealing, or obliterating a name, logo, or initials described in clause (i) through burning or cutting of wire sheathing or other means; or

(B) is part of—

(i) a street light pole or street light fixture;

(ii) a road or bridge guard rail;

(iii) a highway or street sign;

(iv) a water meter cover;

(v) a storm water grate;

(vi) unused or undamaged building construction or utility material;

(vii) a historical marker;

(viii) a grave marker or cemetery urn;

(ix) a utility access cover; or

(x) a container used to transport or store beer with a capacity of 5 gallons or more;

(C) is a wire or cable commonly used by communications and electrical utilities; or

(D) is copper, aluminum, and other metal (including any metal combined with other materials) that is valuable for recycling or reuse as raw metal, except for—

(i) aluminum cans; and

(ii) motor vehicles, the purchases of which are reported to the National Motor Vehicle Title Information System (established under section 30502 of title 49); and

(3) the term ''recycling agent'' means any person engaged in the business of purchasing specified metal for reuse or recycling, without regard to whether that person is engaged in the business of recycling or otherwise processing the purchased specified metal for reuse.

SEC. 603. THEFT OF SPECIFIED METAL.

(a) OFFENSE.—It shall be unlawful to knowingly steal specified metal—

(1) being used in or affecting interstate or foreign commerce; and

(2) the theft of which is from and harms critical infrastructure.

(b) PENALTY.—Any person who commits an offense described in subsection (a) shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both.

SEC. 604. DOCUMENTATION OF OWNERSHIP OR AUTHORITY TO SELL.

(a) OFFENSES.—

(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful for a recycling agent to purchase specified metal described in subparagraph (A) or (B) of section 602(2), unless—

(A) the seller, at the time of the transaction, provides documentation of ownership of, or other proof of the authority of the seller to sell, the specified metal; and

(B) there is a reasonable basis to believe that the documentation or other proof of authority provided under subparagraph (A) is valid.

(2) EXCEPTION.—Paragraph (1) shall not apply to a recycling agent that is subject to a State or local law that sets forth a requirement on recycling agents to obtain documentation of ownership or proof of authority to sell specified metal before purchasing specified metal.

(3) RESPONSIBILITY OF RECYCLING AGENT.—A recycling agent is not required to independently verify the validity of the documentation or other proof of authority described in paragraph (1).

(4) PURCHASE OF STOLEN METAL.—It shall be unlawful for a recycling agent to purchase any specified metal that the recycling agent—

(A) knows to be stolen; or

(B) should know or believe, based upon commercial experience and practice, to be stolen.

(b) CIVIL PENALTY.—A person who knowingly violates subsection (a) shall be subject to a civil penalty of not more than $10,000 for each violation.

SEC. 605. TRANSACTION REQUIREMENTS.

(a) RECORDING REQUIREMENTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), a recycling agent shall maintain a written or electronic record of each purchase of specified metal.

(2) EXCEPTION.—Paragraph (1) shall not apply to a recycling agent that is subject to a State or local law that sets forth recording requirements that are substantially similar to the requirements described in paragraph (3) for the purchase of specified metal.

(3) CONTENTS.—A record under paragraph (1) shall include—

(A) the name and address of the recycling agent; and

(B) for each purchase of specified metal—

(i) the date of the transaction;

(ii) a description of the specified metal purchased using widely used and accepted industry terminology;

(iii) the amount paid by the recycling agent;

(iv) the name and address of the person to which the payment was made;

(v) the name of the person delivering the specified metal to the recycling agent, including a distinctive number from a Federal or State government-issued photo identification card and a description of the type of the identification; and

(vi) the license plate number and State-of-issue, make, and model, if available, of the vehicle used to deliver the specified metal to the recycling agent.

(4) REPEAT SELLERS.—A recycling agent may comply with the requirements of this subsection with respect to a purchase of specified metal from a person from which the recycling agent has previously purchased specified metal by—

(A) reference to the existing record relating to the seller; and

(B) recording any information for the transaction that is different from the record relating to the previous purchase from that person.

(5) RECORD RETENTION PERIOD.—A recycling agent shall maintain any record required under this subsection for not less than 2 years after the date of the transaction to which the record relates.

(6) CONFIDENTIALITY.—Any information collected or retained under this section may be disclosed to any Federal, State, or local law enforcement authority or as otherwise directed by a court of law.

(b) PURCHASES IN EXCESS OF $100.—

(1) IN GENERAL.—Except as provided in paragraph (2), a recycling agent may not pay cash for a single purchase of specified metal of more than $100. For purposes of this paragraph, more than 1 purchase in any 48-hour period from the same seller shall be considered to be a single purchase.

(2) EXCEPTION.—Paragraph (1) shall not apply to a recycling agent that is subject to a State or local law that sets forth a maximum amount for cash payments for the purchase of specified metal.

(3) PAYMENT METHOD.—

(A) OCCASIONAL SELLERS.—Except as provided in subparagraph (B), for any purchase of specified metal of more than $100 a recycling agent shall make payment by check that—

(i) is payable to the seller; and

(ii) includes the name and address of the seller.

(B) ESTABLISHED COMMERCIAL TRANSACTIONS.—A recycling agent may make payments for a purchase of specified metal of more than $100 from a governmental or commercial supplier of specified metal with which the recycling agent has an established commercial relationship by electronic funds transfer or other established commercial transaction payment method through a commercial bank if the recycling agent maintains a written record of the payment that identifies the seller, the amount paid, and the date of the purchase.

(c) CIVIL PENALTY.—A person who knowingly violates subsection (a) or (b) shall be subject to a civil penalty of not more than $5,000 for each violation, except that a person who commits a minor violation shall be subject to a penalty of not more than $1,000.

SEC. 606. ENFORCEMENT BY ATTORNEY GENERAL.

The Attorney General may bring an enforcement action in an appropriate United States district court against any person that engages in conduct that violates this title.

SEC. 607. ENFORCEMENT BY STATE ATTORNEYS GENERAL.

(a) IN GENERAL.—An attorney general or equivalent regulator of a State may bring a civil action in the name of the State, as parens patriae on behalf of natural persons residing in the State, in any district court of the United States or other competent court having jurisdiction over the defendant, to secure monetary or equitable relief for a violation of this title.

(b) NOTICE REQUIRED.—Not later than 30 days before the date on which an action under subsection (a) is filed, the attorney general or equivalent regulator of the State involved shall provide to the Attorney General—

(1) written notice of the action; and

(2) a copy of the complaint for the action.

(c) ATTORNEY GENERAL ACTION.—Upon receiving notice under subsection (b), the Attorney General shall have the right—

(1) to intervene in the action;

(2) upon so intervening, to be heard on all matters arising therein;

(3) to remove the action to an appropriate district court of the United States; and

(4) to file petitions for appeal.

(d) PENDING FEDERAL PROCEEDINGS.—If a civil action has been instituted by the Attorney General for a violation of this title, no State may, during the pendency of the action instituted by the Attorney General, institute a civil action under this title against any defendant named in the complaint in the civil action for any violation alleged in the complaint.

(e) CONSTRUCTION.—For purposes of bringing a civil action under subsection (a), nothing in this section regarding notification shall be construed to prevent the attorney general or equivalent regulator of the State from exercising any powers conferred under the laws of that State to—

(1) conduct investigations;

(2) administer oaths or affirmations; or

(3) compel the attendance of witnesses or the production of documentary and other evidence.

SEC. 608. DIRECTIVE TO SENTENCING COMMISSION.

(a) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission, shall review and, if appropriate, amend the Federal Sentencing Guidelines and policy statements applicable to a person convicted of a criminal violation of section 603 of this title or any other Federal criminal law based on the theft of specified metal by such person.

(b) CONSIDERATIONS.—In carrying out this section, the Sentencing Commission shall—

(1) ensure that the sentencing guidelines and policy statements reflect the—

(A) serious nature of the theft of specified metal; and

(B) need for an effective deterrent and appropriate punishment to prevent such theft;

(2) consider the extent to which the guidelines and policy statements appropriately account for—

(A) the potential and actual harm to the public from the offense, including any damage to critical infrastructure;

(B) the amount of loss, or the costs associated with replacement or repair, attributable to the offense;

(C) the level of sophistication and planning involved in the offense; and

(D) whether the offense was intended to or had the effect of creating a threat to public health or safety, injury to another person, or death;

(3) account for any additional aggravating or mitigating circumstances that may justify exceptions to the generally applicable sentencing ranges;

(4) assure reasonable consistency with other relevant directives and with other sentencing guidelines and policy statements; and

(5) assure that the sentencing guidelines and policy statements adequately meet the purposes of sentencing as set forth in section 3553(a)(2) of title 18, United States Code.

SEC. 609. STATE AND LOCAL LAW NOT PREEMPTED.

Nothing in this title shall be construed to preempt any State or local law regulating the sale or purchase of specified metal, the reporting of such transactions, or any other aspect of the metal recycling industry.

SEC. 610. EFFECTIVE DATE.

This title shall take effect 180 days after the date of enactment of this Act.

SA 3043. Mr. BROWN (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3___. INCREASING WATER EFFICIENCY IN FEDERAL BUILDINGS.

(a) DEFINITIONS.—In this section:

(1) ANSI-ACCREDITED PLUMBING CODE.—The term ''ANSI-accredited plumbing code'' means a construction code for a plumbing system of a building that meets applicable codes established by the American National Standards Institute.

(2) ANSI-AUDITED DESIGNATOR.—The term ''ANSI-audited designator'' means an accredited developer that is recognized by the American National Standards Institute.

(3) GREEN PLUMBERS USA TRAINING PROGRAM.—The term ''Green Plumbers USA training program'' means the training and certification program teaching sustainability and water-savings practices that is established by the Green Plumbers organization.

(4) HELMETS TO HARDHATS PROGRAM.—The term ''Helmets to Hardhats program'' means the national, nonprofit program that connects National Guard, Reserve, retired, and transitioning active-duty military service members with skilled training and quality career opportunities in the construction industry.

(5) PLUMBING EFFICIENCY RESEARCH COALITION.—The term ''Plumbing Efficiency Research Coalition'' means the industry coalition comprised of plumbing manufacturers, code developers, plumbing engineers, and water efficiency experts established to advance plumbing research initiatives that support the development of water efficiency and sustainable plumbing products, systems, and practices.

(b) WATER EFFICIENCY STANDARDS.—The Secretary shall work with ANSI-audited designators to promote the implementation and use in the construction of Federal building of plumbing products, systems, and practices that meet standards and codes that achieve the highest level of water efficiency and conservation practicable consistent with construction budgets and the goals of Executive Order 13514 (42 U.S.C. 4321 note; relating to Federal leadership in environmental, energy, and economic performance), including—

(1) the most recent version of the ANSI-accredited plumbing code; and

(2) if no ANSI-accredited plumbing code exists, alternative plumbing standards and codes established by the Secretary.

(c) TRAINING PROGRAMS.—The Secretary shall work with nationally recognized plumbing training programs that meet applicable plumbing licensing requirements to provide competency training for individuals who install and repair plumbing systems in Federal and other buildings, including—

(1) the Helmets to Hardhats training program; and

(2) the Green Plumbers USA training program.

(d) WATER EFFICIENCY RESEARCH.—The Secretary shall promote plumbing research that increases water efficiency and conservation in plumbing products, systems, and practices used in Federal and other buildings and reduces the unintended consequences of reduced flows in the building drains and water supply systems of the United States, which may include working with the Andrew W. Breidenbach Environmental Research Center and the Plumbing Efficiency Research Coalition—

(1) to provide and exchange experts to conduct water efficiency and conservation plumbing-related studies;

(2) to assist in creating public awareness of reports of the Plumbing Efficiency Research Coalition; and

(3) to provide financial assistance if applicable and available.

SA 3044. Mr. REID (for Mr. PRYOR (for himself, Mr. COONS, Mr. BEGICH, and Mr. WYDEN)) submitted an amendment intended to be proposed by Mr. REID of Nevada to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title V, insert the following:

SEC. 5___. QUADRENNIAL ENERGY REVIEW.

(a) FINDINGS.—Congress finds that—

(1) the President's Council of Advisors on Science and Technology recommends that the United States develop a Government wide Federal energy policy and update the policy regularly with strategic Quadrennial Energy Reviews similar to the reviews conducted by the Department of Defense;

(2) a Quadrennial Energy Review may—

(A) establish integrated, Government wide national energy objectives in the context of economic, environmental, and security priorities;

(B) recommend coordinated actions across Federal agencies;

(C) identify the resources needed for the invention, adoption, and diffusion of energy technologies; and

(D) provide a strong analytical base for Federal energy policy decisions;

(3) a Quadrennial Energy Review should consider reasonable estimates of future Federal budgetary resources when making recommendations;

(4) the development of an energy policy resulting from a Quadrennial Energy Review would—

(A) enhance the energy security of the United States;

(B) create jobs; and

(C) mitigate environmental harm; and

(5) while a Quadrennial Energy Review will be a product of the executive branch, the review will have substantial input from—

(A) Congress;

(B) the energy industry;

(C) academia;

(D) State, local and tribal governments;

(E) nongovernmental organizations; and

(F) the public.

(b) QUADRENNIAL ENERGY REVIEW.—Section 801 of the Department of Energy Organization Act (42 U.S.C. 7321) is amended to read as follows:

''SEC. 801. QUADRENNIAL ENERGY REVIEW.

''(a) DEFINITIONS.—In this section:

''(1) DIRECTOR.—The term 'Director' means the Director of the Office of Science and Technology Policy within the Executive Office of the President.

''(2) FEDERAL LABORATORY.—

''(A) IN GENERAL.—The term 'Federal Laboratory' has the meaning given the term 'laboratory' in section 12(d) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)).

''(B) INCLUSION.—The term 'Federal Laboratory' includes a federally funded research and development center sponsored by a Federal agency.

''(3) QUADRENNIAL ENERGY REVIEW.—The term 'Quadrennial Energy Review' means a comprehensive multiyear review, coordinated across Federal agencies, that—

''(A) describes plans for energy programs and technologies;

''(B) establishes energy objectives across the Federal Government; and

''(C) considers each of the areas described in subsection (d)(2), as appropriate.

''(4) TASK FORCE.—The term 'Task Force' means a Quadrennial Energy Review Task Force established under subsection (b)(1).

''(b) QUADRENNIAL ENERGY REVIEW TASK FORCE.—

''(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of the Energy Savings and Industrial Competitiveness Act of 2014, and every 4 years thereafter, the President shall establish a Quadrennial Energy Review Task Force to coordinate the Quadrennial Energy Review.

''(2) CO-CHAIRPERSONS.—The appropriate senior Federal Government official designated by the President and the Director shall be co-chairpersons of the Task Force.

''(3) MEMBERSHIP.—The Task Force shall be comprised of representatives at level I or II of the Executive Schedule of—

''(A) the Department of Energy;

''(B) the Department of Commerce;

''(C) the Department of Defense;

''(D) the Department of State;

''(E) the Department of the Interior;

''(F) the Department of Agriculture;

''(G) the Department of the Treasury;

''(H) the Department of Transportation;

''(I) the Office of Management and Budget;

''(J) the National Science Foundation;

''(K) the Environmental Protection Agency; and

''(L) such other Federal organizations, departments, and agencies that the President considers to be appropriate.

''(c) CONDUCT OF REVIEW.—Each Quadrennial Energy Review shall be conducted to provide an integrated view of important national energy objectives and Federal energy policy, including the maximum practicable alignment of research programs, incentives, regulations, and partnerships.

''(d) SUBMISSION OF QUADRENNIAL ENERGY REVIEW TO CONGRESS.—

''(1) IN GENERAL.—Not later than August 1, 2015, and not more than every 4 years thereafter, the President shall publish and submit to Congress a report on the Quadrennial Energy Review.

''(2) INCLUSIONS.—The report described in paragraph (1) should include, as appropriate—

''(A) an integrated view of short-, intermediate-, and long-term objectives for Federal energy policy in the context of economic, environmental, and security priorities;

''(B) executive actions (including programmatic, regulatory, and fiscal actions) and resource requirements—

''(i) to achieve the objectives described in subparagraph (A); and

''(ii) to be coordinated across multiple agencies;

''(C) an analysis of the prospective roles of parties (including academia, industry, consumers, the public, and Federal agencies) in achieving the objectives described in subparagraph (A), including—

''(i) an analysis, by energy use sector, including—

''(I) commercial and residential buildings;

''(II) the industrial sector;

''(III) transportation; and

''(IV) electric power;

''(ii) requirements for invention, adoption, development, and diffusion of energy technologies that are mapped onto each of the energy use sectors; and

''(iii) other research that inform strategies to incentivize desired actions;

''(D) an assessment of policy options to increase domestic energy supplies and energy efficiency;

''(E) an evaluation of energy storage, transmission, and distribution requirements, including requirements for renewable energy;

''(F) an integrated plan for the involvement of the Federal Laboratories in energy programs;

''(G) portfolio assessments that describe the optimal deployment of resources, including prioritizing financial resources for energy programs;

''(H) a mapping of the linkages among basic research and applied programs, demonstration programs, and other innovation mechanisms across the Federal agencies;

''(I) an identification of, and projections for, demonstration projects, including timeframes, milestones, sources of funding, and management;

''(J) an identification of public and private funding needs for various energy technologies, systems, and infrastructure, including consideration of public-private partnerships, loans, and loan guarantees;

''(K) an assessment of global competitors and an identification of programs that can be enhanced with international cooperation;

''(L) an identification of policy gaps that need to be filled to accelerate the adoption and diffusion of energy technologies, including consideration of—

''(i) Federal tax policies; and

''(ii) the role of Federal agencies as early adopters and purchasers of new energy technologies;

''(M) a priority list for implementation of objectives and actions taking into account estimated Federal budgetary resources;

''(N) an analysis of—

''(i) points of maximum leverage for policy intervention to achieve outcomes; and

''(ii) areas of energy policy that can be most effective in meeting national goals for the energy sector; and

''(O) recommendations for executive branch organization changes to facilitate the development and implementation of Federal energy policies.

''(e) INTERIM REPORTS.—The President may prepare and publish interim reports as part of the Quadrennial Energy Review.

''(f) EXECUTIVE SECRETARIAT.—

''(1) IN GENERAL.—The Secretary of Energy shall provide the Quadrennial Energy Review with an Executive Secretariat who shall make available the necessary analytical, financial, and administrative support for the conduct of each Quadrennial Energy Review required under this section.

''(2) COOPERATION.—The heads of applicable Federal agencies shall cooperate with the Secretary and provide such assistance, information, and resources as the Secretary may require to assist in carrying out this section.''.

(c) ADMINISTRATION.—Nothing in this section or an amendment made by this section supersedes, modifies, amends, or repeals any provision of Federal law not expressly superseded, modified, amended, or repealed by this section.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. COONS. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry, be authorized to meet during the session of the Senate on May 7, 2014, at 9 a.m. in room SR–328A of the Russell Senate Office Building, to conduct a hearing entitled ''2014 Farm Bill: Implementation and Next Steps.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. COONS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 7, 2014, at 2:30 p.m. in room SR–253 of the Russell Senate Office Building, to conduct a hearing entitled ''Surface Transportation Reauthorization: Progress, Challenges, and Next Steps.''

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

COMMITTEE ON INDIAN AFFAIRS

Mr. COONS. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on May 7, 2014, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m.

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

SUBCOMMITTEE ON ECONOMIC POLICY

Mr. COONS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Economic Policy be authorized to meet during the session of the Senate on May 7, 2014 at 2:30 p.m., to conduct a hearing entitled ''Drivers of Job Creation.''

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

SPECIAL COMMITTEE ON AGING

Mr. COONS. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on May 7, 2014, in room SD–562 of the Dirksen Senate Office Building at 2:15 p.m. to conduct a hearing entitled ''The Fight Against Cancer: Challenges, Progress, and Promise.''

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

PRIVILEGES OF THE FLOOR

Mr. COONS. Mr. President, I ask unanimous consent that Dr. Sydney Kaufman, a fellow from the American Association for the Advancement of Science, be granted floor privileges for the remainder of the 113th Congress.

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

KILAH DAVENPORT CHILD PROTECTION ACT OF 2013

Mr. SCHATZ. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 3627 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 assistant legislative clerk read as follows:

A bill (H.R. 3627) to require the Attorney General to report on State law penalties for certain child abusers, and for other purposes.

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

Mr. SCHATZ. 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 (H.R. 3627) was ordered to a third reading, was read the third time, and passed.

MEASURES READ THE FIRST TIME—H.R. 2824 AND H.R. 3826

Mr. SCHATZ. Mr. President, I understand that there are two 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 assistant legislative clerk read as follows:

A bill (H.R. 2824) to amend the Surface Mining Control and Reclamation Act of 1977 to stop the ongoing waste by the Department of the Interior of taxpayer resources and implement the final rule on excess spoil, mining waste, and buffers for perennial and intermittent streams, and for other purposes.

A bill (H.R. 3826) to provide direction to the Administrator of the Environmental Protection Agency regarding the establishment of standards for emissions of any greenhouse gas from fossil fuel-fired electric utility generating units, and for other purposes.

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

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

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 113–4

Mr. SCHATZ. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on May 7, 2014, by the President of the United States: the Protocol Amending the Tax Convention with Spain, treaty document No. 113–4.

I further ask that the treaty be considered as having been read for the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to its ratification, the Protocol Amending the Convention between the United States of America and the Kingdom of Spain for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and its Protocol, signed at Madrid on February 22, 1990, and a related Memorandum of Understanding signed on

January 14, 2013, at Madrid, together with correcting notes dated July 23, 2013, and January 31, 2014 (together the ''proposed protocol''). I also transmit for the information of the Senate the report of the Department of State, which includes an overview of the proposed protocol.

The proposed protocol was negotiated to bring United States-Spain tax treaty relations into closer conformity with U.S. tax treaty policy. The proposed protocol exempts from source-country withholding cross-border payments of certain direct dividends, interest, royalties, and capital gains, and updates the provisions of the existing convention with respect to preventing abuse by third-country investors and the exchanges of information between revenue authorities. The proposed protocol also updates the mutual agreement procedure by requiring binding arbitration of certain cases that the competent authorities of the United States and Spain have been unable to resolve after a reasonable period of time.

I recommend the Senate give early and favorable consideration to the proposed protocol and give its advice and consent to its ratification.

BARACK OBAMA.
THE WHITE HOUSE, *May 7, 2014*.

ORDERS FOR THURSDAY, MAY 8, 2014

Mr. SCHATZ. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, May 8, 2014; 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 any leader remarks, the time until 11:15 be equally divided and controlled between the two leaders or their designees; that at 11:15 a.m. the Senate proceed to executive session under the previous order; further, that the cloture vote with respect to S. 2262, the Energy Savings and Industrial Competitiveness Act, occur upon disposition of Executive Calendar No. 4560 on Monday, May 12; finally, that the filing deadline for all first-degree amendments to S. 2262 be 1 p.m. tomorrow.

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

PROGRAM

Mr. SCHATZ. Mr. President, tomorrow there will be a series of votes at 11:15 a.m and another series at 1:45 p.m.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. SCHATZ. Mr. 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 7:40 p.m., adjourned until Thursday, May 8, 2014, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

CHRISTINE R. BERBERICK
MIMI CANNONIER
LISA M. COLE
LISA A. DAVISON
KRISTA L. DIXON
COLLEEN M. FROHLING
LOUIS A. GALLO
CHERRON R. GALLUZZO
ANDREA K. GOODEN
ROSEMARY T. HALEY
MICHELIN Y. JOPLIN
MARIA L. MARCANGELO
BRENDA J. MORGAN
ROBYN D. NELSON
CHRISTOPHER T. PAIGE
KAREN J. RADER
IMELDA M. REEDY
AVEN L. STRAND
THEODORE J. WALKER, JR.
DEEDRA L. ZABOKRTSKY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

KENNETH G. CROOKS
KELVIN G. GARDNER
RANDALL E. KITCHENS
RICHARD P. NOVOTNY
DAVID M. TERRINONI
JAMES D. TIMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JOHN T. AALBORG, JR.
TERRENCE A. ADAMS
TIMOTHY W. ALBRECHT
CLIFFORD G. ALTIZER
CHRISTOPHER R. AMRHEIN
BRET D. ANDERSON
JAMES G. ANDERSON
MICHAEL P. ANDERSON
THOMAS P. J. ANGELO
RONJON ANNABALLI
BRIAN S. ARMSTRONG
WILLIAM B. ASHWORTH
MATTHEW D. ATKINS
TIMOTHY D. BAILEY
JARVIS R. BAKER
THOMAS E. BARNETT
MARK A. BARRERA
SHANE A. BARRETT
CURTIS R. BASS
BRIAN MARC BAUMANN
MICHAEL J. BEACH
W. B. BEAUMONT
KENYON K. BELL
WILLIAM S. BELL
MATTHEW P. BENIVEGNA
CHRISTOPHER L. BENNETT
EARL R. BENNETT, JR.
SHERI G. BENNINGTON
JOSEPH T. BENSON
JON F. BERRY
MICHAEL D. BIORN
ARNO J. BISCHOFF
DAVID M. BISSONNETTE
HEATHER W. BLACKWELL
JONATHAN N. BLAND
MARK E. BLOMME
JASON J. BOCK
HARLIE J. BODINE
JEREMY S. BOENISCH
BRIAN J. BOHENEK
JUSTIN W. BOLDENOW
PETER M. BONETTI
RANDY L. BOSWELL
WILLIAM D. BOWMAN
SHAWN P. BRADY
BRADLEY E. BRIDGES
STEPHEN R. BROOKS
PATRICK A. BROWN
WILLIAM W. BROWNE III
WILLIAM D. BRYANT
BRIAN D. BURNS
SCOTT A. CAIN
KIM N. CAMPBELL
SEAN J. CANTRELL
LARRY D. CARD II
ERIC A. CARNEY
TRENT R. CARPENTER
DOUGLAS T. CARROLL
JENISE M. CARROLL
BURTON H. CATLEDGE
RHETT D. CHAMPAGNE
JENNIFER V. CHANDLER
ERIC D. CHAPITAL
MICHAEL A. CHARECKY
GEORGE T. CLARK
LANCE D. CLARK
JOHN C. CLAXTON
BRADLEY L. COCHRAN
OMAR S. COLBERT
RICHARD O. COLE
RICHARD T. COONEY, JR.
DENISE L. COOPER
JEFFREY T. COOPER
ROBERT B. COPES
CHRISTOPHER L. CORLEY
HEIDI E. CORNELL
CAVAN K. CRADDOCK
RYAN B. CRAYCRAFT
LUKE C. G. CROPSEY
FRED R. CUNNINGHAM
SCOVILL W. CURRIN
JAMES M. CURRY
JOHN W. DABERKOW
KIMBERLY A. DAMALAS
BRIAN K. DANIELS
LELAND A. DAVIS
MARK J. DAVIS
ROBERT D. DAVIS
CHRISTOPHER J. DEJESUS
JOHN M. DESTAZIO
STAN S. DIAMANTI
BARRY A. DICKEY
SCOTT A. DICKSON
ROBERT A. DIETRICK
GERALD A. DONOHUE
TIMOTHY E. DREIFKE
LYLE K. DREW
SHANNON N. DRISCOLL
DANIEL J. DUFFY
JEFFREY W. DYBALL
DAVID S. EAGLIN
PATRICK S. EBERLE
JASON S. EDELBLUTE
NATHAN J. ELLIOTT
ERIC G. ELLMYER
OSCAR E. ESPINOZA
LARRY A. ESTES
MIKE FAUNDA II
RODNEY L. FAUTH, JR.
ERIC J. FELT
THOMAS D. FICKLIN
WILLIAM D. FISCHER
MICHAEL J. FLATTEN
LARRY A. FLOYD, JR.
WILLIAM A. FOSTER
SETH C. FRANK
STEPHEN P. FRANK
TIMOTHY P. FRANZ
LORINDA A. FREDERICK
ROBERT C. FREDERIKSEN
WILLIAM C. FREEMAN
MATTHEW T. FRITZ
JOHN T. GABRIEL
CHARLES S. GALBREATH
BRIAN D. GALLO
CHARLES M. GAONA
ELVERT L. GARDNER
RUSSELL S. GARNER
LAURA K. GARRETT
JOEL W. GARTNER
THOMAS A. GEISER
TIMOTHY W. GILLASPIE
TIMOTHY TODD ALA GILLESPIE
GREGORY M. GILLINGER
DOUGLAS W. GILPIN
AARON W. GITTNER
GERARD G. GLECKEL, JR.
JOHN M. GONDOL
RICHARD E. GOODMAN II
LASHEECO B. GRAHAM
JENNIFER L. GRANT
MICHAEL R. GREEN
MATT E. GREENE
JAMES S. GRIFFIN
BRENT A. GROMETER
JULIE A. GRUNDAHL
DARREN L. HALL
JONATHAN T. HAMILL
MICHAEL T. HAMMOND
MICHAEL D. HARM
CHRISTOPHER HARRIS
TROY R. HARTING
CHAD JAMES HARTMAN
BRADY P. HAUBOLDT
STEVEN R. HEFFINGTON
PHILLIP L. HENDRIX II
MARK D. HENRY
BRUCE P. HESELTINE, JR.
JUSTIN L. HICKMAN
MATTHEW W. HIGER
BRANDON R. HILEMAN
WILLIAM R. HILL II
JASON T. HINDS
STEPHEN L. HODGE
JUSTIN R. HOFFMAN
KELLY R. HOLBERT
MICHAL D. HOLLIDAY
CRAIG M. HOLLIS
DAVID W. HONCHUL
STEVEN P. HORTON
EDWARD J. HOSPODAR, JR.
JOHN O. HOWARD
CHRISTOPHER R. HUISMAN
BRITT K. HURST
STACY J. HUSER
GREGORY E. HUTSON

JOSEPH H. IMWALLE
GRANT L. IZZI
ROBERT W. JACKSON II
ROBERT A. JAKCSY
DAVID E. JAMES
STEVEN J. JANTZ
CHRISTOPHER E. JENSEN
MATTHEW G. JOGANICH
RICK T. JOHNS
ROY A. JONES III
WISTARIA J. JOSEPH
TERRENCE M. JOYCE
CURTIS G. JUELL
JON T. JULIAN
JAMES R. KEEN
JONATHAN H. KIM
THOMAS C. KIRKHAM
FRED C. KOEGLER III
MARK A. KRABY
BRIAN C. KRAVITZ
JENNIFER JOYCE KRISCHER
AARON A. LADE
STEVEN E. LANG
CHRISTOPHER J. LARSON
JAMES L. LAWRENCE II
DAVID M. LEARNED
DAVID M. LENDERMAN
JASON E. LINDSEY
CHRISTOPHER S. LOHR
STEVEN R. LUCZYNSKI
JOEL J. LUKER
MARK J. LYNCH
ANDREW C. MAAS
MARCHAL B. MAGEE
MICHAEL P. MAHAR
MICHAEL H. MANION
RYAN T. MARSHALL
KEVIN B. MASSIE
MICHAEL N. MATHES
DOUGLAS E. MCCLAIN
LYNN E. MCDONALD
PETER P. MCDONOUGH
HEATHER L. MCGEE
CATHERINE E. MCGOWAN
TIMOTHY M. MCKENZIE
WOODROW A. MEEKS
KERRI T. MELLOR
DAVID C. MERRITT
BRENT J. MESQUIT
KYLE D. MIKOS
RICHARD J. MILLS
CLINTON A. MIXON
JOSEPH P. MOEHLMANN
PAUL D. MOGA
BRIAN R. MOORE
DEWITT MORGAN III
JOSEPH E. MORITZ
COLIN R. MORRIS
ROBERT J. MORSE
ERIC B. MOSES
BRUCE E. MUNGER
SEAN D. MURPHY
JEFFREY A. MYER
ANDRES R. NAZARIO
FRANCINE N. NELSON
MICHAEL G. NELSON
STUART WESTON NEWBERRY
CAMILLE Y. NICHOLS
RYAN B. NICHOLS
GEOFFREY C. NIEBOER
ERIC D. OBERGFELL
CHARLES G. OHLIGER
PAUL M. OLDHAM
JOSHUA M. OLSON
LEE M. OLYNIEC
JOHN T. ORCHARD, JR.
DAVID L. OWENS
SEUNG U. PAIK
THOMAS B. PALENSKE
BRANDON D. PARKER
CHRISTOPHER R. PARRISH
ANDREA M. PAUL
HEIDI A. PAULSON
THOMAS C. PAULY
BRENT A. PEACOCK
BRANDON H. PEARCE
JOHN S. PESAPANE
WILL H. PHILLIPS III
DONNA L. PILSON
PETER M. POLLOCK
PATRICK D. POPE
RAYMOND M. POWELL
TYLER T. PREVETT
MICHELLE L. PRYOR
CRAIG M. RAMSEY
MARK J. REENTS
JENNIFER K. REEVES
JEFFREY D. REIMAN
TRAVIS D. REX
JAMES F. REYNOLDS
LANCE B. REYNOLDS
DERRICK B. RICHARDSON
MICHAEL S. RICHARDSON
SEAN K. RIVERA
CHRISTOPHER J. ROBERTS
GREGORY A. ROBERTS
TROY A. ROBERTS
SCOTT A. ROBINSON
THOMAS R. ROCK, JR.
HENRY T. ROGERS III
JAMES S. ROMASZ
JENNIFFER F. ROMERO
CLINTON A. ROSS
JONATHAN K. ROSSOW
SEAN P. RUCKER
JEFFREY C. RUSSELL
JOEL W. SAFRANEK
RYAN R. SAMUELSON
MICHAEL G. SAWYER
KURT M. SCHENDZIELOS
STEPHEN C. SCHERZER
PATRICK L. SCHLICHENMEYER
JASON R. SCHOTT
RONALD W. SCHWING
DOMINIC A. SETKA
THOMAS P. SEYMOUR
RICHARD C. SHEFFE
DAVID G. SHOEMAKER
EDWARD T. SHOLTIS
LOUISE A. SHUMATE
RODNEY L. SIMPSON
WILLIAM E. SITZABEE
MARK B. SKOUSON
JOSEPH P. SLAVICK
SHANE A. SMITH
MICHAEL G. SNELL
SCOTT E. SOLOMON
REBECCA J. SONKISS
JAMES S. SPARROW
JOSEPH B. SPEED
TODD A. SRIVER
TRAVIS A. STEEN
OWEN D. STEPHENS
CHARLES W. STEVENS
JAY L. STEWART
JON D. STRIZZI
TIMOTHY G. SUMJA
RYAN J. SUTTLEMYRE
JONATHAN D. TAMBLYN
RUSSELL F. TEEHAN
ROBERT C. TESCHNER
ANDREA E. THEMELY
DOUGLAS G. THIES
CHRISTOPHER M. THOMPSON
MICHAEL E. THOMPSON
RANDOLPH B. TORIS
JOHN S. TRUBE
TRENT C. TUTHILL
BRIAN J. TYLER
MATTHEW J. VANPARYS
CURTIS E. VELASQUEZ
CHARLES M. VELINO
FRANK R. VERDUGO
KEVIN M. VIRTS
JAMES K. WAKEFIELD IV
SCOTT T. WALLACE
RICHARD S. WARD
DOUGLAS WAYNE WARNOCK, JR.
RANDALL E. WARRING
JAMES F. WEAVER
TED E. WELCH
ANDREW J. WERNER
CHARLES E. WESTBROOK III
DALE R. WHITE
TODD E. WIEST
DAVID M. WILLCOX
KEVIN S. WILLIAMS
GEORGE S. WILSON
EMMETT L. WINGFIELD III
BRYAN M. WOOD
GREGORY E. WOOD
CHRISTOPHER A. WYCKOFF
ROBERT B. YBARRA
JEFFREY L. YORK
CHARLES P. YOUNG
BRIAN F. ZANE
ANDREW J. ZEIGLER, JR.
MICHAEL A. ZROSTLIK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

KIM L. BOWEN
MICHAEL R. CURTIS
STEVEN T. DABBS
JEFFREY D. GRANGER
JAMES A. HAMEL
DWAYNE A. JONES
DAVID W. KELLEY
BRIAN E. MCCORMACK
ANDREW G. MCINTOSH
MICHAEL S. NEWTON
JAMES L. PARRISH
TIMOTHY S. ROSENTHAL
JOHN W. SHIPMAN
DANIEL W. THOMPSON
JONATHAN H. WADE
DANIEL K. WATERMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ROY G. ALLEN III
ISABELLA M. ALVAREZ
MICHELL A. ARCHEBELLE
LILIAN B. AVIGNONE
MELINDA L. BEGLIN
JENNIFER J. BRATZ
JOVINA G. BUSCAGAN
MIEV Y. CARHART
REGIS S. CARR
KEVIN M. COX
DAVID A. DELANG
AARON P. DIMITRAS
REBECCA S. ELLIOTT
LEONTYNE H. FIELDS
STEVEN R. FISHER
GWENDOLYN A. FOSTER
ERIC A. GONZALES
CHRISTOPHER A. GOODENOUGH
ERIC F. GOOSMAN
KATHLEEN MYERS GRIMM
MELIZA HARRIS
ROBERT M. HEIL
LORIE A. HIPPLE
DAVID L. JOHNSON
MISCHA A. JOHNSON
BRIAN D. KITTELSON
LAURA J. LEWIS
CHERYL CORNELL LOCKHART
KATHY E. MARTIN
MA ADELVER QUINITIO MARTIN
ANGELA J. MASAK
MAXINE A. MCINTOSH
KATIE A. MCSHANE
TAMI R. MILLER
GEOFFREY J. MITTELSTEADT
RUTH A. MONSANTO WILLIAMS
JARED A. MORT
LISA G. ODOM
SUSAN M. PARDA WATTERS
TERRY L. PARTHEMORE II
MICHAEL A. POWELL
SCOTT D. POYNTER
KIMBERLY D. REED
KATHRYN P. REESE HUDOCK
KARYN L. REVELLE
JASON N. RICHARD
NANCY L. SALMANS
TRACEY S. SAPP
MICHELLE A. SCHNAKENBERG
SHELLEY A. SHELTON
ANTOINETTE N. SHEPPARD
TANIA R. SIMS
WALTER SINGH
RANDAL A. SNOOTS
AMY L. SWARTHOUT EBARB
STEVE J. SZULBORSKI
DONNA C. TEW
WILLIAM E. THOMS, JR.
MELONY A. VALENCIA
PHUONG K. VANECEK
BETTY A. VENTH
JOHN M. WILLIAMSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

VICTORIA M. AGLEWILSON
SUSAN L. ALBANO
MICHELE G. ALLEN
MARISSA L. AMMERMAN
DANIEL J. BEVINGTON
ANNABELLE C. BIRCH
LORNA A. BLODGETT
PAUL F. BOSEMAN
MATTHEW W. BRACKEN
SCOTT D. BROCIOUS
JEANETTE MARIE BROGAN
MELISSA A. BUZBEE STILES
ELBERTA M. CARTER
JENNIFER CARUSO
LAUREL M. CHIARAMONTE
JONATHAN D. CHIN
ADAM L. CHRISTOPHER
JOANNA D. CLARK
JESSICA L. COLE
SARAH M. COSSETTE
REGINALD L. CRISOSTOMO
PAMELA J. CURRY
JENNIFER R. CURTIS
TONI M. DAVIDSON
KIMBERLY M. DAVIS
ALLAN J. DELGADO
ORLANDO T. DURAN, SR.
DONNA L. EATON
TAMMY R. EDWARDS
ASSUMPTA C. EJIMKONYE
ADRIENNE N. FIELDS
STEVEN C. GAUTREAUX
JODI L. GONYOU
STANLEY W. GRODRIAN
KATHRYN R. HANNAH
JUDY M. HANSON
WILLIAM M. HENNAGE
BARTLEY J. HOLMES
SARAH L. HORSFORD
LINDSAY B. HOWARD
JEANAE M. JACKSON
KRISTEN L. JACOB
CONNIE L. JONES
MICHAEL L. KOOTSTRA
DANYELL Y. LAMBERT
DENISE J. LANE
DARRELL A. LEE, JR.
DILLETTE I. LINDO
MARGARET A. LINTHICUM
LORRAINE K. LITTRELL
CHRISTINE M. LOVE
JEFFERY A. MARSH
AMY C. MAY
LAURA A. MCNICOL
RAFFY C. MENDOZA
BRENDA K. MIAZGA
JENNIFER L. MILAM
SHELLEY J. MORRIS
LUCKY L. MULUMBA
PAULA J. NEEMANN
TERRI R. NEYLON
CARRIE M. OWEN
DARCI A. PARKER
CHRISTIE A. PAULSEN
JULIE L. PETSCHE
ALEACHA C. PHILSON
DESIREE D. POINTER

TAMEKA M. POSTON
CHARLES H. PURVIS
ROBERT P. REEVES, JR.
JOHN J. RICCIARDI
SARAH F. ROBBINS
ASIA L. ROBERSON
MORGAN B. ROBERT
CYNTHIA V. ROMERO
DAISY RUPE
MARIA V. SANCHEZ
BRIAN H. SANTOS
SAUNDRA L. SEMENTILLI
TERESA M. SIVIL
AMY A. SIVILS
AMY E. SMITH
BARBARA L. SMITH
JOSEPH A. SOLGHAN
AMY L. SPOTANSKI
DENISE K. STILTNER
SCOTT R. STRATER
STEPHANIE A. SUBERVI
TONYA A. SWANN
MICHELLE A. TIBBETTS
REGINA S. TOW
DONALD H. TRITZ, JR.
ROBERT L. TROBAUGH
ILEEN R. VERBLE
KEISHA M. VILSAINT
GWENDOLYN E. WALKER
LANETTE K. WALKER
LORRAINE L. WALTERS
MARK ALLEN WARE
KELLIE D. WEBB CASERO
SHANITA W. WEBB
STACEY R. WHITE
TRACEY A. WHITE
LORI C. WICHMAN
CHASITY D. L. WILLIAMS
LAVON R. WILLIAMS
DEBORAH L. WILLIS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

HEATHER A. BODWELL
RAYMOND J. BOYER
SAMUEL H. BRIDGES
RANDY A. CROFT
DENNIS U. DEGUZMAN
RALPH T. ELLIOTT, JR.
JOSEPH G. FISHER
JAMES M. HENDRICK
KEVIN L. HUMPHREY
KYLE A. HUNDLEY
BRADLEY L. KIMBLE
JOEL D. KORNEGAY
DUANE G. MCCRORY
JESUS NAVARRETE
BRANDON N. PARKER
JOSHUA N. PAYNE
ROLAND W. REITZ
KYLE L. ROEHRIG
SARAH D. SCHECHTER
KATHERINE M. SCOTT
TRAVIS N. SEARS
STEVEN L. SURVANCE
ANTHONY R. WADE
CHRISTIAN L. WILLIAMS

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MARIBETH A. AFFELDT
RIVERA H. L. AGOSTO
ANTHONY J. AQUINO
ROBERT E. ARNOLD
ROBERT P. ASHBY
DANIEL J. AUSTIN
VICTOR M. BAKKILA
KEVIN M. BEALL
CHRISTOPHER J. BEAUDOIN
BRYAN G. BELL
ROBERT A. BENJAMIN
MARK J. BENNETT
JAMES J. BENNING II
EDWARD J. BENZ III
RUSSELL E. BERG
WILLIAM E. BERGERON
CARL E. BERTHA
CRAIG A. BISHOP
WALTER E. BLACKWOOD
RICHARD W. BLAKE
DONALD BLUE
DAVID J. BOLTER
RONALD A. BONOMO
TINA B. BOYD
ROBERT A. BOYER
MICHAEL S. BRADY
JOSEPH A. BRECHER
DANA M. BREEN
CAL BROOKINS
MARK D. BROOKS
JOEL L. BRYANT
STEPHEN T. BURCHAM
FLOYD O. BURRIS III
DAVID G. CABRAL
MICHAEL A. CALLAHAN
RICHARD D. CAMPBELL
MIKE W. CARABALLO
STANLEY A. CARIGNAN
WADE S. CARMICHAEL
CURTIS E. A. CARNEY
ANTHONY P. CARROLL
DON CARTER
JAMES R. CASEY
VAMIN S. CHA
KURT W. CHEBATORIS
CHET C. CHILES
ROBERT T. CHINN, JR.
DAVID A. CHOVANCEK
MARK H. CLARK
JEROME T. CLARKE
TIMOTHY M. CLEMENTE
KEVIN P. CMIEL
JENNIFER A. COLLINS
TRACEY M. COLLINS
WILLIAM M. CONNOR
CYNTHIA E. COOK
HENRY B. COOK
MARK W. COPLEN
LAURA CORBETT
CARY J. COWAN, JR.
CRAIG W. COX
JEREMY A. CRIST
THOMAS J. CRONIN
TROY A. DAGOSTINO
JAMES C. DAVIS
RONNIE M. DAVIS
RICHARD DELGADO, JR.
THOMAS E. DICKERHOOF
DANIEL G. DONELIN
JOHN J. DOWLING
LESLEY A. DRAPER
PATRICK D. DUGAN
FRANK G. DUNAWAY
STEVEN R. DURST
DAVID P. ECLIPS
JAMES D. EISENHART
KEVIN D. ELLSON
ALAN M. EVANS
CARL T. EVERY
RICHARD A. FAULKNER, JR.
TIMOTHY J. FENLASON
KENNETH A. FETZER, JR.
JOSEPH P. FINNEGAN
JAMES D. FISHER
BRADLEY J. FOSTER
KENNETH R. FOULKS, JR.
HEIDI B. FOUTY
CHRISTOPHER F. FOXX
VIVIAN E. GAZ
CARMELA D. GIVENS
JOACHIM A. GLOSCHAT, JR.
KIM M. GOFFAR
WILLIAM J. GORMLEY
KRISTINE A. GOULD
RICHARD M. GRAHAM
DAVID L. GREEN
MICHAEL L. GRIESBAUER
JAMES R. GROVES
JEFFREY HALICK
ANTHONY T. HARTMANN
BRYAN S. HAVER
WANDA M. HAWLEY
EDWARD R. HENDERSON
ERNEST C. HERNANDEZ
KERI J. HESTER
THOMAS E. HEYDEN
MICHAEL V. HICKMAN
DANIEL L. HIGGINS
EDWARD J. HLOPAK
RICHARD A. HOUGH II
ROBERT L. HOVEY
STEPHANIE Q. HOWARD
JUAN HOWIE
HARRY B. HUDICK
TIMOTHY P. HUGHES
CRAIG R. JENKINS
BRUCE E. JENNINGS
JACQUELIN JENNINGS
MONA S. JIBRIL
JOHN T. JOHNS
CARTER A. JOHNSON
DOUGLAS C. JOHNSON
BRUCE W. JONES
MATTHEW T. JONES
JAMES R. JOOS
MATTHEW A. JUDSON
STEPHEN D. JULIAN
TERRY R. KEENE
WILLIAM B. KELLY
DAVID J. KEPPEL
DELORES C. KESTLER
VERNER M. KIERNAN
KEVIN KNUUTI
CHRISTOPHER M. KOC
WILLIAM M. KOEHLER
JAMES J. KOKASKA, JR.
KEITH A. KRAJEWSKI
PATTY A. KUBEJA
BENNY LAMANNA
DAVID S. LANGFELLOW
WILLIAM E. LAYNE
JOSEPH M. LESTORTI
TERENCE J. LEWIS
MICHELLE A. LINK
DAVID C. MADISON
MICHAEL A. MAGLIOCCO
MICHAEL C. MAGUIRE
ANA V. MALKOWSKI
MARK R. MALLON
WILLIAM S. MANDRICK
PATRICIA B. MANUEL
VALERIE C. MARKHAM
DARRYL A. MARTIN
VORIS W. MCBURNETTE
BRIAN MCCARTHY
CAREY J. MCCARTHY
CHRISTOPHER V. MCCASKILL
REUBEN L. MCCOY
JOHN J. MCKEE
VICTORIA L. MCKERNAN
BRUCE S. MCLAUGHLIN
STEVEN B. MCLAUGHLIN
SARAH A. MCMULLEN
JUAN MENDEZMERCADO
ALAN D. MEYER
LOGAN B. MITCHELL
MICHAEL H. MITTAG
DAMON G. MONTGOMERY
JOHN C. MOODY, JR.
STEVEN R. MOON
PATRICK W. MOONEY II
CLAYTON L. MORGAN
ROBERT J. MORIARTY
MARK T. MOSES
JAMES J. MURRAY
ELIZABETH T. MURREN
JOHN E. MYUNG
ANDREW G. NAULT
DAVID D. NEWSOME
STEVE A. NICHOLS
JAMES R. NOLIN
CHARLES J. NORRIS
TIMOTHY M. OBRIEN
GREGORY S. OLINGER
JOSEPH OSTROWSKI
FRANK A. PALOMBARO
ANN M. PELLIEN
MARTIN T. PENNOCK
RICHARD PEREZ
JOHN J. PFLAUMER
GLENN W. PHILLIPS
TINA M. PICOLITEOLIS
MICHAEL A. PLATTENBURG
DAVID POLANECZKY
WILLIAM PONCE, JR.
SHAWN A. POOLE
RICHARD L. POTTERTON, JR.
STANLEY R. PRYGA
THOMAS F. RAFTER
JOSEPH A. RICCIARDI
MARK R. RINAMAN
MARIA D. RITTER
MICHAEL D. ROACHE
JAMES E. RUDORFER
DAVID J. RUSSO
ERIC S. RUTHMAN
MICHAEL S. RYDER
ALAN C. SAMUELS
ALPHONSO L. SANDERS
CLIFTON P. SAWYER
WILLIAM M. SAXON
STEVEN R. SAYERS
RICHARD T. SAYRE
JED J. SCHAERTL
MARK A. SCHNABEL
ROSS C. SCOTT
MARK L. SEGOVIA
CHARLES W. SEIFERT
SHEILA K. SEITZ
CONNIE R. SHANK
MICHAEL J. SHARON
STEVEN E. SHATZER
EDWARD L. P. SHEPHERD
TIM O. SHERIDAN
AYLEEN A. SHERRILL
WAYNE D. SIEBERT
CLARKE V. SIMMONS
CINDY C. SMITH
MICHAEL D. SMITH
STEPHEN R. SMITH
TERENCE SMITH
TIMOTHY B. SMITH
WARREN W. SMITH
RICHARD S. SMUDIN
KEVIN S. SNYDER
JON E. SOLEM
RANDY J. SOUTHARD
JOSEPH C. SPENCER
MICHAEL J. STELLA
CATHERINE L. STEPHENS
WESLEY K. STEWART
CURTIS S. STRANGE
ARNOLD V. STRONG
DARRYL L. SUGGS
JOHN F. SULLIVAN
ARCHIE L. SWAIN, SR.
JUSTIN M. SWANSON
GERARDO L. TAMEZ
BRIAN H. TAYLOR
MARGUERITE E. TAYLOR
THOMAS A. THLIVERIS
KELLY F. THRASHER
DIANA TORRES
REGINALD M. TRUSS
GREGORY A. TZUCANOW
MARK K. VAUGHN
JEFFREY A. VOICE
KEITH R. VOLLERT
FRANK M. VONFAHNESTOCK
JASON J. WALLACE
PATRICIA R. WALLACE
CHRISTOPHER G. WALLS
BRIAN F. WALTMAN
ALONZO WANNAMAKER
CRAIG E. WATTS
JOHN A. WEAKLAND
REID W. WEBBER
WILLIAM L. WERNER
FRANK D. WETEGROVE
DOMINIC J. WIBE
THOMAS M. K. WIELAND
DAVID B. WIERSMA
STEPHANIE L. WILLENBROCK

DANIEL E. WILLIAMS
WANDA N. WILLIAMS
WALTER D. WITMER
ROBERT A. WOJCIECHOWSKI, JR.
KATHERINE WOMBLE
DAVID D. WONG
EDWARD A. WOOD
DENNIS M. WRIGHT
BLAISE ZANDOLI
DAVID C. ZILLIC
BRIAN L. ZUCHELKOWSKI
JOHN A. ZULUAGA
R10045

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MIGUEL AGUILAR
JOHN W. ALTEBAUMER, JR.
LEON B. ALTMAN
BRUCE E. ALZNER
AMY L. ANDERSON
WOODROW L. ARAKAWA
JAIME A. AREIZAGA
CURT E. ASHBY
WILLIAM J. BANWELL
BRUCE L. BARKER
MICHAEL W. BARR
WILLIAM D. BARTON
JAMIE L. BENTON
KAREN A. BERRY
GREGORY J. BETTS
ANDREW A. BEVINGTON
MARK J. BIDWELL
ERIC W. BISHOP
GREGORY A. BLACKWELL
JOHN L. BLAHA
ROGER R. BODENSCHATZ
STEPHEN B. BOESEN II
MARK A. BOETTCHER, JR.
CHARLIE E. BOND II
LUKE J. BOUTOT
CLARENCE BOWSER
CHRISTIAN P. BRADLEY
FELICIA BROKAW
GEORGE V. BROWN, JR.
JAMES L. BROWN
JONATHAN E. BROWN
THOMAS W. BURKE
JEFFREY L. BUTLER
WILLIAM P. CANALEY
WILLIAM J. CARLSON
STEVEN D. CARROLL
JAMES A. CARUSO II
JEFFREY H. CASADA
ROBERT F. CHARLESWORTH
TIMOTHY R. CLARKE
MARK W. CLIFTON
DAMON N. CLUCK
JOHN S. COLEMAN
BARRY L. COLLINS
CHARLES M. COLLINS
JEFFEREY R. CONNELL
BEAU D. COOK
LONNIE D. COOK
KEITH A. COTE
ERIC J. CROKE
BARRY L. CRUM
RANDALL D. CUDWORTH
MARTY P. CURTRIGHT
JAMIE J. DAILEY
ANDREW C. DAVIS
BARRY B. DAVIS
BRIAN P. DAVIS
MARTIN M. DAVIS
JOSEPH B. DAY, JR.
JOSEPH H. DEFEE II
KIMBERELY DEROUENSLAVEN
JONATHAN N. DEVRIES
LAMBERT D. DEVRIES
JEREMY M. DICK
WILLIAM P. DILLON
ROBERT E. DOWNS, JR.
DAVID J. DUBOIS
KERRY P. DULL
NEAL J. EDMONDS
SHAWN R. EDWARDS
JOSEPH M. EINING
ARTHUR M. ELBTHAL
DAVID L. ELLIS
CARL H. FARLEY
JOANNE T. FARRIS
BRUCE S. FEIN
MICHAEL S. FINER
SCOTT A. FONTAINE
MICHAEL B. FORDHAM
MICHAEL G. FORSON
JEFFERY P. FOUNTAIN
THOMAS C. FRILOUX
GABRIEL G. I. FRUMKIN
IVETTE GALARZA
JAY D. GANN
EDWARD P. GARGAS
RICARDO R. GARRATON
GREGORY J. GLENN
ALEXANDER C. GRABIEC
THOMAS P. GRAHAM
LEONARD A. GRATTERI
MILTON L. GRIFFITH, JR.
ALLYN D. GRONEWOLD
KENNETH A. GUSTAVSON
GREGG L. HADLOCK
ERIC J. HANSEN
MARVIN E. HARRIS
THOMAS A. HARROP
DAN T. HASH
CHARLES D. HAUSMAN
JAMES M. HENNIGAN
TIMOTHY P. HERRINGTON
KAARLO J. HIETALA, JR.
SCOTT W. HIIPAKKA
CAROL J. HITCHCOCK
MICHAEL K. HOBLIN
JEFFREY HOLLIDAY
AMIR A. HUSSAIN
JACK A. JAMES
EPIFANIO JIMENEZ
MARVIN D. JOHNSON
JOHN M. JOHNSTON
JEFFREY A. JONES
NORRIS J. KEETON
WILLIAM D. KELLY
ROBERT W. KIMBERLIN
JOHN S. KLINKAM
CHARLES S. KOHLER
MICHAEL A. KRELL
STEVEN J. KREMER
JEFFREY T. KURKA
CHARLES A. LANGLEY
WILLIAM R. LATTA
JOSEPH R. LAWENDOWSKI
ANTHONY S. LEAL
MICHAEL J. LEENEY
HARVEY B. LLOYD III
TODD F. LUNDIN
PHILLIP E. LUNT, JR.
JOANNE E. MACGREGOR
DAVID B. MAJURY
SHARON A. MARTIN
MARIANNE B. MARTINEZ
SCOTT C. MASON
SCOTT A. MATHNA
PAUL J. MCDONALD
JAMES W. MCGLAUGHN
CURTIS E. MCGUIRE
ELIZABETH B. MCLAUGHLIN
JOHN B. MCSHANE, JR.
KEVIN M. MILLER
LAWRENCE MILLER
JAIME A. MIRANDA
WILLIAM P. MITCHELL
ERIC J. MONTEITH
ARLAND D. MOON
CHRISTINA J. MOORE
SHARON D. MOORE
WILLIAM T. MOORE, JR.
JERRY L. MORRISON
JOHN M. MURPHEY
REGINALD G. A. NEAL
RONALD M. NEELY
STEVEN L. NICOLUCCI
JOHN C. NIPP
ROBERT M. NUGENT
ANCEL P. NUNN
DALE E. OLDHAM
MICHAEL J. OSTER
WILLIAM A. OVERBY
PATRICK T. PARDY
GREGORY C. PARKER
JOHN R. PASSET
VINCENT T. PATTERSON
JOSEPH S. PEAL
LARRY M. PEEPLES
JOHN J. PERKINS
CHRISTOPHER M. PFAFF
BRIAN H. PFARR
MARK D. PIKE
LADENNA M. PIPER
ARDIS C. PORTER
EVERETTE A. PRICE
JEFFREY A. PRICE
ROGER T. PUKAHI
RICHARD A. RABE
WILLIAM T. RACHAL
JOSEPH D. REALE
MILLARD G. REEDY IV
STEPHEN L. RHOADES
BRENT L. RICHARDS
EMERSON B. ROBINSON III
SPENCER W. ROBINSON
ANDREW J. ROCHSTEIN
TONYA H. ROGERS
CHRISTOPHER A. ROLLINS
RICHARD G. ROLLINS
TIMOTHY M. ROONEY
KIM T. RUSSELL
RICK RYCZKOWSKI
THOMAS G. RYNDERS
CHAD M. SACKETT
KENNETH SAFE
ARMANDO M. SANTOS
CHARLES M. SCHOENING
CHRISTOPHER D. SCHRIEKS
ERIC A. SCHROEDER
GARY W. SCHUMACHER
MICHAEL P. SEINE
DYLAN F. SEITZ
JON F. SHAFER
AMY L. SHEEHAN
JOHN SILVA
JOSEPH H. SMITH
JASON B. SNOW
STEVEN M. SOLKA
JONATHAN L. STEPHENSON
TODD D. STEVENS
RICHARD M. STEWART
THOMAS M. STEWART
SHANNON W. STONE
WILLIAM F. STROUP II
HIRAM TABLER
CATHERINE M. TAIT
ERIC J. TARBOX
JOHN C. TATE
CHRISTOPHER A. TATIAN
JOHN F. TAYLOR, JR.
JOHNNY L. TEEGARDIN
MARK J. TEEL
ROLAND M. TETREAULT
RODNEY A. THACKER
LLOYD R. THOMAS
MARCUS H. THOMAS
FREDERICK L. TOPLIN
JR TREHARNE
MECHELLE M. TUTTLE
MATTHEW VATTER
ANTHONY D. VERCHIO
DAVID R. VERDI
TIMOTHY D. VINCENT
JAMES WALKER, JR.
MICHAEL F. WASHINGTON
CHARLES L. WEAVER, JR.
JOHN P. WEBER
KIRK R. WHITE
MARGARET C. WHITE
BRENT A. WILKINS
PHILLIP W. WILLIAMS, JR.
PAUL K. WILSON
STEPHEN N. WILSON
BRIAN P. WOLHAUPTER
DAVID A. YAEGERS, JR.
FRANK A. ZENKO
MARK A. ZINSER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JEFFREY M. ABEL
JEFFREY D. ABRAMOWITZ
STACY M. BABCOCK
AIDA T. BORRAS
DAVE R. BRUETT
GLENNIE E. BURKS
CHARLES J. BUTLER
RICHARD T. CALCHERA
TIMOTHY D. CONNELLY
LESLIE M. DILLARD
CHARLES W. DURR
ERIC FOLKESTAD
JOHN A. FONTANA
ANTHONY A. FRANCIA, JR.
DARIUS S. GALLEGOS
BRUNILDA E. GARCIA
VANESSA M. GATTIS
LEE P. GEARHART
DANIEL B. GEORGE
SUSIE J. GRANGER
BRIAN E. GRIFFIN
BRADLEY A. HESTON
MICHAEL A. HOLLAND
KENNETH G. HOLLEY
KENNETH Z. JENNINGS
GREGORY T. JONES
GLENN A. KIESEWETTER
LAURENCE S. LINTON
BRAD P. LUEBBERT
KEVIN C. LUKE
PAIGE T. MALIN
ROBERT K. MCCASKELL
GEORGE A. MILTON
JAN C. NORRIS
ALAN C. NOTGRASS
GERALD O. OSTLUND
JOHN R. PELCZARSKI
KATHLEEN J. PORTER
ALAN K. SCHREWS
GREGORY SCOTT
PERRY J. SEAWRIGHT
ROBERT B. SENTELL
JAMELLE C. SHAWLEY
KEITH A. THOMPSON
MICHAEL D. THOMPSON
OWEN T. WARD
JENNIFER D. WESLEY
BRADFORD O. WHITNEY
JOHN F. WILLIAMS
DEBORAH A. WILSON

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

BOBBY L. CHRISTINE
JEFFREY C. DICKERSON
MARK W. LACHNIET
JAMES K. MASSENGILL

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

VICTOR SORRENTINO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JEFFREY P. MARTIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

RICHARD D. MCCORMICK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

DAVID W. ATWOOD
PAUL R. BURES
JAMES P. CAMPBELL
LEISA M. R. DEUTSCH
JAMI L. HICKEY
PATRICK J. KLOCEK
KEVIN M. LUNNEY
SCOTT C. OLSON
MARY M. RHODES
JACQUELENN M. STUHLDREHER
MICHAEL D. VANMANEN
ANNA H. WOODARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

WILLIAM S. SWITZER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

TODD A. ABRAHAMSON
LEOPOLDO S. J. ALBEA
BRENT A. ALFONZO
BENJAMIN J. ALLBRITTON
ANDREW D. AMIDON
EDWARD T. ANDERSON
ERIC J. ANDUZE
CHRISTOPHER E. ARCHER
MATTHEW L. ARNY
ANTHONY P. BAKER
BOBBY J. BAKER
STEVEN M. BARR
PAUL J. BERNARD
JEFFREY A. BERNHARD
JOSEPH J. BIONDI
JOHN R. BIXBY
MICHAEL F. BLACK
MATTHEW J. BONNER
JOHN D. BOONE
MICHAEL J. BOONE
LESLIE W. BOYER III
JOSEPH P. BOZZELLI
DOUGLAS A. BRADLEY
DAVID A. BRETZ
BRADEN O. BRILLER
CHRISTOPHER J. BUDDE
DWAYNE E. BURBRIDGE
MICHAEL L. BURD
JASON A. BURNS
MATTHEW J. BURNS
CHRISTOPHER BUZIAK
GREGORY D. BYERS
KEVIN P. BYRNE
MARCELLO D. CACERES
JOSEPH CARRIGAN
RYAN T. CARRON
BRYAN M. COCHRAN
PETER M. COLLINS
MICHAEL P. CONNOR
ERIC L. CONZEN
FREDERICK E. CRECELIUS
ADAN G. CRUZ
DONALD S. CUNNINGHAM
NOEL J. DAHLKE
PAUL M. DALE
DEARCY P. DAVIS IV
JEFFREY D. DEBRINE
ANTONIO DEFRIAS, JR.
TOM S. DEJARNETTE
STEPHEN J. DELANTY
CHRISTOPHER R. DEMAY
STEVEN H. DEMOSS
HOMER R. DENIUS III
ELLIOTT J. DONALD
DAVID W. DRY
DWAYNE D. DUCOMMUN
CHRISTIAN A. DUNBAR
JAMES W. EDWARDS, JR.
JAMES J. ELIAS
JENNIFER L. ELLINGER
WILLIAM R. ELLIS, JR.
ERIK J. ESLICH
JOHN H. FERGUSON
ROBERT D. FIGGS
CHRISTOPHER S. FORD
JOHN H. FOX
FERNANDO GARCIA
MICHAEL S. GARRICK
SAM R. GEIGER
TIMOTHY M. GIBBONEY
FREDERIC C. GOLDHAMMER
WILLIAM M. GOTTEN, JR.
TAMARA K. GRAHAM
WAYNE G. GRASDOCK
EDWIN J. GROHE, JR.
DARREN B. GUENTHER
MATTHEW K. HAAG
KEVIN K. HANSON
KEITH A. HASH
WILLIAM A. HEARTHER
JEREMY R. HILL
DAVID HOPPER
JACK E. HOUDESHELL
MONROE M. HOWELL II
STEPHEN J. JACKSON
DAVID C. JAMES
GEOFFREY C. JAMES
BRYAN L. JOHNSON
BRYON K. JOHNSON
IAN L. JOHNSON
VINCENT R. JOHNSON
WILLIAM JOHNSON
MICHAEL S. JOHNSTON
RUSSELL W. JONES
THOMAS C. KAIT, JR.
PHILIP E. KAPUSTA
SEAN D. KEARNS
COREY J. KENISTON
CALEB A. KERR
JACKIE L. KILLMAN
ANDREW J. KIMSEY
JAMES E. KIRBY
ROBERT A. KLASZKY
MATTHEW A. KOSNAR
JON P. R. LABRUZZO
EUGENE D. LACOSTE
JONATHAN B. LAUBACH
STEVEN S. LEE
KEVIN D. LONG
ROBERT E. LOUGHRAN, JR.
ROY LOVE
JAMES P. LOWELL
MICHAEL D. LUCKETT
JONATHAN D. MACDONALD
LLOYD B. MACK
MICHAEL D. MACNICHOLL
RICHARD N. MASSIE
JAY A. MATZKO
SHAUN C. MCANDREW
PATRICK J. MCCORMICK
MARK W. MCCULLOCH
CHRISTOPHER R. MCDOWELL
KEVIN M. MCLAUGHLIN
GREGORY E. MCRAE
KEVIN P. MEYERS
MARC J. MIGUEZ
JAMES E. MILLER
JEFFREY A. MILLER
THOMAS P. MONINGER
KENT W. MOORE
EDGARDO A. MORENO
STEPHEN H. MURRAY
MICHAEL J. NADEAU
CHRISTOPHER A. NASH
STEVEN T. NASSAU
DARREN W. NELSON
GREGORY D. NEWKIRK
BENJAMIN R. NICHOLSON
ERIK R. NILSSON
CASSIDY C. NORMAN
JOSEPH R. OBRIEN
JAMES E. OHARRAH, JR.
MICHAEL A. OLEARY
ADAM D. PALMER
TIMOTHY V. PARKER
JOHN E. PERRONE
BRIAN K. PUMMILL
JOHN K. REILLEY
ANTHONY C. ROACH
MATTHEW P. ROBERTS
JOSE L. RODRIGUEZ
DOUGLAS W. ROSA
ANTHONY E. ROSSI
DAVID M. ROWLAND
MARK A. SCHRAM
SHANTI R. SETHI
JUSTIN M. SHINEMAN
WILLIAM C. SHOEMAKER
TYREL T. SIMPSON
LEE P. SISCO
QUINN D. SKINNER
TIMOTHY J. SLENTZ
GREGORY A. SLEPPY
ROBERT S. SMITH
WILLIAM H. SNYDER III
WILLIAM E. SOLOMON III
MICHAEL T. SPENCER
ERIK A. SPITZER
MARK G. STOCKFISH
JAMES L. STORM
TABB B. STRINGER
JOHN A. SUAZO
TIMOTHY E. SYMONS
SHANE P. TALLANT
BRADLEY B. TERRY
RICHARD A. VACCARO
LARRY P. VARNADORE
JIANCARLO VILLA
CHAD P. VINCELETTE
PHILIP W. WALKER
DAVID P. WALT
ANDREW R. WALTON
KJELL A. WANDER
MICHAEL S. WATHEN
HERSCHEL W. WEINSTOCK
JOHN M. WENKE, JR.
DAVID G. WHITEHEAD
STEVEN R. WILKINSON
ROBERT E. WIRTH
ALAN M. WORTHY
STACEY K. WRIGHT
PETER A. YELLE
DAVID J. YODER
MELVIN K. YOKOYAMA
DAVID A. YOUTT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

TIMOTHY A. BARNEY
WILLIAM D. CARROLL
DANIEL J. COLPO
KATHERINE M. DOLLOFF
DANIEL W. ETTLICH
JAMES W. HARRELL
VINCENT J. JANOWIAK
JON A. JONES
BRIAN D. LAWRENCE
JOHN L. LOWERY
BRIAN A. METCALF
JONATHAN E. RUCKER
MARIA E. SILSDORF
DANA F. SIMON
KEVIN R. SMITH
THOMAS A. TRAPP
ROBERT A. WOLF

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

DOUGLAS S. BELVIN
JAMES P. M. BORGHARDT
MATTHEW B. COMMERFORD
STEVEN F. DESANTIS
SCOTT B. JOSSELYN
MARK P. KEMPF
ARMEN H. KURDIAN
BRANDT A. MOSLENER
RICHARD M. PLAGGE
CHAD B. REED
JASON L. RIDER
WESLEY S. SANDERS
THOMAS M. SANTOMAURO
LAURA A. SCHUESSLER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JERRY L. ALEXANDER, JR.
SIMONIA R. BLASSINGAME
NICOLE L. DERAMUSSUAZO
LYN Y. HAMMER
SABRA D. KOUNTZ
LEE A. C. NEWTON
LAURIE M. PORTER
SHARON L. RUEST
RENEE J. SQUIER
JASON L. WEBB

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

ROBERT L. CALHOUN, JR.
DAVID J. ROBILLARD
DAVID G. SMITH
THADDEUS O. WALKER III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

CHRISTOPHER J. COUCH
DUANE L. DECKER
MARK E. NIETO
NATHAN D. SCHNEIDER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

GREGORY S. IRETON
BRETT S. MARTIN
SEAN P. MEMMEN
CYNTHIA V. MORGAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

CHARLES W. BROWN
AMY E. DERRICKFROST
SCOTT E. NORR

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JEFFREY D. BUSS
WILLIAM M. CARTER
BRIAN ERICKSON
ADAM C. LYONS
ERIK R. MARSHBURN
BRAULIO PAIZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MICHAEL L. BAKER
LEONARDO A. DAY
ROBERT K. FEDERAL III
KWAN LEE
STEVEN A. MORGENFELD
ROBERT F. OGDEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

NONITO V. BLAS

ROGER J. BROUILLET
WILLIAM R. JOHNSON
SCOTT B. LYONS
GARY D. MARTIN
MARK A. MESKIMEN
JEFFREY M. PAFFORD
DAVID S. WARNER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

ANTHONY T. BUTERA
MARY K. HALLERBERG
MICHAEL J. HANNAN
JOSHUA C. HIMES
MATTHEW F. HOPSON
GRAHAM K. JACKSON
JOHN J. LEWIN
EDWARD J. PADINSKE
TUAN N. PHAM
ADAM D. PORTER
CHRISTOPHER H. SHARMAN
MIRIAM K. SMYTH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

BRYAN E. BRASWELL
MICHAEL S. COONEY
TODD A. GAGNON
PETER GIANGRASSO
WILLIAM J. KRAMER
BOSWYCK D. OFFORD
VANE A. RHEAD
MICHAEL RIGGINS
JULIA L. SLATTERY
TYRONE L. WARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

REGINALD T. KING
SHEILA M. MCMAHON
KEVIN L. STECK