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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

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

Let us pray.

Shepherd of Love, our lives are open books to You, for You see our thoughts before they are formed and know our words before we utter a single sentence. Your powers astound us.

Today, guide our lawmakers on the path that leads to faith, inspiring them to cultivate a quiet spirit of confidence in Your providential love. Lord, teach them to wait with hope and to endure to the end, believing that in everything You are working for the good of those who love You and are called according to Your purposes.

God of Grace and Glory, we revel in Your goodness, rejoicing because of Your generous mercy.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

The 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 proceed to the consideration of S. 2280. There will be 6 hours of debate equally divided between the proponents and opponents of the bill. Senator BOXER will control the opponents' time. Senator LANDRIEU will control 1 hour of the proponents' time, and Senator HOEVEN will control 2 hours.

The Senate will recess from 12:30 p.m. until 2:15 p.m. to allow for our weekly caucus meetings.

At about 6:15 p.m.—give or take a few minutes—this evening the Senate will vote on a bill to approve the Keystone Pipeline.

There will be three rollcall votes on confirmation of the Abrams, Cohen, and Ross nominations, followed by the confirmation of five Ambassadors, which are expected by voice vote.

There will be 30 minutes of debate prior to a cloture vote on the motion to proceed to the USA Freedom Act.

USA FREEDOM ACT

Mr. REID. As I have indicated, this evening we will vote on the motion to proceed to the bipartisan USA FREEDOM Act, which reforms the U.S. Government's domestic surveillance authorities under the Foreign Intelligence Surveillance Act, or FISA, as we have come to call it.

In 2013 the American public first learned that the Federal Government collected telephone and Internet records of ordinary Americans—even when those Americans were not suspected of any wrongdoing. Earlier this year Senator LEAHY introduced the USA FREEDOM Act to end this bulk data collection. This bill has the support of the entire U.S. intelligence community, including the Director of National Intelligence, Gen. James Clapper. It enhances privacy and civil liberties protections, and it continues to give the U.S. intelligence community the ability to gather the information it needs to help keep America safe.

Two weeks ago the American people sent Congress a simple message: Let's work together. The USA FREEDOM Act is an excellent opportunity for Democrats and Republicans to work together to pass legislation that is good for this country.

The chairman of the Judiciary Committee, PAT LEAHY, has done tremendous work in crafting this bill. I hope we will invoke cloture today to allow us to proceed to this matter. Chairman LEAHY will manage the bill on the Senate floor in what I hope will be an open, bipartisan process.

In working to craft this bipartisan legislation, I expect Senators on both sides will want to offer amendments. Everyone should understand that there is not going to be any effort to stop this by the procedural avenue we call tree-filling. Instead, if we get on the legislation, the bill's managers will address amendments as they are offered. So I hope Democrats and Republicans will be able to come to agreements for votes on a number of amendments—hopefully a reasonable number or, of course, we will have no alternative than to try to terminate that by trying to get cloture on the bill itself. I am optimistic that we can work together—I hope so—to forge a compromise and pass this essential legislation.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. BOOKER). The Republican leader is recognized.

FISA

Mr. MCCONNELL. Mr. President, the recent beheading of U.S. citizen Peter Kassig was the latest reminder of the brutal tactics employed by ISIL, a murderous terrorist organization and insurgency that slaughters the innocent and routinely employs suicide bombers and IEDs in its campaign of terror.

The Islamic State of Iraq and the Levant slaughtered Sunni tribe members in Anbar Province, executed prisoners, and captured key terrain in cities such as Mosul.

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

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Americans know ISIL is lethal, but it is also versatile. It has associates and sympathizers in countries across the West, some self-radicalized on the Internet, including not only in Europe and Canada but right here in the United States. The ISIL fighting force continues to grow more numerous—now numbering at least 20,000 strong—with its success on the battlefield having drawn more extremists to the fight from many of the same places, including, again, right here in America.

At its core, ISIL includes many seasoned veterans who once fought under the banner of Al Qaeda in Iraq and either survived the U.S. military detention or el uded our military altogether during the years of Operation Iraqi Freedom. Many of these fighters are familiar with America's intelligence capabilities, and many are savvy with communications. These are terrorists who know how to use encryption, and they know how to change devices frequently. That is part of the reason I am strongly opposed to legislation offered by the chairman of the Judiciary Committee that would end one of the Nation's critical capabilities to gather significant intelligence on terrorist threats. This is the worst possible time to be tying our hands behind our backs.

The threat from ISIL is real. It is different from what we faced before. If we are going to overcome it, if our aim is to degrade and destroy ISIL, as the President has said, then it is going to require smart policies and firm determination. At a minimum, we should not be doing anything to make the situation worse. Yet that is what this bill would do.

Most damagingly, it would hinder the ability of intelligence community analysts to query a database to determine links between potential terrorists. Instead, the Leahy bill would have this data be held by telephone companies. It would make it far harder for records to be gathered for a specific selection term. Under the Leahy bill, the telephone companies would face no statutory requirement to even hold the relevant data.

There is a legitimate debate to be had over the proper balance to strike in our democracy. We continue to have that debate, and we should. But the opponents of this collection program have not provided any examples—no examples—of the National Security Agency intentionally spying on innocent civilians—no examples of that. In fact, the NSA, the courts, and the Congress have put in place detailed oversight procedures to protect both privacy and national security. Moreover, the only data captured under this program is the telephone number dialed—the telephone number dialed—the number from which the call was made, and the length of the call. Under section 215 of the PATRIOT Act, the content of the call is not captured. So I think the programs we have in place strike an appropriate balance between protecting our civil liberties and keeping our Nation safe. I think the bill before us would upend that delicate balance completely.

What is more, legislation with such far-reaching effects should be given the closest possible scrutiny, but this bill was never even considered by the Judiciary Committee or the Intelligence Committee. So it is unclear why the majority leader is moving to it now rather than taking up a bipartisan measure such as the FISA Improvements Act that passed the Intelligence Committee on a strong bipartisan vote of 11 to 4.

With the current law not even expiring until next June, it is unclear why the majority leader wants to rush this untested bill through in this lameduck session rather than after a reasonable consideration by relevant committees and by the newly elected Members who will actually be responsible for overseeing the program's operation.

The point is that the authorities we enacted after September 11, 2001, which were crafted to ensure that we integrated intelligence gathered overseas and here in the United States, are acutely relevant right now. We live in a dangerous world. Threats such as ISIL only make it more so. At a moment when the United States is conducting a military campaign to disrupt, dismantle, and defeat ISIL, now is certainly not the time to be considering legislation that takes away the exact tools we need to combat ISIL.

Our intelligence community is working to track foreign fighters returning from fighting in Syria, to prevent others from traveling to the battlefield, and to keep those within Syria from radicalizing their friends and families back home. It makes little sense to pass legislation that hinders our intelligence community—legislation that has yet to receive any committee consideration.

On that note, today's Wall Street Journal features an excellent opinion piece offered by former Federal judge and Attorney General Michael Mukasey and Gen. Michael Hayden, the former Director of the CIA and the NSA. I recommend their column, ''NSA Reform That Only ISIS Could Love.'' I ask unanimous consent that a copy be printed in the RECORD at this point.

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

[From the Wall Street Journal, Nov. 7, 2014]

NSA REFORM THAT ONLY ISIS COULD LOVE

(By Michael V. Hayden and Michael B. Mukasey)

For those charged with gathering the information our government needs to keep us safe, the news has been grim. Following the leaks by Edward Snowden beginning in June last year of highly classified intelligence gathering techniques, the former head of the National Counterterrorism Center, Matthew Olsen, disclosed in September that terrorists tracked by U.S. intelligence services have started encrypting their communications in ways that defeat detection, and that the government has lost track of several.

Meanwhile, Islamic State terrorists continue to rampage across Syria and Iraq, even as the group, also known as ISIS, uses sophisticated Internet communications to swell its ranks with recruits bearing U.S., Canadian or European passports who can easily slip back into their native countries and wreak havoc.

In that threat environment, one would think that the last thing on the ''to do'' list of the 113th Congress would be to add to the grim news. Yet Senate Majority Leader Harry Reid has announced that he will bring to the floor the extravagantly misnamed USA Freedom Act, a major new bill exquisitely crafted to hobble the gathering of electronic intelligence.

For starters, the bill ends the National Security Agency's bulk collection of what is called telephone metadata. This includes the date, time, duration and telephone numbers for all calls, but not their content or the identity of the caller or called, and is information already held by telephone companies. The bill would substitute a cumbersome and untried process that would require the NSA, when it seeks to check on which telephone numbers have called or been called by a number reasonably associated with terrorist activity, to obtain a warrant from the Foreign Intelligence Surveillance Court, or FISA court, and then scurry to each of the nation's telephone-service providers to comb through the information that remains in their hands rather than in the NSA's.

Nothing in the bill requires the telephone companies to preserve the metadata for any prescribed period. Current Federal Communications Commission regulations impose an 18-month retention requirement, but administrative regulations are subject to change. It isn't hard to envision companies that wish to offer subscribers the attraction of rapid destruction of these records, or a complaisant bureaucracy that lets them do it.

The bill's imposition of the warrant requirement on the NSA would be more burdensome than what any assistant U.S. attorney must do to get metadata in a routine criminal case, which is simply to aver that the information is needed in connection with a criminal investigation—period.

Proponents say this change is necessary to allay fears that the NSA could use telephone metadata to construct an electronic portrait of an American citizen's communications, and determine whether that person has, say, consulted a psychiatrist, or called someone else's spouse. However, only 22 people at the NSA are permitted access to metadata, and only upon a showing of relevance to a national-security investigation, and they are barred from any data-mining whatsoever even in connection with such an investigation. They are overseen by a Madisonian trifecta of the FISA court, the executive and committees of Congress. Those people and everyone else at the NSA live in constant dread of failing to detect a terrorist attack. Nonetheless, the sponsors of the USA Freedom Act prefer the counsel of hypothetical fears to the logic of concrete realities.

This sensitivity to abstract concerns doesn't stop at the water's edge. Under the bill, if the FISA court directs any change, however technical, in the gathering of information from foreigners abroad, no information gathered before the change is implemented could be used before any official body in this country—agency, grand jury, court, whatever.

Back in the bad old days, as during World War II and the Cold War, intelligence of all sorts directed at protecting national security was gathered by the executive without supervision by judges who, after all, know nothing about the subject and cannot be held to account for adverse outcomes. After the Watergate scandal and the resignation of

President Nixon, the FISA court was established in 1978 to provide oversight for intelligence gathering, in addition to that already provided by the executive and by Congress. Now, there are those who complain that the FISA court accedes too often to requests for government access to information, and does not appear to resemble a true court in that there is no public advocate opposing the government position.

But the nearly uniform success of the government before the FISA court is due both to the government's careful restraint in presenting applications, and to pushback from the court itself—which results in the amendment of applications. Even when the government applies for wiretaps or search warrants in ordinary criminal cases there is no advocate opposing the application.

Nonetheless, this new bill would establish a permanent advocate appointed by the court to oppose the government's applications before the FISA court. This provision has elicited an extraordinary written objection from a former presiding judge of the FISA court. U.S. District Judge John D. Bates points out that the presence of such an advocate, who cannot conceivably be aware of all the facts, would simply add to the burdens of the court and could wind up sacrificing both national security and privacy.

This bill redefines the FISA court, which was never meant to be an adversary tribunal and was imposed simply as an added safeguard in the 1970s, without regard to its history or its purpose. Worse, it is a three-headed constitutional monster: It is a violation of both the separation of powers principle and the Constitution's appointments clause by having judges rather than the president appoint the public advocate, and then it has the advocate litigate against the Justice Department when both executive offices are supposed to be controlled by the president.

The bill is not an unrelieved disaster. It rightly allows for the expansion of metadata gathering to include more calls made by cellphones.

Not surprisingly, the bill has received the endorsement of President Obama's attorney general, Eric Holder, and his director of national intelligence, James Clapper, who in a Sept. 2 letter to the Senate Judiciary Committee said they were ''comfortable'' with the bill's provisions—even as they conceded that the bill may have ''additional impacts that we will be able to identify only after we start to implement the new law.''

If that calls to mind the Affordable Care Act and the suggestion that we should wait and find out what is in the bill until after it passes, bear in mind that ''additional impacts'' here may include holes in the ground where buildings used to stand and empty chairs where people used to sit.

There is no immediate or emergency need for this piece of legislation. Current surveillance authorities do not expire at the end of this year, which is fortunate given the current threats we face at home and abroad. The USA Freedom Act should await the attention of the Congress that will actually oversee it. A change to national-security procedures is not something to be rushed through in a lame-duck session.

KEYSTONE XL PIPELINE

Mr. MCCONNELL. On an entirely different matter, later today the Senate will vote on whether to send Congressman CASSIDY's Keystone jobs bill to the President. It is a vote that is long overdue but certainly welcome. Keystone XL is just common sense. It is a shovel-ready jobs project that would help thousands of Americans find work. It would increase our supply of North American energy. It would do all of that with minimal net climate impact. That is why the American people support it. That is why Republicans support it. That is why so many rank-and-file Democrats support it too.

I wish the Senate would have followed the lead of Congressman CASSIDY and his House colleagues in approving Keystone years ago. It is just common sense. Those who took a serious look at the science and the potential benefits reached that conclusion long ago. They understand that the whole drama over Keystone has been as protracted as it has been unnecessary. We hope to turn the page on all of that today.

The reason we are able to have this vote is because the American people sent a strong message earlier this month. They told us they just want Washington to get on with approving serious policies such as Keystone and then move on. That is why after years of delay and so many thwarted attempts to bring Keystone up for a vote, the Democratic leadership is finally, after 6 years, allowing us to vote on passage of the Cassidy Keystone bill. That is a good thing. It is a step forward. Now it will be up to our friends on the other side to vote with us and actually pass the Cassidy Keystone bill through Congress.

The President's remarks opposing this bipartisan legislation are certainly not helpful. Republicans are committed to getting Keystone approved. We want to see those jobs created as soon as possible. That is what the people want. The House already acted long ago, and Congressman CASSIDY and his colleagues, such as Senator HOEVEN, who is here on the floor, deserve recognition for their years of hard work on this issue.

So I would urge a ''yes'' vote on the legislation to send Congressman CASSIDY's Keystone bill to the President and create more American jobs. If not, then a new majority, after the beginning of the year, will be taking this matter up and sending it down to the President.

I also wish to take a moment to thank the Senator from North Dakota for his persistence on this issue for literally years.

Without his leadership I don't know where we would be. I just want to extend my gratitude to him for his great work on this matter.

I yield the floor.

Mr. LEAHY. Would the Republican leader yield for a question?

The minority leader will not yield for a question, but I would note, based on his concerns about the bipartisan piece of legislation regarding the NSA and others and his concern about ISIL—which we all share—that the NSA and all of our intelligence community had every single tool the Republican leader advocates for, while ISIL built up its strength, while ISIL had Iraq's army flee from them while they went forward. With every single one of those elements the Republican leader advocates for, there was not one single alarm bell that rang. So let's deal with the facts and not hypotheses.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

TO APPROVE THE KEYSTONE XL PIPELINE

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. 2280, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2280) to approve the Keystone XL Pipeline.

The PRESIDING OFFICER. Under the previous order, there are 6½ hours of debate equally divided between proponents and opponents of this measure.

The Senator from California.

Mrs. BOXER. I have a parliamentary inquiry. I am confused because Senator MCCONNELL called the bill the Cassidy Keystone bill, and I thought we were debating the Hoeven-Landrieu bill. Could you tell me which bill it is, because that is very important.

The PRESIDING OFFICER. The Senate is considering S. 2280.

Mrs. BOXER. So we are considering the Hoeven-Landrieu bill. I just wanted that to be clear.

The PRESIDING OFFICER. Yes. The Senator from North Dakota.

Mr. HOEVEN. Today we vote on S. 2280, introduced by myself and Senator LANDRIEU. There are actually 54 sponsors on the legislation with us. So we have a total of 56 sponsors of this bipartisan bill. That is the same bill that has been passed in the House of Representatives. That was passed on Friday—the same version. The prime sponsor in the House was Representative CASSIDY.

The bill we vote on today, S. 2280, is approval of the Keystone XL Pipeline. We have actually passed legislation on the Keystone XL Pipeline before. This is not the first bill. In 2012, we passed legislation that required the President to make a decision on the Keystone XL Pipeline. We attached it to the payroll tax holiday. At that time the President turned down the pipeline project.

So today we have submitted a number of different pieces of legislation, but this legislation actually has Congress approving the Keystone XL Pipeline.

When the President turned down the project, what we did was we went back and we did the research.

Under the commerce clause of the Constitution, Congress has the authority to oversee commerce with foreign powers, with other countries.

So in this situation, Congress has the authority to approve the Keystone XL Pipeline crossing the border from Canada into the United States, and that is

what we crafted in this legislation. So rather than the President making a national interest determination, which he seems to be unwilling to do—and I say that based on his actions—we have now been at this for about 4 years in this Senate trying to get approval. But this project has been in the application process for 6 years.

I was Governor of North Dakota in September of 2008 when the TransCanada Corporation applied for a permit to get approval to build the Keystone XL Pipeline. They had already built the Keystone pipeline, so they were applying for approval to build the sister pipeline, the Keystone XL Pipeline. It started in September of 2008, and 2 years went by. We started actually working on it in about 2011 in the Senate, as I say, and we passed legislation, trying to get the President to approve it. But it has now been—and I can show a chart with the time line, but it is a little hard to see—6 years in the permitting process.

The time has come to act. The time has come to act, and that is what this legislation is all about. It provides approval of the Keystone XL Pipeline so they can move forward and it can be constructed.

We have debated this issue in the Chamber for almost 4 years. So we have gone through all of the merits, and we will do that again today. We have not only come to an agreement on getting a vote, but we have also come to an agreement on the parameters for the debate. It is 6 hours of debate, with 3 hours for the proponents and 3 hours for the opponents.

On the Republican side of the aisle we are taking 2 hours solely on the proponent side because all 45 Republican Senators are in support of the project, will be voting for the project, and will be making the case for the project. On the majority side there will be 3 hours for opponents of the project making their case and 1 hour for the proponents making their case, and we will alternate throughout this debate.

We will be having this debate today and we will make our case. I will continue with my colleagues to make the case for the pipeline. There will be Members of the majority party that will make that case and there will be some Members, obviously, in opposition.

So I will reserve some of my time to speak later, but the point I want to make at the outset is this is really about the American people making this case. When we look at this project, it is about energy, it is about jobs, it is about economic growth. It creates tax revenue to help reduce the deficit and the debt. It doesn't cost 1 penny of Federal money or government money. It is privately funded, and it is about national security. It is about national security by helping us build energy security in this country with our closest friend and ally, Canada, working together with Canada so that we don't have to get energy from Venezuela or from the Middle East or from other parts of the world, and so we can produce at home.

That is not only a vitally important issue in terms of our economy and being competitive in a global economy because energy is truly a foundational sector for all the other industry sectors. When we have low-cost dependable energy, we are more competitive as a country, but it really is a national security issue.

I see the good Senator from Vermont is on the floor. He has a bill that deals with how we handle surveillance and covert information, given the terrorist threat we face. It is important that we do that well.

But one of the ways to truly strengthen our country is to make sure we are energy secure, to make sure we don't have to get oil from the Middle East, to help our friends and allies in Europe so they are not dependent on Russia for energy when Putin engages in the kind of aggression he has. So when we talk about this energy issue, it is not just jobs, it is not just the energy we get that makes us stronger in a competitive global economy, it really is a national security issue, and it is long past time to act. It has been 6 years.

Today we will have that debate again, and I hope at the end of the day we will have the 60 votes that we need. We will find out this evening when we vote.

Again, it comes back to what do the American people want. We are here representing the American people. Overwhelmingly, in poll after poll when they have been asked, 60 percent, sometimes 70 percent or more say: Build the Keystone XL Pipeline. That is whom we work for.

I hope today, at the end of the day, that is the work we will get done for the American people.

I see my cosponsor on the floor, and I would turn to the good Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. I thank my cosponsor and lead sponsor on the bill, a former Governor and good Senator from North Dakota who has been a great leader and partner with me on this bill.

As the American people have absolutely figured out, Democrats cannot do anything alone and neither can Republicans. It has taken us a while to figure this out in the Senate and in the House of Representatives, but the American people figured this out a long time ago, just as they figure out practical things such as how to keep a roof over their heads, food on the table, and how to keep their kids moving forward even through difficulty.

The American people are very smart. I trust them. I always have. I have been honored to represent the people of Louisiana, 4.5 million people, and I have done my very best to represent them in the time I am in the Senate, and I hope to continue for years to come.

One of the things they know that is not clear to people here is that it takes both parties working together, compromising, to get the job done for them—not for us, for them—and I think we forget that a lot.

I am in a lot of meetings around here where people talk about what is good for the Democratic caucus, what is good for the Republican caucus, what is good for Leader REID, what is good for Leader MCCONNELL. It is kind of interesting to me because the family I grew up in was all about public service—not for ourselves but for the people we represent. That is why I am on the floor today. That is why I have actually been on the floor dozens of times on this bill and on similar bills.

This is the Keystone bill, which I have supported with Senator HOEVEN, literally for years. In fact, I have a letter from 2011 with ORRIN HATCH, who was the lead signer with me. Senator MCCONNELL's signature wasn't on the letter. Maybe he was busy that day and couldn't sign it. But about 15 of us sent a letter in 2011 urging Secretary of State Clinton—this is how far back it goes, and people can hardly remember she was Secretary of State because now John Kerry is Secretary of State—a long time ago saying it was very important for us to get this pipeline built for any number of reasons. The main reason is that it will signal a great sign that America understands that energy independence for our Nation is possible for the first time ever.

When I mean energy independence, I mean energy independence for the North American continent. We might be able to do it in just the lower 48. We might. Hawaii can contribute some. Alaska, clearly, can contribute a lot. So we might be able to do it in the 50 States.

But I know, beyond a shadow of a doubt, that with our partners in Canada and Mexico, this can be done and North America can be the super energy powerhouse of the planet.

Why is that important? There are so many reasons. I will name two, and then I am going to sit down and reengage in this debate because BARBARA BOXER, who is the lead opponent, wants and has indicated her time on the floor, and I have more time later today.

But one of the reasons this is so important is because what people in Louisiana want, what people in Texas want, what people in Mississippi want, what people in New Jersey want, what people in South Dakota, Illinois, Kansas, and Vermont want are good-paying jobs.

When a country or a continent, as blessed as we are, uses its resources wisely to create wealth not only for those at the top, which is what is happening now—just at the top—and the people at the top are doing great. In the fancy restaurants I walk by I see—and sometimes I am actually in them myself—people are drinking champagne. They are buying new cars. I see

Mercedes, and other people see that. But the people in the middle class in this country are really struggling, and our job as leaders is to have our eyes on them, providing for them.

These energy jobs are not minimum wage jobs. They are not even $15-an-hour jobs. They are not even $30-an-hour jobs. They are $45-an-hour jobs. Our laborers—men and women who represent the middle class—some are unionized, some are not, but all are hard working. I am going to say that again. Some are unionized and some are not, but all are hard working.

How would I know? Because I have stood in line with them at 4 or 5 in the morning during a shift change. I do that a lot during my elections. I do it regularly, but I do it a lot during election time. I have felt their hands. I know how cold they are in the morning and how rough they are because they work all day. Those people would expect us to work longer than we do here. We have very short weeks—Tuesday through Thursday. We take long lunch hours, long weekends. Most Americans think we have completely lost it because they work hard, from morning until night. Their hands are tough, and so they expect us to stand up for them. That is why I am standing here.

I have been fighting for this because of energy independence for America. I would know something about that because Texas and Louisiana and Oklahoma—our area of the country—we are proud producers of energy. We produce mostly oil, mostly gas, and a little bit of coal. We generate a lot.

Just an FYI to everybody who thinks this pipeline is the end of the world, we already have 2.6 million miles of pipe in America—2.6 million miles of pipe. We are only completing basically 1,000 miles. What is everybody upset about? We have been building pipelines in this country for a long time, and we need to build this one. This is about energy independence, it is about jobs, and that is why I am here. This is what the people want.

I am going to close with this. For the 25th time at least I am going to say this because I want the record of the Congress to reflect the truth, whether people acknowledge it or not. The record of this Congress will reflect this to be the truth. Some of us, not just me, have worked to get this bill to the floor for years, and it was blocked by both majority leader HARRY REID and minority leader MITCH MCCONNELL for their own political reasons. Those reasons cleared up after the election. They just cleared up.

MITCH MCCONNELL couldn't bring this bill to the floor without allowing a vote on the EPA coal regulation. BARBARA BOXER knows this—this is the truth—and she wouldn't allow the vote because she is adamantly opposed to having a vote on EPA. I respect that. I respect her. Everyone here knows that is the truth.

HARRY REID didn't want this vote to come up because there were one or two Members of our caucus who had a serious issue with this being voted on. I knew that. As part of a team—and I try to be part of a team, but I am independent—I knew the results of the election, with Senator MCCONNELL winning and some of our Senators, unfortunately, my dearest friends, losing, that we had an opportunity, and so I took that opportunity and I called for this vote—not HARRY REID, not MITCH MCCONNELL, I called for it, and I think it is worth fighting for.

The last thing I want to say is that Thanksgiving is coming up and Christmas is coming up, and it is a shame this Congress has not delivered more in the last 5 or 6 years for the middle class. We say we try. I am not sure we are trying hard enough. So I am going to lead by example. It is the way I was raised. We are going to truly try today.

This is one of the first debates I have been in, in 8 years at least, where the outcome is uncertain. All the rest of the stuff we do here is preset, preordained. It is similar to theater for the American people. We usually know the outcome of the vote before we take it because the deals are all cut.

So I brought this bill to the floor, knowing in my heart we have 60 votes. I sure hope we have the courage that supports that.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I will be controlling the time in opposition, very strong opposition, to this legislation. Before I yield to the first debater on our side, who will be Chairman LEAHY—and I am very honored that he will be—let me just say before Senator LANDRIEU leaves the floor that Senator LANDRIEU is the only reason we are debating this today. So anyone who wants to play games about this and name this bill the Cassidy bill, that kind of is a joke because I believe I am correct that he introduced it November 12 of this year and the Hoeven-Landrieu bill was introduced in May. But setting politics aside, let the RECORD be clear forever that this debate would not be before this body were it not for Senator LANDRIEU's insistence. I want that to be clear.

Secondly, we will hear today, I think, a terrific debate because the people who support this think not only that this is a good thing for the country—to build the Keystone XL Pipeline—they think it is a great thing for this country. I have great respect for them. On the other side, we have those of us who think it is not a good thing for this country, it is not a good thing for jobs, it is not a good thing for energy independence because it will be exported, all that oil, and it is actually dangerous.

In my case, I was thinking, what does ''XL'' stand for? They named it the Keystone XL. It has no meaning, but to me it is extra lethal. My debate will show why, as we analyze the tar sands oil that will be coming into this Nation, 45 percent more than we have now, the risky business that it has proven to be and what the health costs are for our people. That is not me speaking, those are nurses and doctors saying so. I haven't even gotten into climate and all the other issues.

At this point I yield 5 minutes to my friend Senator LEAHY.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I know the distinguished Senator from Louisiana has the majority of votes in this body for the Keystone Pipeline, and that is a compliment to her hard work in getting from a minority of votes to a majority of votes.

I will not be one of them, as she knows, because I represent what is the view of my fellow constituents in Vermont. I strongly oppose the fast-tracking of this process.

This pipeline poses considerable safety and environmental risks here in the United States, and it threatens the natural landscapes that are in the heartland of America. We feel this pipeline is one of the most striking examples of the unquenchable thirst for oil that is destroying our environment. We feel that destruction is going to move forward unless and until we get a comprehensive national energy plan. This pipeline will not lead us towards that. It leads us to an energy policy of the past instead of a sustainable energy future, while simultaneously accelerating our impact on the climate. These tar sands require an energy-intensive process, complete with pollutants and harmful emissions to get them out of the ground, to extract them, and to refine them.

We should not rubberstamp a project like this that poses such serious risks to the Nation's and the world's environment, and to our communities' safety. I was astounded by the fact that in its first year of operation the existing Keystone Pipeline—billed as you recall as the safest pipeline in history when it was built just a few years ago in 2010—spilled 12 times in its first year of operation. That is more than any other pipeline in U.S. history.

The worrisome part about these spills is that tar sands oil is harder to clean up. Ask the communities along the Kalamazoo River in Michigan. It has cost more than $1 billion so far—$1 billion so far—to clean up a tar sands spill in 2010. Now, more than 4 years later, it is still a mess, and landowners continue to wait for help in restoring their property and to rebuild the ravaged pipeline.

We do not need more empty assurances from the oil industry. Before the Valdez spill in Alaska, Exxon executives told us their oil tankers were safe. We heard similar promises from BP, which insisted that it could handle an oil spill in a deep-water drilling operation. The images from both of those spills are still fresh in our memories.

I realize that proponents argue that this pipeline will create jobs and will

help our energy security here in the United States. But this pipeline will bypass refineries in the Midwest instead of heading to American gas stations to help lower the price of gas here at home. It will head straight for the coast so the oil can be used in export markets, pumped onto ships headed for China. That may be good news for the Chinese, but it is not good news for the American people who are stuck with the safety risks, the health challenges, future environmental disasters, and the rapid acceleration of our contribution to climate change.

These facts are clear: The Keystone pipeline significantly worsens the problem of carbon pollution, and it is not in our national interest. The Presidential Permit should be denied, not fast-tracked by Congress here today.

So I will not be among the majority who will vote for it today.

USA FREEDOM ACT

On another matter, while I have the floor, the distinguished Republican leader spoke against the USA FREEDOM Act earlier this morning. Unfortunately, he was too busy to respond to a couple of simple questions, even though he was asked to. But I would note that last year, Americans learned that section 215 of the USA PATRIOT Act had been secretly interpreted for years to allow the bulk collection of telephone records. Unlike the comments made earlier that there were no hearings on this, the USA FREEDOM Act of 2014 came about after numerous congressional hearings, including six—six—public hearings in the Senate Judiciary Committee.

At least two panels of independent experts have concluded that the bulk collection program has not been essential or even a key part of keeping our country safe. We now have wide bipartisan agreement in the Senate and the House that the bulk phone records collection program is not essential, it violates Americans' privacy, and it has to end. So the question before Congress is not whether to end the program, but when and how.

The USA FREEDOM Act of 2014 ends the NSA's bulk collection program, but does so responsibly. The bill contains key reforms to safeguard Americans' privacy by prohibiting the indiscriminate collection of their data. It also provides for greater accountability and transparency of the government's surveillance programs, and it improves the FISA Court. The bill also ensures that the intelligence community has the tools it needs to keep our country safe.

This legislation is the result of several months of intense discussions and deliberations with the intelligence community and stakeholders across the political and economic spectrum. It has the unprecedented support of the Director of National Intelligence, the Attorney General, American technology companies, and privacy and civil liberty groups ranging from the ACLU and EEF to the NRA and TechFreedom, as well as the Director of NSA and lawmakers from all parts of the political spectrum who support it.

We cannot afford to delay action on these reforms any longer, as the American people continue to demand stronger protections for their privacy. Unfortunately, some would rather use scare tactics than legislate. Some would have us wait while American businesses continue to lose tens of billions of dollars in the international marketplace. Or we could even wait until we are facing down the expiration of Section 215 in a matter of months, thereby creating dangerous uncertainty and risk for the intelligence community.

The American people have had enough delay; they want action and real reform. It is time to get back to work, to show leadership, and to govern this country responsibly. The USA FREEDOM Act of 2014 is an opportunity to do just that.

Let us get it done now, when it can be done.

Mr. President, I ask unanimous consent to have printed in the RECORD several letters and editorials in support of the USA FREEDOM Act of 2014.

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

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, DEPARTMENT OF JUSTICE,
Washington, DC, September 2, 2014.

Hon. PATRICK J. LEAHY,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR CHAIRMAN LEAHY: Thank you for your letter of August 19, 2014, asking for the views of the Department of Justice and the Intelligence Community on S. 2685, the USA FREEDOM Act. We appreciate your extensive efforts to develop a bill in coordination with the Administration, privacy and civil liberties advocates, and representatives from the communications providers that builds upon the good work done by the House in its bill passed on May 22, 2014. As discussed below, the Intelligence Community believes that your bill preserves essential Intelligence Community capabilities; and the Department of Justice and the Office of the Director of National Intelligence support your bill and believe that it is a reasonable compromise that enhances privacy and civil liberties and increases transparency.

The USA FREEDOM Act bans bulk collection under a variety of authorities. In particular, the bill permits collection under Section 215 of the USA PATRIOT Act using a specific selection term that narrowly limits the scope of the tangible things sought to the greatest extent reasonably practicable, consistent with the purposes for seeking the tangible things. Recognizing that the terms enumerated in the statute may not always meet operational needs, the bill permits the use of other terms, provided there are court-approved minimization procedures that prohibit the dissemination and require the destruction within a reasonable period of time of any information that has not been determined to satisfy certain specific requirements. We believe that this approach will accommodate operational needs while providing appropriate privacy protections.

The bill also provides a mechanism to obtain telephone metadata records in order to identify potential contacts of suspected terrorists inside the United States. The Intelligence Community believes that, based on communications providers' existing practices in retaining metadata, the bill will retain the essential operational capabilities of the existing bulk telephone metadata program while eliminating bulk collection.

The bill also increases transparency by expanding the amount of information communications providers can disclose and increasing public reporting by the government. Although balancing national security and the public's legitimate interest in additional transparency can be difficult, we are comfortable with the transparency provisions in this bill because, among other things, they recognize the technical limitations on our ability to report certain types of information.

We note that, consistent with the President's request, the bill establishes a process for the appointment of an amicus curiae to assist the FISA Court and FISA Court of Review in matters that present a novel or significant interpretation of the law. We believe that the appointment of an amicus in selected cases, as appropriate, need not interfere with important aspects of the FISA process, including the process of ex parte consultation between the Court and the government. We are also aware of the concerns that the Administrative Office of the U.S. Courts expressed in a recent letter, and we look forward to working with you and your colleagues to address those concerns.

The USA FREEDOM Act represents the result of extensive discussions and deliberations and has the support of a wide range of interests. Admittedly, it is possible that there are additional impacts that we will be able to identify only after we start to implement the new law. You have our commitment to notify Congress if we determine that the new law is impeding the Intelligence Community's ability to protect national security. Overall, the bill's significant reforms should provide the public greater confidence in our programs and the checks and balances in the system.

Sincerely,

ERIC H. HOLDER, Jr.,
Attorney General.
JAMES R. CLAPPER,
Director of National Intelligence.

REFORM GOVERNMENT SURVEILLANCE

OPEN LETTER TO THE SENATE: The Senate has an opportunity this week to vote on the bipartisan USA Freedom Act. We urge you to pass the bill, which both protects national security and reaffirms America's commitment to the freedoms we all cherish.

The legislation prevents the bulk collection of Internet metadata under various authorities. The bill also allows for transparency about government demands for user information from technology companies, and assures that the appropriate oversight and accountability mechanisms are in place.

Since forming the Reform Government Surveillance coalition last year, our companies have continued to invest in strengthening the security of our services and increasing transparency. Now, the Senate has the opportunity to send a strong message of change to the world and encourage other countries to adopt similar protections.

Passing the USA Freedom Act, however, does not mean our work is finished. We will continue to work with Congress, the Administration, civil liberties groups and governments around the world to advance essential reforms that we set forth in a set of principles last year. Such reforms include: preventing government access to data without proper legal process; assuring that providers

are not required to locate infrastructure within a country's border; promoting the free flow of data across borders; and avoiding conflicts among nations through robust, principled, and transparent frameworks that govern lawful requests for data across jurisdictions.

Now is the time to move forward on meaningful change to our surveillance programs. We encourage you to support the USA Freedom Act.

AOL, Apple, Dropbox, Evernote, Facebook, Google, LinkedIn, Microsoft, Twitter, Yahoo.

NOVEMBER 14, 2014.

Hon. PATRICK J. LEAHY,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.

Hon. CHARLES E. GRASSLEY,
Ranking Member, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR SENATORS LEAHY AND GRASSLEY: The USA Freedom Act, now under consideration in the Senate, is broadly consistent with the recommendatins we made last year in our report on how to safeguard both liberty and security in a rapidly changing world.

Specifically, we note the close similarity of the bill with our first recommendation, that orders under Section 215 should be issued by the Foreign Intelligence Surveillance Court about particular individuals and only where there are reasonable grounds to believe that the particular information sought is relevant to an authorized investigation.

Sincerely,

RICHARD CLARKE,
MICHAEL MORELL,
CASS SUNSTEIN,
GEOFFREY STONE,
PETER SWIRE.

[From the Washington Times, Nov. 14, 2014]

BIPARTISANSHIP IN DEFENSE OF THE CONSTITUTION

REINING IN THE NSA IS SOMETHING THAT ALL AMERICANS CAN EMBRACE

(By Chris Cox and Laura Murphy)

Washington politicians are squaring off for another round of confrontation following an election in which millions of American voters demanded an end to the squabbling and a commitment to actually solving the many problems facing the country. There are, of course, issues on which agreement shouldn't be expected, but there are others on which there should be broad agreement, regardless of party and ideology.

As representatives of two organizations, the National Rifle Association (NRA) and the American Civil Liberties Union (ACLU), with very different perspectives on some issues, we are joining together today because of our belief in the constitutional guarantees of free speech and privacy and our concern that both could be lost unless we rein in governmental surveillance and monitoring that characterizes life in this country.

The NRA last year joined the ACLU in court proceedings aimed at limiting the surveillance of private citizens in the name of national security. While we agree that government should have the power it needs to protect the American people from terrorist threats, those charged with doing so must be accountable and play by the rules set down by the Founders in the Constitution and its Bill of Rights.

Our lawsuit involved the National Security Agency's program to collect what the government likes to call ''metadata,'' including records of phone calls made by every single American. That data can paint an intimate portrait of someone's life—who they talk to, the organizations they support and who their friends are. However, that same information can be used to target innocent Americans involved in perfectly legal activities that our government doesn't happen to like.

For example, by using metadata, the government can identify and track most gun owners by tracing contacts with gun ranges, firearms retailers and the like, facilitating the establishment of the national firearms registry that gun owners fear and federal law prohibits. It can also be used by government officials to get information on journalists or any activists that are critical of government policies.

In our view, current surveillance practices violate the First and Fourth Amendments and threaten other rights, such as those guaranteed by the Second Amendment, and they are not making us any safer. President Obama's own review panel and the Privacy and Civil Liberties Oversight Board have found that these call-records programs have not provided any crucial information in even one terrorism case. Even James R. Clapper, the nation's director of national intelligence, supports legislation known as the USA Freedom Act, a modest reform proposal that brings current practices more in line with what the Constitution requires.

While there is much the Senate shouldn't or needn't do during the ''lame-duck'' session, the USA Freedom Act is badly needed legislation that has bipartisan support and will protect the rights of all Americans. The NRA and the ACLU, along with many members of Congress from both parties, support these reforms and they should be enacted, without weakening amendments, by the Senate and sent to the White House as soon as possible.

Public frustration with Congress is heightened when essential and widely supported legislation such as the USA Freedom Act languishes and dies for reasons that defy common sense. It's happened before. After all the rhetoric and after the case is made, nothing happens. If the Senate can't pass and the president can't sign a widely supported package of reforms to protect the basic constitutional rights of the American people, is it any wonder that Americans of both parties conclude that Washington is simply dysfunctional?

Every day that the Senate fails to vote on these reforms is a day in which law-abiding citizens have reason to fear that the constitutional protections so dear to the Founders and so crucial to the functioning of a free society no longer apply. That is a fear the Senate can begin to correct by passing the USA Freedom Act before the end of this year.

[From the Washington Post, Nov. 17, 2014]

THE SENATE SHOULD APPROVE A BIPARTISAN PROPOSAL TO REFORM THE NSA

(Editorial)

The Senate is set to vote Tuesday on the USA Freedom Act, the most promising National Security Agency reform proposal before Congress. Neither national security hawks nor civil libertarians get everything they want from the legislation, which means it could fail to get the 60 votes it needs to advance, or it could get pulled too far in one direction or another during an open amendment process after that. Either road to demise would be unfortunate: The bill deserves to be approved, reconciled with a House-approved version and sent to President Obama.

The headline of the Senate's bill, sponsored by a varied group of Democrats and Republicans with Sen. Patrick Leahy (D-Vt.) in the lead, is that it would end the government's bulk collection of so-called metadata—phone calling records, for example. In its place, the bill would give the government authority to demand calling records from phone companies in specific cases, if the collection is ''narrowly'' limited. Even then, the government would have to discard information lacking bona-fide intelligence value, and its metadata collection operations would be subject to more oversight.

That's fine, but bulk metadata collection is not the most important issue the bill addresses. The act would bring change to the Foreign Intelligence Surveillance Court, which helps oversee the NSA's activities. The court, which generally hears only the government's side of any issue, would get balance from a panel of advocates tasked with arguing for civil liberties when the judges are considering important questions of law. The proposal also foresees appeals courts reconsidering more FISA cases, and the bill would press for major court decisions to be released.

The bill would enable a more orderly and informed debate on NSA activities as well. It would require the government to release much more information on how much it is using various authorities and, crucially, on how many people's information it has swept up in the process. It also harmonizes the expiration of many surveillance authorities. Americans, then, would have more information to assess surveillance activities and a single date on which surveillance policy will be up for debate.

Technology companies have come out strongly in favor of the plan, as have many—though not all—civil liberties advocates. So, too, has the Obama administration. Though the intelligence community would have to change its behavior—significantly in certain programs—it would get clear legal authorities that it wants and an extended expiration timeline for some of them. It would also maintain its core, foreign-focused surveillance authorities without much change. Therein lies the bill's careful balance. As the Senate works on the proposal over the coming days, it should preserve that delicate and authentic compromise.

[From the New York Times, Nov. 17, 2014]

A CRUCIAL VOTE ON THE SURVEILLANCE BILL

(Editorial)

The Republican Party is so badly fractured that it is impossible to tell what steps it will take on domestic surveillance once it assumes control of Congress in January. Its rising libertarian wing wants to crack down on abuses of Americans' privacy, but many of its leaders express full support for any action the intelligence agencies want to take.

That's why it's important that the Senate break a filibuster on the USA Freedom Act, which would reduce or end the bulk collection of telephone records, in a vote scheduled for Tuesday afternoon. If the bill doesn't pass in the current lame-duck session of the Senate, still controlled by Democrats, it may never get past the 60-vote hurdle in the next session of Congress.

The bill, sponsored by Senator Patrick Leahy, Democrat of Vermont, would require the National Security Agency to ask phone companies for the records of a specific person or address when it is searching for terrorists, instead of scooping up all the records in an area code or city. It would force the agency to show why it needs those records, and to disclose how much data is being collecting.

The bill would also create a panel of advocates to support privacy rights and civil liberties in arguments before the Foreign Intelligence Surveillance Court; currently, there is no one to offer opposition to government requests before the court. The government would have to issue clear summaries of the court's most significant rulings.

Not every potential surveillance abuse is addressed in the measure. For example, it leaves open the possibility of ''backdoor'' searches of American data that investigators come across when searching for the communications of foreigners. It exempts the F.B.I. from transparency on searches. And it is not clear whether the government believes there is some other hidden legal authority for bulk collection other than the one addressed in the USA Freedom Act.

Nonetheless, the bill is a good way to begin restoring individual privacy that has been systematically violated by government spying, revealed through the leaks provided by Edward Snowden. It has been supported by the American Civil Liberties Union, the Electronic Frontier Foundation, and other privacy watchdogs. On Sunday, a group of the biggest technology companies—including Google, Microsoft, Facebook and Twitter—endorsed the bill because it allows more disclosure of the demands for information made of them by the government.

In addition to Senate Democrats, the bill is supported by some hard-right Republicans, including Ted Cruz of Texas and Mike Lee of Utah. But Mitch McConnell of Kentucky, who will soon be the Senate majority leader, has supported the N.S.A.'s spying on Americans. That's a good a reason to pass it before a new Senate can water it down.

Mr. LEAHY. I yield the floor, and I thank the distinguished Senator from California for giving me this time.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I thank the distinguished chairman of the Judiciary Committee for his remarks. They mean a lot.

I want to put this vote into perspective. This is a major decision. People sometimes say: Oh, what is the big deal. It is a little pipeline. We build pipelines all the time. Well, it is a major decision, and I know each of us, regardless of our party, before we cast a major vote, thinks about whether our vote is going to make life better for our people we represent, the people who send us here and who count on us every day. I am going to do everything in my power to make the case that building the Keystone XL tar sands pipeline is going to make life worse for the people we represent and those generations to follow because I think I will prove today that misery follows the tar sands.

I said before it is called Keystone XL—extra lethal—not extra large but extra lethal. Senators should ask themselves three questions before they cast their vote on the Hoeven-Landrieu bill. First, why does it make any sense for the Senate to force the approval of a project that will bring millions of barrels of the dirtiest pollution you could think of into America? Why do we want to bring barrels of filthy, dirty, dangerous pollution into America? This isn't an ordinary pipeline. This pipeline is carrying tar sands oil, which is, in fact, the most polluting kind of oil and I am going to tell you why. This isn't hyperbole.

Tar sands oil contains levels of toxic pollutants and metals that are much higher than conventional crude oil. I want to make this case. President Obama said when he became President that he would do everything in his power to make us energy efficient and to make us energy independent, and he has worked on both fronts. We have seen a tremendous rise in domestic oil production. It is not tar sands oil. It is not filthy oil. Conventional crude oil is different than the tar sands. The tar sands have 11 times more sulfur and nickel, 6 times more nitrogen, and 5 times more lead. Let me say that again.

Before we invite a 45-percent increase in this filthy, dirty oil, let's take a look at what this tar sands is. It has got more sulfur and nickel and nitrogen and more lead.

I know my colleague who is sitting in the chair cares deeply about environmental justice, and in the course of my presentation I am going to show what happens in places such as Port Arthur, TX, in minority communities when this oil is refined. We can show that photograph now.

What I am trying to impress on the body today is I am proving the point that I am making. The facts are the facts are the facts. This is what it looks like in Port Arthur, TX. This is what the kids have to put up with. Here is a playground in a low-income community, and I had the activists from Port Arthur, TX, here saying, please, please, please, protect us from this oil.

Now these dangerous pollutants I cited and these metals can be very harmful to human health. Sulfur dioxide penetrates deeply into sensitive parts of the lungs and it causes respiratory diseases such as emphysema and bronchitis. You will not hear a word about that from the proponents, but this needs to be looked at. This is why I stood with the nurses, that is why I stood with the public health doctors, to say time out for a minute here.

What are we doing to our people that we are saying we are helping with the tar sands?

It aggravates heart disease, leading to increased toxic emissions and premature death. Nitrogen dioxide increases symptoms in people with asthma. When I go to the various schools in my State, I ask the kids: How many of you have asthma or how many of you know someone who has asthma? Almost half the class raises their hands, if not more.

Tar sands will exacerbate that problem. We know how dangerous lead is, how long it took us to get lead out of paint. It adversely affects the nervous system, the kidney function, the immune system, the cardiovascular system. Misery follows the tar sands. The Keystone XL—extra lethal—pipeline.

We are talking about huge quantities coming through this pipeline—830,000 barrels of filthy tar sands oil coming across the Canadian border heading down to our gulf coast region every single day—again, a 45-percent increase in the tar sands oil, a 45-percent increase in those heavy metals and those dangerous pollutants. This project could be just the beginning.

We already know again, misery follows the tar sands from the extraction to the transportation to the refining to the waste disposal.

Let me show you a picture of petcoke, petroleum coke.

Again, it is an environmental justice question, because what we have is what is left after the refining, and it gets sent all across the country. This is a picture of petcoke piles in Chicago. Senator DURBIN is going to talk more about this. This is a serious environmental hazard. The poison that is in this residue in a windstorm just blows around and we have stories in the press in Chicago of a Little League game being interrupted because the petcoke was blowing all over the field, and the kids were getting pitch black with the petcoke.

So, yes, I have stood with doctors and nurses and people in these communities who have faced harm along each step of the tar sands oil process. These are cancer-causing pollutants. So when somebody tells you: Oh, this is nothing. This is a pipeline. We have a lot of pipelines. This is nothing. No big deal. Why are you fighting? Why are you standing up here? Why did I demand 3 hours of time in opposition? Because this is a dangerous project.

Why should we vote to force the approval of a project that would bring this dirty, polluted tar sands into the United States when we know it is the most difficult type of oil to clean up in case of a spill?

According to the EPA, tar sands oil creates especially difficult challenges to clean up when the pipelines rupture because it is so heavy it sinks to the bottom of the water. You only have to look at the spill in Michigan's Kalamazoo River in 2010 which they still haven't cleaned up.

In Mayflower, AK, in 2013, we will show you a picture from there. This is what happened when there was a spill. These spills are not cleaned up. This came right into residential communities. So again, dirty, filthy oil and the toughest to clean up in case of a spill. We know as sure as I am standing here if this is built there will be a spill, because that happens; and it has already happened in 2010 and in 2013.

Of the projected 830,000 barrels of tar sands oil, most of it isn't going to our domestic use. And that is the other question. Why would you want to bring this dirty, polluted tar sands oil that you cannot clean up into our country if practically all of it is going to be exported? And we will have to bear the burdens of the refining, the filth in the air, the petcoke in our cities, as we see the products being exported to other countries.

Now I could stop here—I am sure the proponents wish I would, but I am not, because if you are not convinced this is an enormous mistake, I have got five reasons—a deeper look at the health of our people. I have already said tar

sands is the filthiest oil on the planet. And I have already told you that I have stood with nurses and doctors to make this point. Downwind from the tar sands extraction site and the refineries in Canada there are significantly higher levels of dangerous pollutants and carcinogens have been documented.

People living in the nearby communities are suffering. I have met them. I have talked to them on the phone. They flew down here to stand by my side to call attention to the health impacts. People living in nearby communities are suffering higher rates of cancers linked to toxic chemicals including leukemia, non-Hodgkin's lymphoma. That is a fact. The big oil companies won't talk about it. The Koch brothers won't talk about it. My Republican friends won't talk about it. But I am going to talk about it and I am going to enter into the RECORD a University of California-Irvine, University of Michigan peer-reviewed study documenting elevated cancer rates near tar sands processing zones. This was a peer-reviewed article dated September 2013.

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

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

ATMOSPHERIC ENVIRONMENT—AIR QUALITY IN THE INDUSTRIAL HEARTLAND OF ALBERTA, CANADA AND POTENTIAL IMPACTS ON HUMAN HEALTH

(By Isobel J. Simpson, Josette E. Marrero, Stuart Batterman, Simone Meinardi, Barbara Barletta, Donald R. Blake)

HIGHLIGHTS

Alberta's Industrial Heartland is Canada's largest hydrocarbon processing center.

We characterize 77 volatile organic compounds (VOCs) emitted in this region.

Dozens of VOCs, including carcinogens, were enhanced in the industrial plumes.

Sources include propene fractionation, diluent separation and bitumen processing.

Male hematopoietic cancer rates are higher in this region than elsewhere in Alberta.

ABSTRACT

The ''Industrial Heartland'' of Alberta is Canada's largest hydrocarbon processing center, with more than 40 major chemical, petrochemical, and oil and gas facilities. Emissions from these industries affect local air quality and human health. This paper characterizes ambient levels of 77 volatile organic compounds (VOCs) in the region using high-precision measurements collected in summer 2010. Remarkably strong enhancements of 43 VOCs were detected, and concentrations in the industrial plumes were often similar to or even higher than levels measured in some of the world's largest cities and industrial regions. For example maximum levels of propene and *i*-pentane exceeded 100 ppbv, and 1,3-butadiene, a known carcinogen, reached 27 ppbv. Major VOC sources included propene fractionation, diluent separation and bitumen processing. Emissions of the measured VOCs increased the hydroxyl radical reactivity (k_{OH}), a measure of the potential to form downwind ozone, from 3.4 s^{-1} in background air to 62 s^{-1} in the most concentrated plumes. The plume value was comparable to polluted megacity values, and acetaldehyde, propene and 1,3-butadiene contributed over half of the plume k_{OH}. Based on a 13-year record (1994–2006) at the county level, the incidence of male hematopoietic cancers (leukemia and non-Hodgkin lymphoma) was higher in communities closest to the Industrial Heartland compared to neighboring counties. While a causal association between these cancers and exposure to industrial emissions cannot be confirmed, this pattern and the elevated VOC levels warrant actions to reduce emissions of known carcinogens, including benzene and 1,3-butadiene.

1. INTRODUCTION

Volatile organic compounds (VOCs) are emitted from natural biogenic sources such as vegetation and biomass burning, and from anthropogenic sources such as the production, distribution and consumption of fossil fuels, including vehicular emissions (Guenther etal., 2000; Buzcu and Fraser, 2006). VOCs play key roles in the radiative forcing and chemistry and of the atmosphere, for example producing tropospheric ozone (O_3) and secondary organic aerosol (SOA) (Sillman, 1999; Robinson et al., 2007). VOCs also control concentrations of the hydroxyl radical (OH) (Guenther et al., 1995), the principal oxidizing agent in the troposphere. Several halogenated VOCs are potent greenhouse gases and cause stratospheric ozone depletion, and are regulated under the Montreal Protocol and its Amendments (MPA) (UNEP, 2012).

In addition to their influence on air quality and climate, VOCs are of concern because of their potential health effects. As examples. benzene and 1,3-butadiene are known carcinogens (IARC, 2010). Biological evidence supports the causal linkage between certain pollutants and certain cancers, for example, between leukemia incidence/mortality and exposure to benzene (Snyder, 2002; Forrest et al., 2005) and 1,3-butadiene (Cheng et al., 2007; Kirman et al., 2010). Increased rates of leukemia, melanoma and genotoxic risk have been shown in petroleum workers and populations living downwind of petrochemical facilities such as oil refineries (Wong and Raabe, 2000; Whitworth et al., 2008; Barregard et al., 2009; Basso et al., 2011), although elevated rates and cancer mortality are not consistently observed (Tsai et al., 2004; Axelsson et al., 2010).

Established in the 1950s, the Industrial Heartland of Alberta is currently a large (582 km^2) industrial area with more than 40 companies, including chemical, petrochemical, and oil and gas facilities (http://www.industrialheartland.com). It is situated about 30 km northeast of Edmonton (53°32′N, 113°30′W; population 812,000) and a few km northeast of Fort Saskatchewan (53°43′N, 113°13′W; population 19,000) in an otherwise rural farming area Alberta (Fig. 1 and Fig. S1). The Industrial Heartland is the largest hydrocarbon processing region in Canada, and major land holding include Shell Canada, Dow Chemical Canada, and Provident Energy & Williams Energy Canada (now Pembina Pipeline & Williams Energy Canada) (http://www.industrialheartland.com). Their products include ethane, propane, propene, butane, styrene, hexane, benzene, heavy aromatics, synthetic crude oil and condensate (AIHA, 2012). For example, Shell Scotford is the largest land holding in the Heartland and includes a chemical plant, a refinery, and an upgrader that separates diluent and processes bitumen from oil sands mined approximately 450 km to the north, with a current processing capacity of 255,000 barrels/day (AIHA, 2012).

Industrial emissions in the Heartland affect the local air quality, for example causing intermittent odor episodes in the nearby community of Fort Saskatchewan. However, there have been very few independent, peer-reviewed analyses of air quality in the region. Thirty VOCs were measured in the Heartland from 2004 to 2006, and elevated VOC levels were attributed primarily to industry followed by vehicles (Mintz and McWhinney, 2008). Air quality is monitored locally by the Fort Air Partnership (FAP), a multi-stakeholder group with members from industry, government and the public (http://www.fortair.org). Though the FAP data have not been published in the peer-reviewed literature, they show several exceedances of Alberta Ambient Air Quality Objectives (AAAQO) in 2010 for $PM_{2.5}$, SO_2, NH_3 and NO_2 (FAP, 2010). There were no reported O_3 exceedances in 2010 both for AAAQO standards (82 ppb in 1 h) and for Canada-Wide Standards (65 ppb in 8 h). The annual O_3 average for 2010 was 22 ppb, and a maximum 1-h O_3 value of 72 ppb was recorded in June (FAP, 2010).

Here we present concentrations of VOCs and carbon monoxide (CO) measured in the Industrial Heartland in August 2010, and we discuss potential impacts of industrial VOC emissions on air quality and on human health in the local population.

2. METHODS

2.1. Ground-based air sampling

Previously our group identified VOC emission hot-spots within a 12 × 12 km region of the Industrial Heartland, during a grid study on April 10, 2008 (n = 58) as part of an Environmental Impact Assessment in the Heartland (unpublished data). For example, maximum levels of benzene, ethylbenzene and styrene downwind of the Shell Scotford complex were 1.6, 2.0 and 4.0 parts per billion by volume (ppbv, 10^{-9}), respectively, or 19, 435 and 6070 times higher than local background concentrations measured on the same day. During the 2010 study the sampling strategy focused on these emission hotspots. Speciated VOC measurements were obtained by collecting whole air samples (WAS) into evacuated 2 L stainless steel canisters, followed by analysis at our University of California, Irvine (UC Irvine) laboratory using multi-column gas chromatography (see Supplementary material). Individual air samples were collected concurrently at an upwind farm and downwind of several Heartland industries throughout the day and evening of August 12 and 13, 2010 (n = 80; Fig. 1). In many but not all cases, strong odors were associated with samples collected downwind of industrial activity. Because the sampling campaign occurred over a limited 2-day time frame, the results are not intended to represent an assessment of conditions over longer time scales.

Based on climate data from 1990 to 2002, the predominant wind direction in the Fort Saskatchewan area (Strathcona County) is from the southwest (SW) quadrant in fall and winter, the northwest (NW) and southeast quadrants in spring, and NW in summer (McCallum et al., 2003). During this study most of the sampled air masses arrived from the NW—i.e., not from Edmonton to the SW—at a median wind speed of 15 km h^{-1} or a moderate breeze (Fig. 52). Therefore we do not expect emissions from Edmonton to be a confounding factor in this study. The temperature ranged from 14 to 21 °C (http://www.casadata.org/Reports/SelectCategory.asp) and conditions were overcast with occasional drizzle and rain—in other words not ideal for active in situ photochemistry.

2.2. Laboratory analysis

Each air sample was returned to UC Irvine and analyzed within 10 days for CO and 77 VOCs, including C_1–C_{10} hydrocarbons, C_1–C_2 halocarbons, C_1–C_5 alkyl nitrates and C_1–C_2 sulfur compounds. Our analytical procedures and calibration protocols are described in

the Supplementary material. The detection limit of our measurements varies by compound and ranges from 0.005 to 100 pptv (Tables SI–S3). The measurement precision and accuracy also vary by compound and are 3% and 5%, respectively, for alkanes, alkenes and aromatics. Rigorous sensitivity tests have shown that most measured VOCs are stable within our canisters, though oxygenated hydrocarbon levels can increase or decrease at a rate of a few percent per day, which is reflected by their more poorly constrained precision and accuracy (Tables 51–53).

2.3. VOC data analysis

Trace gas concentrations typically vary with factors including season and latitude. During this study the background VOC concentrations showed little diurnal variability for most compounds (Fig. S3), and the upwind farm samples were used to calculate the average local background concentrations for this latitude and time of year (n = 8). Because the plume samples were collected outside the perimeter of the industrial facilities, perhaps 500 m or more downwind of the emission source, the extent to which the plumes had become mixed and diluted with background air before being sampled is unclear. As a result the industrial plume averages were calculated as the average of the top 10th percentile concentrations for each species (n = 8). We note that these industrial plume values will be less concentrated than stack samples.

2.4. Human health data analysis

To investigate potential impacts of exposure to industrial pollutants on human health, in particular cancer incidences, two memos, tables and figures were obtained from the Alberta Cancer Board (Chen, 2006, 2008) under the Canadian Freedom of Information and Protection of Privacy (FOIP) Act. These documents provide limited analyses of cancer incidences in the region, specifically comparing the three-county area of Fort Saskatchewan, Strathcona County and Sturgeon County (Fig. 1) to the rest of the Edmonton-area health region, and also to the rest of Alberta. Currently Fort Saskatchewan houses 18 major industries, Strathcona County has 16 industries, and Sturgeon County has 9 industries (AIHA, 2012).

Based on surveillance data from 1994 through 2006 (inclusive), Chen (2008) remarks that the age-standardized incidence rates for male hematopoietic cancer and male non-Hodgkin lymphoma in the three-county area are elevated with respect to the two comparison areas. We extended this analysis by computing the mean ($t$standard error) standardized incidence rate for male hematopoietic cancers in the three-county region using two five-year periods (1997–2001 and 2002–2006) that help to reduce the year-to-year fluctuations in cancer cases (since the population is relatively small).

3. RESULTS AND DISCUSSION

3.1. VOC concentrations

Complete results for the 2010 sampling campaign are summarized in Tables 51–53. With the exception of methane (CH_4), which is long-lived and relatively abundant in the atmosphere, background VOC levels ranged from sub- or low- parts per trillion by volume (pptv, 10^{-12}) up to low ppbv levels. By comparison, concentrations of many VOCs were clearly elevated in the industrial plumes compared to background values (Tables S1 and S2). Of the 77 measured VOCs, 43 were very strongly enhanced in the plumes, with concentrations spanning roughly 1 to 4 orders of magnitude (Fig. 2a–f and Fig. S4a–c). These compounds include all 14 aromatics that were measured, 12 alkanes, 6 alkenes, 5 oxygenated compounds, 5 halocarbons and ethyne (Table S1). After CH_4, the most abundant VOCs in the industrial plumes were, in descending order, propene (maximum of 107 ppbv), i-pentane (103 ppbv), n-pentane (97 ppbv), acetaldehyde (74 ppbv) and 2-methylpentane (62 ppbv). By comparison, their average background levels ($\pm 1\sigma$) ranged from 0.031 ± 0.013 ppbv to 1.4 ± 0.8 ppbv, or factors of 55–1980 lower. The most strongly enhanced compounds were methyl *tert*-butyl ether (enhanced by up to a factor of 6194), ethylbenzene (6179×), 3–methylpentane (4414×), *trans*-2-butene (3609×) and 2,3-dimethylbutane (3048×).

An additional 15 compounds showed small-to-moderate, statistically significant enhancements (up to 1.06–2.8-fold) in the industrial plumes compared to background values (Table S2). These include CH_4, two sulfur compounds (DMS, OCS), three methyl halides (CH_3I, CH_3Br, CH_3Cl), three brominated compounds (CH_3Br, CH_2Br_2, $CHBr_3$), four long-lived halocarbons (9–26 years; HCFC-141b, HCFC-142b, HCFC-22, CCl_4), and three short-lived solvents (1–5 months; acetone, methyl acetate, $CHCl_3$) (Fig. S2d–f). With the exception of CH_4, their plume averages remained below 1 ppbv (Table S2). Although carbon tetrachloride (CCl_4) is restricted under the MPA, the precision of these measurements is 1% (about 0.8 pptv at the measured mixing ratios), and CCl4 shows clear and measurable enhancements in industrial plumes downwind of Dow and Shell compared to the background of 89.4 ± 0.4 pptv (Fig. S2f).

We speculate that these elevated plume concentrations are due to emissions from pre-existing reservoirs.

Carbon monoxide and the remaining 19 of 77 measured VOCs showed similar concentration ranges in both background air and plumes, and were not appreciably impacted by industrial emissions (Fig. S3a–d). This group comprises a number of halocarbons (CFCs, halons, CH_3CCl_3, HFC-134a, 1,2-dichloroethene), biogenic compounds (isoprene, α-pinene and β-pinene) and alkyl nitrates (Table S3). Several of the halocarbons are restricted under the MPA, and their lack of industrial emission is not surprising (Fig. S3a). Although the pinenes have previously shown an unexpected association with industrial emissions from oil sands operations near Fort McMurray (Simpson et al., 2010), an industrial signature was not evident here (Fig. S3b). Carbon monoxide was not enhanced in the industrial plumes (Fig. S3c), showing that combustive sources (including vehicular emissions) did not significantly impact the measured plumes. Alkyl nitrate levels remained in the low pptv range (Fig. S3d), indicating little evidence of secondary photochemistry. This is most likely explained by a combination of unfavorable conditions for *in situ* photochemistry (Section 2.1) and the short travel time from plume emission to sample collection. For example, an emitted plume could reach the sampling sites in as little as a few minutes based on a wind speed of 10–20 km h^{-1} (Section 2.1) and a downwind sampling distance of 500 m.

3.2. Emission signatures

Based on linear correlations among the measured VOCs using least squares linear fits (Simpson et al., 2010), the emitted VOCs fell into at least five distinct correlating groups. First, the C_3–C_4 alkenes were strongly correlated ($0.99 \le r^2 \le 1.00$), driven by high concentrations measured downwind of the Provident/Williams facility (Fig. 2a), which includes a natural gas liquids and propene fractionation project and produces C_2–C_4 alkanes and C_3–C_4 butenes (AIHA, 2012). Remarkably, the maximum propene level (107 ppbv) was almost double that measured in the Houston–Galveston Bay area (56 ppbv), even though Houston is both a much larger metropolitan area than Fort Saskatchewan and the largest petrochemical manufacturing center in the United States (Ryerson et al., 2003; Gilman et al., 2009).

Second, the C_5–C_7 alkanes and methacrolein were highly correlated ($0.81 \le r^2 \le 1.00$), with largest concentrations downwind of Shell Scotford, which separates diluent and processes bitumen (Section 1), and Access Pipeline, which produces diluent and blended bitumen (Fig. 2 band Fig. S4a). The maximum n-hexane level (52 ppbv) was 2.5–17 times higher than maximum values measured in some of the world's megacities (Beijing, Mexico City, and Tokyo) (Parrish et al., 2009), although lower than the maximum levels measured during a ship-based study in Houston/Galveston Bay (81 ppbv) (Gilman et al., 2009). Simpson et al. (2010) associated elevated levels of C_4–C_9 alkanes with emissions from oil sands and its products and/or diluent, and this second group of VOCs is consistent with a diluent/bitumen signature. Even though methacrolein and methyl vinyl ketone are both major isoprene oxidation products (Montzka et al., 1993) they were uncorrelated during this study (r^2 0.01). Because the maximum methacrolein level (20 ppbv) far exceeds the amount that isoprene oxidation chemistry can explain, its excess concentrations are attributed to industrial emissions.

Third, acetaldehyde (Fig. 54b), i-butane (Fig. 2c) and n-butane were correlated strongly with one another ($0.88 \le r^2 \le 0.98$) and somewhat with the C_3–C_4 alkenes ($0.58 \le r^2 \le 0.68$). Maximum levels of all three compounds (26–74 ppbv) were measured downwind of Provident/Williams, which produces C_2–C_4 alkanes (AIHA, 2012); Shell Scotford, which lists C_3–C_4 mix as a product; and Access Pipeline. Surprisingly, the maximum butane levels were comparable to those in central Mexico City during the mid-1990s when liquefied petroleum gas (LPG) was a major source of butanes and contributed to poor air quality (Blake and Rowland, 1995). The characteristic emission ratio of i-butane/n-butane is 0.2–0.3 for vehicular exhaust, 0.46 for LPG, and 0.6–1.0 for natural gas (Russo et al., 2010 and references therein). Here the average ($\pm 1\sigma$) ratio in the top 10% of plumes (based on the highest i-butane and n-butane concentrations) was 0.47 ± 0.18, similar to that for LPG and to that measured downwind of the oil sands industry (0.42 ± 0.03) (Simpson et al., 2010), suggesting that the i-butane/n-butane ratio for various petrochemical processes resembles that for LPG. The main global source of acetaldehyde is photochemical hydrocarbon oxidation, with a relatively small industrial source (Singh et al., 2004; Millet et al., 2010). Here, however, the very high acetaldehyde levels cannot be explained by secondary photochemical production (Section 3.1) and they are attributed to direct industrial emission from various facilities. For example, the Shell Scotford chemical plant reportedly released 3.9 tonnes of acetaldehyde in 2010 (NPRI, 2012).

Fourth, toluene and the xylenes correlated strongly with one another ($0.79 \le r^2 \le 0.98$) and with the second group of compounds ($0.60 \le r^2 \le 0.89$). The highest levels of toluene and the xylenes (2.7 ppbv and 0.65–3.4 ppbv, respectively) were measured downwind of the Shell Scotford complex (Fig. S4c), which lists heavy aromatics among its products. The maximum toluene level was 69 times higher than background (Table S1), but lower than maximum values in megacities such as Mexico City, Tokyo and Beijing (10 ppbv) and near major petrochemical complexes in Texas and Spain (16–77 ppbv) (Gilman et al., 2009; Ras et al., 2009).

Fifth, n-octane and the C_9 aromatics (ethylbenzene, trimethylbenzenes, n-

propylbenzene) correlated strongly ($0.74 \leq r^2 \leq 1.00$), and with highest concentrations downwind of the Shell Scotford complex. The maximum ethylbenzene mixing ratio (23 ppbv; Fig. 2d) was much larger than for other compounds in this group (0.22–0.83 ppbv), indicating clear emissions of this possible carcinogen. The Shell Scotford refinery manufactures a range of products including gasoline, diesel and jet fuel, and reportedly released 0.562 tonnes of ethylbenzene in 2010 (NPRI, 2012).

Other chemicals were clearly emitted but did not necessarily correlate strongly with other VOCs. Ethane and propane were moderately correlated ($r^2 = 0.62$), with highest levels measured downwind of Keyera and Provident-Williams (ethane and propane) and Dow Chemical (ethane only). The maximum propane mixing ratio (45 ppbv) was lower than in Houston/Galveston Bay) (347 ppbv) (Gilman et al., 2009). Benzene showed some correlation with ethylbenzene ($r^2 = 0.58$) and the highest benzene level (6.6 ppbv; Fig. 2e) was measured downwind of Shell Scotford, which produces benzene and reportedly released 2.5 tonnes of benzene from its refinery in 2010 (NPRI, 2012). The highest 1.3-butadiene level was also measured downwind of the Shell facility (27 ppbv; Fig. 2f), though 1,3-butadiene is not listed in the National Pollutant Release Inventory (NPRI) for Shell. The combustion tracers ethene and ethyne were only weakly correlated ($r^2 = 0.52$) and their highest concentrations were measured downwind of Dow, which produces ethene. Ethene/ethyne ratios of 1–3 and 10–30 are characteristic of tailpipe emissions and petrochemical facilities, respectively (Ryerson et al., 2003). Here the ethene/ethyne ratio was 9.7 ± 1.0, which confirms the industrial rather than vehicular nature of the observed plumes.

3.3 Air quality impacts

The contribution of individual VOCs to O_3 formation is a function of their concentration and their reactivity towards OH, and can be expressed as the total OH reactivity (k_{OH}) Kovacs et al., 2003; Mao et al., 2010; Kim et al., 2011):

$$k_{OH} = \sum (k_{OH+VOC_i}[VOC_i] + k_{OH+CO}[CO] + k_{OH+NO}[NO] + k_{OH+NO2}[NO_2] + \ldots) \quad (1)$$

Here k_{OH} is used to evaluate the relative contributions of CO and the measured VOCs to downwind photochemistry. Because we did not measure nitrogen oxides (NO_X), which can contribute 15–50% to k_{OH} in cities such as Houston, Mexico City and New York (Mao et al., 2010), the reactivity reported here is likely underestimated and is understood to be only for the measured species, rather than total OH reactivity.

The OH reactivity in background air was 3.4 s^{-1}, similar to clean air values of 1–3 s^{-1} (Kim et al., 2011; Lou et al., 2010). Not surprisingly, isoprene was the primary contributor to k_{OH} in background air, followed by CO, acetaldehyde and CH_4 (Fig. 3a). By contrast, k_{OH} in the top 10th percentile of data with highest VOC loadings was 62 s^{-1}, or 18 times larger than background. Even though we have missing reactivity, this plume k_{OH} value is already comparable to levels in polluted megacities such as Mexico City, Tokyo and Hong Kong/Guangzhou, which typically range from 10 to 100 s^{-1} (Lou et al., 2010 and references therein). Because of their abundance and reactivity, propene, acetaldehyde and 1,3-butadiene were responsible for more than 50% of k_{OH} in the plumes, while alkanes contributed another 23% (Fig. 3b). These results show some similarity to airborne studies in the greater Houston area, where propene and ethene were identified as the two VOCs primarily responsible for rapid O_3 formation (Ryerson et al., 2003; deGouw et al., 2009) and alkene emissions from petrochemical facilities are the primary source of formaldehyde, also an O_3 precursor (Parrish et al., 2012).

Despite the abundance of VOC precursors and strong OH reactivity in the industrial plumes, no O_3 exceedances were measured in the Fort Saskatchewan region in 2010 (Section 1). In general, the highest monthly O_3 averages occur during spring, and the highest 1–h O_3 averages occur during hot summer afternoons when wind speeds are low (FAP, 2010). Ozone levels are lower within the center of the Heartland airshed, likely due to the presence of NO_X which lower O_3 concentrations through titration (FAP, 2010). Simpson et al. (2010) also found relatively low levels of O_3 downwind of the Alberta oil sands because titration with NO exceeded O_3 production on the short time-scale since precursor emission. Overall, it appears that industrial VOC sources in the Fort Saskatchewan area are emitted into a relatively clean background for O_3, and local O_3 exceedances are not common.

3.4. Gaps in VOC emission reporting

Although 43 of 77 measured VOCs were strongly elevated in the industrial plumes compared to local background concentrations, only 16 were quantified in the 2010 NPRI for the industries discussed in this paper (ethene, propene, 1,3-butadiene, 1,2-dichloroethane, *n*-hexane, benzene, toluene, ethylbenzene, total xylenes, styrene, 1,2,4-trimethylbenzene, acetaldehyde, carbonyl sulfide, chloroform, trichloroethene, HCFC–22; NPRI, 2012), with individual companies reporting 0–10 VOCs. As a first example, while strongly elevated levels of at least a dozen C_2–C_8 alkanes were detected downwind of several Industrial Heartland facilities (Table S1, Fig. 2b–c and Fig. S4a), only *n*-hexane is included in the NPRI. The VOCs reported in the NPRI include light alkenes and are weighted towards aromatic species, yet our study shows that alkanes are a leading contributor to k_{OH} in the Heartland (Fig. 3b). Second, while 1,3-butadiene is a known carcinogen, emissions of this VOC are reported by only one of the companies considered here.

Even when emission rates are reported, they require verification to ensure that the reporting is accurate. For example, recent NPRI listings of VOC emission rates (including benzene) from an unnamed Canadian refinery were found to be underestimated by 15–18-fold (Chambers et al., 2008). In addition to improved reporting of speciated VOCs in the NPRI or other publically available inventories, especially 1,3-butadiene and light alkanes, we recommend independent air quality monitoring and VOC emission estimates in the Heartland region so that emitted compounds can be externally identified, quantified and reported in the peer-reviewed literature.

3.5. Human health impacts

Of the 77 VOCs measured here, at least 10 are either known human carcinogens (Group 1: benzene, 1,3-butadiene), probable carcinogens (Group 2A: trichloroethene, tetrachloroethene), or possible carcinogens (Group 2B: carbon tetrachloride, chloroform, 1,2-dichloroethane, dichloromethane, ethylbenzene, isoprene, styrene) (IARC, 2010). Of these, 1,3-butadiene and ethylbenzene were the most abundant in the industrial plumes, with maximum levels of 23–27 ppbv, or 3–4 orders of magnitude larger than their background values (Table S1).

An analysis of cancer incidences in the Industrial Heartland shows elevated incidence rates of male hematopoietic cancers in the three-county area where the industries are located (Fort Saskatchewan, Strathcona County and Sturgeon County) compared to neighboring regions for both 1997–2001 and 2002–2006, although the error bars are large due to small sample sizes (Fig. 4). Several steps would help to confirm such trends and possibly provide a more direct link between these cancers and emissions of toxic VOCs in the Heartland: improved estimates of VOC emissions and exposure estimates that included more detail and historical data; better cancer surveillance that included regular evaluations, breakdown by cancer type (e.g., myelogenous, monocytic and lymphocytic leukemias) and geocoding of cases; collection of potential covariates and confounders (e.g., residence and work history); and use of statistical and epidemiological techniques to investigate spatial, temporal and exposure-related patterns of disease in the community.

Elevated risk of hematopoietic cancers has also been found in other populations living downwind of industrial facilities, even at relatively low VOC exposures. For example, leukemia incidence an exposed population living near a large Swedish oil refinery known to emit benzene and other VOCs was significantly elevated (33 cases vs. 22 expected cases) compared to local controls (50 cases vs. 56 expected), despite an estimated refinery contribution to annual average VOC concentrations of only 0.63 ppb for benzene and 0.23 ppb for 1,3-butadiene (Barregard et al., 2009). The authors note that risk estimates extrapolated from high-level exposure would not predict an increase of leukemia at low VOC exposures, and they suggest that risk estimates using standard carcinogenic unit risk or slope factors do not adequately represent true risks from much lower exposures. As a second example of a population-based study, higher exposure to benzene and 1,3-butadiene in 886 census tracts surrounding Houston, Texas was associated with increased incidence of childhood lymphohematopoietic cancers (Whitworth et al., 2008). Some of the highest exposures occurred in the Houston Ship Channel area, which contains a large number of petroleum and chemical industries.

Recommended exposure limits and risk-based criteria evolve as our understanding of the chemical toxicity of carcinogens improves. Using benzene as an example, the recommended exposure limit relevant for occupational settings has decreased from 100 ppm in 1947 to 1 ppm (Wong et al., 1999; McHale et al., 2010; Smith, 2010); the 1–h average ambient air quality guideline in Alberta is 9 ppb (Chambers et al., 2008). However, adverse health outcomes, including hematological changes and gene perturbations, have been reported at exposure levels below 1 ppm (McHale et al., 2010; Qu et al., 2002; Lan et al., 2004; Xing et al., 2010). Indeed, recent literature suggests that there is probably no safe exposure level to benzene because it does not appear to have a functional low-dose threshold, and because the effects of exposure appear to be additive in a linear or supralinear fashion (Smith, 2010). Further, in environmental settings (as compared to workplace), exposure to compound mixtures rather than a single compound at a time is common, and simultaneous exposure to complex mixtures, including multiple carcinogens, may involve interactions and possibly synergistic effects on target organs or systems at low exposure (Basso et al., 2011). Although VOC levels were significantly elevated above concurrent local background values in the Heartland, concentrations remained below existing guidelines for short-term exposure. Guidelines for long-term exposures generally use a risk-based approach, and there is considerable uncertainty regarding the unit risk factors that describe the toxicity of a chemical (or mixture) for the public and susceptible individuals, as well as debate over what is acceptable or protective. (A number of U.S. state and federal rules use individual lifetime cancer risks in the range of 1 in 10,000 to 1 in 1,000,000.)

The elevated incidence of cancers within the Industrial Heartland that are known to be linked to VOCs released in the region raises questions regarding whether ambient levels, emission controls, and risk calculations are adequately protective of public health. In addition, on-site workers may be at increased risk because of their closer proximity to emission sources. While several factors might well explain an observation of increased cancer rates, e.g., variability of a population's genetic makeup, differences in dietary or lifestyle factors, and statistical variability, it is also important and responsible to improve health surveillance and VOC exposure measurements, to utilize epidemiological studies that can better link environmental factors to disease, and to reduce exposures to pollutants that might plausibly be related to adverse health impacts.

4. CONCLUSIONS

Ambient monitoring in the Industrial Heartland of Alberta, the largest hydrocarbon processing region in Canada, showed remarkable enhancements in VOC concentrations. Even though the Heartland is situated within a generally rural area, many maximum concentrations were comparable to those measured in the world's largest cities. Thirty VOCs were present at levels above 1 ppbv, and maximum propene and *i*-pentane levels exceeded 100 ppbv. Some of the largest VOC excesses were measured in samples designated as ''no smell'', showing that absence of odor does not necessarily indicate good air quality. The industrial plumes showed distinct chemical signatures that varied not only between facilities but also within individual facilities. An analysis of OH reactivity in the plumes suggests that propene, acetaldehyde and 1,3-butadiene have the greatest potential to form downwind O_3.

Excess numbers of hematopoietic cancers were observed in the same region that emits substantial quantities of complex mixtures of industrial pollutants, including several VOCs that are known to cause these cancers. While there are many factors that preclude a causal linkage, including a lack of exposure history for the local population and uncertainties associated with the health impacts of low exposures to multiple compounds, we suggest that immediate reductions in emissions of known carcinogens such as benzene and 1,3-butadiene are warranted and prudent.

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APPENDIX A. SUPPLEMENTARY DATA

Supplementary data related to this article can be found at *http:/dx.doi.org/10.1016/j.atmosenv.2013.09.017*.

Mrs. BOXER. Once it leaves Canada and is transported to refineries in the United States, the tar sands would increase the pollution in already plagued communities such as Port Arthur, which I showed you and I will show you again.

Port Arthur is already refining tar sands oil. This is going to greatly increase the amount of tar sands oil they are going to be refining. They are on the EPA's list of cities with dangerous ozone levels, people suffering from asthma, respiratory ailments, skin irritations, and cancer.

The oil companies aren't going to tell you about this and the Koch brothers aren't going to tell you about this and my Republican friends aren't going to tell you about this, but I am going to tell you about this. Tar sands will add another threat to Port Arthur and other communities that are already in distress.

I ask unanimous consent to have printed in the RECORD an article describing health problems experienced by families living near Port Arthur refineries, and it is entitled ''Everyone Deserves Clean Air and Equal Protection From Pollution,'' dated August 12, 2014.

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

[From Chron, August 12, 2014]

EVERYONE DESERVES CLEAN AIR AND EQUAL PROTECTION FROM POLLUTION

EVERY ONE SHOULD HAVE AN EQUAL RIGHT TO BREATHE CLEAN, SAFE AIR

(By Hilton Kelley and Anne Rolfes)

Would you want your child to live next door to an oil refinery and face an increased risk for cancer, heart or breathing problems?

Millions of Americans live very close to some 150 oil refineries in 32 states, including our home states of Texas and Louisiana, and have an increased cancer risk because of the air pollution coming from refineries. Those most vulnerable to this pollution are disproportionately black, Latino, children and lower income.

Port Arthur, for instance, is home to eight major oil and chemical industrial sites, including oil refineries.

And cancer deaths in Jefferson County, where Port Arthur is located, are 40 percent higher among African Americans than they are for the average Texan, according to the Texas Cancer Registry.

Children in the predominantly Latino Manchester neighborhood of Houston—home to a Valero Refinery—have a 56 percent greater chance of getting leukemia than children who live elsewhere, according to researchers from the University of Texas School of Public Health.

By conservative estimates, oil refineries emit more than 20,000 tons of hazardous air pollutants each year, including cancer-causing benzene, lead and hydrogen cyanide.

This public health and environmental problem must be addressed. Everyone should have an equal right to breathe clean, safe air, including the people who live nearest the country's oil refineries. Now, there's a possibility of meaningful change nationwide. For the first time in nearly two decades, the EPA has proposed updated standards to reduce oil refineries' toxic air emissions. The current federal standards do not require the most recent and up-to-date technology that would limit hazardous air pollution and fail to protect public health. For example, the existing rules do not require refineries to monitor the hazardous pollutants they emit at the edge of the property where refineries are situated—called the fenceline—which would provide a more accurate measure of the pollutants that are really going into these communities.

In recent years, some refineries have adopted new technologies that reduce toxic air emissions and prevent pollution spikes and accidents. These pollution control methods are available and affordable, but they have not been adopted throughout the industry.

Under the EPA's proposed standards, oil refineries would be required to measure benzene, a carcinogen, at the fenceline as it drifts into the local community and then make that data publicly available. This is a significant proposal on a problem that communities living near refineries have been raising for years.

The proposed standards would require tighter controls on emissions from storage tanks and other parts of refineries that are major contributors to toxic air pollution.

The oil industry has objected to the new rules, claiming that they are unnecessary and burdensome. In reality, the EPA's analysis shows that the new rules will reduce toxic air pollution by 5,600 tons each year and that the cancer risk will be significantly reduced for 1 million people.

The costs to the industry will be negligible, according to the EPA, but even if the costs were significant, it would be worth it to save lives. It is not fair for children living near refineries to bear the hidden costs of oil production—in the form of cancer, asthma, birth defects and other serious illnesses—when the industry could fix a lot of problems and reduce the toxic pollution it creates.

The EPA's proposed rules on air pollution from oil refineries are a welcome step forward. The agency should, in fact, make the rule even stronger by doing more to protect people from the real-world health consequences of living next door to an oil refinery, by incorporating a fenceline monitoring requirement that would employ the best current technology to give neighborhoods a real-time, continuous measure of pollution, not just a snapshot, and ensure refineries quickly fix pollution problems.

[From USA Today, Oct. 20, 2007]

TEXAS TOXIC TOWN LURES INDUSTRY WHILE RESIDENTS WHEEZE

(By Monica Rhor)

PORT ARTHUR, TX.—There is a quiet battle for the future of this industrial town, one of America's most polluted places.

On one side is ex-mayor Oscar Ortiz, who in the waning days of his administration worried about one thing. But it wasn't the toxic chemicals that spew from petrochemical plants, the town's richest landowners, through the windows of its poorest residents.

What rattled the white-maned, barrel-chested Ortiz, who ran Port Arthur for nine years, was that someday the petrochemical plants would go away.

''The only money here in the city of Port Arthur that amounts to anything comes from industry, from petrochemical companies,'' said Oritz, leaning back in his chair in an office decorated with framed photographs of refineries. ''If industry goes away, people might as well go away too because there'll be no money. That's the continued salvation of this city.''

Hilton Kelley, like Ortiz born and raised in Port Arthur, is the opposition.

Kelley does worry about the toxic chemicals, the foul-smelling air and the west side residents who suffer from asthma, respiratory ailments, skin irritations and cancer. As the city's most visible environmental activist, Kelley has long campaigned for more restrictions on industrial construction and stricter monitoring of plant emissions.

''I grew up smelling the S02 (sulfur dioxide) smell, the chemicals. I remember seeing little kids with sores on their legs, with mucus running in August. It's ridiculous what we've had to deal with,'' says Kelley, a former actor with the sonorous voice of a radio announcer. ''We're not trying to shut doors of industry. We're just trying to push these guys to do what's right.''

Ortiz calls Kelley an alarmist who likes to ''stir things up'' in the minority community Kelley accuses Ortiz of sacrificing the community's welfare in exchange for slim tax revenue from the plants.

One man represents Port Arthur the way it has always been; the other symbolizes a growing call for change.

But change, especially in a place like Port Arthur, never comes easily.

''This city is not going to change. It is a refinery town—tomorrow, next year, 100 years from now. It will always be a petrochemical area,'' says Ortiz.

And if its residents are getting sick from the pollution?

Well, says Ortiz: ''We've all got to die of something.''

Port Arthur, located next to the Louisiana line, sits in a corridor routinely ranked as one of the country's most polluted regions. Texas and Louisiana are home to five oil refineries considered among the nation's 10 worst offenders in releasing toxic air pollutants, emitting 8.5 million pounds of toxins together in 2002.

Yet even here, Port Arthur stands out.

Its skyline is framed by the smokestacks and knotted steel pipes of the refineries and chemical plants clustered along the edges of the town. Flares from the plants glow red against the night sky, as incinerated chemicals filter into the air.

The smell of rotten eggs and sulphur hangs stubbornly over the apartments and shotgun houses on the west side. Port Arthur, population 57,000, is on the EPA's list of cities with dangerous ozone levels, and the state has flagged its excessive levels of benzene.

Many cities along the Texas Gulf Coast are dotted with refineries. But the companies' high tax bills are used to improve schools, create green space and bulk up city coffers. Port Arthur waives most property taxes to lure industry.

Eric Shaeffer, a former EPA official who runs the Environmental Integrity Project in Washington, D.C., a nonprofit advocacy group, has written two studies on pollution in Port Arthur. ''It's one of the worst I've seen,'' he said.

The Veolia Environmental Services plant in Port Arthur recently alerted incinerating nearly 2 million gallons of VX hydrolysate, the wastewater byproduct of a deadly nerve gas agent.

Besides the pollution the state and EPA allow as part of the cost of doing business, the plants spew more toxins during ''upset events''—unpermitted releases caused by lightning strikes, human error, start-ups and shutdowns.

Plant officials cite statistics showing steady progress in reducing some emissions, but Shaeffer cites a continuing hazard.

Around 2 a.m. Thursday, a pipeline explosion sent ethylene-fueled flames shooting 100 feet into the air. The Union Carbide-Dow Chemical pipeline lies about a quarter-mile from the nearest home, Kelley said. No injuries were reported, but officials warned people to stay indoors.

''When you get releases, it really hits people tight in the chest,'' said Shaeffer. ''It's one thing to be driving past the plants on the highway. It's another thing for kids to be out on the swing sets when there's a release.''

Jordan, 5, and Justin, 7, play on the swings at Carver Terrace, the public housing project they live in next door to refineries run by Motiva and Valero that produce half a million barrels of oil a day and belch thousands of pounds of pollutants into the air.

Jordan's lungs are so weakened from a lifelong battle with asthma and bronchitis that he can't shout or call for help like other children, says their mother, LaShauna Green.

He must inhale medicine every four hours through a plastic mask that swamps his chubby face. Every two hours, he must take one of seven prescription drugs that keep his air passages from tightening.

Justin struggles to breathe after climbing just one flight of stairs.

Those troubles vanished when the Green family left the area for a year following 2005's Hurricane Rita. But two days after their return to Carver Terrace, Justin was rushed to a hospital twice in one day with respiratory attacks.

''When you start getting this kind of toxic chemical soup, we don't really know what the combination of all these things are doing,'' said Debra Morris, an assistant professor at the University of Texas Medical Branch in Galveston who studied Port Arthur-area pollution.

Texas oil was first discovered near Port Arthur. For decades, the region nurtured industrial build-up with generous tax abatements. In return, the companies would promise to pay later and to create local jobs.

Oritz defends the incentives as the only way to keep his city alive.

''The one main substance that keeps the city floating is the refineries,'' he said.

Refineries and chemical plants contribute about 67% of the city's budget through some taxes, Ortiz said, Still, without the abatements the city would have collected tens of millions of dollars more.

The city of Port Arthur has at least 28 tax-abatement deals with refineries and chemical plants. Surrounding Jefferson County has at least six, including with Motiva, Total, and Valero, which will pay no property taxes for the first two years of a nine-year contract and then pay 10% of the taxes it would owe for the next seven.

Motiva will pay no taxes on a $3.5 billion expansion project for the next three years. Total taxes rise to $4.16 million by 2012.

Jeff Branick, assistant to Jefferson County executive Ron Walker, says the Motiva expansion is expected to create thousands of temporary construction jobs and 300 permanent jobs; Valero's project is expected to create 40 to 65 jobs, he said.

''It's going to be pumping a whole lot of money into the local economy,'' Branick said. ''It creates hotel-motel tax revenue and will be attracting people from the outside who will be coming here to work and renting houses.''

Ortiz also points to a new development on Pleasure Island, a resort with golf courses, new hotels and bustling shopping centers springing up on the city's south side. All, says Ortiz, spurred by the growth of the industrial complexes.

However, that prosperity bypassed Port Arthur's predominantly black west side and central city neighborhoods where singer Janis Joplin and sports legend Babe Zaharias were raised.

''This town is like a forgotten grandmother. It helped nourish the growth of the area, now all the wealth is moving (out),'' said Kelley. ''It's not fair to leave this entire community unnourished.''

Despite the development Port Arthur is not as prosperous as other refinery towns. Its median household income is two-thirds the Texas average; its homes are valued at less than half the state average. Port Arthur public high school students pass the test required for graduation at about half the state rate.

By comparison, the Houston suburb of Deer Park—home to its own refinery row—collects more taxes from its petrochemical complex. Before the state equalized school funding, its school district was nearly the richest in the state. The median home price is 25% higher than the state average and its median household income is 30% above the state average.

Both cities have roughly the same percentage of residents in chemical or construction fields.

Kelley is not the only one raising questions about how things are done in Port Arthur.

Some city officials have also started to question the benefits of the tax abatement deals.

In most, companies promise to ''give Port Arthur residents a fair opportunity to apply for employment'' but don't require jobs go to city residents. One company's pledge to use local labor and contractors defined ''local'' as covering a nine-county region.

Councilman Michael Sinegal says he frequently hears from residents who say they have been rejected for jobs at the plants. Overall unemployment here is about 6%, while among blacks it's 14%, he said; the state rate is 4%.

''The bottom line is that the people of Port Arthur are getting the negative byproduct from the plants, but should be getting an abundance of positive byproduct,'' Sinegal said.

Valero said the refinery has hired 161 people since Jan. 1, 2005. About 20% live in Port Arthur.

The city council recently ordered a study on contractors' hiring practices so it can devise a monitoring plan.

''We've let the community down.'' Sinegal said.

In late August a group of 28 state lawmakers joined Kelley and others in urging Texas Gov. Rick Perry to block further shipments of VX hydrolysate to Port Arthur. Perry declined to intervene.

The latest assessment by state environmental regulators of Port Arthur showed that benzene had dropped to acceptable levels for the first time since 2000. Valero officials said they reduced emissions by more than 82% between 1996 and 2005, and had reduced ''upset'' emissions by 98%. Residents, however, still suffer higher rates of progressive pulmonary diseases than people elsewhere in the state.

Last year, Motiva agreed to give $3.5 million to help fund medical care, air monitors and a revitalization program for Port Arthur's west side community. The agreement was part of a settlement with Kelley's Community In-Power Development Association, after it challenged the plant's expansion.

And, 50 years after Carver Terrace was built, the Port Arthur Housing Authority plans to demolish the units and move residents to new homes throughout the city.

Was Carver Terrace's proximity to the refinery the authority's prime motivation? No, said authority chief Cele Quesada. ''Of course, in the back of everyone's mind, there is awareness that we are on the fenceline. We would rather see a green area here than 180 families.''

The likely buyer? Motiva Enterprises.

Kelley, who was born in Apartment 1202–E in Carver Terrace, commented: ''When you appeal to the conscience of man, how these things are impacting our children. you can get them to see our point. But a lot of the times, the bottom line still wins.''

Mrs. BOXER. To get to the gulf coast, tar sands will be transported by pipeline through communities in environmentally sensitive areas in six States. We know from experience how harmful this could be, again, because of how hard it is to clean up after a spill, and we know about the petcoke. I have shown you the petcoke, which is black dust containing some heavy metals.

Open piles of this waste began to appear at unprecedented levels in midwestern communities and it sparked health and environmental concerns in many neighborhoods in Detroit and Chicago.

Let's take this back and show the Chicago picture again.

In this Chicago neighborhood, billowing black clouds of petcoke forced Little League players off the baseball field. The children were forced to seek cover from the clouds of black dust that pelted homes and cars. According to one newspaper, ''Kids that were playing ball were sent scurrying away because the stuff was getting into their eyes, on to their faces and into their mouths and everything. They just had to get the heck out of there.''

I would like to enter into the RECORD at this time an article that says, ''In Chicago, piles of petroleum coke suggest the future of Canadian tar sands oil,'' dated November 17, 2014.

I ask unanimous consent that the article be printed in the RECORD as well.

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

[From the Marketplace, Nov. 18, 2013]

IN CHICAGO, PILES OF PETROLEUM COKE SUGGEST THE FUTURE OF CANADIAN TAR SANDS OIL

(By Dan Weissmann)

This summer, residents of Chicago's far southeast side noticed mountains of black dust growing in one corner of the neighborhood. It's petroleum coke—pet coke for short. That's what gasoline refineries produce as a byproduct of refining gasoline. It's full of carbon, sulphur and heavy metals.

On August 30, a big wind brought the coke piles to the whole neighborhood's attention. At a baseball field a block or two away, a little league game ended in a hurry.

''Kids that were playing ball were sent scurrying away because the stuff was getting into their eyes and their face and their mouths and everything,'' says Tom Shepherd, a volunteer with the Southeast Environmental Task Force. ''They had to just get the heck out of here.''

He calls the 30th ''a day that will live in infamy.'' He says, ''People were calling 911 and saying, 'There's a fire! We don't know where the fire is, but the neighborhood's full of smoke.' ''

But it wasn't smoke. It was dust from the piles that had been growing throughout the summer.

They're a sneak preview of what's ahead. At least some of the dust came from a local BP refinery. It's across the state line in Indiana, but it can be seen from the neighborhood. And that refinery is about to triple the amount of pet-coke it turns out. BP is finishing a huge upgrade this fall, to process oil from Canada's tar sands.

That oil is ''heavier'' with elements that get refined out and turned into pet-coke. Post-upgrade, the Indiana refinery will turn out 6,000 tons a day. Eventually, it gets sold as fuel, much of it to countries like Mexico and China. But meanwhile, it piles up.

''It's the most visual part of the success of North American energy independence,'' says Phil Verleger, an economist who studies energy markets.

That success has both an upside and a downside: Nearby sources of oil should mean lower fuel prices in the Midwest, which has high gas prices. And more piles of pet coke.

''So the question is,'' Verleger says, ''How do we deal with this pile of black stuff that's bringing us this supply of fuel?''

So far, nobody's got an answer.

In early November, Illinois Attorney General Lisa Madigan filed a complaint in state court. Her office said the dust from the piles violated environmental regulations. Madigan says she doesn't know exactly what it would take to make pet-coke a good neighbor. ''Well, you know, if it's not safe where it is, it may have to go somewhere else,'' she says.

That would be a popular answer on the Southeast Side. Last week, neighbors packed a local church when Illinois EPA officials came to gather input. Again and again, the meeting got stopped by a chant: ''Move the piles! Move the piles!''

So far, neighbors have blamed BP and Koch Industries, which owns the yard with Chicago's pet-coke piles. BP and Koch say there's been a misunderstanding so far. BP says that it wasn't actually sending more pet coke than usual to the Chicago yard this summer.

Koch has its own explanation for the taller piles: It was moving petroleum coke around in the yards to make room for new safety equipment. It installed big water cannons, which are supposed to keep the piles wet so the dust doesn't blow around. Making room meant more activity, and some piles got taller for a while.

Mrs. BOXER. Now when this petcoke started to blow all across the communities, residents felt they could not safely open the windows during the summer for fear the black clouds would trigger their children's asthma, and with good reason. We know this type of toxic air pollution can increase the number and severity of asthma attacks, cause or aggravate bronchitis, or contribute to other diseases.

Asthma. The Federal Government has said that asthma has become a national epidemic. This is a picture of a little girl who is having a hard time breathing.

I say to my friend from Kansas, I have another 15 minutes, just for his information.

This is a photo of a little girl who is having difficulty breathing because she has asthma. The Federal Government has said asthma has become ''a national epidemic''—which is that 1 out of every 12 people, or 26 million Americans, and 7 million of these are children. We don't need more asthma. American communities don't need more petcoke. My Republican friends are not going to talk to you about asthma. They are not going to quote the oil companies saying what a great job they are doing preventing it. Ultimately, the Keystone tar sands pipeline decision should be based on whether the project is in the national interest.

Today I ask rhetorically of my colleagues: How are more Americans with asthma in the national interest? How are more Americans with cancer in the national interest? How is it in the national interest when kids playing baseball have to duck and cover from dangerous pollution?

The health of our children and our families is at stake, and we have a right to know how tar sands oil will affect our health. Unfortunately, we don't have all the information we need to have.

Senator WHITEHOUSE and I wrote to Secretary John Kerry and asked for a comprehensive health impact study on the tar sands oil and how the Keystone Pipeline will impact the health of communities across the Nation. We don't have the studies. Again, Senator WHITEHOUSE and I are not physicians. That is why we stood with the nurses and the doctors.

A Gallup poll has found 12 years in a row that nursing is the most trusted profession. So National Nurses United, which is the Nation's largest professional association of registered nurses—185,000 strong—has joined our call for a comprehensive health study.

I ask unanimous consent to have their letter printed in the RECORD.

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

NATIONAL NURSES UNITED,
March 13, 2014.

Hon. JOHN KERRY,
Secretary of State, U.S. Department of State, Washington, DC.

DEAR SECRETARY KERRY, On behalf of the 185,000 registered nurses of National Nurses United, we are writing to endorse the request by Senators Barbara Boxer and Sheldon Whitehouse for an immediate, comprehensive State Department study on the human health impacts of the proposed Keystone XL pipeline project.

As the State Department must make a national interest determination on whether to approve the pipeline, NNU believes that a project that places the health and safety of Americans at substantial risk cannot possibly be in our national interest

Therefore, we call on the State Department to issue an affirmative finding, prior to any final decision on the project, that the Keystone XL pipeline will have no adverse health Impact on the U.S.

National Nurses United is the largest US. organization with 185,000 members in all 50 states, including those along the proposed path of the pipeline. NNU nurses now care daily for patients with health problems, including asthma, other respiratory disorders, cancer, skin diseases, and other ailments associated with environmental pollution.

Our organization has expressed our opposition to the pipeline, in particular to the health hazards already identified with tar sands oil, including tar sands extraction in Alberta, Canada, tar sands pipeline spills, and the effects of tar sands refining.

TAR SANDS HEALTH HAZARDS

In Alberta's Athabasca region, researchers have linked tar sands pollutants to carcinogens, elevated rates of leukemia and other cancers of the lymph and blood-forming systems. Water bodies within the watershed adjacent to tar sands production have been found to be contaminated with chemicals linked to cancer, genetic damage, birth defects, and organ damage, according to a National Academy of Sciences 2012 study.

Tar sands pipeline spills are a significant concern. The 2010 Kalamazoo River spill in Michigan—the effects of which are still being felt by that community—resulted in inhalation of benzene and other chemicals and more than 150 cases of illness. Michigan's Department of Public Health identified cardiovascular, gastrointestinal, neurological, ocular, dermal and respiratory impacts. Similarly, following a 2013 spill near Mayflower, AK. residents reported persistent coughs, headaches, nausea, and respiratory problems for months afterwards.

Refining raw bitumen from the tar sands is also likely to have a negative impact on health. Tar sands contains up to 11 times more sulfur than conventional crude oil with high levels of sulfur compounds linked to serious ailments of the nervous and respiratory systems. Residents of South East

Texas, particularly refinery towns like Port Arthur and Houston, already live in known 'cancer zones.' Refining raw bitumen from the tar sands threatens to make a bad situation worse.

Further, the petroleum coke byproduct of tar sands refining dumped in large ''petcoke'' piles contains high concentrations of mercury, lead, arsenic, chromium, vanadium, and nickel. Black dust clouds from petcoke piles in Detroit and Chicago have led to neighborhood evacuations amidst concerns about acculumation in homes and areas where children play. The EPA has said the particulate matter in the dust contributes to such health effects as heart attacks, decreased lung function, asthma and premature death.

CLIMATE CHANGE AND HEALTH

NNU is also concerned about the long term contribution that tar sands oil and the Keystone pipeline will make to the global rise on greenhouse gas emissions and the climate crisis.

In its Fourth Assessment Review (2007) the Intergovernmental Panel on Climate Change has made a direct connection between global warming and climate instability to a wide range of negative health outcomes.

Higher air temperatures can increase bacteria-related food poisoning, such as salmonella, and animal-borne diseases such as West Nile virus. Ground level ozone contaminants can damage lung tissue, reduce lung function, and increase respiratory ailments. Pediatricians have said they are already witnessing a rise in vector-borne diseases including diarrhea, cholera, gastroenteritis, typhoid, and hepatitis due to environmental factors and the effects of climate change.

For several years NNU has been dispatching teams of RN volunteers to provide disaster relief in response to weather disasters, such as Hurricanes Sandy and Katrina, and most recently Typhoon Haiyan in the Philippines, all of which many experts believe are fueled by climate change. Our members have provided care for thousands of patients who have suffered serious injuries as well as the loss of family members, their homes, and their livelihoods.

WE NEED A CHANGE OF COURSE

NNU concurs with Senators Boxer and Whitehouse that what is known today about the health hazards associated with the expansion of the tar sands could well be just a sampling of a much larger set of significant risks to human health. NNU believes that the health consequences of Keystone XL have been substantially ignored in State Departments FEIS, and needs to be addressed as a matter of urgency.

Nurses and their families are also affected by environmental pollution, and the increased harm associated with Keystone XL, greater tar sands operations, and the climate crisis. It is for our patients, our members, our families, and our communities, that we speak out, and urge you order an immediate health impact study and not authorize a pipeline that will harm our planet and our health.

Sincerely,

DEBORAH BURGER, RN,
KAREN HIGGINS, RN,
JEAN ROSS, RN,
Council of Presidents, National Nurses United.

Mrs. BOXER. The nurses concur with Senators BOXER and WHITEHOUSE that what is known today about the health hazards associated with the expansion of tar sands is just a sampling. They believe the consequences of Keystone XL have been substantially ignored in the State Department's final EIS, and it needs to be addressed.

The American Public Health Association wrote a letter, and I ask unanimous consent to have that letter printed in the RECORD as well.

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

AMERICAN PUBLIC HEALTH ASSOCIATION, NATIONAL ASSOCIATION OF COUNTY & CITY HEALTH OFFICIALS,

April 11, 2014.

Hon. JOHN KERRY,
Secretary of State, U.S. Department of State, Washington, DC.

DEAR SECRETARY KERRY: We write in support of the request of Senators Barbara Boxer and Sheldon Whitehouse that the U.S. Department of State conduct a comprehensive study of the health impacts of the proposed Keystone XL pipeline, including a review of the available peer-reviewed research on the health impacts from the processing of tar sands.

Our organizations support the concept of ''health in all policies'' and the consideration of potential health impacts in all decisionmaking. There is an increasing recognition that the environments in which people live, work, learn and play have a tremendous impact on their health. The administration will certainly benefit by having a clear understanding of how the proposed Keystone XL pipeline could impact the public's health, including the health of our most vulnerable citizens.

The full spectrum of health considerations are often overlooked in important decisions and their omission can lead to policies and practices that are unnecessarily harmful to public health. We thank you for your consideration and strongly urge you to respond positively to the senators' request for a comprehensive study of the health impacts of this proposed project.

Sincerely,

GEORGES BENJAMIN, MD,
Executive Director.
ROBERT M. PESTRONK,
Executive Director.

Mrs. BOXER. They say the same thing.

There is an increasing recognition that the environments in which people live, work, and learn have a tremendous impact on their health. The administration will certainly benefit by having a better understanding of how the proposed Keystone Pipeline could impact the public health.

They go on to say: The full spectrum of health considerations are often overlooked, and their omission can lead to policies and practices that are unnecessarily harmful to the public health.

Maybe Senators feel they know more than doctors and nurses. Maybe they do. Good luck. They don't. We should listen to doctors and nurses just like we should listen to scientists when they talk to us about climate change.

This whole thing of saying ''I am not a scientist,'' yes, that is right, you are not, Republicans. Listen to the scientists. This answer is perplexing to me. If you are not a scientist, then be humble and listen to the peer-reviewed scientists. If you are not a doctor or a nurse, be humble. They don't have a special interest; they have an interest in giving us information on which we should base our decisions.

Now I am going to talk about the environment. This pipeline is going to go through the Ogallala Aquifer—one of the world's largest underground sources of freshwater. It provides water to farms in eight States, accounting for a quarter of the Nation's cropland as well as municipal drinking wells. Remember what I said before: When this oil gets into water, it is the most difficult oil to clean up because it is so heavy. Well, there are 2,537 wells within 1 mile of the proposed pipeline, including 39 public water supply wells, and 20 private wells within 100 feet of the pipeline right-of-way. If the pipeline were to leak near the aquifer, the tar sands oil would quickly seep into the sandy soil and contaminate the water supply for millions of people. I have already shown you a spill in Arkansas. These spills happen. If a spill occurred near any of these aquifers, it would be tragic.

Local residents know the harm the pipeline could cause. I will show you pictures of locals objecting to the pipeline.

In April, a group of ranchers, farmers, and tribal leaders gathered in Washington, DC, for a rally. They wanted to send a strong signal to Congress that they want their way of life protected—their farms, their tribal lands, and their ranches.

You are going to hear from proponents of the tar sands who will say the Keystone Pipeline will be a safe alternative to rail shipment of oil, but experience tells us otherwise.

In 2010 that pipeline ruptured, spilled over 1 million gallons in Michigan. The local health department ordered the evacuation of 50 households, and approximately 100 families were advised not to drink water. One resident living near the Kalamazoo River had to abandon her home because the stench from the spill made her dizzy, nauseous, and sick—classic signs of acute exposure to tar sands. Another resident who was pregnant said she could not breathe. She said:

> My eyes were burning, and my nose was burning. It smelled like a diesel tanker had turned over in the front of my house.

You will not hear this from the proponents.

The Michigan spill was the largest inland spill in history, and more than 4 years and $1 billion later, it is not cleaned up. This summer parts of the Kalamazoo River were closed as dredging efforts continued to remove oil from the bottom of the river.

Earlier I spoke about Arkansas. Residents were exposed to benzene—a known carcinogen—and hydrogen sulfide. People suffered from dizziness, nausea, headaches, respiratory problems—all classic symptoms of exposure to the chemicals found in the tar sands.

There is a section of tar sands that has already been built in the gulf region, and it is already experiencing problems that could result in a pipeline spill, but you will not hear that from

the proponents. According to Bloomberg Businessweek, the Pipeline and Hazardous Materials Safety Administration, PHMSA, found a systemic problem with substandard wells on a portion of the pipeline. In fact, during 1 week when the pipeline was being monitored, regulators found that over 70 percent of the wells were flawed and required repairs.

Senators should pay attention to the facts. People are sick around the tar sands. When it spills, it threatens their way of life and physically harms them. All you have to look to is the evidence to see that ''XL'' stands for ''extra lethal'' and misery follows the tar sands.

Now I am going to talk about the climate. I wish to explain that once we begin transporting the dirty tar sands oil through that pipeline, it will unleash more carbon pollution and harm our Nation's effort to address dangerous climate change. The State Department says a barrel of tar sands oil will create at least 17 percent more carbon pollution than domestic oil. The State Department says that compared to average crude oil, burning the amount of tar sands oil from the Keystone ''extra lethal'' Pipeline could add an additional 27.4 million metric tons of carbon pollution each year. That is a fact. You don't hear the proponents talk about that.

(Mr. SCHATZ assumed the Chair).

The Senator from Hawaii has now taken over the Chair. He already knows what climate change is doing to Hawaii. I was in the State, and I took a tour. I was at a conference that he organized, and we know we can't afford this.

If we allow this to happen, we would see the carbon pollution that would come from adding 5.8 million new cars to the road. It would wipe out the carbon pollution reductions we gained from the first round of fuel economy improvements for heavy-duty trucks—wiped out.

I believe this is a fact: If we do this, the damage to the environment will be the equivalent of eight new coal-fired plants, and those are dirty. That is the equivalent of what we would be getting here in terms of the carbon pollution every year.

In August 2014 a study in the peer-reviewed journal ''Nature Climate Change'' estimated that the increase in oil consumption caused by Keystone XL could result in up to 110 million metric tons of carbon pollution each year. That is four times the State Department's high-end estimate.

I already talked about the eight coal-fired plants. This peer-reviewed study says it is 29. We have two estimates. One says it is the equivalent of building 8 new, dirty coal-fired powerplants, and another peer-reviewed study said it would be equal to building 29 new coal-fired powerplants here in the United States—29. Think about it in your mind's eye.

All you need to do is look at China to see what happens when you throw the environment under the bus. Is this the kind of world we want to see for our kids? Is this the future? This isn't hyperbole; this is a picture of the pollution in China.

I was in China on a fantastic trade trip for 10 days, and I never saw the Sun except for one day when it sort of peaked out. The guide said: Isn't it a beautiful day? No, it was not at all a beautiful day. There was a semblance of a little Sun behind the cloud.

Why do you think people love the Environmental Protection Agency in our country—70 percent strong? It is because they know this could be America. If you throw the environment under the bus, this is what it will look like here.

Some of my colleagues say they don't want to the act on climate change—especially my Republican colleagues. I don't know of one who is ready. They say: Well, China is building coal-fired plants. Well, the President just came back, and the President did have an agreement with China to move forward because the Chinese people can't live like this anymore. The social unrest that is the big fear of Beijing that starts to bubble up has a lot to do with this. We have a breakthrough agreement. Is this the time, in the face of this progress, to approve this pipeline? I say it is ridiculous timing. It is ridiculous.

I remember a time when saving the environment was bipartisan. I remember leaders such as John Chafee and John Warner. Now I don't see one Republican ready to step forward and say: It is time to put a price on this pollution and stop this pollution. My State has done it. My State is doing just great. We have new jobs, and I will put some information into the RECORD on that.

Canada's Natural Resources Minister said:

> In order for crude oil production to grow, the North American pipeline network must be expanded. So we know this is just the start.

Now climate. Everyone can say what they will: I am not a scientist; I don't know. Over the past few months we have seen everything from the hottest August, the hottest September on record, and the hottest October on record. We have seen historic droughts and extreme wildfires. I have seen them in my State. We have seen vanishing wildlife habitat in Alaska, toxic algae out of control and contaminating drinking water supplies in Toledo, OH, because the water is getting hot and the algae that couldn't survive in the colder waters survives in the warmer waters. We see these wake-up calls every day. But instead of confronting that crisis, we have the party of no saying: No, I am not a scientist and, no, I will not listen to them, and we do nothing. This project does the opposite. It makes matters worse.

There is a lot of talk about how we need this oil to become energy independent. Let me tell my colleagues, we are going to see gas prices go up if this goes forward, and I will explain why. This is from economists, not from me. This is not a win for America. Big Oil will be the winner. We have to know that U.S. gasoline demand is on the decline, and economists say it will continue to be through 2040. Since 2011, the United States has exported more gasoline, diesel, and other fuels than it imported. So Big Oil will be the big winner now if this project moves forward, not American workers or families filling up at the gas pump.

The reality is Keystone ''extra lethal'' will increase the price Americans pay for gas at the pump. It is cheaper to buy gas in the Midwest today than it would be if the pipeline were built. That is because moving tar sand oil to the gulf coast gives it access to international markets, which will increase the price Canadians can charge for it. So right now that oil stays in America. Now it is going to be pumped out, they can get higher prices, and our prices are going to go up. The exports will reduce the supply of gasoline right here in America and drive up the price.

As Bloomberg reported earlier this year, three separate studies have shown Keystone XL Pipeline could raise domestic prices by 20 to 40 cents because it would divert Canadian oil away from refineries in the Midwest where it is easier to export. Gulf coast refiners plan to process the cheap Canadian tar sands crude that would be supplied by the pipeline into diesel and other products for export.

During a congressional hearing at the end of 2011, my Senate colleague, then-Congressman ED MARKEY, who is now a member of our environment committee—Senator MARKEY—asked TransCanada's pipeline head if the company would commit to keeping the Canadian oil and refine products in the United States ''so that this country realizes all of the energy security benefits your company had promised.'' Mr. Pourbaix said, No, I can't do that.

So the head of TransCanada is not promising to keep the oil here or the products here. We know that. So all of this talk of energy independence—let me tell my colleagues how we get energy independence. We produce what we can here, and we have been doing that where it is appropriate, and we also utilize the Sun and the wind and the geothermal and the clean energies of the future that, believe me, when we embrace that clean energy agenda, we have far more jobs. We don't have pollution. We have safer communities.

One refinery in Port Arthur owned by Valero is expected to be a major customer for crude oil. Let's show that picture of Port Arthur. Because that refinery is in a foreign trade zone, Valero can operate tax free. In the fist 9 months of this year, Valero has reported a net income of $2.475 billion. Today we will also hear from tar sands advocates that the tar sands oil will just be shipped by rail even if the tar sands pipeline is not built. It is very

expensive to ship it by rail, and the truth is it is not a clear-cut case. In fact, both the rail companies and tar sands producers that pioneered transporting Canadian tar sands oil by rail are on the verge of insolvency because of the high transportation costs. So don't buy into the argument that if we don't build the pipeline, we will just ship it by rail. Then they say it is safer, and we know it is not safer.

We just heard the operator of the pipeline say it is 35 permanent jobs. I don't belittle the 1,900 construction jobs for 2 years we would have. I don't belittle that. But I can truly tell my colleagues that coming from my State—and later I will talk about the successes—we can dwarf that by the hundreds of thousands if we truly embrace a clean energy economy.

The materials needed for the pipeline—that is not a domestic boon. A 2011 analysis found 50 percent or more of the steel pipe would be manufactured outside of the United States. We need clean energy policies. As we know, it is appropriate to drill for oil in our country where it is safe, where it is appropriate, and if we can get to clean coal, it is appropriate, and it is appropriate if we can get to safe nuclear. The fact is this pipeline is going to bring filthy, dirty oil. It is going to bring misery all across the country.

Let's look at the wind industry which supports over 560 manufacturing facilities and supported over 50,000 full-time jobs in 2013 alone. So 50,000 full-time jobs compared to 35 full-time jobs for the pipeline? Come on. The solar industry in 2013 employed 142,000 Americans, an increase of 24,000 additional jobs just last year. This is the future, not the misery that follows the tar sands, not communities that have to suffer with the filthiest of oils, dirtiest of oils, and not having this petcoke stored all over the Midwest where it blows on kids so kids get asthma.

Here is the spill in Arkansas. They still can't clean it up. It happened in 2013. This photograph isn't what we want the future to look like—not this, having to wear masks. We want the air to be clean and the water to be clean. This is China. This is what happens when we ignore our people who are telling us they are having increased asthma attacks, increased respiratory disease. We are not going to hear a word about it from my colleagues. They are going to make a jobs argument that falls flat on its face.

Look. We know climate change is real. Whether someone says they are not a scientist—we all know you are not a scientist. I am not a scientist. Climate change is real. Unleashing this filthy, dirty oil unleashes far more carbon and makes the problem worse. We are not going to hear any of that. We are going to hear claims that just aren't true. We are going to hear about all of these jobs—35 permanent jobs compared to tens of thousands in clean energy. We are going to hear about how this is the greatest project. We are going to hear, Oh, it is better to transport it by pipeline than by rail, when in fact that is not a fact in evidence that they would do that because it is so expensive. They are not going to talk to us about the spills, as shown in this photograph.

We have a very important process to go through before this pipeline is approved. This legislation derails that process, and that process was established by an executive order and was updated by President George W. Bush. Before a finding is made as to whether this should go forward, the President must consult with experts in many Federal agencies to determine whether this pipeline is in the national interest. This includes the Department of Defense, the Department of Homeland Security, and other agencies before a permit is granted. This bill before the Senate short circuits this review. It cuts off expert opinions of our military leaders and others when determining whether the pipeline is safe. Is it in the interests of the country? Is it going to be another target? We need to know, and we don't have the answers on the full public health implications.

What is also interesting is the tar sands supporters gloss over the fact that this bill tramples States rights—the rights of citizens in South Dakota to have a say in their State's ongoing proceedings concerning construction of the pipeline. How about this fact. Here we see it. These voices have to be heard. I will tell my colleagues, 2 million people submitted comments on the tar sands project, and passing this bill now does not allow those comments to be given due consideration by our country.

I am very surprised at this, given my colleagues who speak of States rights, public comments, local viewpoints. They want to bypass all of this because they have decided they know better than 2 million people, many of whom have to live side by side with this pipeline and many of whom would have to breathe the kind of air they are breathing in Port Arthur, TX, right now. I will guarantee my colleagues this: Not one Senator in this Chamber will live next to a refinery that refines this filthy, dirty oil—not one. If I have not spoken the truth, please correct the RECORD. Tell me. I will apologize. We don't live near refineries here. I will tell my colleagues who does: a lot of kids who get asthma, just ask the nurses.

If I told people that if we embrace a clean energy agenda we could create far more jobs, be far more healthy, and save this planet, wouldn't people say yes? I think people would. But, no, not in this Chamber. They listen to Big Oil and the Koch brothers, and these are the people who will profit. They are not going to live next to the Port Arthur refinery. Their children aren't going to live there. Their grandchildren aren't going to live there.

They brush aside that this is filthy, dirty oil—the dirtiest—with the most dangerous pollutants, including lead, including sulfur. When we meet with the citizens of Port Arthur, TX, as I have done, and the activists there who want to protect the kids, they say: Please, we have enough of this stuff; we don't want any more. Misery follows the tar sands, and that is why I call this pipeline the Keystone XL ''extra lethal'' Pipeline.

The evidence is clear. The Keystone tar sands pipeline will be harmful to our family's health. It will hurt the environment. It will worsen the impact on climate change. It will raise the price of gas. These statements are not made by me. I respect economists, and this is clearly the economists' view. It is just plain dangerous because it will transport the dirtiest oil on the planet.

Forcing the approval of the Keystone when so many concerns remain does not allow for the kind of review our affected communities deserve.

I hope enough of my colleagues will vote no on this. I see the handwriting on the wall. I do. I know what happens in this Chamber. I know the votes will eventually be there. This is an issue which impacts the health and safety of our families and our planet, so if it means I will have to stand up here time and time again to tell the story of the Keystone ''extra lethal'' Pipeline, I will do it. I will do it for as long as it takes. If I didn't think it was important, I wouldn't do it.

I just hope that if this body does pass this pipeline today, the President will veto this dangerous legislation. I feel so strongly that the way to a prosperous job-producing future is the embracing of clean energy. Yes, we will continue with our coal and make it as clean as we can. We will continue with our drilling here. Yes, we will have an ''all of the above'' where it is safe to do. We don't need a project that is so harmful to our families and to our communities.

I talked to the people in Canada who live near there. You won't hear that from my friends. It is all in the RECORD. I hope they read the articles I placed in the RECORD about the kinds of cancers we are seeing around this stuff.

I don't want to see a trail of misery extending from one end of the country that I love to another, so I hope we will vote no on this—enough of us will. But if we can't stop it today, then I hope the President will veto this and tell the story of why this trail of misery should not be put upon the American people.

One of the biggest shocks I think I had when meeting those Canadians who have been putting up with this and then meeting the Americans who live around these refineries and hearing from them what happened and hearing from my friends from Chicago who remember that story—we will close with this—of these kids sitting around getting ready to play Little League Baseball when all of this petroleum coke that is stored all over the Midwest just blew, and it got into the mouths of

these kids and it got on their clothes. They ran away. How can anyone believe this is what the future should look like when I can show you case after case on the RECORD, substantiated by the numbers, that clean energy produces far more jobs—far more jobs—and will lead us in the right direction in terms of our health.

People don't want to become like China. They don't want to look like this. They don't want to have their air look like this.

I come from a State where before the Clean Air Act—by the way, it was done by a Republican President; thank you, Richard Nixon—we had dirty, filthy air. You couldn't see a foot in front of you. We cleaned it up because we stood up to the polluters and said: You know what, we know we want to work with you, and we want to have your product. Do it in a clean manner. Do it in a safe manner.

The EPA—again, created by Republicans—came in there and cleaned up the air, along with the local people in our State.

We have rebounded in California from the recession, with clean energy jobs leading the way. We are so proud of it. And our people can still see the sky.

I will tell you, I am not going to go in this direction, if I have to stand on my feet until they hurt. As you know, I have to wear heels because I am very little, but I don't care—I am not going to let us go in this direction. No way.

I hope we defeat this today. If we don't, I hope the President will veto it, and I hope we can move to a positive, bipartisan clean-energy agenda that is really the future of this Nation and this planet.

I yield the floor and reserve the remainder of our time.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. I intend to speak under the time reserved by Senator HOEVEN. Could the Presiding Officer tell me how much time remains?

The PRESIDING OFFICER. The Senator from North Dakota has 112 minutes remaining.

Mr. ROBERTS. Splendid. I intend to speak for about 8 minutes.

I admire the commitment, the perseverance, and the oratory skills of my colleague from the State of California. I know how strongly she feels about this issue.

I rise today without a portfolio. I do not have the charts my distinguished colleague has. Senator HOEVEN has six in the Cloakroom. There are 12 over there. I thought at one time I would introduce legislation to ban charts from the floor, but that didn't go very far.

I rise today in support of the bipartisan, bicameral legislation offered by Representative CASSIDY from the House and Senator LANDRIEU from here in the Senate to approve the construction of the Keystone Pipeline.

(Mrs. BOXER assumed the Chair.)

Simply put, my point would be that this project is long overdue. It has been said time and again, but it is worth repeating: 6 years of delays and five separate environmental impact statements, and finally we are voting on this legislation—already passed by the House last week—to grant approval of the project.

Let me repeat myself. Five environmental impact statements have been rolled out since the year 2010, all five concluding that construction of the pipeline would neither exasperate carbon emissions nor increase development of the Canadian oil sands.

Let's briefly take a look at the conclusion reached by each of the five environmental impact statements to see what President Obama's own State Department had to say about whether construction of the Keystone Pipeline is in the national interest.

In April 2010, after a 1½-year review of TransCanada's application to construct the pipeline, the State Department published the findings of its draft environmental impact statement, which concluded that the pipeline's construction would have limited environmental impact and would help reduce U.S. reliance on crude oil imports from other less stable regions of the world. ''Less stable'' is an understatement as of today. Considering what is going on right now in the Middle East and Russia, it cannot be understated how important this project is from a global security perspective and also from a national security perspective.

A year later, in April 2011, the State Department issued a supplemental environmental impact statement to consider alternatives to the Keystone Pipeline and to address some of the concerns raised by agencies, groups, and individuals who submitted comments on the project's construction. Keep in mind that the State Department did this despite the fact that it believed the original environmental impact statement sufficiently addressed all concerns.

Four months later, in August 2011, the State Department released its final environmental impact statement concluding yet again that this project should be built. The State Department concluded that construction would ''result in a project that would have a degree of safety greater than any typically constructed domestic oil pipeline system under current regulations.''

Despite this conclusion—which under law triggered a 90-day window for the State Department to make yet another final national interest determination—the State Department decided to delay the final decision rather conveniently until after the 2012 elections.

After three earlier reviews, in March of 2013 the State Department issued its draft supplemental environmental impact statement to consider potential impacts of the new route which would avoid the Sand Hills region in Nebraska. Once again, the State Department concluded that this project should be built.

Finally, on January 31, 2014—about a year ago—the State Department issued its fifth and final environmental impact statement. Nevertheless, it concluded that the Keystone Pipeline poses no serious environmental dangers, would create thousands of jobs, and would decrease our reliance on crude from despotic regimes—more of them today—around the world and expand trade with our closest ally, Canada.

We have two options. The first is to finalize construction of the Keystone Pipeline, which will immediately result in thousands of construction jobs all throughout the United States. The second option is we can reject construction of this pipeline and instead transport the crude to the United States by rail or allow Canada to simply export the crude to other countries, such as our good friend China. China is so concerned with the environmental standards that it may—it may, according to the bargain so highly publicized by the administration—begin reducing carbon emissions by 2030 if the leaders of China 16 years from now feel like it or make that decision.

What is the big deal about China's carbon-reduction commitment, by the way? It is meaningless.

There is simply no option available that would somehow prevent Canada from developing these oil sands. Despite what any Senator says or any charts that may be used, it is happening and it will continue to happen.

Facts are stubborn things. We either move this oil by pipeline, which is the safest way to transport oil, or we allow it to be exported to other countries that will refine it under far less stringent environmental regulations. If CO_2 is a world problem, that is something you ought to really think about.

This project would support 42,000 U.S. jobs, hundreds of those in my home State of Kansas; it would provide over 800,000 barrels of oil per day from our closest trading partner, Canada; and it would have a $3 billion impact on the U.S. economy.

I have long supported this legislation. Now we need to hear from President Obama, yes or no. No waffling around any longer. If this bill passes today will the President sign it into law or will the President simply continue to straddle the pipeline until after the runoff election in Louisiana? It seems to me the President owes the American people an answer as to whether he supports this project.

The question is—it is pretty obvious—if the President opposed this project from ever being built, then why are we waiting? Why wouldn't you just say from the get-go that you hold the views of a few above those of most Americans, which includes everybody from labor unions, to pro-energy trade associations, to manufacturing, et cetera?

I would ask the President: Why didn't you just come out in 2008 and say, no, we are never going to build this as long as I am in the White House. Because I think that is exactly

what is happening. It is time to quit straddling the pipeline. Let's get on with it or get off.

I want to make myself clear. If we pass this bill and President Obama vetoes it, then that is his decision, that is his prerogative, but the responsibility will lie squarely upon his desk. Because when we come back in January under a Republican majority, our task will be to not only pass this legislation but, with a veto-proof majority, to override whatever obstacles the President tries to put in its way.

Again, this project makes sense economically, environmentally, and from a national security perspective. I believe we should get this finally moving.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Madam President, I rise today to oppose S. 2280, a bill to approve the Keystone XL Pipeline. The Keystone Pipeline would carry 830,000 barrels per day of tar sands oil bound for global markets from Canada to refineries along the gulf coast.

This is one of the most important points about Keystone, which is that it does nothing for American energy security. It takes tar sands oil from Canada, moves it through the United States, and makes it available to global markets. It does nothing for American energy security. But more than that, it represents a massive endorsement of a fossil fuel economy when we ought to be focusing on transitioning to clean energy.

There are many reasons to vote against this bill, but I will focus on four. First, the oil from tar sands is exceptionally dirty. I think for the American public out there, they have a basic instinct that oil is not the cleanest of energy resources. But tar sands oils are really in a special category. We do not need this oil enough to justify its impacts on health and climate change.

Mining tar sands oil is nothing like setting up a rig and drilling a hole in the ground. Tar sands are dirty in terms of the land destroyed, dirty in terms of the water wasted and contaminated, and dirty in terms of the energy needed to mine, transport, and process the oil. Getting and using oil from tar sands puts far more carbon pollution in the atmosphere than conventional oil.

When tar sands are near the surface, they are dug up along with all of the surrounding earth, including the forests that sit on top. Tar sands are a mixture of sand, clay, water, and a gooey form of petroleum that resembles tar. Think of it as a mixture of dirt and molasses, and imagine trying to separate the dirt from the molasses. If you think that sounds difficult, you are correct. After being mined, the thick sludgy mixture that remains is transported to facilities that separate the oil using multiple water and energy-intensive rinse cycles.

The water used in this process becomes contaminated, of course, with toxins, and is no longer suitable for other uses. Oil companies use massive amounts of water to mine the tar sands. In 2011, tar sands mining in Canada used more water than the entire city of Toronto uses annually, representing a significant new strain on freshwater resources.

This is simply not the direction to go in. We need to fight climate change and promote bold, clean energy solutions that do not present a constant danger of harming our health, our drinking water, and our economy. Why are we spending time today trying to approve something that quite literally takes us in the wrong direction?

This brings me to the second reason this pipeline ought to be rejected. It will have a direct, negative impact on the people and the communities that live in its path. The 875-mile route of this proposed pipeline has over 50 river crossings, including the Yellowstone River in Montana, which is still recovering from a major crude oil leak by an ExxonMobil pipeline in 2011. That pipeline leak contaminated 85 miles of the river and its flood plain, placing an enormous burden on families and the businesses that depend on it.

Pipelines transport oil, but they also leak regularly. The existing Keystone Pipeline system for Canadian tar sands leaked 14 times during its first year of operation, with one incident leaking 21,000 gallons. In its environmental review, the State Department estimated that the proposed Keystone Pipeline would fail several times a year. In 2010, a 6-foot break in a pipeline carrying oil tar sands spilled nearly 1 million gallons of crude oil into the Kalamazoo River in Michigan. This was one of the largest inland oil spills in United States history and also one of the costliest, with cleanup costs totaling over $1 billion. Households in the area were evacuated and told not to drink the water. Thirty-five miles of the river were contaminated, and the cleanup continued 4 years after the spill. One of the most troubling things about this spill and any future spills from Keystone XL is that the companies who own the oil take advantage of a loophole in the law that lets them avoid paying their fair share into the national Oil Spill Liability Trust Fund. This trust fund has been in place for 30 years. The money in it helps to respond to and clean up after oilspills. Every barrel of oil produced or imported in the United States is charged 8 cents. The money goes into a trust fund. It is basically an insurance policy for events when companies are unable to pay for spill cleanup or in an emergency response situation. It makes sense.

What does not make sense is that due to this loophole, the oil from the tar sands in Canada is exempt from that 8-cent fee. Why would we vote for a bill that circumvents executive review of an international pipeline carrying the dirtiest oil in the world, produced in Canada, and headed mostly for world markets, and a bill that does nothing to close a loophole exempting oil from tar sands from having to pay a fee for environmental cleanup? In other words, how can this bill ask so little of the oil companies while giving them so much?

A third reason to reject this bill and this pipeline is the impact on climate change. The facts plainly show that we must reduce carbon pollution, not add to it. To take care of our energy future and build a clean energy economy, we have got to go forward, not backward.

If we are serious about leaving our children a healthy world, we will vote no and reject this pipeline. We know a majority of the public supports bold action to solve climate change. In recent years, no single issue related to fossil fuels and climate change has commanded the level of civic engagement as the Keystone XL Pipeline. Countless rallies, public hearings in cities and towns across the proposed route, lawsuits and debates in Congress reveal how much passion there is about this issue.

In fact, the pipeline was booed so loudly when advertised on the Jumbotron at a Nebraska football game that the university cut ties with TransCanada, the owner of the proposed pipeline.

Finally, the bill is flawed in terms of its process not only because of what it seeks to do but also because how it seeks to do it.

The bill would circumvent existing executive branch review. Because the Keystone XL Pipeline would cross international boundaries, the State Department is responsible for reviewing and deciding if a permit is in the national interest. The way it is currently written, this bill potentially limits State and local siting decisions, as well as some legal challenges.

It attempts to approve a pipeline that does not even have a finalized route, but does have lawsuits pending against it in the Nebraska Supreme Court. Congress should be focusing on the things that will have a positive impact on the economy and jobs. We have got to pass immigration legislation, we need to pass a defense authorization. Our CR expires on December 11. We need to move through the regular order in terms of appropriations. We should not be moving forward with Keystone XL.

In my view, this is about whether we are committed to the past or committed to the future. This is about whether we are going to double down on fossil fuels or we are going to take bold action in terms of moving forward with clean energy. I urge my colleagues to oppose this legislation.

I yield the floor

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Let me just state to all of my colleagues on all sides of this issue, I appreciate this very much. It is a great debate. It is a great way for us to learn of our differences and try to find the middle, if you will.

I come from the little State of West Virginia where basically the people are pretty commonsense, if you will, oriented. They look at something from the standpoint—our greatest trading partner in our State of West Virginia is Canada. Thirty-five States in the United States look at Canada as our favored nation to trade with. We have been doing more trading than ever before. We will continue to do so.

I am coming at this from security. How do we remain secure as a nation? How do we become less dependent? If you look at what is going on in the world, maybe it will give you a picture of what we are dealing with, the facts of life.

We all want to use the technology and we all can, through research and development, improve our technology to use the resources that are going to be used that the world has produced for us in a cleaner fashion. With that being said, I do not look at Keystone as being an export pipeline. Even the State Department's environmental impact statement states that export is unlikely to be economically justified for any significant time. Cost-to-market conditions dictate that this oil will go to domestic refiners and will be used in our country, the United States of America.

By getting more Canadian oil, we can displace oil that we currently get from less reliable and sometimes hostile countries. Let me read for you how much oil we import right now; How dependent are we on this foreign oil? We should look at basically—of the 7.7 million barrels per day of crude oil imports—mind you, we are getting 7.7 million barrels per day into our country. I understand the pipeline's capacity would be about 870,000 barrels. That is the capacity—if they used the entire capacity. So we are getting 7.7 million barrels per day. Let's see where it is coming from. When you look at that, 3.5 million barrels per day or 45 percent comes from OPEC countries. Of course, Saudi Arabia is our largest OPEC supplier at 1.3 million barrels per day, 17 percent of the crude import total.

But our biggest supplier of crude continues to be Canada. It is already our biggest supplier. We are afraid that this is somehow going to tip the balance? Let's look at some of the countries that we get this oil from on a daily basis, the 7.7. Of course, we talked about the OPEC countries. But Venezuela, Colombia, Nigeria, Angola. These are not the model citizens of how they treat their citizens in their country, the humane treatment that goes on.

With that being said, those countries I just mentioned, the five countries, that is 1.57 million barrels a day we buy from those countries. So, yes, I am looking at it from the standpoint that this has pulled us into conflicts around the world where we should not be.

We have all said we have been pulled into these countries, been pulled into war because of oil. I think we all agree on that. This gives us a chance to be more secure as a nation and more independent from foreign oil. That is what we are talking about. The global supply of energy relies on oil producers in deeply unstable regions. I think we all agree on that too. In West Virginia, it just makes common sense. Would you not rather buy from your friends than from your enemies? Would you not rather buy from people who basically help your economy and are not willing to do harm to your economy or harm to your people? This makes sense to us in West Virginia. We would not be standing here having this debate right now if it had not been for your good Senator and our good friend from Louisiana, Ms. LANDRIEU. It would not have come up. It would have been moot. It might have gone in the next Congress. Who knows? I just appreciate so much Senator LANDRIEU being able to bring this to the forefront today. I really do. Whether we win or lose it does not matter.

Basically the American people will lose if we do not pass this piece of legislation. If for whatever reason it is not passed, we are going to be more vulnerable, more insecure, more dependent than ever before.

It is one thing to live in a perfect world—Utopia. Some of my colleagues have talked about that. I appreciate that. But the bottom line is, it is not the real world. The real world we are living in—I have talked about coal too. There are 8 billion tons of coal being burned in the world. People say: Well, I do not want to use coal in America. That is fine. If you quit using every kind of coal in America, you are not going to change the environment that much. But on the other hand, there will be more coal burned than ever before. We do not want to build any more coal-fired plants in America. We are done. That is fine. Twelve hundred new coal-fired plants will be built around the world in the next 3 to 4 years. Would not it be better to find the technology—would not it be better to have control of that, be able to have a whole other industry around the technology that uses the coal cleaner not just in America but around the world?

Would it not be better to have control of this oil coming to the gulf coast? If we have control of it, it will be used here. The fear tactic is that it is going to go somewhere else in the world. Markets will dictate where everything goes. But the bottom line is, we use most of Canada's oil now. They are the largest exporter to our country.

So all we are saying is to take a good, hard look at this. Think before you vote today, my colleagues, of what we are doing and what we are doing for the security of our Nation, what we are doing for the best trading partner we have ever had. That oil is going to go somewhere. It is being shipped now in a highly unstable type of condition that is more vulnerable. It takes more oil to move that product today than ever before. Pipelines are by far the safest way to do it.

I have said this: If we can move oil in the most demanding and probably the most hostile, if you will, environmental conditions that we have as far as nature produces in the Arctic, and we as the United States benefit by that oil that is being produced in the Arctic by us in America, for all of us in the lower 48, if they are able to, do you not think that it can be done here?

I look at it from the standpoint that they are saying enough is enough.

I thank Senator LANDRIEU for bringing the bill to the floor, for having a very informative debate that we can move forward on. I would hope that my colleagues would see fit that the United States of America will benefit, the security of our Nation will benefit, wars could be prevented and conflicts around the world. Maybe we could use our might, if you will, to help other parts of the world without having to fight, defend, and liberate from that standpoint.

But I do not believe that we should be in parts of the world where we are today because of the oil that we have been chasing. I believe that by having our own ability to work with the best trading partner we have, which is Canada, that would definitely benefit the security of our Nation. I look forward to this vote this afternoon or later this evening, whenever it may come. I enjoy the debate that is going on and the information I am gaining. I look forward to a more spirited debate for the rest of the day.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from California.

Mrs. BOXER. I am about to yield to Senator CARDIN.

A point I want to make is this is an interesting debate. The proponents have said for years: Build the pipeline because we need the oil here. Then confronted with the fact that the oil will not stay here—it is going to go elsewhere—they say: Oh, what is the difference. It is going elsewhere, but what is the difference. The difference was your argument was to make us self-sufficient. You can't have it both ways. The fact is this oil is going to be exported.

With that I yield 12 minutes to my colleague, a great leader on the environment, Mr. CARDIN.

Mr. CARDIN. First, I thank Senator BOXER for her extraordinary effort on this issue.

Let me get this straight. This debate is about giving competitive advantage for the shipping of the dirtiest oil located in Canada through the United States for export. It is through the United States—not through Canada. The environmental risks are in America, and it circumvents our regulatory review process and attempts to deny property owners the right to challenge the route in court.

The Keystone Pipeline is a shortcut to an existing pipeline network to export some of the world's dirtiest crude oil from Canada to other countries.

The current pipeline network could handle this, but the operators want a competitive advantage for the dirtiest oil by shortcutting the pipeline that currently exists.

There is very little benefit to the United States. Certainly, as has been pointed out, the oil is not destined for the United States.

There are few permanent jobs. It poses significant environmental risks. It eliminates appropriate executive review, tries to interfere with judicial review, and should be rejected by this body.

First, let me talk about tar sands—exporting tar sand crude from Alberta, Canada, to other countries, through the United States rather than through Canada. It could go through Canada, 700 miles west to the British Columbia coast. But the Canadians object. Why? Because they don't want the environmental risk in their country. They are asking the United States to do bear their burden. It is not for U.S. energy use. It is for the international market, and it poses significant environmental risk. We are talking about producing the dirtiest type of energy sources that we know.

In 2010 there was a tar sands crude oil spill in the Kalamazoo River in Michigan. The estimated cost of the cleanup associated with that spill is $1.2 billion. Spills happen. We are adding tremendous risk to our country.

This is against a backdrop we see here in the United States and globally where the price of oil is declining dramatically. Look at what we are paying at the pump for gasoline today. In the United States we have had a 70-percent increase in domestic oil production since President Obama took office. So we are getting all the oil that we need. We don't need to add the dirtiest oil in the world.

The United States is more energy independent today than we have been in decades. Why? Because we use less energy.

Let me give one example. Fuel economy standards in automobiles are up 25 percent since 2004. We are using less oil, less energy. We are developing alternative and renewable sources. Our future is in clean energy.

I am pleased we are having this debate on the floor of the Senate. We should be having a debate about developing additional sources of clean energy, which will help us be energy secure, add good-paying jobs, and be friendlier toward our environment.

One example is Tesla Motors—an American company, unlike TransCanada—which recently chose Reno, NV, as the site of a $5 billion ''gigafactory'' that could employ 6,500 workers on a permanent basis. Tesla hopes to complete construction of the facility by 2020. It will produce 50 gigawatt hours per year of lithium ion battery packs, more than the entire global production in 2013 and enough for 500,000 electric cars annually. Once the factory is in full operation, it could help lower the costs of battery packs by 30 percent in 2017 and by 50 percent in 2020.

Tesla expects to create 3,000 construction jobs, and that is important—construction jobs are important—and 6,500 permanent jobs upon completion, generating $100 billion in economic activity over the next 20 years.

So let's compare that to what Keystone is advertised to produce. They tell us that Keystone will provide 42,000 jobs, but what they don't tell us is that the number of direct construction jobs is 3,950 and that's just for one or two years. The rest of the jobs are indirect or ''induced''—that is, induced activities from people getting paychecks, spending them on groceries, et cetera, and that's only during the construction period. Permanent jobs are 50. Look at the ratios: Tesla is over 2-to-1, with regard to permanent jobs-to-construction jobs. Keystone is 50 permanent jobs to 3,950 construction jobs. The number of permanent is so insignificant that this pipeline does not generate economic progress in our country.

Why aren't we talking about the transportation bill? We want to talk about jobs? Yes, we will get construction jobs. Thank you, Senator BOXER, for your extraordinary leadership on that bill. If we had a long-term transportation bill, we would be helping the construction industry by creating a lot of construction jobs. And guess what? At the end of the day, we would have a modern transportation system that would promote economic growth in America. Let me just give you one of those projects as an example: the Purple Line in Montgomery and Prince George's Counties, MD. We want to get that done. It will not only create construction jobs—it will not only create permanent jobs, it will help people live longer because they won't be stuck in traffic. It will really help our economy grow. That is the type of debate we should be having.

Instead, we are talking about putting in a pipeline that poses incredible environmental risk not only to the United States but to our entire global community.

The Natural Resources Defense Council has shown how tar sand extraction methods are very dangerous to our environment and could release 11 million to 47 million metric tons of carbon dioxide equivalent into our atmosphere.

It is done in a way that—I was listening to my colleague from Hawaii talk about it—that is destroying the Earth. They are in the process of destroying the Boreal forest, which acts as a carbon ''sink,'' while producing petroleum coke as well as tar sands crude. They are emitting carbon dioxide just to produce the tar sands crude; they are emitting greenhouse gases. Add transportation, refining, and consumption of the ultimate product, the tar sands, and it is the worst form of a carbon footprint that we could have in our environment.

The risks are real, including the danger to our environment from spills and come at a time when U.S. global leadership is so critical for action on climate change.

According to the 2014 National Climate Assessment, the reality of climate change is clear and apparent. I could give examples of the droughts in California, of the increased wildfires in the West, or extreme weather conditions caused by polar vortexes in all parts of our country. Our sea level is rising from Miami, FL, to my own State of Maryland, where 70 percent of the population lives in coastal areas. They are very concerned about what they are seeing as a result of the rising sea levels. So it is critically important to have U.S. leadership. This is what it is about—U.S. leadership.

President Obama demonstrated that leadership when he met with President Xi of China. The United States and China account for about one-third of the world's greenhouse gas emissions. I have heard on this floor many times: Why are we doing certain things if China doesn't do certain things? Well, guess what. China is responding to our leadership.

Congratulations to President Obama for getting commitments from President Xi that China will reduce its carbon footprint. Specifically, China pledged that non-fossil fuel sources will account for at least 20 percent of the country's energy use by 2030. That is U.S. leadership working with China to help lead the global community. Let us show even more leadership by rejecting the Keystone Pipeline.

Lastly, let me talk about process for a moment or two, if I might. The regulatory protections should not be circumvented by congressional action. State courts in Nebraska should not be circumvented by congressional action. We need to listen to the people from the region as they have expressed their concern about Keystone XL, and I quote from a person named Ben Gotschall from the organization, Bold Nebraska, which is part of the anti-pipeline coalition called the Cowboy-Indian Alliance:

> The Cowboy Indian Alliance shows our cooperation and our working together in mutual respect. That shared bond proves that we pipeline fighters are not just a few angry landowners holding out, or environmentalists pushing a narrow agenda. We are people from all walks of life and include the people who have been here the longest and know the land best.

We are talking about circumventing the regular order in order to have a narrow result that affects real people's lives. We can do better than that. We need to reject this ''pipeline by congressional action.'' Congress needs to act in a responsible way, and passing this bill is not doing that. This pipeline travels through the United States so that Canada can get its dirtiest oil into the international marketplace. Canadians don't want the pipeline in their country for good reason, because they know the environmental risks of the pipeline and tar sands development are unacceptable.

The energy will not have any major impact on the United States. It is for export. It is not for the United States.

Why are we doing this? There are very few permanent jobs involved here—fewer than 100. We already heard that. The risks to our environment—we have seen that. We have seen it happen before. We know what devastation tar sands oil spills can cause. We know what the cleanup cost are all about.

Why are we subjecting communities to this when they don't want it and the environmental risks are so great? Why are we calling into question U.S. leadership globally when we are able to get progress that we have been asking for, and that Chairman BOXER has been asking for, to get China to act? Why are we trampling on the appropriate role of the executive and judicial branches and local government by doing what we are attempting to do today?

I hope my colleagues will reject this bill. And I hope that we will work together for an energy policy that makes sense for America and that invests in clean energy, which will help our economy grow, help us be energy secure, and be friendly to our environment. With that, I yield back the remaining time to Senator BOXER.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Louisiana.

Ms. LANDRIEU. I request 5 minutes.

I see the Senator from Wyoming, who is going to rebut the arguments made by the Senator from Maryland. So I will take 5 minutes, and then the Senator from Wyoming will have all the time he wants within the framework.

First, I will say that I have great respect for the Senator from Maryland. He is an excellent debater, and we just saw the skills of his debating. But I want to put some things on the record that show he is absolutely, completely wrong in his assessment and statements, as respectfully as I can. He is completely wrong.

First of all, this is the environmental statement. It is printed, it is done, it is finished, and it was finished in January of this year. This is the fifth environmental statement.

So anyone who comes to this floor on the Democratic side of the aisle—because no one on the Republican side will say this because they are all in unity with a group of us to build this pipeline—they are wrong. It is factually incorrect that the environmental studies have not been completed because I have it in my hands. This is the fifth.

Let me say what the result of this environmental impact statement by the Obama administration—not by the Bush administration, not by a former Republican administration, but the current, Democratic administration—concluded. People at home who are listening can get out their computers and their pens. This is what this study says. If the Keystone XL is built, it will represent .015 of global greenhouse gas emissions—.015 of greenhouse gas emissions. That is the equivalent, if people want to keep writing, to 300,000 passenger vehicles in America. Seems like a big number, except that we have 253 million cars on the road.

OK. So think about this. The President's own environmental study, which is the fifth one, completed in January, has done its work. It has submitted this for the record. This is not subject to debate. The conclusion of this study is it will, taking everything into consideration, increase greenhouse gases by .015 percent of global greenhouse gas emissions, which is the equivalent of 300,000 passenger vehicles, which is .12 percent of total cars in the U.S.

So this is what we can do. We can build the Keystone Pipeline, creating thousands of temporary and millions of permanent jobs, which are not created by the permanency of the pipeline itself but by the signal that America is serious about energy independence. That will create millions of high-paying jobs. There is no disputing that fact.

It is not the jobs that build the pipeline we are fighting for so much—although the pipefitters and boilermakers and the unions are fighting for that, and I am fighting with them—it is the signal it gives that we are serious about energy independence, and that we honor and understand there are already pipelines in our country. There are pipelines in our country. We have been building pipelines in this country since before most of us were born—all of us were born. That is what is so outrageous about this debate.

Yes, this pipeline comes from Canada, our best trading partner, our most reliable ally, a country that is the most equivalent to us in the United States of America, and because it is a pipeline connecting Canada and the United States, it has all become this bogeyman that is going to wreck the world.

The environmental impact study, Senator CARDIN, has been done. It is in.

The second thing I wanted to talk about is this. We pass a lot of crazy bills around here. This bill is two pages—S. 2280. Here it is. This is the first page, this is the second page. Everybody in America can read it. I would strongly recommend to those who are listening, get it and read the bill. It will literally take 15 seconds. It is so simple, and Senator HOEVEN and I wrote it to be simple. As I have said before, we wrote it to go the distance. We wrote it to go the distance. It is not complicated. It simply says this: After waiting 5 years, and after acknowledging all environmental studies have been done, all economic studies have been done, we direct the President of the United States to give his approval.

We are not circumventing the President. Every report he has requested has been turned in to him, every single solitary one. In addition, and the Presiding Officer knows this, because at her request and Senator TESTER's request, Senator HOEVEN and I added this language:

> Private Property Savings Clause.
>
> Nothing in this Act alters any Federal, State or local process or condition in effect on the date of enactment of this Act that is necessary to secure access from an owner of private property to construct the pipeline and cross-border facilities. . . .

In other words, this language says all private property rights will be honored. That was not in the House bill. Senator HOEVEN and I put it in this bill because we wanted to put that debate to an end. All private property rights are honored.

The environmental studies have been completely completed. Also in our bill is respect for Nebraska because we are not trying to run over Nebraska. We say here—and I will point it out in just a minute—that subject to the final decision by Nebraska about where this is going to go, Nebraska can decide. As we can see, all the other States have said fine to their line. Nebraska has to decide. That is in the court. This bill says they can still decide this. There is nothing telling Nebraska where to build it.

I hope people who come to the floor to talk about this pipeline will bring their facts and not fear—facts, not fear. I am a fierce proponent of the pipeline and they are fierce opponents and I respect them. There are two people I greatly respect: BARBARA BOXER and BEN CARDIN. But we are on the exact opposite side of this issue.

So let's discuss facts, and let me just say one more thing and then I will give this to Senator BARRASSO, because this is more personal. I was very disappointed in the Senator from Kansas when he came out and said something akin to he finds it strange—I think his words were he is kind of amused that we would be debating this because he thinks this is some kind of political opportunity.

I have a lot of respect for the Senator from Kansas. I worked with him. I was his chair and he was my ranking member on emerging threats. We have been through some pretty tough meetings together. When this country was under attack during 9/11, I was the chair of emerging threats and he was the ranking member when the Twin Towers burned. He is a marine. I always joked: He is a marine and I am a Girl Scout, so I think he has one up on me. Nonetheless, we both have a pretty good code of honor. So for him to come to the floor, after being in the foxhole with me on that day, and to say he thinks this is some kind of convenient opportunity for me is beneath the dignity of himself, the Marine Corps, and the State he represents.

This is a serious issue. We should have debated it months ago. The only reason we didn't—and HARRY REID is now on the floor and he has heard me say this to him in private and I will say it in public—is because neither leader could get their caucuses in a position to have this debate. There were

many reasons for it, but all those reasons cleared up after this election. That is why we are having this debate, because I asked for it.

I support and I appreciate the Members, no matter how they vote, in having this debate. If we had more debates like this, the American people might be hopeful we could get something done.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

ATTACK IN JERUSALEM

Mr. REID. Madam President, I am going to use leader time for these remarks, and it will not interfere with any of the time that has been allocated to these gentlemen and ladies.

In far away Israel, during morning prayer, a horrific attack took place. A number of people were having their morning prayer. Four rabbis were savagely beaten, hacked to death, with a meat cleaver. Two Palestinian men entered the synagogue in Jerusalem and savagely murdered these four rabbis in the midst of morning prayer. Three of these victims were American citizens, the other, I am told, was a British citizen. One of them was a leading scholar, Hasidic scholar. More than one dozen others were hacked, hacked with a meat clever, while they were there praying. A number of these people are in critical condition as we speak.

Secretary of State John Kerry today said: ''Innocent people who had come to worship died in the sanctuary of a synagogue.''

Places of worship have always been a refuge in times of peace and in times of conflict. Yet these terrorists hacked and brutally murdered worshippers in the midst of prayer.

This is not an isolated incident. Recently, Palestinian terrorists have carried out shocking attacks all across Israel. Seven Israelis have been killed in these horrible attacks, including a 3-month-old American infant—a baby, 3 months old—an Israeli soldier, a border patrol officer.

These attacks are a direct result of incitement, and I call upon the Palestinian leadership to condemn these attacks unequivocally. This butchery has no place in the modern world and they should stop it.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I thank Majority Leader REID for his remarks. Sometimes it does feel the world is falling apart and we have to speak out, as we are doing every time these terrorists rear their heads.

I know we have some time over here by Senator BARRASSO, but I just wanted to make a point on the environmental impact statements, although it is hard to get back.

As I understand it, in the Hoeven-Landrieu bill, the EIS is approved. So if the Nebraska bureaucracy determines there is a new route—and I think this is what my friend from Maryland was getting at—it doesn't matter what the new route is, the EIS is deemed approved. I have to say I don't think that is right. I think the people who live along that new route have a right to have a new EIS if in fact now the pipeline is being moved in a different direction.

I understand the bill calls for property rights to be respected, and that is called eminent domain. I know a lot of my friends on the other side hate eminent domain, usually, but now they are embracing it because that is what is in this bill. But the fact is, if as a result of a court case brought by property owners the route changes, it is our counsel's understanding the EIS is still automatically approved.

I wanted to get that on the record because my friend was in fact questioned, and I think he was right.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Madam President, I come to the floor to express my support for the approval of the Keystone XL Pipeline. This is bipartisan legislation. The House passed this bill with 31 Democrats voting for it.

Last week, Senate Republicans welcomed the news that the outgoing Senate majority leader had finally decided to let the Senate vote on this legislation and that vote is finally going to take place today. For years House and Senate Republicans have been pushing legislation to approve the Keystone XL Pipeline, but until now the outgoing Senate majority leader wouldn't even let the Senate vote on this measure. This was all part of the majority leader's efforts to protect the President and the President's agenda.

The majority leader had hoped the American people would forget about the Senate. He had hoped they would be satisfied with President Obama's job approval. Well, 2 weeks ago, the American people made it clear they have not forgotten about the Senate. The American people made it clear they are not satisfied with President Obama and his policies. Instead, the American people want the President to work with the Senate to enact bipartisan legislation to grow our and economy and to create jobs.

President Obama and Senate Democrats can do that today by supporting the bill we are approaching to approve the Keystone XL Pipeline. This pipeline is going to create thousands of jobs right here at home. It is not just my view, it is the view of the President's own State Department.

According to the State Department, the construction of the Keystone XL Pipeline would support over 42,000 jobs—42,000 jobs. That is the reason many of the Nation's largest labor unions support the construction and approval of the Keystone XL Pipeline. In addition the pipeline would facilitate American crude oil production. Specifically, this pipeline will ship up to 100,000 barrels of oil each and every day from North Dakota and Montana. Currently there is insufficient pipeline capacity to ship oil out of North Dakota. As a consequence, oil producers must rely on railroads to ship oil out of State. Shipping crude oil by rail is more expensive than shipping it by pipeline. The Keystone XL Pipeline would provide oil producers a cheaper shipping method and in turn encourage production of more American energy.

This pipeline will also increase our Nation's energy security. Specifically, the pipeline will provide an additional access to Canadian oil. We should welcome access to Canadian oil. Canadian oil is a far better alternative to oil from Venezuela, the Middle East or West Africa, areas of the world which don't share our values and too often work against our American interests. In contrast, Canada is a strong ally, Canada is America's top trading partner, and Canada already provides the United States with reliable and secure sources of energy.

Now is the time for President Obama to make a decision on the Keystone XL Pipeline.

As the senior Senator from Delaware, a Member of the President's own party, said last week: ''We have waited not just months but years for a decision on Keystone,'' he said. ''This is too long.''

In fact, the permit for the Keystone XL Pipeline has been pending for over 6 years. During this time the State Department has conducted five environmental reviews of the project. Each of the reviews has been positive. I say to President Obama: Time is up and the excuses have run out. It is time for you, Mr. President, to make a decision.

President Obama should once again acknowledge that elections have consequences. Specifically, he should signal to the American people that he has heard the message voters across this country sent just 2 weeks ago: their message of support for bipartisan legislation that grows our economy, creates jobs, puts people back to work, their message of support for legislation such as the approval of the Keystone XL Pipeline.

Thank you. I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Madam President, let me just say that at long last this week we are going to be voting on the Keystone XL Pipeline. The vote has been a long time coming—years, in fact. Republicans have been trying to get this pipeline and the many jobs it will support approved. It would have been at the top of our agenda in January when we take control of the Senate, but we are happy to get a head start on that work a little early. It is just too bad that it took an election defeat and a runoff election to finally motivate the Democratic leadership to allow a vote on the measure. It should have received a vote years ago.

In fact, the Keystone Pipeline, if there is such a thing, is a win-win. It will create jobs. One can argue about how many jobs. The President's own

State Department said it would support over 42,000 jobs. It will decrease our reliance on oil from dangerous countries. It will increase revenues to State and local governments. It will free space on overcrowded rail lines so the farmers can get their goods to the marketplace, and it will do all of that without spending a dime of taxpayer money.

Our economy has been limping along for years. The unemployment rate is still hovering at near recession levels and 9 million Americans are unemployed. More Americans are working part-time jobs because they cannot find full-time employment. Household income has fallen nearly $3,000 since President Obama took office while the price of everything else, from food to health care, has risen.

Americans need jobs and economic opportunities, and the Keystone Pipeline will help supply them. As I said, the State Department estimates that in my home State of South Dakota alone, construction of the pipeline would bring 3,000 to 4,000 jobs and generate well over $100 million in earnings. It will also bring over $20 million in annual property taxes to South Dakota counties. I know some of the counties in the middle of my State are counties that are struggling to keep up with the cost of keeping the local governments going. School districts are struggling to survive and property tax revenue that will come in as a result of building a pipeline will help sustain many of those local governments and many of those school districts during some pretty difficult times.

My State is just one of the States that benefits. Nationwide, the pipeline will support more than 42,000 jobs—construction jobs from welders to pipefitters, to those who work at local hotels and gas stations. It will invest $5.3 billion in the U.S. economy and bring States a total of $5 billion in property taxes over the life of the project. That is a lot of funding for local priorities such as schools, law enforcement personnel and roads and bridges. Opponents of the pipeline like to cite environmental concerns as a reason for opposing the pipeline and its jobs.

Five separate environmental reviews from the President's own State Department have found that the pipeline possesses no meaningful risk to the environment. In fact, even the State Department admits the Keystone Pipeline is the safest way of transporting the oil. It is safer than rail or truck. It is important to remember Canada will be extracting and transporting its oil regardless. The only question is whether we want it to come to the United States along with the thousands of jobs it will create or whether we want to let Canada ship that oil overseas.

The American people have been very clear about their feelings about this project. Poll after poll has shown strong support. Republicans support the pipeline. Democrats in both Houses of Congress support the pipeline. Unions support the pipeline. The only people who seem to oppose it are Members of the far leftwing of the Democratic Party. The reason we haven't had a vote in the Senate is not because a majority of Senators don't support the project, it is because Senate Democratic leadership refused to hold a vote despite having support from their side of the aisle.

While it is unfortunate it took the Democratic leadership this long to come around, I am glad we are finally here. I hope the Senate will finally approve the pipeline. If this bill passes today it will have one final hurdle to clear and that is the President of the United States. I very much hope he will listen to the voices of American workers and the bipartisan majorities in the Congress. Given his recent comments, I am skeptical.

The President has demonstrated a disturbing commitment to holding the American economy hostage to priorities of the far leftwing of his party. Take his recent energy agreement with China which would force American companies to implement costly new measures while China gets to do nothing. The national energy tax that the President unveiled back in June will put tens of thousands, if not hundreds of thousands, of American workers out of jobs and devastate entire communities. The pipeline's economic benefits to support the American people and five—five—successful environmental reviews have yet to convince the President to approve this project. I am concerned this vote probably isn't going to help, but I hope I am wrong.

By signing this bill, the President could send a powerful message about his willingness to work with Congress, and he can show the American people he heard their demands for change in Washington and that their economic priorities can be addressed.

I am sorry American workers have had to wait years for this project because, let's not forget, they are the ones who have been hurt the most by the administration's refusal to approve the pipeline. I hope today marks the end of their waiting and I hope it marks the beginning of a new era in the Senate.

When Republicans take over in January, bills such as Keystone will be the order of the day. We will take up jobs bills that passed the House with bipartisan support but have been waiting for a vote in the Democratic leader's Senate. We will take up legislation to create economic growth here at home by opening new markets for American agriculture and manufacturing overseas. We will repeal the medical device tax which is opposed by Members of both parties thanks to the fact that it is eliminating thousands of jobs in the medical device industry, and that will be just the start.

I hope that just as they did today, Democrats will work with us even more on bills to create jobs and economic opportunities for the American people because it is the people of this country for whom we ought to be doing everything we can to help and to support. I can state that the people in the Midwest, in the heartland whom I represent, already spend—if they make $50,000 a year—20 percent of their income on energy, either fuel or electricity. All these proposals, the national energy tax, the deal with China, continue to drive up the cost of energy and make it more difficult and more expensive for middle-income families who are increasingly squeezed by these policies.

I wish to close by quoting from a letter the leaders received from the National Council of Farmer Cooperatives in which they urge Congress to support legislation to approve the Keystone XL Pipeline, and this is what they say:

> The Keystone XL Pipeline also is part of a long-term solution to alleviating the transportation pressures many in agriculture have faced. This year, farmers around the country experienced some of the largest harvests they have seen in generations. For some, their successful year has come to an alarming halt when trying to sell and transport their crop. Farmer cooperatives in the upper Midwest are facing major delays in getting their farmers' grain to market due to the sustained shortage of rail equipment resulting from the increased use of rail to transport crude oil. The Keystone XL Pipeline will ultimately free up locomotives and track to move more grain to market and improve our ability to handle year after year record harvests.

Yet another reason to support this project and the jobs that come with it, the energy independence that comes with it, the lessening—relieving, if you will—of rail capacity issues that are plagued in many areas of the Midwest and making it harder for farmers to come to the marketplace.

This is a project that is a win-win, and I hope when the vote comes later today, we will have not just the majority of the Senators but the 60 votes that are necessary to move this to the President's desk.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I will yield to Senator MERKLEY, but before I do, I was so glad to hear a Republican say he wants to work on jobs. I would just say to my friend before he leaves, the CEO who runs the pipeline says there will be 35 permanent jobs. OK. I would like to suggest to my friend that if he truly wants to help the middle class, he ought to join with us first in raising the minimum wage, which is critical, and, secondly, embracing a clean energy future while we still use, where it is safe, domestic oil production, clean coal, things we can do that don't threaten the air our children breathe, pollute the water they drink, and destroy the planet.

To hear a Republican stand and talk about jobs is music to my ears, but I would like to put into the RECORD a report I just got from my California people at home who say:

California's climate policies are reducing carbon emissions, saving consumers at the pump, cutting oil use, and cleaning our air.

California's economic recovery has outpaced the rest of the country since the so-called ''great recession,'' while our state has implemented the nation's strongest climate policies. . . .

California can reduce greenhouse gas pollution while growing the economy; we have been doing it for the last 35 years. Innovative energy policies over the past three decades have saved Californians $56 billion on household energy costs and allowed them to reduce expenditures on imported fossil fuels and redirect spending to create 1.5 million full-time jobs.

And they go on to talk about the fact that they are looking toward 1.5 million full-time jobs. I am just saying to my friend, if this is truly about jobs, let's pass a transportation bill. Let's make sure we do the things that help our people.

I am going to hold up a picture of the air in China. This is what it looks like when you throw the environment under the bus. We know, because in California we had some bad air until a Republican President passed the Clean Air Act, signed it into law.

You want to know public opinion. I will tell you. The public supports the EPA and they support clean air, clean water, safe drinking water. This tar sands isn't about the building of a pipeline, it is what is going into it—the filthiest, dirtiest oil, and we have put in the RECORD all the elements, the pollutants, that are in this oil. You can laugh it away if you want. That is fine. But I have to tell you, when you hear about the health impact that is going on in Canada from this tar sands, when you go down to Port Arthur, TX, or meet with the people here as I did, what you will see there is a community suffering because this is the dirtiest oil.

So, yes, jobs—that is where it is with this Senator. I come from a family which is first-generation American on my mother's side. We worked for everything we got. Education was key to it.

Hey, how about joining with us on that? How about reducing interest rates on student loans? But to stand here and say this is the absolute job producer is phony. It is phony baloney.

With that, I yield to my friend for 12 minutes.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I rise to address S. 2280, which would approve construction of the Keystone Pipeline to transport tar sands heavy oil from Canada to the gulf coast.

The key consideration is whether this bill—by authorizing the pipeline—would contribute significantly to global warming, which is already damaging our rural resources and our future economic prospects with profound consequences for families in America and around the world.

Also, are there better ways to create jobs that would enhance rather than damage our world? In the words of President Theodore Roosevelt:

Of all the questions which can come before this nation, short of the actual preservation of its existence in a great war, there is none which compares in importance with the great central task of leaving this land even a better land for our descendants than it is for us.

Let's start by addressing the vision that President Roosevelt put forward and examine the impact of the Keystone Pipeline on atmospheric carbon dioxide pollution and global warming.

In this chart we see, going back 800,000 years, that the carbon dioxide has gone up and down. In recent years it has been quite steady until the start of the Industrial Revolution, and then it has soared—soared above levels it has been at for hundreds of thousands of years.

In this second chart, we see that there is absolutely no question that heat—put here in blue—correlates to the carbon dioxide in red. When the carbon dioxide level goes up and down, the heat of the planet goes up and down.

By many estimates, to contain global warming to 2 degrees Celsius, humans can burn only about an additional 500 gigatons of fossil carbon. That is the fossil budget we have to work with to avoid catastrophic global warming. But currently, the world's top 200 fossil fuel companies have identified 2,800 gigatons trapped in their fossil fuel, and that doesn't include the carbon from tar sands and oil shale.

Here is the problem: To protect the planet from catastrophic global warming, we need to leave four-fifths of the identified conventional fossil fuel reserves in the ground. Building the Keystone Pipeline, which would open the facet to rapid exploitation of a massive, new unconventional reserve—the tar sands—would make it much less likely for human civilization to succeed in meeting that carbon budget that is so important to our future economic and environmental world, and that is why building the Keystone Pipeline is a grave mistake.

Global warming is not some imaginary foe embedded in some computer model with effects 50 years from now. It is here and we can see it at this very moment. The warmest 10 years on record for global average surface temperature has occurred in the last 12 years. Moreover, the effects can be seen in Oregon—and actually across the Nation. The average forest fire season is getting longer. Across the Nation, since the 1980s, the national season has grown by 60 to 80 days, and the average acres consumed annually by wildfires has doubled to more than 7 million acres. This sight has become all too familiar in our home State of Oregon.

One study estimates that global warming, through the greater impact of greater pine beetle infestations and larger forest fires, will decimate the western forest of the United States by the end of this century.

In addition, the snowpack in our Oregon mountains is decreasing, which means smaller and warmer trout streams—that is not a good thing if you love to fish—and less water for irrigation. The Klamath Basin—a major agriculture basin in Oregon—has suffered through many dry years and three horrific droughts since 2001, in substantial part because of lower snowpacks.

The red circles on this chart represent a significant decrease in the snowpack. As we can see throughout the northwestern United States—Oregon, Washington, Idaho, Montana, and stretching into northern California—there is a huge decrease in the snowpack which is resulting in devastating consequences for agriculture.

As the high levels of carbon dioxide in the air are absorbed by the oceans, the carbon dioxide becomes carbonic acid. That acid, as one would expect, makes the oceans more acidic.

This chart, which presents the carbon dioxide and the pH time series from Hawaii, presents the challenge clearly. CO_2 in the atmosphere went up from 320 parts per million to about 380 parts per million over a period of about 50 years—a steady increase in carbon dioxide. We then see, with this blue set of data, that there is a parallel trend of the carbon dioxide that is in our ocean, and then we see from the light blue data that the pH level is dropping, which means that the ocean is more acidic. That is a 30-percent increase in the acidity of the ocean over a very short period of time.

The greater acidity is having an impact on sea life. One impact is on coral reefs, which are the ocean's most diverse ecosystem and the base of the ocean's food chain. Fishing families around the world depend on coral reefs as a foundation for livelihood.

Another impact is on the reproduction of oysters. The Whiskey Creek Shellfish Hatchery in Oregon, which I visited a few weeks ago, started having trouble growing baby oysters—known as oyster seed—in the year 2008. The hatchery almost went out of business, but a scientist from Oregon State University was able to help identify and address the problem. The problem, it turns out, stems from the increase in the acidity of the Pacific Ocean. If the oyster seed, or the canary in the coal mine, is having trouble forming shells, what else is going wrong in the ocean due to rising acidity?

In summary, carbon pollution is having a direct and substantial impact on the vitality of our forests, farming, and fishing. Our rural resources are being damaged now, and the problems will multiply with additional carbon pollution. So as members of the human family on this planet, with the moral responsibility to exercise wide stewardship of our resources for future generations, we must address this challenge of carbon pollution, and we must do so now. Wise stewardship means we must leave four-fifths of the conventional fossil fuels in the ground.

Would this bill before us, which would open the facet to this massive

new reserve of fossil fuels, advance such stewardship? The answer is clear. Stewardship demands that we not build infrastructure to unlock tar sands—the dirtiest source of oil on the planet.

The proponents of the pipeline have come to the floor and made interesting arguments—arguments worth examining to see if they actually hold water. First, they argue that the pipeline would create a tremendous number of construction jobs. Here is a comparison of direct construction jobs created by the pipeline—the little tiny wedge down here represents the pipeline jobs versus the jobs that would be created by the Rebuild America Act, which would create hundreds of thousands of jobs. So just 4,000 or so jobs in construction of the pipeline versus hundreds of thousands jobs from the Rebuild America Act. If anyone on this floor is actually serious about jobs, we would pass the Rebuild America Act today.

The proponents have a second argument. They say that bringing this additional oil into America would increase America's oil independence. We heard that argument just a few moments ago by my colleague from South Dakota. The argument goes that this strengthens America's national security by decreasing America's dependence on the Middle East, but that argument overlooks a fact. This is not American oil, this is Canadian oil. This is not oil destined for the United States, it is destined to be refined in the gulf coast so that it can be exported around the world. These tar sands will do no more for America than if they were exported through Canada to the world market.

In fact, if you want the oil to be used in America, the best thing to do is to not build the pipeline, because that means the area around the tar sands will be the area getting that oil. Shipping Canadian oil to the world market via America adds nothing to America's security.

The next argument from proponents is that the pipeline has no environmental effect—indeed, we just heard this argument as well—because the oil from the tar sands, it is argued, will reach the market by rail if not by pipeline. This argument is demonstrably false. There is not enough rail capacity to substitute for the pipeline, and the cost of shipping oil by rail is much higher than pipeline, greatly reducing the economic incentive for rapid development of the sands. All the while proponents say if the Keystone Pipeline is not built, alternative pipelines will be built through Canada, but that is certainly not at all clear.

If it were easier and cheaper to build through Canada, TransCanada would not be trying to build through the United States of America. Moreover, there is tremendous opposition within Canada to building such pipelines, and that is part of the reason TransCanada wanted to build it through the United States. The opposition within Canada to additional pipelines is just as fierce as it is in America for the same set of reasons—fundamentally important moral reasons—about the stewardship of our environment and our future economy. It turns out the Keystone Pipeline represents a real risk to our rural resources, our farming, and our fishing. It represents a real risk to the future health of our economy needed to sustain middle-class jobs. The pipeline itself creates very few jobs compared to a serious investment in infrastructure, and it adds nothing to our national security.

There are several other serious problems with this pipeline that have often been glossed over. For one, TransCanada is exempted from contributing to the Oil Spill Liability Fund. That is outrageous. You could call this bill the TransCanada protection act. Why are we doing a special deal for a Canadian company? Oilspills like this happen with these pipelines all the time, and they will not contribute one slim dime to the Oil Spill Liability Fund that American companies have to contribute to. Why would anyone vote for that sort of special deal for a foreign company—that irresponsible failure to contribute a single dime to the Oil Spill Liability Fund?

In addition, we are giving a foreign corporation the ability to exercise eminent domain to seize the lands of American citizens. Since when do we give power to a foreign corporation to take land away from American citizens without their desire? It is fundamentally unfair to American landowners. The legal basis for eminent domain is that there has to be a compelling public good. What is the compelling public good in this situation? Is it the generation of private profits for a Canadian corporation? That doesn't meet the test. Is it the damage from the oilspills that will occur in communities across America? That doesn't meet the test. Is it the contributory damage——

The PRESIDING OFFICER. The Senator is advised that his time has expired.

Mr. MERKLEY. Madam President, I ask unanimous consent for a minute and a half more.

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

Mr. MERKLEY. Is it from the damage from carbon pollution to our farming, fishing, and forests? That doesn't meet the test.

Frankly, tackling carbon pollution is going to take an enormous amount of international cooperation. Just a few days ago the United States and China entered into an agreement to address the global climate change crisis. The Chinese President announced that China would invest heavily in renewable energy to generate 20 percent of China's energy from nonfossil fuel sources by 2030, seeking to decrease China's CO_2 emissions thereafter. That is the type of leadership the world has been asking for.

We can't simply wish for nations to work together. We have to negotiate and do our part. That is why today we should not be talking about how to turn on the tap to the dirtiest oil on the planet, but how to meet the 2025 goals and how to create jobs by investing in energy conservation and renewable energy.

Let's remember the test that President Theodore Roosevelt gave us. There is no more important mission than ''leaving this land even a better land for descendants than it is for us.'' This bill fails the test.

Mrs. BOXER. Madam President, I think we are going to take a recess shortly. I just wanted to thank everybody on both sides for their statements.

To sum it up from my perspective, you have a situation here that, frankly, I am very glad we are confronting because there are lots of people who say: Oh, this is no big deal, it is just a little pipeline, and we have so many pipelines.

Senator THUNE said: Oh, it is so much safer to transport this oil by pipeline than other ways. Just try telling that to the people of Marshall, MI. There was a spill in 2010 in the Kalamazoo River. They are still trying to clean it up. It is not the pipeline that is the issue, folks, it is the dirty tar sands oil that is so much more dangerous, has more heavy metals, and more carcinogens. It is a problem. By virtue of its weight, it sinks to the bottom, and they cannot clean it up. I can't believe the statement was made about how safe this is. We have seen stories that there are problems with the welding in the existing pipeline. We might want to speak to the people in Mayflower, AR. Do my colleagues know that Exxon had to buy back the homes because they couldn't be lived in anymore because this stuff spilled and contaminated an entire neighborhood?

So I call this the extra lethal pipeline. The pipeline itself is benign. It is what is going through it and what it will unleash in terms of 45 percent more carbon over time and 45 percent more tar sands than we would otherwise have, so we figure that everything gets increased by that amount. There is going to be more carbon, there is going to be more sulfur, more mercury, more lead.

This is important today. I am so glad we are having this debate. My colleagues say we never allowed a vote. There was a lot of boxing around in the boxing ring on that one. We tried. I don't mind having a vote on this. I have never minded having a vote on this. I think it is an important debate. People disagree. It is OK. We should air it out. But the bill before us would stop a process that is in place that is very important, not because it is a ''process'' but because 2 million people wrote comments about the Keystone Pipeline. We should not say to them: Your voices don't matter; we are going to truncate the process; I don't care what you said.

We already know there is a court case. This bill would approve the EIS.

Even if Nebraska moves the route to another route, guess what: This bill that is pending here—the Hoeven-Landrieu bill—would already say the new EIS is approved. That is wrong. So only 35 permanent jobs. Most of this oil is exported. Economists say the price of gas in the domestic market will go up. And we compare it to embracing a clean energy agenda while we still develop oil where it is safe and sound, and we still develop all of the above when it is safe and sound. But if we embrace clean energy, I have to tell my colleagues, the jobs will dwarf the 35 permanent jobs for sure that this pipeline brings us.

In California we are so excited with what is happening. And we don't want to look like the people in China where they walk around in masks, and we don't want to have little girls and boys with those inhalers because they can't breathe the air. This is real. This is about health. Yes, it is about jobs. Yes, it is about prices. And I find it really fascinating that a few years ago when this all came up, what did we say? We said, Oh, this pipeline will make us energy independent. Now we know that we are going to allow this oil to go right through the middle of our country. Misery follows the tar sands: spills. We have already had spills. We know what happens when there is a spill. And what do we get at the end? The oil goes to the rest of the world.

Our friends say, oh, it is still good. It is good for prices. No, it isn't good for prices. Economists have told us it is not good for gas prices, and it doesn't help us become energy independent. It imperils our planet with large amounts of carbon going into the air. It imperils our families with pollutants that are very carcinogenic and very dangerous.

So I hope we will let the process continue. I don't know what happens today. I know the handwriting is on the wall. I know it is on this one. But when we see the country we love going down a route that makes sense, following a procedure that makes sense, letting court cases resolve themselves, letting the people's comments be looked at, making sure we know exactly what we are doing, and we see that process shortcut by legislation and people who, by the way—and I am talking about my Republican friends: Oh, we are not scientists. We don't know if there is climate change. That is right, they are not scientists and they don't know, so they should listen to 98 percent of the scientists who are telling us that the Keystone is a dangerous move for this planet, because it is going to allow this oil that is far more carbon intensive.

I am a humble person. I am not a scientist; I do listen to them. I have to say to go blindly down this path is a huge mistake. Yet, that is what we are facing, and it is fine with me that we are facing it. We will stand and we will debate until there is nothing more to be said. We are probably getting to that place right now, so I will stop and reserve the remainder of my time.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:06 p.m., recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

TO APPROVE THE KEYSTONE XL PIPELINE—Continued

The PRESIDING OFFICER. Who yields time?

If neither side yields time, both sides will be equally charged.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. I ask unanimous consent I be allowed to speak for up to 5 minutes in opposition of the bill presently on the floor.

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

Mr. HARKIN. I oppose this legislation to approve the construction of the Keystone XL Pipeline. Again, I believe it is one more step in the wrong direction, one more capitulation to our fossil fuel habit, one more accelerant to global warming that threatens our children's future. I know I have limited time. I just want to point out that we have had a number of studies done by the Department of Energy recently.

One study found that retrofitting residential and commercial buildings had the potential to reduce consumer demand by 30 percent by 2030 and reduce greenhouse emissions by 1.1 gigatons each year, saving over $680 billion.

The second study found the retrofits—I am talking about building retrofits in America—could save $1 trillion in energy spending over 10 years and reduce CO_2 emissions by 10 percent.

What would retrofitting do for jobs?

According to the Rockefeller Foundation, this type of retrofitting nationally would create 3.3 million new jobs.

So why are we talking about building a pipeline that is going to cause the development of more tar sands oil, which is the dirtiest oil in the world—the dirtiest—when it is going to create a few jobs for a very short period of time, a couple of years and that is it.

Why aren't we focusing on what we know works and creates a lot of jobs and saves energy and saves money; that is, retrofitting all of the buildings in America to make them energy efficient—3.3 million jobs in that 10-year period of time, saving us untold billions of dollars in savings for consumers in America, of course reducing greenhouse gases.

I find this whole issue of this Keystone Pipeline to just—at this point in time when the planet is warming up, when we may be at that tipping point where we can't do anything about it, I find this debate about the Keystone Pipeline to be out of bounds, considering the impact it is going to have.

I would say this: After all my years here, serving 10 years on the science and tech committee in the House, serving here on agriculture, the Health, Education, Labor and Pensions Committee as chair, study after study I have read, I have come to this conclusion on why I cannot vote for the Keystone XL Pipeline. I have come to this one conclusion: Every dollar that we spend today on developing and using more fossil fuels is another dollar spent in digging the graves of our grandchildren.

I don't want to dig that grave anymore. It is time to get off our fossil fuel habits. I am not so naive as to think we can do this overnight. I understand that. What we ought to be on is a very steep glide slope down, understanding that by focusing on renewable energies, the wind and solar, ocean thermal energy conversion, all of those things, geothermal, and, yes, retrofitting buildings to be more energy efficient would create hundreds of thousands more jobs, millions more jobs than the pipeline. It will make us more secure as a nation. It could have the effect of getting us on that steep glide slope down of fossil fuel. The fossil fuel era comes to an end. That is what we have to do. Bring the fossil fuel era to an end. The sooner we do it, the better it is going to be for our grandkids and our planet.

I know the Keystone Pipeline is a small part of it. It is a small part, but they all add up and one step leads to another. There are those that say they are going to develop the tar sands regardless. I don't believe that.

I have seen a lot of studies that show Canada can't ship that west, and it is too expensive to ship it east on the railroads. The only way they have to go is the pipeline through America. I don't know whether cutting off the Keystone Pipeline will slow down or stop the tar sands development, but I believe we have to do everything in our power to slow it down and to get our neighbors to the north——

The PRESIDING OFFICER. The Senator has consumed 5 minutes.

Mr. HARKIN. Just 1 more minute to finish.

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

Mr. HARKIN. To get our good neighbors, the Canadians, to the north to start moving away from the development of the tar sands, both for their good and for the good of our planet.

I don't want to keep digging the grave for our grandkids. I cannot vote any longer for anything that would develop or use more fossil fuels anywhere in our country or globally.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Before the Senator from Iowa leaves the floor, I thank him not only for his heartfelt remarks, because what we are doing here—we are here a short period of time in essence, whether we are here 6 years or 26 or 36 or even longer.

How long has the Senator been here?

Mr. HARKIN. Forty.

Mrs. BOXER. Forty years. When we look at the universe, we are here a very short time. He always thought about our kids and grandkids because that is what our job is.

We are so fortunate that we had a life in America that gave us the opportunity with policies that kept us healthy enough to do our work.

The tar sands are the dirtiest kind of oil there is. My friend makes that point. We need to protect the health of our families and the health of the planet, as my friend pointed out.

I just want to say to him how much I think it means to all Americans, the leadership the Senator has shown his entire career and the passion he is still showing today.

Mr. HARKIN. If I may respond in kind.

Mrs. BOXER. Yes.

Mr. HARKIN. I thank my dear friend and colleague, long-standing in the Senate and in the House before, and to thank the Senator for her intellectual and energetic leadership on all issues concerning the environment and the health of our people and the health of our planet. Senator BOXER has been a stalwart. She has been a Rock of Gibraltar around here in making sense and making sense of our debate and the issues surrounding energy, energy use, energy efficiency, always keeping in mind what it means for the future of our kids.

As I leave the Senate I am happy to note the Senator from California will still be here.

Mrs. BOXER. Thank you so much.

I see that Senator MURKOWSKI is here. We will reserve the balance of our time.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Thank you, Madam President. I assure my colleagues from Iowa, California, my colleagues from around the country, that as a Senator from an oil- and gas-producing State, a State where we have fossil fuels in abundance, that I, too, am focused on that next generation of energy security.

I want to do what we can to develop those renewables, whether it is geothermal, whether it is our amazing hydro capacity, whether it is what we have with our oceans or our tides, our winds, and our Sun.

I also recognize very cleanly that when we are talking about energy and energy security, we also need to think about the geopolitics and our national security when it comes to energy use and our vulnerability.

There is a lot of discussion on this floor right now about the Keystone XL Pipeline and the number of jobs it will bring.

I think we recognize that when we build something, there is that flurry of activity. There are those jobs that are very real, very good, very promising but can stretching jobs—jobs come and they go. What do we have left after they have completed Keystone XL Pipeline?

What we have is in a very real sense an energy lifeline, a lifeline that connects our friend and neighbor, Canada, to the north, to our opportunities for refining capacity in the Gulf of Mexico, our opportunities within this country to be more energy secure, to be less energy dependent.

I wanted to take just a few minutes this afternoon to not necessarily talk about the jobs perspective of the Keystone XL Pipeline, as passionate as I feel about that, but I wanted to focus on just a couple of points. One is the artificial chokepoints that are created in North America if we do not move forward with the Keystone XL Pipeline.

Earlier this month, the Energy Information Administration, EIA, published a report on world transit chokepoints for the global oil and gas trade.

There are about 90 million barrels a day of oil on that world market. Of that, 56.5 million barrels, about 63 percent, is transported by ship. It is moving around on our oceans.

This maritime trade that we see is dependent on a few chokepoints. We have heard of some of them—obviously, the Strait of Hormuz, 17 million barrels a day go through the Strait of Hormuz. We have the Strait of Malacca, where there are 15.2 million barrels a day. We also have the Suez Canal and the Sumed Pipeline, and the Bab el-Mandab between Yemen and the Horn of Africa.

Effectively what we have are these very tight chokepoints where this flow of oil that comes around the world, around the globe, moves through.

Meanwhile, the Keystone XL would have the capacity of about 830,000 barrels per day. These are barrels that are secure, both economically and strategically, from a reliable friend and ally.

When we talk about the pros and cons of approving this pipeline, I think it is important that we think beyond just the benefit to our country, the benefit that Canada will have as a trading opportunity, but think about it from a national security perspective, from a global security perspective. By not approving the Keystone XL Pipeline, the President is creating an artificial chokepoint here. Other pipelines are full. We know the rail capacity is under severe constraint.

So think about it. We already have enough chokepoints out there in some of the most volatile points of the world. So factor this into the discussion that we have at hand.

The other point I would like to make is the integration of Keystone as a source of supply when we are talking about North American energy independence. We talk about that a lot on the energy committee. It is important when we talk about integration to understand how this piece from Canada fits into the source of supply for the Americas.

Again, EIA back in January published a report. This was on liquid fuels in the Americas. North and South America hold about 536 billion barrels of proved oil reserves. Back in 2012 the crude production was 19 million barrels a day. In North America, Mexico, Canada, and the United States, this is the lion's share of the Western Hemispheric production that we have right here.

So integrating our markets between the U.S. and the Canadian side just makes sense. In fact, it is the economic reality that is already on the ground. Last week I came to the floor talking about Keystone XL. I said: Why? Why is it such an issue, such a dilemma when we have 19 existing cross-border oil pipelines between Canada, Mexico, and the United States? They have been operating. They have been providing a resource to the benefit of both nations for years, for decades. Now we are twisted in knots, arguing for 5 years about whether or not the Keystone XL should proceed. I think we are going to look back on this a generation from now and we are going to wonder why and how we blocked this historic integration of our energy markets.

Then, the last thing I want to raise here is how the U.S. refineries—particularly those in the Gulf—are truly best prepared for the Canadian crude and thus bringing great benefits to Americans as a result of the pipeline. We have the total refinery or distillation capacity here in the Americas of about 27.7 million barrels per day. This was last year's number. Roughly onethird of the world's refining capacity is here in the Americas. In North America nearly onethird of that capacity, 17.8 million barrels per day, are here in the United States. Specifically, for heavy crude, we have over half of the world's choking capacity here in this country.

The largest refineries in the Americas are down in the gulf coast as well as in Venezuela. There are others on the west coast, in the Midwest, and some on the east coast. But if you look at the map of where the refineries are—in the Americas and really globally—it is obvious the destination for the Canadian oil is in the gulf coast area.

This is a debate on Keystone XL that has generated a lot of emotion and a lot of discussion about how, if you are opposed to it, what we need to do is cut off this Canadian supply and somehow or other we will be at a new phase in our energy production and consumption. Our reality is the Canadians will continue to produce. The good news, I think for all of us, is that the Canadians are utilizing technologies and innovation in the industry that have come a remarkably long way in how they access the crude in Alberta and how they are able to process it in a way that truly is better for the environment.

So for those who are concerned that we must stop this pipeline dead in its tracks now, and if we do so, we will be a nation that has moved on beyond oil, I think that belies our reality.

I am one who wants to make sure we are pushing ourselves always to utilize our smarts and our technology to do better as we access our resources and do so in an environmentally responsible way. But I also want to make sure that as a nation we have energy policies which are directed toward resources that are affordable, abundant, clean, diverse, and secure. The security aspect of it is something I do not want my colleagues to forget.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I am going to yield Senator SANDERS 10 minutes.

I heard ''clean energy.'' Just for the record, let's be clear. The tar sands oil is one of the dirtiest known on the planet. Heavy metals—we went through it chapter and verse. The hardest to clean up—it is a nightmare. So if my friend wants clean energy, she should vote no.

With that I yield 10 minutes to Senator SANDERS.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. The issue that we are dealing with today is of enormous consequence for our country and, in fact, for the entire planet. For that reason I rise in very strong opposition to the legislation on the floor and to the construction of the Keystone XL Pipeline.

I strongly oppose this legislation and this project for a number of reasons. First and foremost, at a time when the scientific community is virtually unanimous in telling us that climate change is real, that it is caused by human activity and carbon emissions, that it is already causing devastating problems not only in the United States but all over the world in terms of drought, forest fires, flooding, extreme weather disturbances, and rising sea levels, at this moment when the scientific community is so clear about the dangers inherent upon a further dependance on fossil fuels, it is absolutely imperative for the future wellbeing of this country that we listen to the scientists and we begin the path forward to break our dependency on fossil fuel, not accelerate more drilling for the dirtiest oil on the planet.

The scientific community is telling us that we have a narrow window of opportunity to address the crisis of climate change. We do not have years and years. There are some people who think, in fact, that the game is already over, that the problem is irreversible. But be that as it may be, clearly our job now is to move as dramatically, as forcefully, as aggressively as we can to transform our energy system away from fossil fuel to energy efficiency, to weatherization, to sustainable energy such as wind, solar, geothermal, biomass, and other sustainable technologies.

The Keystone XL Pipeline would move us exactly in the wrong direction. More dependance not only on fossil fuels but on some of the dirtiest fossil fuels imaginable—the dirtiest fossil fuels imaginable. That is crazy. To reject what the scientific community is telling us and then to add insult to injury by going forward aggressively and accelerating the drilling of dirty oil is something that is almost beyond comprehension.

I wonder what our kids and our grandchildren will think years and years from now when they have to deal with the damage we have caused, when they have to deal with the floods and the extreme weather disturbances and the droughts and the wars that are fought by people over limited resources. I wonder what they will think about a Congress which was told by those who know the most to move away from fossil fuels, and, in fact, moved in exactly the wrong direction by accelerating drilling for the dirtiest oil on the Earth?

That is the major point. But furthermore, this legislation is being referred to by some as a ''jobs program.'' Well, in my opinion, we do need a jobs program. We need a major jobs program. Real unemployment in this country is close to 11 percent. Youth unemployment is 20 percent. Unemployment in the construction trade industries is very high. We need a real jobs program.

That is why we have to invest a substantial sum of money into rebuilding our crumbling infrastructure—our roads, our bridges, our water systems, our rail, our airports. In doing that we improve life in this country. We make our Nation more productive, more efficient. That is very different than creating jobs through the Keystone Pipeline, which damages the future of our planet and the lives of our kids and our grandchildren.

Furthermore, when people talk about this being a jobs program, let's understand that there is no debate that what we are talking about are less than 50 permanent jobs—less than 50 permanent jobs. So to suggest this is some kind of big jobs program is nothing more than a cruel hoax and a misleading hoax to workers in this country who need decent-paying jobs.

Mrs. BOXER. Will the Senator yield without losing his time?

Mr. SANDERS. Yes.

Mrs. BOXER. I ask unanimous consent that the time I use in this colloquy be taken off the time I have left.

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

Mrs. BOXER. I say to the Senator, your point is so well taken. I just want the Senator to know that this morning I said that the CEO of Keystone commented that there will be only 35 permanent jobs with the pipeline. I stand corrected. I went back and looked: 50 jobs—50 jobs.

The reason I want to take a minute to engage in this colloquy is that my friend has been, I think, one of the strongest and most effective voices for job creation and building a middle class that we have in the Senate. I was just looking at the numbers and wanted to go through a couple of things without my friend losing any time. In 2012 the U.S. installation of solar panels grew at a rate of 27 percent. I know my friend is trying desperately—and we work together on a lot of issues—to get us to put more of these solar panels on. In 2013 the solar industry employed 142,000 Americans in good-paying jobs. In 2013 the U.S. solar industry added 24,000.

So just looking at solar—and wind is another great story. At the end of 2013 the U.S. wind industry supported 560 manufacturing facilities and supported 50,500 full-time jobs in development, siting, construction, transportation and manufacturing, operation and services—direct jobs.

When we look at putting 50,500 full-time jobs, 142,000 jobs from solar, and you compare it to 50 full-time jobs, I think the Senator was so right to make the jobs argument what the Senator is making of it. It is not 50 jobs to do something that is going to make life better for our people. It endangers the planet, and it has these terrible pollutants which cause respiratory illness, cancer, and the rest.

But I just wanted to thank the Senator for bringing up the issue of jobs because it is the biggest phony-baloney argument when you have the CEO of the company itself—of the pipeline—admit that it is 50 full-time jobs permanently. I think we have to shatter this illusion and continue to talk about clean energy future and really good jobs. I yield to my friend.

Mr. SANDERS. I thank the Senator. I would mention that several years ago we worked together to pass the Energy Efficiency Block Grant Program, which pumped billions of dollars into weatherization, into sustainable energy.

I can tell you that in the State of Vermont right now work is being done weatherizing homes, saving substantial sums of money on fuel bills for working people, seeing a 30-, 40-percent reduction in fuel bills and equivalent reductions in the emission of carbon into the air. That is what we should be investing in all over America. Let's create those jobs. Let's create jobs building the wind turbines and the solar panels that we desperately need.

We need to be aggressive in that area and above that and beyond that. Everybody knows that bridges in Vermont, in California—the Senator is chairman of not only the environmental committee but the public works committee. She knows that as well as anybody. We need to rebuild our crumbling infrastructure. I understand why the construction workers want these jobs, with high unemployment in construction industry.

We have to put these guys to work and we can do that. We can do it by transforming our energy system. We can do it by rebuilding our crumbling infrastructure. We are talking about millions of decent-paying jobs, not 50 permanent jobs or a few thousand construction jobs. We are talking about millions of permanent jobs.

I would further add, when we heard this discussion during the caucus today—and I would ask the Senator of California, the chair of the committee, if my Republican friends are so concerned about jobs, please tell me where we are going with the wind tax credit and the solar tax credit, which have been so very important to creating jobs in the wind and solar energy.

Clearly, our friends who talk about the ''all of the aboves'' are enthusiastically supporting these tax credits.

Will my friend from California enlighten us?

Mrs. BOXER. I am so pleased the Senator made the point.

Today we had Senator THUNE make an eloquent statement about jobs—eloquent—and I thought he was going to change his position on minimum wage. How about that. Try raising a family on that.

These wind tax credits and these solar tax credits, this is creating a boom. I will say in my State, as in yours, I put something in the RECORD today, we have bounced back from this recession better than almost any State because of clean energy. It is such a win/win.

But our friends on the other side, when it is something the oil companies want—oh, they are out there, oh, yes, yes, jobs. But we know this is 50 jobs. This is the CEO of this pipeline company admitting that is it, 50 jobs. So it is not about the jobs, it is about their view of energy, which is the old way, which is the going backward. This was not embracing the clean energy future so that we can, in fact, create many more jobs and keep the planet clean.

Mr. SANDERS. If I may reclaim my time and wind down and finish my remarks, there are two basic issues. No. 1, I know many of my Republican friends deny what the overwhelming majority of scientists are telling us; that is, not only is climate change real, that it is caused by human activity, that it is already causing devastating problems. To continue to deny that reality is to endanger the lives of our kids, our grandchildren, and the planet on which they will live. To say to people all over the world that we Americans are concerned about climate change and yet vote for a project which will encourage and accelerate the excavation of some of the dirtiest oil in the world will make all of us look like fools and hypocrites throughout the world and will make future generations wonder what we were thinking about on that vote today.

With that, I reserve the remainder of my time.

The PRESIDING OFFICER. The Republican whip.

Mr. CORNYN. Madam President, it took an election on November 4. It took an election, but here we are at long last, some 6 years after the initial application for the Keystone XL Pipeline was filed and, as you know, for a long time now, I think at least since 2012, we have been trying to get a vote, the very same vote that is now scheduled for this afternoon. We have been trying to get a vote on the Senate floor so we could see whether there was a bipartisan majority, a supermajority of 60 or more, who would join our colleagues in the House and pass this bill authorizing the Keystone XL Pipeline and send it to the President.

We know the Keystone XL Pipeline would be good for our economy. We know it would be good for job creation, and I know there has been some quibbling, perhaps, about how many jobs, but the Department of State has said about 42,000 jobs would be created as a result of this project.

We also know this would be good for U.S. energy security to have a source of safe energy from Canada—one of our best allies and partners to the north—as opposed to shipping it in from troubled regions like the Middle East. It makes sense from an energy security standpoint, and it would be good for national security as well. It would also be good for our strategic interests overseas.

I have heard my colleagues, mainly on the other side say that, well, we are concerned about the environmental impact, and I am too, but President Obama's own State Department has once again found that the Keystone XL Pipeline would have a negligible impact on the environment.

In short, even in a moment of intense polarization in Washington, there is a strong consensus on Keystone, and if we get 60-plus votes today I think that consensus will be demonstrated.

Will we all agree? No. We have strongly held beliefs on both sides of this issue. But the way we function in the Senate is by actually scheduling votes—as we are going to have today—and letting the majority carry the day. And that, I predict, will happen today.

This is a day that I know my colleague, the senior Senator from North Dakota, Senator HOEVEN, has been working for a long time, again, across the aisle. He has been our No. 1 leader on this issue for years now and he has consistently explained the benefits of the Keystone XL Pipeline.

He comes from North Dakota, the second most productive State in the country when it comes to oil and gas. I come from the No. 1 State. I point that out often when it comes to producing oil and gas, and this has been a renaissance for the American economy and for American energy, what has happened in America, thanks to private investment and innovation in the oil and gas industry.

Senator HOEVEN has constantly worked with people across the aisle to rally the kind of support that has led us to this day, and he has repeatedly pressed the majority leader, Senator REID, to allow a binding vote on the floor such as we are going to have today, and then the next step will be to send it to President Obama for his signature.

Well, we haven't had that kind of vote before the November 4 election. That is why I said elections can change things and indeed, apparently, it has changed the majority leader's mind to allow this vote, which at long last we will have this afternoon.

Why has there been a change of attitude on the part of the majority leader to allow us to hold this vote this week? I will leave that to the pundits, but I will say our collective decision on Keystone should be determined by what is in America's national interests, not the interest of a single political party or the interest of a single Senator. The interests of our country as a whole should be our guide.

For that matter, it is time for our President to put his cards on the table. I know once this vote was scheduled, the President's press secretary and the President himself made some ambiguous remarks, leaving in doubt whether he would actually sign or would ultimately veto this legislation. I hope we don't see a continuation of the gamesmanship we have seen until this point, and that once this bill passes—if it does this afternoon—the majority leader will send it promptly to the President so the President can make that decision.

What I mean by I hope the gamesmanship doesn't continue is I know there is the flexibility the majority leader might have to actually hold the bill here and to wait until after the December 6 runoff election in Louisiana before sending it to the President. But I hope we don't have that kind of gamesmanship.

The American people deserve the truth, they deserve accountability, and it has been more than 6 years since this application first came through. The proponents of this project deserve this vote today, as do the American people.

As a matter of fact, back in March of 2012, before his reelection, the President traveled to Cushing, OK, to champion the Texas leg of the Keystone XL Pipeline. He didn't have any real role to play in authorizing that, because that was within the continental United States. The President's role, and the one that this bill would force his hand on, literally, is what would authorize this international pipeline between Canada and the United States. That does require his approval. This legislation would require it or, in fact, mandate it.

But he went to Cushing, OK, to champion the Texas leg of the Keystone Pipeline project, and it did not need his approval, but at the time he said he would work to expedite that portion. However, that portion didn't require his approval and it was already up and running at the time. So you will have to determine why the President would go there for a project that did not need his approval and said he would expedite it—what his real motivation is. But he said:

> And as long as I'm President, we're going to keep on encouraging oil development and infrastructure and we're going to do it in a way that protects the health and safety of

the American people. We don't have to choose between one or the other, we can do both.

I actually agree with what the President said, the words I just quoted. That is a good statement of what our policy should be. But I have been around Washington long enough to know that we can't just listen to what people say, we have to watch what they actually do, because sometimes those are diametrically opposed.

In this case, notwithstanding what the President said in Cushing, OK, he has continued to delay, delay, and delay, making a final decision on the portion of Keystone XL Pipeline that requires his approval.

But we are here this afternoon to say enough is enough. Regardless of how this vote turns out, it is time for the President to explain his views on the project that his own State Department has said would create 42,000 jobs in America. He can choose to endorse the Keystone XL Pipeline and thereby deliver a significant boost to America's economy, America's security, and America's relations with our largest trading partner in Canada.

Alternatively, the President can choose to oppose Keystone and thereby miss a golden opportunity to promote a richer, stronger, and safer American future. I can only hope he makes the right choice.

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.

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

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

Mrs. BOXER. Madam President, how much time remains?

The PRESIDING OFFICER. There is 51 minutes for the opposition.

Mrs. BOXER. And on the other side?

The PRESIDING OFFICER. Senator HOEVEN controls 67 minutes and Senator LANDRIEU controls 32 minutes.

Mrs. BOXER. While we are waiting for Senator WHITEHOUSE—he is on his way—I want to focus the attention of those who are watching this debate on truly what we are talking about. If this was about building a pipeline that was carrying something that didn't hurt anybody, I wouldn't be standing here. But this is about building a pipeline that is going to carry the dirtiest oil we know of, and this dirty oil is already causing lots of problems.

Where it is refined in Port Arthur, TX, I met with the people there. I met with the people there. Senators don't live near refineries. Again, if I am wrong on that, I would like to be corrected. People live near refineries sometimes because it is where affordable housing is, and this is what it looks like. They do not want this stuff.

With all the talk of jobs, jobs, jobs, let's be clear. The CEO of the company said 50 jobs. So if you want to lay this kind of misery on people who live in this community, vote aye. That is fine. But just take a look at this. We don't see many kids playing on this playground because this pollution is vicious. It adds more heavy metals. It causes asthma. The pollutants cause cancer. We are talking about lead and we are talking about sulfur in very heavy quantities.

So let's be clear. We don't see my friends who support this talking about what happens when you refine, but that is what happens. If this was the only thing we could do to make ourselves energy independent, that is one thing, but I have already shown, with the Senator from Vermont, Mr. SANDERS, how many incredible jobs are being produced across this Nation in clean energy: solar, wind, geothermal. We are looking at a potential of millions. In California, those clean energy jobs have led us out of the darkest recession we have seen since the Great Depression, and I have put those statistics into the RECORD.

I have to say this. In all the years I have been in public life, starting when I was a county official, not one constituent ever came up to me and said: BARBARA, the air is too clean. Oh, God. My air is so clean. The water I drink is so pure. Please don't get in the way of making it dirty. I have been in office for a very long time. No one has ever said that. On the contrary, what they say is: Please, my child has asthma. Please don't back off. Don't let Big Oil or big coal or the Koch brothers or whoever it is stand in the way of my family having a good quality of life.

We can take a look at a country where they have thrown the environment under the bus. Here it is. This is what it looks like. That is what it looks like in China. I am sure you have heard a lot of the speeches in China that we will be hearing here: Oh, we need the jobs and we need the energy. They realize now they are in trouble. The President just made a pact with the leader of China to cut back on pollution. But this is what happens when you throw the environment under the bus. People can't breathe. Kids have to wear masks. That is a fact.

Go to any school and ask the kids—and I know my friend, our great Presiding Officer—ask the kids: How many of you have asthma or how many of you know someone who has asthma? Honest to God, more than half the class will raise their hands.

We need clean energy. We need clean energy. We need clean energy jobs. And if we can clean up our coal, I will be right there. If we can do safe nuclear and not build these plants on earthquake faults, as they did in my State, fine. But don't unleash the dirtiest oil known to mankind when the CEO of the company says it means 50 jobs.

We all know that oil is going to be pumped right out of here. We all know it is the toughest oil to clean up because we have seen the spills in Kalamazoo, MI. We have seen the spills in Arkansas. Because of the nature of this oil, the heaviness of this oil, they are still cleaning up that oil 3 years later.

It is now my pleasure to yield to Senator WHITEHOUSE for 10 minutes.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. I thank the Senator for her constant leadership on this issue. I am going to start on a somewhat unusual note because I want to compliment my lead adversary here, Senator LANDRIEU, who has fought so hard to bring this bill to the floor. She is passionate about getting this done, and it is because of her efforts that we are here.

I have to say I am just as passionate as she in opposition to this bill. Many of us come from coal States or oil States or natural gas States. Rhode Island doesn't have coal—at least it hasn't in generations. We used to mine coal in Portsmouth, in Cumberland, but that has been a long time ago. We don't have natural gas sources. We don't pump oil.

What we do have is a coastline, and at that coastline what coal and oil and natural gas are doing to all of us through the operation of natural laws, through the operation of the laws of science—stuff we can't get around because this isn't opinion—is very harmful to our island.

Naval Station Newport has a tide gauge. My friend Senator MANCHIN was kind enough to come and visit from West Virginia and we started out bright and early in the morning and our first stop was with the Navy folks down at the tide gauge. At that tide gauge what they show is that since the 1930s the water levels are up 10 inches.

We had something very big happen in Rhode Island. In the 1930s we had the hurricane of 1938. If anybody wants to take 2 minutes and Google hurricane of 1938 and hit images, they will see terrific destruction. They will see our capital city flooded to the top of the buses. They will see houses smashed to flinders and boats thrown up onto the land. That was with a sea 10 inches below what we have now, and every responsible scientist tells us the risk of worse and bigger ocean storms has increased because of the emission of carbons.

So I have a very clear perspective on this, and that is that we have to address our carbon pollution problem before it comes home to roost in very dangerous ways in my State. It is there already. As the Senator from West Virginia saw, we have fishermen who say this is not my grandfather's ocean. Their world has changed because of the way we have changed it. This pipeline, because of the filthiness of the fuel that it brings into the market, will add additional carbon dioxide in the amount of nearly 6 million cars per year on the roads—6 million cars per year on the roads—and that comes home to roost in Rhode Island. That comes home to roost in warming waters.

Narragansett Bay is nearly 4 degrees—mean winter water temperature—warmer than it was 50 years ago. I can remember driving over the Newport Bridge and Jamestown Bridge and looking down in the winter and seeing trawlers out at work—trawlers at work fishing for the winter flounder. The winter flounder is gone. It has had more than a 90-percent crash, largely because, as the scientists have told me, the warmer Narragansett Bay is no longer hospitable to the fish. Four degrees doesn't seem like a big deal to me. It probably doesn't seem like a big deal to any human, for whom the water is kind of an alien place, but for the fish that live in it, 4 degrees is an ecosystem shift. My wife, a major professor at the University of Rhode Island School of Oceanography, explained that to me several decades ago for the first time.

The argument is that this is going to bring jobs. I am all for those jobs. But let us not be selective about when we are for jobs. If we are only for jobs when it is oil pipelines, then something else is going on than the concern about jobs. Where was the concern about jobs when a bipartisan piece of legislation called Shaheen-Portman for energy efficiency was on the floor and was estimated to create not 42,000 temporary jobs, not less than 4,000 direct temporary jobs, not less than 50 permanent jobs, but 190,000 jobs? That bill got nowhere. It died here, and it died here for reasons that were very open on the front of the paper.

JEANNE SHAHEEN's opponent, who is a former colleague of ours, asked to have the bill die so she would not have a legislative accomplishment to her credit. So the agreement that the bill was going to pass got reworked, and the folks came back to Majority Leader REID and said: Actually, we are not ready to support this bill. We need a vote on Keystone Pipeline. We need a sense of the Senate on Keystone Pipeline. Senator REID said: OK. We can have a sense of the Senate on Keystone Pipeline. Agreed. Then they came back again—moved the goalpost again—and said: Well, we need more than a sense of the Senate now. We actually need a hard vote on the Keystone Pipeline. Leader REID checked around and said: All right. I don't like this much, but sure. Fine. In order to move Shaheen-Portman, a 190,000-job bill, go ahead and have your vote. Then they came back and moved the goalpost a third time. They said: We don't just need a vote on the Keystone Pipeline, we need to win the vote, and if you can't give us a win on the vote, then you don't get Shaheen-Portman.

When the goalposts get moved that often, you can pretty much figure out there is something more going on than the merits of the bill. They didn't want the bill to pass. They didn't want it to come up. But where was the concern then about 190,000 jobs, when everybody is in an uproar about these 40,000 indirect temporary jobs?

I will stop right now and do anything to get infrastructure legislation passed and put people to work rebuilding America's roads, rebuilding America's water pipes, and rebuilding America's bridges. We can put hundreds of thousands of people to work doing that. But when we had the chance to do that, when Chairman BOXER brought a 6-year environment bill out of the Environment and Public Works Committee, where every billion dollars we invest in highway infrastructure supports 13,000 jobs, and this was a multibillion—multibillion—dollar bill, did they pass it? No, they filibustered it, stopped it, and gave us a 3-to-5-month stopgap bill, during which nobody is going to enter into any big contracts, depressing employment, and moving the bill into the next Congress where they thought they would have a majority and in fact they will.

If you want to do something about jobs, we can take your 42,000 dirty pipeline jobs and we can raise that by a factor of 5 just by doing Shaheen-Portman. We can raise it by a factor of 10 or 15 with infrastructure legislation. We can do big jobs bills, and we are ready to do them, but not when it is only dirty oil pipelines. Because there are two sides of the ledger. There is the side that says jobs, and there is the side that says harm. My problem with this is that our friends on the other side of the aisle will not look at the second page. They pretend the second page doesn't exist.

Even in coastal States where I have been, down to Georgia, to Sapelo Island, where the University of Georgia has a terrific marine science undertaking that has been going on for decades now, they are very clear. Carbon pollution is doing real harm to the coast. It is raising the Georgia sea level at a rate that is challenging the ability of the famous marshes to keep up. If they cannot keep up, they flood. If they flood, they get washed away and you lose that entire infrastructure that supports clammers and oysterers and fishermen and tourism and all the things that are important for Georgia. I say that because I see my friend Senator ISAKSON on the floor.

You could use an example of everything that stays in the country, and our colleagues will never ever look at that other page. If you were the CFO of a corporation and you only looked at one side of a ledger, you would go to jail for that.

It shouldn't be asking too much to ask our colleagues to reflect on the fact that there are benefits to this pipeline and there are harms to this pipeline. From my State's point of view, it is all harm. From a net point of view, the harm vastly outweighs the value by I think virtually any State's measure—perhaps not South Dakota. There is real harm that this will cause. Six million cars' equivalent of CO_2 added every year is more than we need.

So I think we need to turn the corner. More importantly, it is not what I think that matters; the American people understand we need to turn the corner on climate change and carbon pollution. It doesn't matter whom you ask. If you ask independent voters, it is better than 2 to 1. If you ask all voters, it is about 2 to 1. If you ask young voters, it is more like 4 to 1. There is a poll that shows that among young Republican voters, self-identified Republican voters under the age of 35, when asked about a politician who denies that climate change is real, they say that politician—they are asked to check off the box, and what they checked off was ''ignorant, out of touch, or crazy.''

So it is time to make this turn, and there is no better moment to make this turn than on this pipeline that would bring the filthiest fuel on the planet into circulation and hurt even more those of us who are already being hurt by carbon pollution.

I yield the floor.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Georgia.

Mr. ISAKSON. Mr. President, my oldest son graduated from Tulane University in New Orleans with a master's degree in economics. He wrote a paper for his master's thesis called ''The Dutch Disease.'' I had never heard of the Dutch disease, but, him being my son, I read the thesis because I thought it would be important. What is the Dutch disease about? The Dutch disease is about a country that has an infinite supply of wealth—i.e., resources—but doesn't ever use that money to reinvest in its people. They buy what they need. It was about the Middle East, and if you look at the Middle East, every country over there that has a tremendous supply of oil and petroleum—what do they do? They buy their doctors and bring them over. They don't build universities. They don't make investments in themselves, and they give money to their people. The country's people suffer from the Dutch disease because the money is not reinvested to expand the wealth of the country.

There is another disease called the dumb disease. The dumb disease is when you don't have a natural resource and have the opportunity to get some of it, but you turn it away for reasons that don't make any sense.

I have tremendous respect for the gentleman from Rhode Island and the distinguished lady from California. In fact, I traveled with the distinguished lady from California to go to Disko Bay in Greenland to listen to Dr. Alley talk about climate change and climatology. While I completely realize that carbon is something we need to reduce in the atmosphere, I don't completely buy into the fact that it is the be-all and end-all destructor of the environment. I think it is good politics for all of us to reduce carbon everywhere we can but not by stopping progression, not by stopping jobs and not developing.

On the Keystone XL Pipeline, let's be realistic. You are going to have up to

500,000 barrels of oil a day traveling from the tar sands in Canada to Houston, TX, and the South of the United States to be refined, and it is not going to generate one single isotope of carbon because it is going to be underground. It is not going to be burned. It is not going to be carried in a tanker truck that is going to be burning diesel in transport. So you have less generation of carbon by building the pipeline than you would have otherwise.

Secondly, as another alternative, that oil is going to go somewhere. If we don't allow the TransCanada pipeline to be built by the Keystone people in the United States, they are going to build a pipeline to Vancouver, and they are going to ship, on ships, the oil from the tar sands to China. In other words, it is going to get somewhere where there are not good standards and more carbon will go into the atmosphere. Just because you burn it in America doesn't mean it is not going to get to China and vice versa.

We have estimates from the people of expertise that this would generate 42,000 jobs. That is a lot of jobs. I think that is important. That is No. 1.

No. 2, it will give us a diversified supply of petroleum in the United States and help continue the United States on the track of being an energy-independent country—the most important thing we can possibly do for our national security.

The only reason the Russians went into Ukraine and Crimea was simply because they held the gasoline and petroleum to hold those countries hostage and there wasn't another source from which to take it.

Every time we improve our access to petroleum, every time we improve our access to energy, we are improving our national defense and the national security of our country, and we maintain ourselves as a superpower not just by name but by economic force as well.

So I am all for reducing carbon isotopes in the atmosphere, and I think running that pipeline does exactly that because it moves it without burning it. And I am for jobs. I am for 42,000 jobs in America anytime we can get them. I am for expanding our access. Sure, some of the petroleum that is refined will be sold in the world market. It will be refined in the United States. If we had a shortage somewhere else, we could help make up that shortage. We could take that money and raise the supply and reduce the price of petroleum in the world marketplace.

The Keystone XL Pipeline just makes good sense. Let's not do something dumb and reject an asset our country has sitting there. We would be sitting on a ham sandwich and starving to death. Looking at our food and not eating it would be crazy, and we have the access to do it.

The State Department on five separate occasions—five separate occasions—has approved it. We have tried for 6 years to get this vote. Regardless of how we get it, I hope we get it and I hope we get 60 or more votes here.

I hope the President will rethink his position on vetoing the bill because the American people are for it, the petroleum industry is for it, the automobile industry is for it, it generates revenues and jobs in the United States of America, it diversifies our energy supply, and it makes us more energy independent than we would otherwise be.

Just as the Dutch disease afflicts countries that don't take advantage of the wealth they have in terms of natural resources, the dumb disease is when you have access to natural resources and you pass them up because of reasons that are political and not practical.

I am going to cast my vote in favor of the Keystone XL Pipeline. I will cast my vote for jobs in America, for common sense, and for not succumbing to the dumb disease in the United States of America and instead investing in our petroleum and our ability to refine and our ability to use it.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Before my friend leaves, since he said those of us who vote against this have the dumb disease—and I think it is funny. I am not insulted in any way, shape, or form. But I just feel very differently because I don't think it is dumb to say no to a resource that you think is going to hurt the people because it is such dirty, filthy oil.

The CEO of the pipeline company says it means 50 permanent jobs, when you could have so many more millions of jobs if you embrace clean energy.

Also, I don't think it is dumb at all to say what the economists are now saying, which is that it is going to raise gas prices at home because it is going to be exported.

So I think ''dumb'' is in the eyes of the beholder. And I think my colleague is very smart, but I don't think those of us who say no to Keystone are dumb. I think we are smart. I think we are looking at the future. I think we are standing up for the health of the American people. I think we are standing up for jobs and a clean energy economy, and I feel very strongly about that. And what we are talking about is the dirtiest, filthiest oil on the planet.

I yield 10 minutes to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. This debate is really about some simple fundamental principles. Keystone is a Canadian export line. That is what the oil is going to do. It is going to travel from the dirtiest tar sands fields in Canada through a pipeline like a straw through the United States, down to the Gulf of Mexico, and then be exported out of the United States of America.

How do I know this? I know it because I made the amendment on the floor of the House of Representatives saying this oil stays in America. Do you know who opposed it? The American Petroleum Institute and the Canadian Government. This is the Canadian Keystone export pipeline. We take all the environmental risk and this oil goes out of our country.

Ladies and gentlemen, we still import approximately the same amount of oil in 2014 as we imported in 1975 when we put the ban on exportation of oil on the books. We are still exporting young men and women overseas into the Middle East to protect tankers coming into our country, and we are going to build a pipeline for the Canadians down to the Gulf of Mexico so they can use us as a straw to send it down and then export it out of our country? Where is the American angle on this?

I keep hearing that it is about American security. Do you want to know what this is all about? I will tell you what it is all about. The Canadian companies want to make more money. They want to take the oil from Canada, bring it down through the United States, bring it to the Gulf of Mexico, and then send it to Europe, Latin America, and China. Why? Because they will pay more for this oil than the United States will pay for this oil. They will make billions of extra dollars once they can get it on a ship because the price for world oil is set at a price, which is called Brent, but it is the global price.

Well, in the United States, because of fracking, because of our rise in domestic energy production, and because of our dramatic increase in fuel economy standards, we are producing more oil and consuming less simultaneously, and the price of oil at the gasoline pump for people who use home heating oil as a way of heating their home is going down dramatically.

What does that translate into? Well, every time the price of a barrel of oil goes down just 1 cent at the pump, it is $1 billion into the pockets of the American consumers—$1 billion. So from July of 2008 until today, it has dropped from $4.11 to $2.88 at the pump, and Americans all across America are not afraid to go to a gasoline station right now and fear that they are going to be tipped upside down and have money shaken out of their pockets because they can pay $2.88 and it is dropping.

If we keep the Canadian oil in the United States, that price is going to drop even more because we will have to import even less than we do now from the Middle East. That helps consumers. That helps our economy. That should be the plan, not taking all these environmental risks and not getting the economic benefits.

The lower the price is, the greater the economic activity in our country. Manufacturers start to say: I will build my plant here. The price of energy is much lower. There is much greater economic activity because people have more money in their pockets to buy other American products other than

oil, and they buy them in their neighborhoods, they buy them in their communities. That is what this should be all about.

What is this debate not about—I mean decidedly not about? It is not about solar, it is not about wind, and it is not about energy efficiency. It should be. If we are going to debate an energy future for our country, it should not be oil above all; it should be all of the above.

So right now what we are hearing from the other side is that they just might not support the extension of the wind tax break, even as wind has now created 80,000 new jobs in the American economy. They are not talking about extending the solar tax break for another 5 years, which they should be. That has creating 142,000 new jobs in the American economy. And I will tell you why. Because this is an agenda to make sure the oil industry gets what they want on the one hand, and they can starve their competitors on the other—wind, solar, energy efficiency.

Senator SHAHEEN and Senator PORTMAN had a bill that addressed energy efficiency. It has been dying here on the floor of the Senate for the last 2 years. What is its biggest problem? I will tell you what it is: It creates 190,000 new jobs in energy efficiency which would reduce the need to use fossil fuels to generate the same amount of electricity because the single wisest way to consume energy is to not consume it in the first place so you don't have to take the money out of your pockets. That is energy efficiency. That is working smarter, not harder. Shaheen-Portman, dead. The Republicans killed it. The wind tax break, dead. The solar tax break is not going to be extended.

If we are going to have a debate in our country, if we are going to talk about job creation, if we are going to have something that really deals with the future of our country, let's put solar, wind, energy efficiency, biomass, and geothermal—let's bring them all out here. Let's have a big debate and not just something that has the Canadians use America as a conduit—as a straw—to get their oil out of our country so they can make an extra $5 or $10 or $15 for every barrel they sign. You don't have to go to Harvard Business School to see this business plan on a 3-by-5 card. If you get it out of America, you make $10 to $15 more per barrel. It is simple. There is no thinking required here.

What is in it for us? The dirtiest oil in the world goes through the United States so that Canadian oil companies can make money. It makes no sense, not if America is generating hundreds of thousands of new jobs with wind and solar and the tax breaks in those industries are on the table to be killed. We should be trying to use this as a debate about the big issues. Yes, reducing greenhouse gases, but it is job creation and it is national security. If that oil stayed in America—this Canadian oil—and if wind and solar and biomass and geothermal were given those incentives, we could tell those Arab nations that we don't need their oil any more than we need their sand. That is what we should be talking about out here, that plan. That is not what we are talking about, however. We are talking about something that is very narrow and only creates jobs in the short run. Once the pipeline is built, it takes almost a handful of employees to run that pipeline. Rather than creating the permanent jobs in wind and solar, the permanent jobs in energy efficiency, the permanent jobs in solar panel manufacturing—how do you possibly expect the American people to think this institution is serious if we are not going to be having that kind of a debate?

Ladies and gentlemen, don't kill the production tax credit; don't kill the solar tax breaks in 2 years. Let's have the big discussion about where America is going. Let's do it in a way that has a comprehensive plan which is ultimately put together.

I say to you right now: Do not build this Canadian Keystone ''export'' pipeline. Don't build it until we have the debate, which this country expects. Young people in campuses all across the country expect a debate on wind and solar; they expect a debate on using technology. We are the brain country; we are the technology country. We are the country that can invent our way into this new world—into reducing greenhouse gases and breaking our dependence on imported oil. That is who we are as a nation.

We put a man on the Moon in 8 years. We were challenged, and we did it. We invented new metals and new propulsion systems. We are the can-do Nation. We invent the new technologies that young people want. We are not doing that here today. We are just helping the Canadians take oil and send it right out of our country.

If they would accept an amendment to say this oil stays here in America, that would change the debate a little bit. If they were willing to add wind and solar tax breaks and efficiency incentives, that would change the debate. But they are not going to do that.

The PRESIDING OFFICER. The Senator has used his 10 minutes.

Mr. MARKEY. Mr. President, I ask for one additional minute.

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

Mr. MARKEY. By the way, I just served over in the House in the last 4 years when the Republicans—the tea party—took over the House of Representatives. What did they do on an ongoing basis? Cut incentives for renewables, cut the energy efficiency budget, kept passing bills that stripped the Environmental Protection Agency of its ability to regulate pollution and its ability to increase the fuel economy standards, not just for cars but for boats and planes. That is not the direction our country should be going in.

I urge a ''no'' vote on this bill.

I also have to say at the same time that I have the highest respect for Senator LANDRIEU. She is a passionate and dedicated and articulate force fighting for her State and fighting for her beliefs. There is no one in this entire institution whom I respect more than her and her passionate belief and the cause she is championing out here on the Senate floor, but at the same time, I respectfully urge a ''no'' vote on the Keystone Pipeline.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I thank the Senator from Massachusetts. He calls it the Keystone ''export'' pipeline, and that is exactly right. I call it the Keystone ''extra lethal'' pipeline given the type of pollutants that come with this oil.

At this time, I ask unanimous consent to propound a UC request on an issue that is completely different and ask that it not count against my time. It is a 60-second UC. I believe Senator VITTER is here to oppose it, but I don't want it to count against any debate time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on November 18, 2014, to conduct a business meeting where we would have three votes for two TVA members and one Nuclear Regulatory Commission member. All three nominees have had extensive hearings. In the case of Mr. Baran, he has had 88 written questions and answers.

The PRESIDING OFFICER. Is there objection?

Mr. VITTER. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Reserving the right to object. There are major concerns, particularly about the NRC nominee. He has no technical or scientific background. He visited his first nuclear plant this summer.

Given that, and given that there is no precedent anywhere that I can find for a 4-year nomination to the NRC not to have a nomination hearing before the committee, all we are asking for is a normal, routine nomination hearing.

Given all of that, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from California.

Mrs. BOXER. Mr. President, I ask that we continue the agreement that this not count on Keystone time.

I need to make the point that Mr. Baran, who is the subject of Mr. VITTER's complaint, has already been confirmed. What we are doing is putting him in a different seat on the same commission that has a different expiration date. He has already had a hearing, and Senator VITTER asked 56 questions.

I think it is sad—the Republicans have won the election. Yes, they did. And they said: Oh, we are going to get busy and we are going to work.

All I want to do is have a meeting so we can do our work off the floor on people who have had extensive hearings. Now they say: Oh, no, we can't possibly do that. And then my friend talks about the nominee's lack of experience when, in fact, he was already confirmed. When Republican Commissioner Spinickey was nominated, she had never even visited a powerplant. Nobody ever said anything about that, and we all let it go.

Sadness is in my heart. Really. This is our work. We are here to work. I thought that is what the Republicans said they wanted to do—they wanted to work. Oh, no. They come here and object to a meeting off the floor of the Senate so that we can move forward.

I wish to make a point: The TVA, Tennessee Valley Authority, is a very important authority. They deliver electricity, and they do it in a good way, they do it in a cheap way, and they do it in an environmentally sound way. That is their job. They need commissioners.

The Nuclear Regulatory Commission—my God, after Fukushima, you would think people would want to work together. We have a great nominee who worked over in the House for years. He has already been confirmed.

Let it be known to the world, as I stand here today, after an election where I admit we lost and they won, and they said they were going to be good soldiers and cooperate, but we can't mark up the first thing that happens.

So now I will have to use another technique that I have in my rules, and I will, but I don't want to do it. I wanted to have a bipartisan meeting, but if they force me to just do it with the majority, which we now have, so be it. But I will not allow these vacancies to continue.

In the case of the NRC, the Nuclear Regulatory Commission, it is actually dangerous. I have nuclear powerplants sitting on earthquake faults and in tsunami zones. I want to have an NRC that is functional.

In any case, I will calm down and get back my Keystone Pipeline voice, and I say to my friends who are not here: They blocked this now, but unfortunately we will have to use the rules to get this done because that is our job. We have to fill these slots.

I thank my colleagues very much.

Senator WALSH is here and wishes to speak under the time of Senator HOEVEN, and I will get out of the way and allow him to proceed.

How much time remains on the opponents' side?

The PRESIDING OFFICER. There is 29 minutes remaining in opposition.

Mrs. BOXER. How many remain on the proponents' side?

The PRESIDING OFFICER. They control 62 minutes. The Senator from Louisiana still has 32 minutes, so they have a total of 94 minutes.

Mrs. BOXER. I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. WALSH. Mr. President, I rise today in support of the Keystone XL Pipeline, a critical infrastructure project that has been delayed by political games for far too long. Just recently the American people have said they are tired of political games. They want action in Washington, DC.

The Keystone Pipeline will provide good-paying construction jobs to Americans—including hard-working Montanans—at no cost to the American taxpayer. As the Bakken region continues to boom, this pipeline will provide an important onramp for Montana oil which will boost local economies.

This year the Bakken formation produced its billionth barrel of crude oil. That means hundreds of millions of dollars have been invested in local economies to support good-paying jobs in the United States instead of being sent abroad. It also means 1 billion barrels of oil did not come from places such as Iran and Russia.

A few weeks ago, I got to see firsthand the remarkable development that is happening in eastern Montana and the work that is being done to help secure our energy independence. I have seen firsthand the costs of dependence on oil from hostile places.

During the Iraq war, I commanded the largest deployment of Montanans to war since World War II. In World War II, our strategic interest in the Middle East has been oil. Our dependence on foreign oil should never again be a reason for war.

By carrying Canadian and American oil to American refineries, the Keystone XL Pipeline will play a vital role in making us more energy secure and prosperous while insulating our economy from price shocks caused by foreign conflicts.

The continued delay in approving and building the pipeline is also costing Montana and other States along the route millions in lost tax dollars each year. I say again, millions of lost tax dollars each year to those States where that pipeline is going to come through. As responsible domestic energy production continues to boom, we must also address the serious infrastructure limitations to safely transporting American oil to the marketplace.

In March, I commissioned a report from the Government Accountability Office to study recent rail traffic trends, especially those patterns associated with the oil boom in the Bakken. The report identified several safety concerns as a result of rail traffic. The increase in rail congestion has also impacted Montana's farmers who rely on rail to bring their crops to the market.

These challenges are not going to go away. In fact, the Department of Transportation expects freight traffic to rise by 51 percent between 2007 and 2040, in part due to limited oil pipeline capacity. Any further delays in approving this project present serious threats to the health and safety of our people, as well as our economy.

By building this pipeline with proper precautions taken to guarantee pipeline safety and reliability, we can provide energy producers with the infrastructure they need to deliver their products to consumers in a safe and efficient manner.

I wish to make clear that building this pipeline does not distract from our responsibility to address climate change across our economy. Coming from a State such as Montana, where we cherish our clean air, our clean water, and our beautiful public lands, it is very important to maintain our environment. But we won't solve global problems by stopping individual projects. We need more comprehensive solutions that transition us toward a cleaner economy.

The excessive delays in approving this project is another example of how Washington is broken. The State Department has finished the environmental impact study required before approving the Keystone XL Pipeline. This project enjoys strong bipartisan support here in Congress, and the American people have spoken that they want bipartisan support and they want action from the representatives they send to Washington, DC. This is our opportunity to act on behalf of the American people.

It is time to build this pipeline, and build it right, with the best possible materials, while preserving protections for landowners and implementing effective energy response plans. We can do it, and we can do it safely. Today we have an opportunity to show the American people that Congress is still capable of meaningful action to promote a strong and stable economy while reducing our reliance on countries who wish to do harm to us.

Today, I encourage all of my colleagues to vote yes on this vital project.

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.

The PRESIDING OFFICER. The Senator from Oklahoma.

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

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

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

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

CHINA'S ENERGY CHALLENGES

Mr. INHOFE. Mr. President, I come to the floor today to talk about China's inability to keep its promise with the United States. We had someone go over

there. Of course, the President went over and talked to President Xi, and they gave assurances that certain things were going to happen. I have always said for quite some time—I have had occasion to visit with the Chinese, and a lot of them were hoping the United States would restrict development here at home so that the only place our manufacturers could go would be places such as China, India, Mexico, and so on.

One of the statements made by the President of China was that they would stop increasing their emissions by 2030. But it is impossible to accomplish this goal because of its current domestic energy mix and heavy reliance on coal for affordable electricity for its economy.

Now, even if that statement were accurate—that they will eventually stop increasing emissions—what they are also saying is that they are going to continue increasing their emissions from where they are today until 2030. That is a long ways from now.

Nonetheless, I made a speech last week in which I said that China has no known reserves of natural gas. I was wrong. I was wrong due to some of the misinformation we got. The fact that they are not able to realize these reserves is very significant. That shouldn't distract from the fact that China has a difficult road ahead in developing affordable sources of fuel to meet its energy demands.

According to a Forbes article dated August 19, 2014, ''China is not the United States and faces technological, geological, technical and topological hurdles in developing its shale gas resources.''

That is a quote from Forbes magazine.

China announced in August that it had to lower its natural gas production forecasts significantly. In 2012 the Chinese projected they would produce 60 billion to 100 billion cubic meters of natural gas from shale by 2020. In August of this year they cut that forecast to only 30 billion cubic meters, and an additional 30 billion cubic meters of production is expected to come from coal field sources. Now, all told, this would meet 1 percent of China's total electricity generation needs by 2020. That is 1 percent. That is all we are talking about here, if all of these assumptions are right, and this is by their own admission.

As the New York Times reported on August 21 of this year, China's ability to extract sufficient natural gas is in serious doubt and its natural gas production is ''growing at a slower pace than its decelerating economy.''

China's problem is that its shale deposits are much different than ours. The formations are deeper and they are more laden with clay, making it more difficult to extract the natural gas and more expensive to get it out through the hydraulic fracturing process.

I am very familiar with this. Hydraulic fracturing actually started in my home State of Oklahoma in 1948. So we are familiar with this.

Chinese companies have had a difficult time bringing online the natural gas they have found. One company, Far East Energy, recently shut a quarter of its wells for a number of technical and transportation problems, including a lack of gas-gathering pipelines. This underscores that China simply doesn't have the deep technological know-how that we do in this country, which made the shale revolution possible that we have all enjoyed so much in the last 5 years. It was built on the back of 100 years of successful oil and gas development and technological advances in this country, which obviously they haven't had.

China will continue to rely heavily on coal for its electricity generation, and we see this happening today. China continues to build the equivalent of one new coal-fired powerplant every 10 days.

Just think about that. In the last 7 years—in a speech I made on the floor, we had analyzed and calculated the number of coal-fired plants they have, and they are going to continue that into the future. Another option for producing electricity with lower CO_2 emissions is nuclear. However, the country's nuclear plants have stalled following the Fukushima disaster in Japan. Renewables are also an option, but we all know these alone can't affordably power the world's largest economy.

I doubt China will stick to any agreement to reduce greenhouse gas emissions if it puts at risk the country's economy.

Meanwhile, the United States has agreed, by the President's statement, to reduce our greenhouse gas emissions from 26 to 28 percent by 2025, so that the President can solidify a legacy on climate change that will be at the cost of the American people. We are handcuffing our economic future to the President's policies, which fail by their own measure. Acting unilaterally, the President's greenhouse gas regulations would reduce global temperatures by only 0.018 degrees Celsius by 2100. That is 86 years from now. We have been doing this for quite some time—ever since they started the United Nations meetings to get together all of these countries that make all kinds of promises and projections. China has always been there with tongue-in-cheek, just wondering if we were really going to do that in this country. We should stop and think about what China is doing right now in its development, in its growth, and the fact that they are just cranking out these coal-fired plants at a rate that is hard for us to understand. Nonetheless, they are doing it and will continue to do it, by their own admission, until 2030.

With that, 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. KAINE. 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. KAINE. Mr. President, I rise in opposition to the bill mandating approval of the Keystone Pipeline. I oppose the project because I believe accelerating the development of tar sands oil is contrary to our national interests, economic interests, national security interests, and environmental interests.

I believe there is no way to fully analyze this question without grappling with another question: Is carbon pollution from human activity affecting the world's climate in a negative way? Because if carbon pollution doesn't affect climate, then tar sands or this pipeline would not be a significant issue for me. But if we accept the general scientific consensus—and Virginians do—that carbon pollution does cause negative changes in climate, stopping or even slowing development of the tar sands is good for the United States and the world.

Some of the people who encourage me to support this project duck when I ask them this question: Do you think manmade carbon pollution affects our climate? One Virginia CEO, whose company is filled with scientific talent, basically told me, ''I don't know, I am not a scientist.'' And a representative of the U.S. Chamber of Commerce testified similarly before the Senate Foreign Relations Committee earlier this year. But those of us who take an oath to serve here have a responsibility to consider the scientific evidence.

In Virginia, the second largest region is Hampton Roads, comprised of 1.6 million people in numerous cities and counties along the Chesapeake Bay and Atlantic Coast. Hampton Roads is a thriving economy as well as the home of the largest concentration of naval power in the world. It is also, next to New Orleans, the region most directly affected by rising sea levels, and all agree that rising sea levels are caused in part by carbon pollution. Climate changes are not a tomorrow issue in Virginia, they are a today issue.

Throughout Hampton Roads, rising sea levels are causing significant challenges, flooding roads, homes—with neighborhoods damaged and some even unmarketable—and causing economic harm to families and businesses. At current projections, the main access road into the U.S. Navy's principal base in Hampton Roads will be flooded and impassable 3 hours a day by 2040. With an economy so dependent upon the naval presence, anything that threatens this military investment is potentially devastating.

I sponsored a symposium on sea level rise in Hampton Roads this summer attended by hundreds, with bipartisan representation from local, State, and Federal officials and Members of Congress. The concern is real and virtually all estimates of sea level rise in this

community pose staggering challenges to every aspect of life here for years to come.

It is not just Hampton Roads. Virginia's largest industry is still agriculture and forestry—very affected by climate. Tourism is a major industry which is very affected by climate. Aquaculture is an important industry and climate affects it. So to those who want to duck the question of climate change or challenge the scientific evidence, I say to them, come to Virginia with me and talk to people whose lives are being seriously affected today by climate changes caused in part by escalating climate pollution.

So what is the answer to this problem and how does it relate to the Keystone Pipeline?

We have to continue to move toward a cleaner energy economy. We can't throw the brake on the use of fossil fuels. That would be unrealistic and hurt our economy.

As Governor of Virginia, I supported building a state-of-the-art coal plant in exchange for converting a plant that predated the Clean Air Act from coal to natural gas.

I support development of offshore energy. We can use a phased approach to produce energy cleaner tomorrow than today, reducing pollution caused by our energy sources through innovation and creating jobs. Guess what. As you know, that is exactly what we are doing.

Wind power involves no carbon pollution, and it is the fastest growing energy source in America. Cleaner tomorrow than today.

Utility scale solar electricity output increased 23-fold in the last decade. Cleaner tomorrow than today.

The revolution of natural gas production in the United States has turned our country into the world's leading energy producer and helped us reduce carbon pollution. Cleaner tomorrow than today.

Innovation driven by smart regulation in the American auto industry means we are producing cars that go much farther on gas than ever before. These developments help reduce demand for oil, thus dropping prices to consumers. Cleaner tomorrow than today.

Virginia ratepayers supported nuclear investments over the years that have enabled us to generate 40 percent of our power through noncarbon technology. Cleaner tomorrow than today.

And just as new technologies helped us make coal plants cleaner in the 1980s to battle acid rain, there are ways to make our existing and future coal plants emit less carbon pollution. Cleaner tomorrow than today.

With the United States taking significant leadership steps, it is more likely that other nations will do so as well. I believe our innovative path is one of the reasons why China was willing to announce recently they will take similar steps. Cleaner tomorrow than today.

The United States is now becoming a global leader in reducing carbon pollution, and we are there because of smart regulations and, especially, American innovation. We always have to make sure regulations strike the right balance. But by becoming cleaner tomorrow than today, we are creating jobs, protecting the environment, reducing our trade deficit, and ending our overdependence on energy from foreign nations. As members of the Armed Services Committee, the Members here on the floor, this reduced energy dependence is great for American national security.

This is why I oppose the Keystone project. Tar sands oil is dirty energy, producing significantly more carbon pollution than petroleum. After all we have done to be cleaner tomorrow than today, why would we embrace the technology that is a huge backslide that produces more, not less, carbon pollution than conventional sources? Embracing a dirtier energy technology moves us in precisely the wrong direction.

Keystone as a single project is neither the environmental game over some would suggest nor the energy panacea others would promise. But whether we embrace the tar sands oil development does send a message about how we intend to meet American and global energy needs. We can either send the message of cleaner tomorrow than today or send a message anything goes. Because U.S. innovation is helping us lead the world to a ''cleaner tomorrow than today'' energy future, we should not turn back now.

There are those who say that the tar sands fields of Alberta will be developed anyway so why doesn't the United States just go along? The owners of the resource may well develop it and find alternate routes to ship it through Canada. They can make their decision on their own, although falling oil prices may make the relative cost noncompetitive. Even if the owners of those fields decide to move forward in this development, the official policy of the United States should not, in my view, be to embrace, promote, and accelerate tar sands oil. Our official policy should be ''cleaner tomorrow than today'' and not ''anything goes.''

For these reasons, I oppose the bill to force approval of the Keystone Pipeline project and make accelerated tar sands oil development the official policy of the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, this is what the American people have been waiting to see. They want Washington to work together to grow our Nation's economy. Sometimes that takes debating what some consider a tough vote.

I personally don't see the authorization before us as a difficult vote, by any stretch of the imagination. To me, this is a no-brainer. Here is why. Keystone is a job creator. This project will bolster the American economy and Arkansas's once we move forward.

In my home State of Arkansas, Nucor Steel in Blytheville and Welspun Tubular in Little Rock are two companies that should be employing people to work on the pipeline for the project right now. These are two communities in my home State that would have already benefited from the project if the President had not been stalling the approval of the Keystone Pipeline.

In fact, Welspun had been producing pipe for the Keystone XL project. Hundreds of miles of pipe, produced for the project, are just sitting at their facility. Unfortunately, due to the administration's delay the company was forced to lay off employees.

The Keystone Pipeline proposal has been studied to death. Every box has been checked. Our friends to the north are moving ahead with or without us. Canada will develop their oil resources whether or not we approve the pipeline. Where the refining is done depends on the President's decision on Keystone. Right now, Canada is currently using other methods of transportation such as railroads to ship their oil.

Without Keystone, they most likely will build their own pipelines to ship their crude oil to Asian markets and refineries in China. They have lax environmental standards.

Instead of working with us to avoid that scenario, the President has unnecessarily prolonged the process, giving Canadian officials more reason to seek opportunities in China.

The Senate majority provided cover for the President's delay tactics for 6 years, simultaneously putting the brakes on thousands of employment opportunities for Americans.

During that time the project has received approval in every study the State Department has conducted. The review process has been exhaustive.

There is no reason for additional delays. The pipeline is ready to go and my colleagues have tried to move it forward. But until now, the Senate majority prevented us from having an up-or-down vote on authorization. Meanwhile, the House voted nine times to approve the Keystone Pipeline. The most recent of these votes came last week.

Now we finally have a chance to send something to the White House that forces the President to make a choice once and for all.

Without congressional activity, the President sees no reason to make a decision. The American people delivered a reason on election day. They want to see Washington work. We can start by passing the Keystone Pipeline. The President claims he heard that message. Let's pass this authorization and give him a chance to approve that.

The PRESIDING OFFICER. Does the Senator yield the floor?

Mr. BOOZMAN. Yes.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. I rise today——

Mrs. BOXER. Could I ask the Senator to yield? I want to ask whose time is the Senator taking at this point?

Mr. DONNELLY. I believe this would be Senator LANDRIEU's time.

Mrs. BOXER. That is fine. Thank you.

Mr. DONNELLY. I rise today in support of the Keystone XL Pipeline. The strong energy economy is critical in both my home State of Indiana's economy and our country's economic success. It is critical to our national security.

I support this project because it would promote economic competitiveness and energy security for both Indiana and the United States. The Keystone XL Pipeline is about creating jobs, investing in infrastructure and going all in on American energy.

Put simply, it is about opportunity. It is an opportunity to strengthen our economy, to strengthen our national security, and to become more energy independent. Energy security and national security. It means all in. Don't be for Keystone and then be against solar and wind. All of those are part of the equation of making our nation stronger. From solar and natural gas, from nuclear to clean coal, from biofuels such as ethanol made of Indiana corn and biodiesel made of Indiana soybeans, all renewable, to wind and oil, we should pursue every resource possible to increase our energy independence while also respecting our environment and using the most advanced technologies possible.

Developing energy sources makes sense for American business. It makes sense for American families. It makes sense for America's national security.

We should take every smart opportunity to stop sending billions of American dollars overseas and begin to continue to develop homegrown energy sources that help provide affordable energy in the future and put more Americans to work today.

This is about investing in pipefitters and ironworkers and plumbers and steelworkers and electricians and all kinds of building trade folks and many other people who then have a chance to make their American dream come true. This is about investing in our energy infrastructure and cutting redtape so stalled projects can move forward.

Earlier this year, in April, I joined 10 of my Senate colleagues in sending a letter to the President asking him to make a final decision on Keystone. Facing an indefinite extension of the review, I joined many colleagues in cosponsoring legislation to approve it. We are still at this point stalled. We are still waiting to move forward.

I am glad we have the chance to vote on this commonsense legislation that authorizes the pipeline. This product is already being shipped by other means today. I stand here to support the Keystone Pipeline because it creates jobs, has support in both parties, makes America energy independent, and helps increase our national security.

This is the kind of investment we can and should make in energy that Democrats and Republicans can support, going all in on energy, and that means wind and that means solar and that means ethanol and that means biodiesel and so many other things. It makes our country stronger and it creates more jobs right here. It is good for America. It is good, as has been said, for our national security.

That is why I urge my colleagues on both sides to vote yes.

I want to thank my colleagues Senator LANDRIEU and Senator HOEVEN for bringing this bipartisan bill forward.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk called the roll.

Ms. HEITKAMP. 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. HEITKAMP. Mr. President, I rise today again to respond to some of the concerns that have been expressed on this floor regarding the Keystone XL Pipeline, to urge my colleagues to move this important, shovel-ready project forward. I had a chance earlier this afternoon—I guess it was this morning—to listen to a fair amount of the debate as I presided. A lot of what we are hearing over and over again is the same messages, in some ways confused messages, because I do not know if we are talking about stopping the oil sands in Canada or if we are talking about approving a pipeline; I do not know if we are talking about doing the State's work in siting a pipeline within their State, or if we are talking about making a determination as directed by legislation from this body to the President to make a determination on whether approval, which is to take that pipeline across the border of this country, is in the national interest.

I think we have confused a lot of the dialog here. I just want to take a moment to start from Ground Zero. That is that we have a requirement that when a pipeline—a legislative requirement—that when a pipeline is going to come across a border, the State Department has an obligation to determine whether that is going to be permitted. The determination is whether it is in the national interest. I do not think anyone anticipated that a pipeline would take 6 years—6 years of dialogue, 6 years of study, millions and millions of dollars and actually billions of dollars of stranded investment—waiting for approval of this pipeline.

So anyone who says, let's wait for the process to work is not facing the reality that the process is broken. This process has not worked. This process has not brought this project to some kind of finality, yes or no. Yes or no. People say: Well, we need to wait for the Nebraska Supreme Court. Nothing is going to go through Nebraska until the people of Nebraska, through their representatives, actually approve a route.

That is an issue, in my opinion, that belongs to the people of Nebraska and to their elected representatives and to their people. When they say: Look, the EIS may have said that, but it is not reality. When the EIS, commissioned by the State Department, says there will not be a carbon impact as a result of this pipeline, but we are not going to even talk about that because we do not agree with that fact. We do not agree with that fact in the EIS, that this is not about stopping the oil sands in Canada, the oil sand development. This is about a pipeline and whether it is in the national interest to bring that pipeline south.

Now I want to tell you why I think it is in the national interest. I think it is in the national interest because when I talk about energy independence for our country, when I talk about energy independence for our country and looking at how we can deploy our resources for the good of the world, I am talking about North American energy independence, whether it is collaborating with our great friends to the north, Canada, or whether it is, in fact, building relationships and building infrastructure with our neighbors to the south, Mexico, that has a—Mexico is holding a huge amount of oil and gas reserves.

I also find it kind of curious, because there has been a lot of discussion about gasoline prices and how—you know, see, we do not need Keystone XL development or production because look at what is happening with gas prices, and they are going down. This is classic supply-and-demand economics. You know why gasoline prices are going down? Because we are producing more oil in North America, because we are adding to the supply. The supply obviously is meeting world demand, meeting the conditions. We have a discussion in OPEC, I will acknowledge that. But fundamentally it is economics at work. When you have a greater supply and you have reduced demand, the price goes down. That is why we are seeing lower gasoline prices.

So when so many people say we will not benefit from the Keystone XL Pipeline, and they talk about deployment of that pipeline, and they talk about what it means to have this system be deployed, I will tell you that we can thank what is happening in Canada in energy production for gasoline prices that now are, for the first time in a long time, below $3 in many parts of our country—below $3—because we are producing more domestic and North American crude oil.

So I think we need to be honest about what we are talking about here. I frequently say the pipeline has taken a role in American politics that is way disproportional to what it is. It is a pipeline. There are over 2 million miles of pipeline in America today. This is going to be just another one of those.

It is going to be state of the art. Can I predict a perfect world? Can I predict that there will never be any kind of consequence? No, I cannot, anymore than I can predict what is going to happen tomorrow with any kind of natural resource or any kind of transportation infrastructure. But I can tell you that I have seen the extra precautions.

I want to report on some of those things that TransCanada has done, the pipeline company that would build Keystone XL, to respond to the concerns. They have agreed to 57 special safety conditions that go above and beyond what is required in Federal regulation, including the installation of automatic shutoff valves not only every 20 miles but in specific spots that cross waterways. There are over 2.3 million miles of pipe in the ground, and around 160,000 of those miles are being used for crude oil transport. Think about that. Think about the need for this infrastructure. There was a lot of discussion today about how this oil will fly out of the country magically. I will tell you the reason why, contrary to what you have been told today, that this pipeline is destined to go south into the United States—you have been hearing that the pipeline did not go east and west because Canada did not want it.

That pipeline went to the south because that is where heavy crudes are refined. A lot of the heavy crudes that are refined in Texas and in the South—the Gulf States—is crude that is imported from Venezuela. It is imported from Venezuela. Who would you rather buy your crude oil from, from Venezuela, or would you rather buy it from our friends to the north in Canada?

We have so politicized, for lack of a better word, something that should be a clear economic position. We have made this an important cause on both sides. I will call out both sides. This is a pipeline. It is a pipeline that will transport an important commodity that will be used in our refineries in our country to produce gasoline and diesel fuel that drives the engine of our economy, certainly our transportation economy.

We are buying it from our friends to the North, Canada. Canadian officials have years of responsible investment, responsible development of their infrastructure. They are people we should want to do business with. Instead of simply making the decision based on, yes, environmental considerations, that, yes, we cannot ignore that the EIS says there are not any environmental impediments to this pipeline. People say: Well, what about if it changes in Nebraska? Do you honestly believe if there is a change in Nebraska, there is going to be a change that will put more of the Nebraska environment in harm's way? Do you honestly believe that is the outcome of the Nebraska Supreme Court decision? No.

So when we look at this, we need to begin to focus on what this is. It is a pipeline. It is a critical piece of energy infrastructure. It is something that has languished too long because of a failed process. Six years. Six years. There are young people here, the pages. What if I told you that you could not get your driver's license for 6 years? What if I told a business: We are not going to permit you for 6 years? What if we told anyone down the road who needed some kind of license or approval from the Federal Government, 6 years? That is what it is going to take—6 years. There is no one who thinks that is appropriate.

So if this process today, which was started by my great friend, MARY LANDRIEU from Louisiana, spurs a further discussion that resolves this issue one way or the other—one way or the other—we have accomplished a great deal today. We have accomplished a great deal by having this important discussion, on which obviously there are heartfelt opinions on both sides.

In fact, my colleague from California has described it as a vote of conscience. I will tell you from my perspective it is a vote for common sense. It is a vote for common sense in moving this piece of infrastructure forward and making sure we are doing everything that we can to provide affordable energy that drives this economy.

That is the new dynamic, the new energy renaissance. I believe we will approve this pipeline. I am hoping it is today. But we will approve this pipeline. At the end of the day, all we have done has resulted in incredible frustration and incredible delay that has cost money for not only the pipeline but for the taxpayers of this country. It is time to approve the Keystone XL Pipeline.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, how much time do I have remaining as a proponent who was originally given 1 hour?

The PRESIDING OFFICER. Seven minutes.

Ms. LANDRIEU. I would like to take 1 minute now and then we are going to ask for some additional time.

I want to thank the Senator from North Dakota for her really clear and direct explanation of this and her practical approach to what we do here. It is so refreshing. It is so wonderful to hear her knowledge and the depth of her knowledge about this.

I put this up again just to remind the American people that what she said is absolutely true. We already have 2.6 million miles of pipe moving oil and gas from where it is produced to where it is needed. This pipeline, which I have outlined in blue here, is just one of many pipelines that is going to be in our country. Our country needs this energy. We need oil. We need gas. We need clean coal. Yes, even when we build huge solar operations out West, where we have a lot of sun—we do not have sun down South—or we build windmills off of Massachusetts' border, you still have to move that power to the places that need it.

This infrastructure is absolutely essential to the economic power of the United States of America. If the middle class is telling us anything, they want more economic power in America.

The Senator from North Dakota is also right. When I speak about energy independence, I like to talk about Canada and Mexico as well, North American independence. We might be able to do it in just the 50 States and territories of the United States, but I am confident we can do it with Canada and Mexico.

The added benefits are these: We do not have to be dictated to by Russia and China. Hooray. We can also create jobs not just in the United States but in Mexico. Hooray. You know, people who can work in Mexico and have good jobs in Mexico might stay in Mexico—hooray for that—instead of desperately looking for work in the United States. It can help to solve some of our immigration problems. What is wrong with this? We can create technology transfers from the United States to Mexico. So this is a win-win.

I am sorry people have taken this Keystone Pipeline to be the beginning and end. It is just another pipeline. But it is a symbol of common sense. It is a symbol of infrastructure necessary for us to be energy independent. I do not want to hear one Senator coming down here to the floor to say: We are going to be energy independent without infrastructure. All they say is ''wind'' or ''gas'' or ''oil'' or ''coal'' or ''solar.'' Those are all the words people use. Lovely words. But unless you are talking about pipes, transmission lines, rights of way, highways, roads into rural areas, you are not talking about energy, you are just talking nonsense, absolute nonsense.

This is an infrastructure bill, an important pipeline. It should have been built and given permission years ago. As I have said, people say: Well, MARY why are you circumventing the process? How long could the process possibly be?

Six years is a long time. It should have taken 1 year or 2, and we have the report that is finished. We are not circumventing the process trying to shortchange it as some people have claimed. This is a final report. It was issued in January. I got this report in January. I got it, Senator HOEVEN read it, and then we filed the bill in May. January, February, March, April, May—we drafted the bill carefully, giving 6 months after the report was given, thinking surely that is enough time for people to read this report. Someone could read it in one sitting, but we gave them 6 months.

When it didn't happen, Senator HOEVEN and I dropped our bill—not the House bill that had all sorts of bells, whistles, and a lot of messaging that wasn't going anywhere. We dropped a bill—clean Keystone.

Now I would have liked to have tied it with something else. I tried tying it

with energy efficiency, thinking that would maybe get us to a debate on the floor. We could maybe tie it to the minimum wage and get some votes on it. You could tie it to something else that might make sense but never could get the other side to agree to a piece to tie it to.

I only have 2 minutes left, and I ask unanimous consent for another 5 minutes.

Mrs. BOXER. Reserving the right to object, could that be off my friend's time?

Ms. LANDRIEU. I don't have any additional.

Mrs. BOXER. Then we need to add 5 minutes to our time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. LANDRIEU. We waited for 6 months after the final report was done. So the final report has been done. It has been 6 years. It is clearly in America's interests. We have labor unions, business organizations—the Association of Petroleum Institute, the American Chemical Association.

Let me talk just 1 minute about their letter. Cal Dooley signed this letter to me today and said on behalf of the American Chemistry Council—which is all over this country, in Delaware, Michigan, Minnesota, Illinois, New Jersey: This project could add 407,000 permanent new jobs by 2023.

He was not talking about the specific pipeline, but what Cal is talking about in the Chemical Council is the symbol that America is ready, willing, and able to be energy independent and all the blessings that would bring to our country and to our economy. We don't have to rely on China and Russia, and we can clean it as we go. We can make it cleaner as we move.

So that is why I brought this debate to the floor today. I am excited for this debate—whatever side you are on. I think it has been a breath of fresh air for the Senate to actually talk about something that people can understand, and may we have the vote at the time allowed.

I thank my dear colleague from California for allowing that 5 minutes and, of course, for our side I am the only one on the floor. So we will be happy to give those additional 5 minutes.

I reserve the remainder of my time, 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.

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

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

Ms. LANDRIEU. Mr. President, how much time do the Republican proponents have remaining?

The PRESIDING OFFICER. They have 52 minutes remaining.

Ms. LANDRIEU. We only have 5 minutes remaining.

How much time do the Democratic opponents have remaining?

The PRESIDING OFFICER. They have 27 minutes remaining.

Ms. LANDRIEU. Senator HOEVEN is on the floor. Senator BOXER is also. I know our vote is at 6:30, and it is 4:30. Should we divide the time equally or how do we think this would work? If Senator HOEVEN would say what he thinks, we could do one-third, one-third, and one-third or whether the Senator from California perhaps wants to do half and half.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. I would respond to the question of the Senator from Louisiana. My understanding is we were targeting to maybe have the vote at 5:30. I would be certainly pleased to work through that with the Senator and Senator BOXER, finishing up, maybe with me at 5:45 or whatever we work out within that timing.

Mrs. BOXER. A question through the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I think it would be very helpful if the three of us could get together for 1 minute to work out the details of how to close out, and then we could make a unanimous consent request so Senators would know exactly what to do.

May I suggest that we go into a quorum call and that it come off of all three sides and have a couple of minutes to discuss this. Is that all right?

Mr. HOEVEN. Mr. President, that seems to be the right way to go. I have no objection.

Mrs. BOXER. We rethought this situation.

I ask unanimous consent that we take no time off of anybody's time at this point and that we just meet and discuss how we are going to close this debate.

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

Mrs. BOXER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. BOXER. I yield 5 minutes to my friend from Washington State.

The PRESIDING OFFICER. The Senator from Washington is recognized for 5 minutes.

Mrs. MURRAY. Mr. President, I would like to take a few minutes to talk about the legislation we are considering regarding the proposed Keystone XL Pipeline.

As with too many controversial issues, we have lost track of the facts and the basic process for moving a project such as this one forward. So let's be clear. The legislation we are voting on today isn't just a bill to say yes or no to the Keystone Pipeline. This is legislation that would have us skip the established process for determining whether a major infrastructure project, with potential impact to millions of Americans, our economy, and our environment, should be approved. We are still in the middle of that process. But if this bill passes, it would mean we are bypassing all the scientists and engineers and experts who are evaluating the proposal. It would put an arbitrary, manufactured timeline on a project whose evaluation is incomplete and would short-circuit the process for the public to weigh in on this project.

Regardless of how different Members feel about this, we should all agree that this is no way the U.S. Government ought to approve a project of this scope. So that is one reason I will be voting against this legislation. When it comes to protecting our environment, we should rely on facts, patience, and a fair process.

There is no denying that the proposed Keystone Pipeline project has become larger than the sum of its parts. I understand the desire of my colleagues to expedite the projects they support, and I understand cutting through redtape to get things done. But when we are considering a project that could have significant impacts on our economy and our environment, making a decision before we have all the facts could be reckless and it could be dangerous.

The Keystone Pipeline proposal is a great example of why our process for evaluating the potential consequences of projects such as this one is not only important, it is absolutely necessary. We simply cannot put expediency ahead of scientific facts regarding climate change because as a country we have done that for far too long and now we are paying the price.

Earlier this year, as chair of the Budget Committee, I held a hearing on the impact of climate change on our country. We heard testimony from business leaders, from environmental experts, from industry leaders, and even from military officials. Their message was clear: The consequences of climate change are not hypothetical and they are not exaggerated. The impacts of human activity on our planet are real, they are significant, and they are happening right now.

The Federal Government, for example, spent three times more on disaster relief in the past decade than it did in the previous decade. If we do nothing, continued climate change will result in more frequent and more intense episodes of extreme weather, just as we saw with Hurricanes Katrina and Sandy.

The U.S. Department of Transportation today sends about $22 billion a year to State and local governments just to help them keep their existing transportation infrastructure in good repair. But hotter temperatures and

more frequent flooding will wash out roads and will put added stress on bridge supports and public transit systems and will require substantial additional Federal investment.

We know an uptick in temperature and heat waves will reduce annual yields of major crops and cause more livestock deaths. It will hurt farmers and agribusinesses, cause consumer food prices to rise, and really create a ripple effect that will increase costs to U.S. taxpayers.

Our military experts say that climate change will act as a catalyst for instability and conflict around the world, creating additional threats to our country and adding to the cost of protecting our Nation's interests.

So, Mr. President, with all we already know about the impacts of climate change, how can we possibly move this project forward before we have a thorough understanding of the environmental impacts that will result from building the Keystone Pipeline? How can we force the decision that could very possibly make the impact of climate change even worse?

As a Senator from the State of Washington, I am very proud of my work to protect the environment, and I am proud of my State's leadership in combating climate change. Even though the Keystone Pipeline will not run through my State, Washingtonians know well that the pipeline's impacts could quickly reach our communities, from Seattle to Spokane.

So I come to the floor today to oppose this legislation, and I will continue to oppose any efforts in Congress that ignore or brush aside the environmental consequences of our actions. For far too long we have put short-term interests ahead of our environment and long-term realities, and that has to stop.

I yield the floor.

Mrs. BOXER. Mr. President, I ask unanimous consent that notwithstanding the previous order with respect to debate time on S. 2280, the time until 5:45 p.m. be equally divided between Senators HOEVEN, LANDRIEU, and myself, or our designees, and that at 5:45 p.m., Senator HOEVEN be recognized for up to 2 minutes for closing remarks; that upon the conclusion of his remarks, Senator LANDRIEU be recognized for up to 2 minutes; that upon the conclusion of her remarks, Senator BOXER be recognized for up to 4 minutes; that upon the conclusion of Senator BOXER's remarks, the Senate proceed to vote on passage of S. 2280, with all other provisions of the previous order with respect to the bill remaining in order; and finally, I ask unanimous consent that the time used by Senator MURRAY count toward Senator BOXER's time.

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

Mrs. BOXER. Mr. President, it is with great pride that I call on my colleague from California as she gets herself ready to speak to this issue. Senator FEINSTEIN and I represent a State that is creating so many clean energy jobs, and I am very proud to yield to her 5 minutes.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I thank my colleague, and I wish to congratulate her on her leadership on this issue. We clearly have had a very extensive debate in our caucus on this. There are varying views, and I have thought a lot about it. I have had 120,000 California constituents write and call, of which about 93 percent are strongly opposed. I would say to the chairman of the committee that one of the things that interested me from reading these constituent letters was really how informed individuals were about this pipeline.

Let me lay out some of the environmental concerns. You have heard this, but perhaps you haven't heard it in entirely this way. The Keystone Pipeline was proposed to accommodate increased extraction of oil from the tar sands of Alberta. These tar sands cover an area of 54,000 square miles. That is roughly the size of New York, so it is huge.

I first came upon this by reading a March 2009 issue of National Geographic, and in that they showed part of the desecration to the land—forests down, tar sands. It looked like a Moon face. A huge portion of these deposits can only be accessed through open-pit surface mining, which destroys natural forests and bogs. Then the oil sands are mixed with heated water, chemicals are added, and it is driven up with steam in order to separate it from the sand. These methods are costly, they are energy-intensive, they are carbon-intensive, and they leave behind a significant amount of toxic waste. And that is just the extraction process.

Transportation of the oil poses additional risks to the environment—namely, the risk of pipeline spills. The first Keystone Pipeline, which is already operating in our country, had to be shut down several times for safety concerns. It leaked 14 times during its first year of operation. Across the border in Canada, the same pipeline spilled 21 times in its first year of operation. These pipeline spills are dangerous and difficult to clean up. The danger from spills is even greater since the new leg of the pipeline would run over Nebraska's Ogallala Aquifer, which is a critical source of drinking water for millions and an irrigation source for farmers.

Beyond degrading our environment, this project also runs against our efforts—as has been said many times on this floor—to combat climate change. According to the National Energy Technology Laboratory, by the time oil from Keystone makes it to a car in the form of gasoline, it has already produced 80 percent—80 percent—more greenhouse gas emissions than typical crude oil.

Here is how the math works out. Producing, refining, and combusting oil from Keystone will release up to 27 million metric tons more carbon dioxide every year than would be produced from burning the same volume of crude oil. Those additional emissions are equivalent to the emissions of 5.7 million cars on the road or 8 coal-fired powerplants. I think that is pretty impressive as to the totally negative impact of this. So this would be a poor way to begin meeting the President's pledge in Beijing to dramatically reduce our emissions, if the first time we do something it creates 27 million metric tons more carbon dioxide every year and is equivalent to the emissions of 5.7 million cars.

On the economics of the pipeline, there is simply not enough benefit to outweigh the environmental damage. The project is not going to lower gasoline prices for American drivers. The oil is intended to be sold on the global market, not for the benefit of American motorists. The State Department has concluded that the pipeline would have little impact on the prices U.S. consumers pay.

So I believe this project has terrible environmental hazards and risks, it is not necessary, and it certainly is not helpful to our environment.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mrs. BOXER. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time during the quorum call be taken off everybody's time here.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I would like to take 5 minutes to respond to some of the comments the Senator from California made in regard to the environmental impacts.

First, if we look at the environmental impact statements—actually, there were five environmental impact statements done. And what they found and said very clearly is that the Keystone XL Pipeline will have no significant environmental impact. Let me repeat that—no significant environmental impact. That is from the environmental study done by the Obama administration.

Again, that is not me saying it. That is the State Department for the Obama administration saying no significant environmental impact, according to the environmental impact statement.

In addition, I would point out that if we don't build the Keystone XL Pipeline, this 830,000 barrels of oil a day moves by railroad. Now think of that.

What is going to produce more greenhouse gas emissions? Moving all this oil by rail—which by the way takes 1,400 railcars a day—or moving it in tankers across the ocean to China where it will be refined in refineries that have much higher emissions or you putting it in the pipeline? So again, just common sense, what is going to produce more greenhouse gas emissions, having the pipeline or 1,400 railcars per day or sending it in tankers to China to be refined in their refineries that have much higher emissions? Not to mention the fact that what are Americans going to think about that we are going to make Canada send their oil to China so we in America can import oil from the Middle East. That is a pretty tough sell. Again, with the pipeline you have lower greenhouse gas emissions. In addition, the heavy crude we import from Venezuela now has higher emissions than the oil that will be provided by the Keystone. I am not even including the fact that it is not just Canadian crude that comes in. It is also light sweet Bakken crude from my home State of North Dakota and our neighbor to the west, Montana. We are not just moving Canadian. We our moving our own crude, and if we don't, we are going to continue to get that oil from Venezuela, which has as high or higher greenhouse gas emissions. As a matter of fact, the heavy crude in California, the good Senator's own State, has greenhouse gas emissions that are equal to or higher than the crude that would come through the pipeline. That is produced in California.

The final point I would like to make on the environmental aspects is that 80 percent of the new production in Canada—in the Canadian oil sands—80 percent of the new production is being done by what they call in situ drilling. So instead of excavating, which is what is being done now with much of the production at the oil sands, they are drilling. They would drill down similarly to the way they would drill for oil with conventional drilling and then put steam down in the hole and have that bring up the oil. So the carbon footprint is reduced using this in situ method, and 80 percent of the production in Canada will be with this in situ method. That will reduce the greenhouse gas emissions and the footprint, similar to conventional drilling in the United States.

When you look at the environmental track record in Canada, the Canadians care about their environment too. We all want to find ways to produce energy and do it with good environmental stewardship. I submit to you that the way to do that is to empower and enable the deployment of new technologies that not only produce that energy more cost-effectively, more independently but also do it with better environmental stewardship because you are using the latest, greatest technologies. Instead of moving the product through railcars, you are moving it through the latest pipeline with the latest safeguards. So I wanted to take 5 minutes to respond to some of those environmental issues, and I thank the Senator from California and turn the floor now back to her.

Mrs. BOXER. Madam President, could the Presiding Officer tell us who has how much time at this point.

The PRESIDING OFFICER (Ms. WARREN). The Senator from North Dakota has 14 minutes, the Senator from Louisiana has 19 minutes, and the Senator from California has 8 minutes.

Mrs. BOXER. Well, Madam President, I will take three minutes of that time.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. As we get ready to have a vote here in a while, what makes me very sad about this debate is that if we would all actually embrace an ''all of the above'' energy future, we wouldn't have to have these arguments. But we cannot get any support over there for clean energy. We just cannot. Let's just call it what it is.

It is sad because when I look at my home State, we are booming. We are booming because our State has always been an environmental leader and with it comes jobs and, as Jerry Brown has shown, balanced budgets. People are smiling.

I don't want it to look like what it looks like in China. We have a photo here. This is what it looks like in China. I know you have been there. People are walking around with masks on their faces because they cannot breathe the air and you cannot see. Yet still we go down this path. The heaviest polluting oil is what the tar sands oil is—the heaviest polluting oil.

I stood with doctors and nurses. They joined in my call for a health review. My colleagues say: Oh, well, this project has been studied up and down, up and down, and down and up. Well, I don't think so, neither does Senator WHITEHOUSE and neither do the nurses who all joined with us. They are the most respected profession. So don't listen to me, because I am in one of the least respected professions, I am sad to say. Listen to the nurses. They say we need more studies on the health of the people. We don't want our people walking around like this. I remember the days in Los Angeles when the air looked like this. I don't want to go back to that. This is the filthiest, dirtiest oil. That is why I call XL ''extra lethal.''

The pipeline itself is a pipeline. It is what you are putting in it, it is what you are unleashing that is going to mean a 45-percent increase in the tar sands oil into our Nation, and there will be consequences.

I've got news for you. Senators don't live near refineries. Take a look at what that looks like. Senators don't live near pipelines when there are spills. This is what it looks like—lovely, isn't it—in Port Arthur, TX. I stood with the community leaders. This is what it looks like. This is filthy, dirty oil with pollutants that kill, and that is the truth.

Yet it is all: Oh, how many jobs? I will tell you how many jobs. The CEO of the pipeline company says it is 50 jobs.

The PRESIDING OFFICER. The Senator has taken 3 minutes.

Mrs. BOXER. Thank you very much. I will yield 1 more minute.

So the CEO of the company itself said 50 jobs. This is why we are risking the health of our children? The fact that they have to run away from the playground because they cannot breathe—this is worth it? This is supposed to be in the national interest? And the kicker is, as Senator MARKEY pointed out, all of the oil is going to be exported. It is going to drive up the price of gasoline here at home. I know this is counterintuitive, but it is a fact. The oil is going to come in here, it is going to go straight out, and all of this stuff that is refined here is going to move out of this country and our gas prices are going to go up so that kids have to suffer this because oil companies want to make more profit? Not in my world.

So I reserve the balance of my time, and I suggest the absence of a quorum and ask unanimous consent that the time be divided equally.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. LANDRIEU. How much time do I have remaining?

The PRESIDING OFFICER. Eighteen minutes.

Ms. LANDRIEU. I thank the Presiding Officer.

First of all, let me associate myself with the remarks of my cosponsor, Senator HOEVEN, who before he had to slip out the door to take a call relative to this vote was really very clear on so many important points that he made.

The first and most important point I think in this debate—and I respect the opponents of this—but the most important point, the basic fact is this. This resource will be developed by Canada no matter what anyone in the United States and the House or the Senate of either party does. That is a fact. It is indisputable. How do we know that? Because the Prime Minister of Canada and the Premier of the Province have told us that—of all the different parties. It is the unquestioned truth. They are going to develop this resource, and they are going to send this resource through their avenues out to either China—

Excuse me. Could I get order?

They are going to develop this resource. This debate isn't going to stop them or start them.

No. 2, we have to develop partnerships for progress because no country, even as powerful as the United States

is, can hardly do anything completely by themselves. We do lots of great things and have since the moment we were formed, but we have always had partners. Even in the Revolutionary War, France came to help us and the Netherlands lent us money—a tiny little country that could fit inside of Louisiana. We have always had partners.

So the question for this debate is—the first point—this resource will be developed and will go on the market to the world—period.

The second point is America needs partners in our energy production. Who is the best partner we could possibly have—the one that is close to us geographically, closest to us in terms of our democratic outlook, closest to us in environmental standards? Even the Senator from California would admit if I asked her—she is standing right here next to me—which country has one of the highest environmental standards in the world besides the Netherlands and besides one or two Scandinavian countries, it would be Canada. In some ways you can argue that their environmental standards are higher than our own.

So I am sure they are feeling very offended being lectured to by U.S. Senators about a process where they have tighter environmental standards than we do.

No. 3, contrary to the ranting of some people that this is for export, it is contrary to the facts. I am going to read from TransCanada, the pipeline. It says: ''Comments were received throughout the review process speculating'' whether this heavy crude oil carried by the proposed pipeline which passes through the United States would be loaded onto vessels ultimately for sale in markets such as Asia.

As crude of foreign origin, Canadian crude is eligible for crude export license as long as it is not commingled with domestic crude. However, such an option appears unlikely to be economically justified for any significant durable trade given transport costs and market conditions.

Keystone is not for export. It is actually to come to the refineries in the gulf coast which is why I know a lot about this and why I have been a supporter from the very beginning—because this is my home. Louisiana and Texas are kind of the epicenter for refining heavy crude. We transformed our refineries from light crude when we were kind of running out of it, when Venezuela was discovering its heavy crude. I took a trip down with Frank Murkowski 18 years ago when I was a freshman on the committee. He said: ''Go with me to Venezuela.'' I went. He said: ''You've got to see this heavy crude. This is what our future is.'' Our country doesn't have much. We would rather get it from Venezuela and the Middle East. I went to Lake Maracaibo. I went to Venezuela years and years ago. They don't need permission from us. These are business people making business decisions. They transformed their refineries to heavy crude.

The heavy crude that comes from Canada has a great partnership with the refineries in the gulf coast. This is business, not politics, and business is good for this country, contrary to popular opinion. This was a business deal—a good deal for Canada, for the United States, for our economy, for jobs, and because it has a negligible impact on the environment.

I know Democratic Senators will come down here and talk about the environment. This is the last of five environmental studies. It has been published since January of this year. Senator HOEVEN waited to introduce our bill. He kept coming to me and asking: Should we introduce our bill? I kept going to him and asking: Should we introduce our bill? We decided to give them a little more time. We didn't want to rush it. It has been going on for 6 years. We tried to be patient.

Finally, by May, after this had been published, it clearly says there is negligible environmental impact from President Obama's own State Department and EPA. They said it is much easier, safer, and cleaner to transport this oil by pipeline than it is to put it on barges going down the Mississippi River—and since we are at the end of it, we would know about this. It is safer than putting it on railcars that go through towns and could potentially blow up. That is what they say in here. I know people don't want to read it, but that is what this says.

It is not for export. This is a partnership with one of our best and longest allies in the world, Canada, with the highest environmental standards. It is a high-tech, state-of-the-art pipeline that is going to put thousands of people to work, but more importantly than the people, building it is the signal it is going to send to chemicals, to our manufacturing base that has seen an extraordinary renaissance, and not just in the gulf coast. In some places, our unemployment rate is 2.5 percent.

It is also in other States, such as Ohio, Michigan, Pennsylvania, the Midwest, and, yes, the west coast and the east coast. That is the third major argument.

The fourth major argument is this has absolutely nothing to do with climate change. It simply has to do with smart partnerships—economic business partnerships to produce the resources North America has in the most environmentally friendly way.

If we could vote on this today—which we finally will. We have been working for years to finally get a vote, and hopefully to passage—we can then move on to a broader discussion which should take place about climate change. I am not a denier of climate change. I am not. I understand there are impacts to the environment. This doesn't happen to be one of them. This does not happen to be one of them.

This resource is going to be produced, either with Canada and the United States doing it in the cleanest, most efficient way possible, or it is it going to go in an inefficient way to partners that do not have oversight, do not have an EPA, and do not have standards. It is a no-brainer. After we finish with this, we can then get on with the big debate I have had with Senator BOXER, Senator SHELDON WHITEHOUSE, and others about what to do with the human impacts of the environment and start talking about real issues that can move us one way or the other by also maintaining our commitment to economic growth. That is why I have been fighting for a debate and a vote on the Keystone Pipeline.

Madam President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 9 minutes.

Ms. LANDRIEU. I wish to call attention to the bill itself. We talk about many bills, but we don't really debate many bills, so this has been a refreshing day on the floor of the Senate. I have not really seen a day like this in 8 years.

I am encouraged by what the outcome will be, but I am really encouraged by the debate we are having on the floor of the Senate.

There are a lot of businesses in America that are focused on this debate. There are a lot of labor unions and their leaders who are watching this. The pipefitters are watching, the boilermakers are watching, the engineers are watching, and the operating engineers are watching. They have been fighting for this pipeline for their members for 5 years, and their cries for help and support have fallen on deaf ears on this side of the Chamber. So they are watching.

Unlike a lot of bills that we debate, this bill is a page-and-a-half. This is the bill. It is S. 2280. It was drafted to be very simple. The bill basically says that over the course of 6 years every study that is required by law has been completed. Every study has been completed, published, and made public. Since the process is finished and over with, the Congress is directing the President to build this pipeline based on his own studies that have greenlighted it time and time and time again.

There is no study to be turned in. The only issue outstanding—and it is important—has to do with one portion of the State of Nebraska. There is an aquifer in Nebraska, and the people there did not want the pipeline to go through it, and so the leaders in Nebraska moved the pipeline away from the aquifer. When they did that, a small and vocal environmental group, which is against the Keystone Pipeline, filed suit to say that the way they did that was wrong, the process was wrong. They are in court now, and that is going to be resolved. The Supreme Court has already taken arguments. It will happen any Friday. It could be this Friday or next Friday or the next Friday. That is it. It is done. We could start building parts of it and eventually get to Nebraska because they have

already approved it to go through the State. It is just a matter of exactly who had the authority to do it, and that will be resolved by Nebraska. Our bill acknowledges that and says nothing shall step on private property rights.

As I have said over and over, Senator HOEVEN and I carefully drafted this bill after consulting with Senator TESTER from Montana about private property rights and talking to the Senators from Nebraska about respecting Nebraska.

Enough is enough. Six years is long enough. Just like the Senator from North Dakota said, if a business wanted to get a permit to dredge a channel or build a dock or put up a big store in a mall and walked into city hall and they said, that is lovely, but you have to wait 6 years, no one in America can function that way. It is not right. It is wrong.

It is so clear to the people of Louisiana that this pipeline should be built, and it is so clear to the people of Texas. Many Democrats in our part of the country—strong members of the Black Caucus have voted for this pipeline. CEDRIC RICHMOND, my Congressman, has voted for this pipeline, as has BENNIE THOMPSON, the Congressman from Mississippi, and JAMES CLYBURN. The coalition is broad and diverse. The Republicans, Democrats, Black Caucus, labor, and business community are saying: What is wrong with the Members of Congress that they cannot understand that 6 years is long enough? The reports are in. The facts are what they are. This pipeline needs to be built for many good reasons.

I wish to reserve my last 2 minutes.

This is America's hour to become energy independent. We don't have to kowtow to Russia. We don't have to be held up by the politics of Putin and his bullying in Eastern Europe. We can help Japan, a strong ally of ours, to stand with us. We can help Europe, and most importantly, we can help ourselves and build a new energy renaissance that is all of the above—that is the cleanest and most environmentally sensitive that we can. Let's get on with doing this.

I am so proud to have literally kickstarted this debate. I hope this is the beginning of many important debates that take place. No more theater, no more positioning, and no more chess games that nobody understands, because if you are not at the chessboard, it is really hard to follow. Even when you watch chess on television, it is a real hard game to get excited about.

Let's get back to what we do best: debating bills that have impactful outcomes. In my opinion, this bill does that in a positive way for the people of the United States.

Let us build a middle class again. Most importantly, let's listen to them. Let's pay attention to them and use our common sense.

I yield the floor and reserve the balance of my time.

Mrs. BOXER. Madam President, what is the time situation?

The PRESIDING OFFICER. The Senator from California has just under 4 minutes. The Senator from North Dakota has 13 minutes, and the Senator from Louisiana has 2½ minutes.

Mrs. BOXER. And that is before we get to the final debate?

The PRESIDING OFFICER. That is correct.

Mrs. BOXER. Madam President, I want everyone who is watching us from Louisiana to know that without MARY LANDRIEU, we would not be having this debate. She makes a point when she says it is good to have this debate. It is really good to have debates. We have had debates before on war and on health care. I put them in a bit of a different category, but this is an important debate.

I do want to cover a little ground here. First of all, it is important to note we Democrats are under a big umbrella. We have Senators who agree with the Big Oil philosophy. We have Senators who agree with the ''all of the above'' philosophy, and we have Senators who are pushing for clean energy. This is true about our caucus, and I am proud.

MARY LANDRIEU and I worked hand-in-glove on Katrina. She asked me to do something for her in my capacity as chairman of the Environment and Public Works Committee that I had to say no to. She is a great Senator. The way I feel about Keystone is not the way she feels about it, and that is the beauty of our party.

I want to make it clear for the RECORD, I met with Canadians who live near the extraction of the dirty tar sands oil, I have met with the people in Port Arthur, TX, who live near the refineries of the dirty tar sands oil, and I have talked to community activists who saw a Little League team that had to flee a field in Chicago because the petcoke—petroleum coke, which is so filled with particulates that you can't breathe around it—started to fly all over the Little League field.

The Canadians I met with were not happy with their government. I am not here to pass judgment, but I will put in the RECORD:

In October 2014, the Canadian Office of the Auditor General issued a scathing report detailing the Canadian Government's failure to adequately protect the environment during the tar sands development.

Madam President, I ask unanimous consent to have this summary printed in the RECORD.

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

POOR CANADIAN ENVIRONMENTAL OVERSIGHT OF TAR SANDS INDUSTRY

In October 2014, the Canadian Office of the Auditor General issued a scathing report detailing the Canadian Government's failure to adequately protect the environment during tar sands development.

The report found that:

The Canadian federal government has no firm plan to monitor the oil sands beyond 2015; and

The 2012 Canada and Alberta Joint Oil Sands Monitoring (JOSM) program set to be in place by 2015 has met delays—including on monitoring one of the key pollutants—PAHs (polycyclic aromatic hydrocarbons. Numerous peer reviewed studies have found high levels of PAHs—carcinogens—downstream from tar sands production.

Mrs. BOXER. I can't get into how good Canada is on a daily basis, but I can tell you that when it comes to the tar sands, they don't have a good record.

I have stood with doctors and nurses from America, and they all said: This is dangerous, dangerous stuff because it has heavy metals, sulfur dioxide, nitrogen oxide, particulate matter, carcinogens, and all of these things.

So welcome, tar sands oil, to America to cut through our country and then be exported to other countries. I have to say that it leaves me in amazement.

Senator MARKEY laid it out. We are going to see higher gas prices because of this bill. They will just unleash more of their oil and get it out of here because they get a higher price abroad than they do in America.

When you stand with the people who live along the excavation route, when you stand with people who live right near the refineries, when you stand with people who had their kids playing Little League and soccer right near the petroleum coke, you have to say, what is in the national interest?

Madam President, I ask for 1 additional minute.

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

Mrs. BOXER. I ask unanimous consent for an additional 1 minute.

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

Mrs. BOXER. I would add 1 minute to Senator LANDRIEU's time as well.

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

Mrs. BOXER. To me, all of these health reasons are reason enough to say let's not interrupt what the administration is going through now, which is careful study of whether this is safe for our people. Two million people sent in their comments. Don't shortcut that.

Then there is the whole issue of the climate. We know this tar sands oil is far more carbon intensive and it is going to hurt our planet, and we want to have a planet that is habitable for our children and our grandchildren and generations to come.

I embrace this debate. I think it is an important debate to have. But we really have to ask ourselves the question: Is it worth exposing our people to these risks, with whom I stood shoulder to shoulder, and is it worth exposing the planet to these risks when we can create millions of jobs in a clean energy economy as we are doing in my State? And we are going gangbusters.

I thank my colleagues, and I say to the people from Louisiana, they could not have a better fighter. We are in the ring together and it is tough, but that

is the beauty of the Democratic Party, that we are an inclusive party.

I yield my time.

Ms. MIKULSKI. Madam President, I rise to commend Senator LANDRIEU for her work on the bill to approve the Keystone XL Pipeline.

Since coming to the Senate in 1997, Senator LANDRIEU has worked tirelessly to reach across the aisle and get things done for her constituents. She has been by my side as a member of the Appropriations Committee as we rolled up our sleeves to break through the gridlock to keep the government open and functioning. She has done outstanding work as chairwoman of the Energy and Natural Resources Committee, along with her Ranking Member Senator MURKOWSKI, and I am so proud to have her as a colleague and a friend.

I am a blue-collar Senator. I grew up in a blue-collar neighborhood in Baltimore during World War II where my father had a small neighborhood grocery store. We were the neighborhood of mom-and-pop businesses and factories. We made liberty ships. We put out turbo steel to make the tanks. Glenn L. Martin made the seaplanes that helped win the battle of the Pacific. We were in the manufacturing business. So I know the value of good, blue-collar jobs.

Estimates show that the Keystone XL Pipeline could create 3,900 direct construction jobs over its 2-year construction period. But only fewer than 50 would be permanent.

I recognize the need for jobs in construction, but I can't ignore the environmental and legal concerns surrounding the pipeline that still won't be resolved if we pass the bill today.

First, I am worried about the safety of our water supply. The corrosive, thick sludge that would travel through Keystone makes the pipeline more vulnerable to leaks and accidents and endangers the drinking water of the more than 1.8 million Americans who get their water from the Ogallala Aquifer.

Second, I am worried about the increased carbon in the air as a result of this project—the equivalent of Americans driving their cars 60 billion more miles per year. This means more of the devastating impacts of climate change which could harm jobs in aquaculture and seafood that are so important to the coastal economy of Maryland.

Finally, there is a lawsuit pending in the Nebraska Supreme Court on the route of the pipeline. The route cannot be finalized until this lawsuit is complete, and no construction will begin before then.

For these reasons—at this time—I will oppose the approval of the Keystone XL Pipeline. There are too many environmental concerns that still need to be addressed, and the pipeline cannot be constructed until the lawsuit in Nebraska is decided. We should take this time to work on addressing the environmental concerns, and come back to make a decision once we have all of the facts.

In the meantime, there are plenty of other jobs bills Congress can pass that will put people back to work. I am for creating a national infrastructure bank to finance new construction projects. I am for closing the loopholes that allow businesses to make money off of moving jobs overseas—let's pass the Bring Jobs Home Act. And finally, I am fighting to pass an omnibus appropriations bill that funds TIGER grants that support State and local construction projects. All of these bills would create good jobs and would have real and lasting benefits on American workers.

The PRESIDING OFFICER. Who yields time?

The time will be charged equally to both sides.

The Senator from North Dakota.

Mr. HOEVEN. Madam President, I would inquire as to the remaining time.

The PRESIDING OFFICER. The Senator from North Dakota has 13 minutes and the Senator from Louisiana has 3 minutes.

Mr. HOEVEN. I would inquire of the Senator from Louisiana if she would like to use her 3 minutes in addition to the agreement for the final 8? Would the Senator from Louisiana like to use her 3 minutes at this time?

Ms. LANDRIEU. I just need 3 minutes to close.

Mr. HOEVEN. Would the Senator from Louisiana like to do that now? Then she would still have 2 minutes to use after I finish as well. I am trying to find out how the Senator would like to use her remaining time.

Ms. LANDRIEU. The Senator from North Dakota can do his closing and then I will yield to the Senator from California. Would that be OK?

Mr. HOEVEN. Sure. That is fine.

Madam President, I am going to go through a series of charts here. They are actually getting a little worn because I have used them now for a number of years. I am very hopeful that after today, or certainly after the first part of the next year, I can retire these charts, because it is long past time to approve the Keystone XL Pipeline.

This is an effort that started in September of 2008. The TransCanada company applied for a Keystone XL Pipeline permit. They started this process in September of 2008. I wasn't in the Senate then. I was Governor of North Dakota at that time. I worked on it for 2 years as Governor, and now I have worked on it for almost 4 years here in the Senate—not building the project, but trying to get approval for this project. The irony is—one of the many ironies—is that the TransCanada company actually built the Keystone Pipeline. A lot of people say, what? What do you mean? I thought that is what we are talking about. No, what we are talking about is the Keystone XL Pipeline. The Keystone Pipeline has already been built.

In 2006, the company applied for a permit to build a pipeline from Hardisty, which is in Alberta, down to Patoka, IL, for the Keystone Pipeline. They applied in 2006. They were granted a permit in 2008. By 2010 they had the pipeline built and operating, bringing about 640,000 barrels a day, going down from Canada, through my State, through South Dakota, through Nebraska, and over to Patoka, IL. Permitted in 2 years, built it in 2 years, and 4 years from start to finish, all done. That is the Keystone Pipeline.

What we are talking about here now is the Keystone XL Pipeline. It is a sister project, and the company has been trying for 6 years to get a permit.

Here we see the route. It is very similar, but it also goes down to Cushing and to the Gulf of Mexico. It is hard to believe it has been 6 years in the making.

We passed legislation to try to get a decision out of the administration. Not only is this not the first pipeline, which is the Keystone XL Pipeline, after we already built the Keystone Pipeline, but this is not the first bill to approve it. In fact, we have passed other bills to approve it.

As a matter of fact, in 2011 I introduced a bill which we passed in 2012 attached to the payroll tax holiday so the President wouldn't veto it, and what that bill said is: Mr. President, you need to make a decision on the Keystone XL Pipeline. If we are going to have an energy plan for this country, if we are going to make this country energy secure, energy independent, we have to have the infrastructure to move that energy to market. We have to have this vital infrastructure. So all that bill said in 2012 is: Mr. President, make a decision. It has been years in the permitting process. Make a decision. And he did. He turned it down. He turned it down because he didn't like the route in Nebraska. So what did we do? We went to work with the good people of Nebraska and set up a different route. We addressed the concerns the President said he had. We rerouted the pipeline and we came back. Still no decision. Still no decision, making it very clear—the President won't turn down the project. We have to ask, why isn't he turning it down? Because it is about jobs and energy and economic growth. It is about energy security, therefore national security, and the American people overwhelmingly want this project—60, 70 percent every time it is polled. That is why he doesn't want to turn it down, because the American people want it but he won't approve it. So what is his strategy? His strategy is defeat through delay. Defeat through delay. Don't take my word for it. Actions speak louder than words. We are now in year 6 of the permitting process.

What does this bill do, Senate bill 2280? We have 56 sponsors on this bill—56. It is a bipartisan bill. We already have a majority of the Senate. Now we just need to get to 60. What does it do? If the President won't make a decision, then Congress needs to. What this bill does is that under the commerce clause

of the Constitution, Congress has the authority to oversee trade with foreign powers. We have the authority and the responsibility to oversee trade with foreign countries. So we have the authority to approve the cross-border approval for this pipeline. We have that authority under the commerce clause. So this bill simply says, all right, Congress approves the cross-border authority for this pipeline. That is it. The States still have their right to the route and the oversight in their respective States. We honor, we respect, and we protect. We protect property rights. We are just saying under the commerce clause of the Constitution that we can bring this pipeline across the border, just like the many other pipelines that have come across the border. This pipeline will have the latest, greatest technology, and it will be part of the more than—the millions of miles of pipelines that we already have, except this one will be newer with safety features the other ones don't even have.

That is what this bill is about, and that is what we are working on today. It really comes down to a very simple decision. Do we make a decision for the American people, or do we make a decision for special interest groups that oppose the project?

I wish to thank my colleagues for this very vigorous debate on the Keystone XL Pipeline today. It is very appropriate that we debate it. And it is very appropriate that we vote on it. I had not anticipated getting to a vote until the new Congress, but I am pleased to get a vote today. It is certainly past time that we approve the Keystone XL Pipeline—as I say, 6 years. Six years in the permitting process. How in the world are we going to build an energy plan for this country that truly makes us energy secure and energy independent if we can't build the infrastructure to move that energy around the country—to move the energy we produce and that our closest friend and ally Canada produces from where we produce it to the refineries and to the markets around the country? We can't build an energy plan for this country if we don't approve and build the infrastructure to make it work.

A lot has been written and a lot has been said over these 6 years. But I go back to the most important point, and that is let's make this decision on the merits and let's make this decision on the facts. It is about energy, jobs, and economic growth, and it is about national security through energy security.

On the environmental issues, after five environmental impact statements, the Department of State says there is no significant environmental impact. Look, this isn't me saying it. Read the environmental impact statement. It is not as though we just did it once. It is not as though we just did it twice or even three times. Five of them. Five environmental impact statements. Think about it. Where is the common sense here? Five environmental impact statements. Verdict: No significant environmental impact.

On the jobs issues, the Department of State, again, in the environmental impact statement, says 42,000 jobs. Some say, those aren't good jobs, those are construction jobs. Really? If they are not good jobs, why are all the major national unions strongly supporting the project? Ask them if these are good jobs.

Furthermore, energy is a foundational industry. Low-cost, dependable energy helps all of the other industry sectors in our economy go and makes us more competitive in a global economy.

On the export issue, I think we have heard our President say, oh, it is just all going to be exported. Well, that is interesting, because his Department of Energy says otherwise. If we look at the report from the Department of Energy, it says we are going to use that oil here in the United States. We are going to refine it and use it here in the United States. Interestingly enough, in order for the oil to be exported, we have to get approval from the Department of Commerce—from the Obama administration's Department of Commerce.

One other interesting point: It is not just oil from Canada, it is oil from my great State of North Dakota and oil from Montana—light, sweet Bakken crude that we have to find a way to get to our refineries in the United States. Right now North Dakota produces almost 1.2 million barrels of oil a day, and it is going up. The only State that produces more oil than North Dakota is Texas. Of that almost 1.2 million barrels of oil a day that we produce, 700,000 right now is moving on rail—700,000 barrels a day. That is a problem. This pipeline alone will take 1,400 railcars of oil—1,400 railcars to move that amount of oil. So if we don't have Keystone, we are going to have 1,400 railcars a day moving that product. We already have a problem. We already have our agriculture products backlogged in the Midwest because we are trying to move all of this oil.

Look, we need infrastructure in the right balance. We need pipelines, we need rail, and we need roads. Without it, we have more congestion on the rail as well as more risks for accidents.

For all these reasons and more, as I said a minute ago, the American people have spoken clearly. They have said that it is time to approve the Keystone XL Pipeline. I hope that today that is exactly what we do.

We are here now, and we agreed to have a vote at 5:45 p.m. I know that my colleagues from Louisiana——

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

Mr. HOEVEN. I have 2 minutes remaining to start the final portion of the debate prior to the vote. So without objection——

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

Mr. HOEVEN. So I turn to my colleague from California and my colleague from Louisiana. The time has come to vote. We have had the vigorous debate. I would go back to what I said on this floor repeatedly and will continue to say until we get this project approved. This is about what the American people want. We work for the American people.

I have gone through the merits. I have gone through the arguments. I laid out how the bill works. I talked about the history. But at the end of the day, this is about our job representing the people of this great country and listening to them and doing what they want us to do. The American people overwhelmingly support this project and want it approved. So I ask for an affirmative vote today to approve the Keystone XL Pipeline.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I wanted to ask the Senator to yield so I can personally thank him for his leadership. It has been a pleasure working with him to build the Keystone Pipeline. He and I have worked together now for several years. We have negotiated every step of the way—when to introduce the bill, what the bill should say.

I want to personally thank him for his leadership. I have been pleased to work with him on it as an individual Member of the body as well as the chair of the energy committee, and I look forward to working with him on many projects in the years to come.

Let me close by making a couple of points. First of all, I wish to read from a statement from the mayor of Port Arthur, Deloris ''Bobbi'' Prince, who is strongly in favor of Keystone. I know you thought there was some hesitation on the part of the mayor. She says: Our unemployment is very high. She represents the city of Keystone. The unemployment rate is 15 percent and a poverty rate of 25 percent.

These are my closing points. One, to the opponents of this that have stopped it and installed it every step of the way, I will say this again. This resource will be produced. Nothing that we do on this floor, what they do in the House or what the President of the United States does will stop this resource from being produced.

Two, this product will move to these refineries. It will move by rail or it is going to move by car or it is going to move by barge. The studies are in, done, signed, sealed, and delivered. It is less efficient and it is more dangerous to the environment, and we should use a pipeline that is state of the art.

Number three, these heavy oils will not be exported. This is for energy to Florida, which doesn't produce an awful lot. This is energy to California. They do a great job of conservation—I will give it to them—not a great job of production. We actually do very well at both in Louisiana.

This is for Americans, for American jobs, and to build an American middle class. It will immediately create 40,000 jobs. If the people of this Congress have not noticed, there are long unemployment lines in some parts of the country. The people at the very top might be doing really well, but the people in rural America, the people in smalltown America, and the people who don't have $1 million in their 401(k) plans could use a job. According to the American Chemistry Council, it is going to create 407,000 jobs in the next 9 years, and that is just the beginning.

Finally, let us do more than send a message. Let us do more than talk. By our actions, let us send hope to the middle class.

I wish to conclude by thanking Senator MARK BEGICH, who will no longer be with us, Senator DONNELLY, Senator HAGAN, who will no longer be with us, Senator HEITKAMP, Senator MANCHIN, Senator MCCASKILL, and Senator PRYOR, who will no longer be in our next Congress.

I wish to also recognize Senator TESTER, Senator WALSH, Senator PORTMAN, Senator CARPER, Senator CASEY, and Senator BENNET for their great leadership. In the 30 seconds I have left, I specifically wish to thank the Industrial Union of Operating Engineers, who have fought for 6 years, the International Brotherhood of Electrical Workers, the Laborers' International Union of North America, the pipefitters and plumbers, and the North America's Building Trades Union, which represents all of them and has fought every day for 6 years to try to talk this administration and this Congress into acting on their behalf.

The time is now to build the infrastructure necessary to make America energy independent. We can spend $6 trillion in wars in Iraq and Afghanistan, and we can't give a green light to a pipeline that has gotten five environmental reviews? The comment period is over, and the time to act is now.

I yield the floor.

Mrs. BOXER. Madam President, I wish to make a point of personal privilege. We would have voted on this bill a long time ago if my Republican friends had not blocked the Shaheen-Portman bill from being part of the unanimous consent agreement. Let's stop the hypocrisy that is going on here.

We would have had a vote, but it is only about Big Oil and the Koch brothers and all of that—fine. I am looking for this vote—win or lose—because we had to have it at some point. I was for having it a long time ago. If we want to grow this energy economy with good jobs, if we want to protect our families and protect our planet from devastating climate change, the vote is no on the Keystone XL Pipeline, which I call ''extra lethal.''

I will tell you, if the President vetoes this, I hope we will sustain the veto if it passes today.

We should work together for the future of clean energy which will create far more jobs than the 50 permanent jobs even the CEO of the Keystone Pipeline says is the right number. That is how many permanent jobs will be created.

I come from a State that is booming with hundreds of thousands of jobs, with balanced budgets, and clean energy future. I come from a State that embraced cleaning up the environment and building the economy and jobs. They go hand in hand. Anyone who tells you they don't really doesn't understand anything.

I can tell my friend—he talks about polls. I want to talk to him about another poll he won't like. That poll says that huge majorities of Americans want the EPA to clean the air, clean the water. They want them to do the job.

It is very popular even though some of my colleagues have tried to undermine the work of the EPA. So why don't we work together on a clean energy future, and if you want to know the way, come to my State.

We are looking at millions of jobs all across this nation in clean energy.

Why vote against this pipeline?

We know misery follows this pipeline. That is not rhetoric. Here is Port Arthur, where my friend says the mayor is all for this. Fine—I didn't meet with the mayor. My friend didn't understand. I met with the community leaders who live around here and breathe this stuff. Senators and mayors, with all due respect, don't live in these communities. What is in all of this black smoke that goes into your lungs if you happen to live there? It is huge amounts of pollution—more sulfur dioxide, far more nitrogen oxide, far more lead—and this is serious stuff. It is not rhetoric. It is fact. There is something called PAHs which are cancer-causing pollutants. That is proven. We put a peer-reviewed study into the record. I will show you a picture. This is what happens after you refine this tar sands oil. It goes to these holding areas.

I will tell you what happened in this particular case in Chicago. There was a little league baseball game going on right near this petcoke. The wind came up. The petcoke blew around, and this is a direct quote from the newspaper: Kids that were playing ball just had to get the heck out of there because all this stuff was going into their eyes and their mouths. For what? Fifty jobs? Fifty jobs and a lot of profit in the pocket of the people who own the tar sands oil? What is in the national interest?

I will just close with this.

I ask unanimous consent for 30 seconds additional.

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

Mrs. BOXER. I want to show you a picture of a little girl. She has an oxygen mask on over her face. I am telling you, as sure as I am standing here, the nurses stood with me and the public health doctors stood with me and they said, you know what, let's be very careful here because this pipeline is going to unleash 45 percent more of the dirtiest, filthiest oil. That is why I call it the Keystone ''extra lethal'' Pipeline, and I hope we won't vote it up today. I hope we vote it down. I hope the President will veto it if it passes, and I will be on my feet because I came here to protect people like this.

I yield floor.

The PRESIDING OFFICER. Under the previous order, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Under the previous order, the bill having been read the third time, the question is, Shall the bill pass?

The result was announced—yeas 59, nays 41, as follows:

[Rollcall Vote No. 280 Leg.]

YEAS—59

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Begich	Graham	Paul
Bennet	Grassley	Portman
Blunt	Hagan	Pryor
Boozman	Hatch	Risch
Burr	Heitkamp	Roberts
Carper	Heller	Rubio
Casey	Hoeven	Scott
Chambliss	Inhofe	Sessions
Coats	Isakson	Shelby
Coburn	Johanns	Tester
Cochran	Johnson (WI)	Thune
Collins	Kirk	Toomey
Corker	Landrieu	Vitter
Cornyn	Lee	Walsh
Crapo	Manchin	Warner
Cruz	McCain	Wicker
Donnelly	McCaskill	

NAYS—41

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

The PRESIDING OFFICER. On this vote, the yeas are 59, the nays are 41. The threshold has not been achieved, and the bill is not passed.

EXECUTIVE SESSION

NOMINATION OF LESLIE JOYCE ABRAMS TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF GEORGIA

NOMINATION OF MARK HOWARD COHEN TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA

NOMINATION OF ELEANOR LOUISE ROSS TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

(DISTURBANCE IN THE VISITORS' GALLERIES)

The PRESIDING OFFICER. The Sergeant at Arms will restore order in the gallery.

The bill clerk read the nominations of Leslie Joyce Abrams, of Georgia, to be United States District Judge for the Middle District of Georgia; Mark Howard Cohen, of Georgia, to be United States District Judge for the Northern District of Georgia; and Eleanor Louise Ross, of Georgia, to be United States District Judge for the Northern District of Georgia.

ABRAMS NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the Abrams confirmation.

The Senator from Vermont.

Mr. LEAHY. Madam President, I yield my time to the two Senators from Georgia.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. On behalf of the people of Georgia, the next three votes will be three judges for the State of Georgia.

Senator CHAMBLISS, the senior Senator from Georgia, has done an outstanding job of leading our Judiciary Committee to negotiate with the President and White House on six nominations, three of which we have approved and the final three are tonight.

I heartily recommend to each Member of the Chamber a vote for Leslie Abrams for the Middle District of Georgia, Eleanor Ross for the Northern District of Georgia, and Mark Cohen for the Northern District of Georgia. All are extremely competent, talented individuals.

I thank the Obama administration and all those who worked with us to come up with a package of judges to fill the vacancies in the State of Georgia.

I yield to Senator CHAMBLISS.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. I join with my colleague Senator ISAKSON in recommending that all of our colleagues vote for all three of these judges: Judge Eleanor Ross, Judge Mark Cohen, and Judge Leslie Abrams—or future judges in all three cases. They are excellent candidates.

I particularly wish to commend Senator LEAHY for working closely with us, the President for being willing to sit down and discuss our judicial nominations, and particularly former White House Counsel Kathy Ruemmler. We would not be here today if Kathy had not demonstrated great legal skills in working this package and putting this package together.

I encourage all my colleagues to vote in favor of all three of these judges.

The PRESIDING OFFICER. The minority leader.

KEYSTONE PIPELINE

Mr. MCCONNELL. I would point out to my colleagues in the Senate that consideration of the Keystone Pipeline will be very early in the next session of the Senate, of the Congress, and I congratulate Senator HOEVEN for his good work on this issue.

VOTE ON ABRAMS NOMINATION

The PRESIDING OFFICER. Under the previous order the question is, Will the Senate advise and consent to the nomination of Leslie Joyce Abrams, of Georgia, to be United States District Judge for the Middle District of Georgia?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 281 Ex.]

YEAS—100

Alexander	Gillibrand	Murphy
Ayotte	Graham	Murray
Baldwin	Grassley	Nelson
Barrasso	Hagan	Paul
Begich	Harkin	Portman
Bennet	Hatch	Pryor
Blumenthal	Heinrich	Reed
Blunt	Heitkamp	Reid
Booker	Heller	Risch
Boozman	Hirono	Roberts
Boxer	Hoeven	Rockefeller
Brown	Inhofe	Rubio
Burr	Isakson	Sanders
Cantwell	Johanns	Schatz
Cardin	Johnson (SD)	Schumer
Carper	Johnson (WI)	Scott
Casey	Kaine	Sessions
Chambliss	King	Shaheen
Coats	Kirk	Shelby
Coburn	Klobuchar	Stabenow
Cochran	Landrieu	Tester
Collins	Leahy	Thune
Coons	Lee	Toomey
Corker	Levin	Udall (CO)
Cornyn	Manchin	Udall (NM)
Crapo	Markey	Vitter
Cruz	McCain	Walsh
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Mikulski	Wyden
Flake	Moran	
Franken	Murkowski	

The nomination was confirmed.

VOTE ON COHEN NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to the vote on the Cohen nomination.

Mr. REID. I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Mark Howard Cohen, of Georgia, to be United States District Judge for the Northern District of Georgia?

The nomination was confirmed.

VOTE ON ROSS NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided on the Ross nomination.

Who yields time?

Mr. REID. I yield back all time.

Mr. MCCONNELL. I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Eleanor Louise Ross, of Georgia, to be United States District Judge for the Northern District of Georgia?

The nomination was confirmed.

NOMINATION OF LESLIE ANN BASSETT, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PARAGUAY

NOMINATION OF MARCIA STEPHENS BLOOM BERNICAT, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PEOPLE'S REPUBLIC OF BANGLADESH

NOMINATION OF JAMES PETER ZUMWALT, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SENEGAL AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUINEA-BISSAU

NOMINATION OF CRAIG B. ALLEN, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BRUNEI DARUSSALAM

NOMINATION OF WILLIAM V. ROEBUCK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF BAHRAIN

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the following nominations, which the clerk will report.

The assistant bill clerk read the nominations of Leslie Ann Bassett, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Paraguay; Marcia Stephens Bloom Bernicat, of New Jersey, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Republic of Bangladesh; James Peter Zumwalt, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Senegal and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guinea-Bissau; Craig B. Allen, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Brunei Darussalam; William V. Roebuck, of North Carolina, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Bahrain.

Mr. REID. Madam President, I will yield back all time on these nominations.

The PRESIDING OFFICER. Without objection, all time is yielded back.

VOTE ON BASSETT NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Leslie Ann Bassett, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Paraguay?

The nomination was confirmed.

VOTE ON BERNICAT NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Marcia Stephens Bloom Bernicat, of New Jersey, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Republic of Bangladesh?

The nomination was confirmed.

VOTE ON ZUMWALT NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of James Peter Zumwalt, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Senegal and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guinea-Bissau?

The nomination was confirmed.

VOTE ON ALLEN NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Craig B. Allen, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Brunei Darussalam?

The nomination was confirmed.

VOTE ON ROEBUCK NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of William V. Roebuck, of North Carolina, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Bahrain?

The nomination was confirmed.

For the information of the Senate, for the respective nominations just confirmed, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

USA FREEDOM ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2685, which the clerk will report.

The assistant bill clerk read as follows:

Motion to proceed to calendar No. 499, S. 2685, a bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, criminal purposes, and for other purposes.

Mr. REID. Madam President, could we have order?

The PRESIDING OFFICER. Order, please.

Mr. REID. Madam President, under the rule that has been initiated here in the Senate and confirmed, we have 30 minutes of debate on this matter, and I have been told that it won't take that full 30 minutes. And, Madam President, the time for debate would be equally divided.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes for debate between the leaders or their designees.

Who yields time?

Mr. REID. Madam President, I suggest the absence of a quorum, and ask unanimous consent that the time be equally divided.

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

The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. LEAHY. Madam President, I would ask for order.

We still don't have order in the Chamber.

The PRESIDING OFFICER. Order in the Senate, please. Senators, please take your conversations outside the Chamber.

The Senator from Vermont.

Mr. LEAHY. We have confirmed three judges from Georgia and I want to compliment the two Senators from Georgia for their hard work, both in the Judiciary Committee and the White House. And in that, I am sorry they had to wait so long. On this side of the aisle we cleared every one of those for a voice vote months ago. I am sorry that your side wanted to delay it, but I see a 100–0 vote, and the voice votes are accurate. But I compliment the two Senators from Georgia for sticking with their nominees.

Madam President, I would like to yield to the distinguished Senator from Utah, Senator LEE, for 4 minutes.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, in 2013, the country learned that the government, specifically the NSA, had been collecting and storing enormous amounts of information about American citizens, and that the data collection at issue was not limited to those who were actually suspected of terrorist activity or even necessarily to those who were connected to those suspected of engaging in terrorist activity. Many were understandably very concerned about how much and what kind of data was being collected and whether this information could be or had been abused by government officials.

Today proponents of the metadata program claim it cannot be used to identify ordinary American citizens. But earlier this year researchers at Stanford University proved that the very type of metadata collected under Section 215 of the PATRIOT Act could be used to uncover a lot of information, including information about a person's politics, what kind of medications they might be taking, about where they go to church, and so on and so forth.

The USA FREEDOM Act is a bipartisan piece of legislation that would end bulk collection of metadata currently gathered by the NSA, and it would help address the problem of the American government spying on its own citizens without cause. It also would improve transparency for the data that NSA does collect. It has the support of leaders in our intelligence community, the Department of Justice, civil liberties groups, the National Rifle Association, and several tech companies.

Opponents of this bill say it will impair our national security. They say the bill will keep our intelligence community from protecting us. But what opponents of this bill fail fully to appreciate is that most Americans are deeply concerned about the collection of their own personal information. This bill is an opportunity to strike a reasonable commonsense balance between protecting Americans' privacy and at the same time protecting our national security.

While I believe there are honest, decent people working in our intelligence community, and while I think this has been overwhelmingly the norm, it is important to heed a warning given to us centuries ago by James Madison. In Federalist 51, Madison wrote:

> If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.

Congress should address this issue now. The provision of the PATRIOT Act authorizing this kind of data collection expires just after Memorial Day this coming year, and it is important to adopt a compromise well ahead of this deadline that all interested parties can accept.

The PRESIDING OFFICER (Mr. DONNELLY). The Senator from Vermont.

Mr. LEAHY. I thank the junior Senator from Utah who has worked so hard on this.

It has been more than a year since Americans first learned that the government had been secretly sweeping up the telephone records of innocent Americans, regardless of whether there was any connection whatsoever to terrorism or criminal activity. I introduced the original USA FREEDOM Act last October with Republican Congressman JIM SENSENBRENNER, and the Senate Judiciary Committee held six public hearings to address these issues.

During those hearings, we learned that the bulk phone records collection program had not, as previously advertised, thwarted 54 terrorist plots, or even dozens, or even a few. In fact, we learned through our public hearings that after all the talk about why we needed this program, we learned that the number was maybe one. That is an important fact for these who argue that the NSA's bulk phone records program is somehow essential to our fight against ISIL or other terrorists. It did nothing to stop ISIL from starting in the first place.

Our bill protects Americans. It enhances privacy protections and ends indiscriminate data collection by the NSA, but also keeps the essential tools our intelligence community needs to protect our Nation. That is the simple truth and important to remember. That is why our intelligence community strongly supports this bill.

As someone who worked in law enforcement, and as a native of Vermont where the right of privacy is cherished, I know we can have both liberty and security. The USA FREEDOM Act provides for commonsense reforms to government surveillance, and promotes greater accountability and transparency of the government's surveillance programs, and it improves the FISA Court.

This is a carefully crafted bill that builds on the work of the House of Representatives. It has the unprecedented support of the Director of National Intelligence, the Attorney General, the Director of the NSA, American technology companies, and privacy and civil liberties groups across the political spectrum, ranging from the ACLU and EFF to the NRA and TechFreedom. Lawmakers from all parts of the political spectrum, from the right to left, support the USA FREEDOM Act. They know it is a reasonable and responsible compromise. There is no reason why we should not proceed to a debate on this important bill.

I understand that there are some Members who want votes on parts of it, and that is fine. Let's have the votes. Let's not block this bill and say: Well, we want something better. That means you don't vote yes, you don't vote no, you vote maybe. Let's have some relevant amendments, and let's vote on them. Don't let this get bogged down in procedural nonsense that the American public hates. Senators should allow us to get onto this bill and help us reach an agreement on a limited list of germane amendments to be considered. Let's have germane amendments and vote them up or down. If we work together, we can finish the bill by the end of the week.

We cannot afford to delay action on these reforms until next year. As both the ACLU and the NRA pointed out yesterday in a joint op-ed in the Washington Times, ''every day that the Senate fails to vote on these reforms is a day in which law-abiding citizens have reason to fear that the constitutional protections so dear to the Founders and so crucial to the functioning of a free society no longer apply.''

I echoed the words we heard from the Senator from Utah. Every day that we fail to act is another day that American businesses are harmed. One conservative think tank estimated that the ''mistrust engendered by the NSA's programs could cost the U.S. technology industry between $35 billion and $180 billion over the next three years.'' That is a staggering amount.

Senators should listen to the intelligence community professionals who protect our nation every day, and who are calling for swift passage of this bill. Ask the Director of National Intelligence. Ask the Attorney General. They will tell you that it is better for our national security, and better for our fight against terrorism if we pass the USA FREEDOM Act.

This is a reasonable compromise that all Senators should support, and I thank the Majority Leader for bringing this bill to the floor. And I thank Senators DEAN HELLER, MIKE LEE, DICK DURBIN, AL FRANKEN, and RICHARD BLUMENTHAL for their steadfast work on this bill.

Our bill is good for privacy and civil liberties, and upholds our Constitution. It is good for American business. It is

good for national security. And most importantly, it is the right thing to do on behalf of Vermonters and the rest of the American people. I urge all Senators to vote in favor of the cloture motion pending before us.

I ask unanimous consent that the Statement of Administration Policy in support of the USA FREEDOM Act be printed in the RECORD.

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

STATEMENT OF ADMINISTRTION POLICY

S. 2685—USA FREEDOM ACT

(Sen. Leahy, D–VT, and 18 cosponsors, Nov. 17, 2014)

The Administration strongly supports Senate passage of S. 2685, the USA FREEDOM Act. In January, the President called on Congress to enact important changes to the Foreign Intelligence Surveillance Act (FISA) that would keep our Nation safe, while enhancing privacy and better safeguarding our civil liberties. This past spring, a broad bipartisan majority of the House passed a bill that answered the President's call. S. 2685 carefully builds on the good work done in the House and has won the support of privacy and civil liberties advocates and the private sector, including significant members of the technology community. As the Attorney General and the Director of National Intelligence stated in a letter dated September 2, 2014, the bill is a reasonable compromise that enhances privacy and civil liberties and increases transparency.

The bill strengthens the FISA's privacy and civil liberties protections, while preserving essential authorities that our intelligence and law enforcement professionals need. The bill would prohibit bulk collection through the use of Section 215, FISA pen registers, and National Security Letters while maintaining critical authorities to conduct more targeted collection. The Attorney General and the Director of National Intelligence have indicated that the bill will retain the essential operational capabilities of the existing bulk telephone metadata program while eliminating bulk collection, based on communications providers' existing practices. The bill also authorizes an independent voice in significant cases before the Foreign Intelligence Surveillance Court (FISC)—the Administration is aware of the concerns with regard to this issue, as outlined in the letter from the Attorney General and the Director of National Intelligence, and the Administration anticipates that Congress will address those concerns. Finally, the bill will enhance transparency by expanding the amount of information providers can disclose and increasing public reporting requirements.

In sum, this legislation will help strengthen Americans' confidence in the Government's use of these important national security authorities. Without passage of this bill, critical authorities that are appropriately reformed in this legislation could expire next summer. The Administration urges Congress to take action on this legislation now, since delay may subject these important national security authorities to brinksmanship and uncertainty. The Administration urges the Senate to pass the USA FREEDOM Act and for the House to act expeditiously so that the President can sign legislation into law this year.

Mr. LEAHY. I yield the floor.

Mr. CHAMBLISS. Mr. President, I yield 3 minutes to the Senator from Florida, Mr. RUBIO.

Mr. RUBIO. I thank the Presiding Officer.

God forbid tomorrow morning we wake up to the news that a member of ISIL is in the United States and Federal agencies need to determine who this person is coordinating with to carry out a potential attack within the homeland. One of the tools they will use is a tool that allows them to see the people they have been calling and interacting with so we can disrupt that cell before they carry out a horrifying attack that could kill millions of American people.

Today we are able to do that because of a program that collects those records and keeps them—not in the hands of anyone who is looking at them on a regular basis but keeps them readily available for the government so the government can access those records and disrupt that plot. What this bill would do is take that apart. In essence, it would ask the companies to keep those records—at least in the hopes that they would. Under this plan, if this were to pass, if suddenly we were to go target these members of ISIL and find out whom they are coordinating with, those records may not be there and that plot may indeed go forward. That would be a horrifying result.

Here is why this doesn't make sense. First of all, we are rushing this to the floor of the Senate in a lameduck session, on an issue that doesn't even expire until next year, on a bill that was not listened to or heard in a committee, and they cannot cite a single example of this program ever being abused—not one simple example of this specific program being abused by anybody intentionally. So we are dealing with a theoretical threat.

The second thing is that even as we speak, law enforcement agencies investigating a common crime don't even need to go to a court to access these very same records. They can just issue an administrative subpoena and get ahold of them. We are actually making it harder to go after a terrorist than it will be to go after a common criminal.

This is happening at a time when homegrown violent extremism is the single fastest growing threat to the United States, people here at home who have been radicalized—even on the Internet—and people who have traveled to the Middle East and been radicalized in the hopes of returning and carrying out attacks here.

I hope this body would take more time to study an issue of this magnitude because this program was specifically designed to address the intelligence gaps that existed after the 9/11 attacks. I promise you, if, God forbid, any horrifying event like that were to happen, the first question we will be asked is why didn't we know about it and why didn't we prevent it. If this program is gutted, we potentially will not be able to know about it, and we will not be able to prevent it.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, this program does not gut it; it actually enhances it.

Secondly, if this was important to stop ISIL, ISIL never would have started. The fact is that we had this program way beyond anything anybody is talking about today, and it didn't slow up or eliminate ISIL one iota. That is a straw man which we should not even have here. It has no effect on that, and everybody who has read the intelligence knows that.

I yield 3 minutes to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I wish to begin by thanking our very esteemed colleague, the chairman of the Judiciary Committee, Senator LEAHY, for his leadership on this issue and my colleagues whom he has named who have helped in drafting and crafting this very important piece of legislation.

I also wish to thank my friends and colleagues across the aisle, such as the Senator from Utah, who have supported and helped to make clear that this bill advances the cause of safeguarding our Nation without in any way detracting from its essential operational intelligence capabilities.

In fact, National Intelligence Director Clapper said:

> The bill will retain the essential operational capabilities of the existing bulk telephone metadata program while eliminating bulk collection.

This bill increases trust and confidence and credibility of our intelligence system. It advances that trust and confidence in the capability of government surveillance to do its job but at the same time protect our vital privacy interests. It advances the cause of constitutional liberty and the appearance and perception of trust in that system. It does so by making the Foreign Intelligence Surveillance Court look and function like the courts we are accustomed to seeing issue search warrants in the criminal process and protect essential liberties. It does it by strengthening and, in fact, installing an adversarial process so that more than just the government's version of the facts and law are presented to the Foreign Intelligence Surveillance Court. It does it by providing for appellate review, just as we have in normal civilian court. It does it by increasing the transparency and accountability of the FISA Court system.

Our Founders would have been astonished and appalled to learn that we permit warrants to be issued by a court that is operating in secret, issuing secret opinions, and making secret law much like the Star Chamber did, and that is why this reform is so profoundly and historically important—because we made the FISA Court one that we can more aptly and abundantly trust and one that will have credibility and confidence.

I support this bill.

I thank my colleagues for showing that we can work together in a bipartisan way to safeguard the essential

rights of Americans at the same time we protect and preserve our national security.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. I thank the Presiding Officer. I wish to speak to this bill, and I have to say that this is one of the few times that the vice chairman, the distinguished Senator from Georgia, and I have a disagreement.

I very much support this 215 metadata program. I think the Intelligence Committee had approximately 12 hearings on the subject last year.

Many people believe that the NSA is using this program all the time. In fact, in the year 2012 there were 288 approved queries, and 12 of them eventually led the FBI to obtain a probable cause warrant for the content of the communications. In fact, you cannot obtain content in a query; a query just searches the phone metadata.

Then the next criticism we have heard has been, well, the government should not hold the metadata. And that is essentially the big change this bill makes.

In October 2013, we voted out of our committee—by a vote of 11 to 4—a FISA reform act; however, in my judgment, that bill is not going to pass in this Congress.

The PRESIDING OFFICER. The Senator's time is up.

Mrs. FEINSTEIN. I ask unanimous consent that my time be extended, please.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. FEINSTEIN. I thank the Presiding Officer.

I recently talked with Members of the House, and here is what they told me: If we didn't pass the House bill, there were Members who wanted to end the whole metadata program. I do not want to end the program. I am prepared to make this compromise, which is that the metadata will be kept by the telecom companies.

Senator CHAMBLISS and I wrote a letter to the four big telecoms, and we asked them if they would hold the data. The answer came back from two ''yes,'' and the answer that came back from the other two was inconclusive. Since that time the situation has changed—not in writing but by personal testament from officials with the two other companies that they will hold the data for at least 2 years.

Here is the problem: Although there is no mandate to hold the phone metadata, the fact is that the telecoms have agreed to hold the data for a sufficient period of time.

The President himself has assured me that he is comfortable with this bill. And I believe that if we do not pass this bill, the metadata program is at risk because the 215 program sunsets next year.

Senator RUBIO sits on the intelligence committee. I listened to him with interest. I agree with what he said about ISIL and other terrorist groups. They will come after us if they can, and the only protection we have is essentially to disrupt a plot before it becomes a reality in this country.

The metadata program is not as widely used as the 288 approved queries in a given year would indicate.

Additionally, in this bill—and I think this should be of satisfaction to a number of people—the FISA Court would have to approve a query before that query takes place.

I am prepared to support this bill, and I do so for very practical reasons because without it, I believe we will not have a metadata program.

This is hard for me because I have tried to be supportive of the legislation that comes out of our committee. I have talked to Senator LEAHY. I have said that the one big problem I have with his bill is that the Foreign Intelligence Surveillance Court is upset with the language on the special advocate. Senator LEAHY said he would change the language on this part of the bill.

Senator BLUMENTHAL has an amendment—which I assume will pass—which does change the language on this part of the bill to accommodate the objections of the FISA court. If that is the case and the telecoms agree to hold the data, I believe that solves what is a very practical problem.

In any event, I have agreed to support this legislation.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. How much time on the other side has been used?

The PRESIDING OFFICER. The Senator from Vermont has 30 seconds remaining.

Mr. CHAMBLISS. How much time do I have remaining?

The PRESIDING OFFICER. Six and a half minutes.

Mr. CHAMBLISS. I only had one speaker and I had 15 minutes. Did he use 7½, 8 minutes?

The PRESIDING OFFICER. The Chair was instructed that the Senator from California spoke on the time of the Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the time the Senator from California used be added to my time.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. Mr. President, reserving the right to object, I will not object. I was going to yield the remainder of my time to the Senator from Texas, Mr. CRUZ, and I ask unanimous consent that he be allowed up to 4 minutes.

Mr. CHAMBLISS. I object to that. He can have your 30 seconds.

Mr. LEAHY. I will not object to the request, and I will yield the remainder of my time to the Senator from Texas. I am sorry the Senator from Georgia would not offer me the courtesy.

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

The Senator from Georgia.

Mr. CHAMBLISS. I yield to the Senator from Maine for 2 minutes.

Ms. COLLINS. Mr. President, we need reform of the NSA program but not in this manner. Let's remember why this intelligence tool was put into place. It was enacted in the wake of the worst terrorist attack in our country that took the lives of nearly 3,000 people. We have testimony from the former Director of the FBI and from the former Deputy Director of the CIA telling us that had this tool been in place, it is likely—most likely—that the plot that killed nearly 3,000 people would have been uncovered. Why would we weaken the ability of our intelligence community at a time when the threats against this country have never been greater?

Let me address to my colleagues the privacy issue that has been raised—an issue that all of us care about. These data are far more safe, far more subject to privacy protections if they are held by the Federal Government where only 22 vetted and trained government employees have access to them instead of nearly 150 telecommunications companies that employ thousands of workers, and the government is going to have to go to those companies and ask for the data. That greatly exposes the privacy of individual Americans far more than the current system.

So for both of those reasons, I urge my colleagues to oppose the bill of the distinguished Senator from Vermont. It is a mistake. It would make us less safe, and we have expert testimony telling us that.

Thank you, Mr. President.

Mr. CHAMBLISS. Mr. President, I yield 2 minutes to the Senator from Indiana.

Mr. COATS. Mr. President, I regret that I just have 2 minutes. It is unfortunate that a bill with this amount of consequence for Americans is being debated in such a limited amount of time.

We have 2 bills, one produced by the intelligence community, written and supported by the chairman, a Democrat from California, and by the vice chairman, the Republican from Georgia, and it passed on a bipartisan basis with more than a 3-to-1 ratio. Here we are trying to go forward, allowing only one vote on one different bill.

Why do we have to rush this through in a lameduck session when it has such consequences and when the director of the agency that oversees this, when asked by me what are the ultimate consequences of this, his answer was: A compromise of our ability to detect terrorist attacks—and the consequence will be Americans will die. And when that happens, and when those of us who go everyday to the Intelligence Committee know what the threat is—the threat is greater than it has ever been—we need to understand that eventually something will happen here, and people will turn to us and say: Did you have every possible tool in place to try to stop this from happening? If you

didn't, why didn't you? Let's not have a repeat of 9/11 when the commission then comes to us and says get the tools that you need.

This program has been so mischaracterized in terms of what it does and doesn't do. Even as I talk to my colleagues, they don't have a full understanding of what it doesn't do. It has more oversight than any other Federal program in our committee's jurisdiction. We have enhanced it through our committee with hours and hours of discussion, and here we have a bill that wasn't even taken up by the Judiciary Committee and was just brought here to the floor.

So I urge my colleagues to think this through before we come to a conclusion we are going to regret.

I thank the vice chairman for the time.

Mr. CHAMBLISS. Mr. President, how much time is remaining?

The PRESIDING OFFICER. The Senator has 5½ minutes remaining.

Mr. CHAMBLISS. Mr. President, in closing, let me say there are any number of reasons why the substance of this bill is totally flawed. We live in a dangerous world today. We all know and understand that. While the provisions in this bill wouldn't have prohibited ISIL from being formed—it didn't prevent ISIL from being formed—the provisions in the underlying FISA bill give the Intelligence Committee all the tools they need to make sure that when ISIL recruits individuals to go to Syria to fight, if they are trying to recruit Americans, we can find out about that. We have under surveillance today any number of individuals, whom we think have been committed to jihad, who live in America.

Secondly, there is another part of their recruiting that is even more dangerous than asking young men and women to come to Syria to fight for ISIL. They want people to go into the Parliament in Canada and start killing people. They want people to walk the streets of New York and pull out a gun or a hatchet or whatever it may be and start killing people.

If we eliminate this program—and that is basically what the Leahy amendment does—then we are going to take a tool away from our intelligence community that is not going to allow them to be able to interrupt and disrupt those types of terrorist attacks.

Now, with respect to our privacy, folks, gosh, we need to be really protective of privacy issues in this country. We live under a Constitution that has survived for in excess of 200 years. It has lots of privacy protections in it, and all of us want to see that happen. But let me tell my colleagues what is going to happen if this amendment comes to the floor and should happen to pass today. The metadata that is collected by the NSA can be accessed by 22 individuals—22. That means there is an opportunity for leaks to occur or for individual privacy rights to be breached by 22 people. If this amendment ever became law, all of a sudden, all of the telecoms are going to be holding this metadata information as opposed to the NSA holding it. All of those telecoms have thousands of employees, lots of whom have access—will have access to this metadata. So instead of having the potential for 22 people to breach the privacy rights of American citizens, all of a sudden we are going to have thousands of opportunities for the privacy rights of Americans to be breached.

Let me close by saying that this program has been criticized an awful lot simply because of the leaks that Mr. Snowden made because of his theft of government property. But the fact is there cannot be one single case pointed to by anybody who can show that as a result of the collection of metadata under 215, any American has had their privacy rights breached. It simply has not happened. It will not happen if we keep this program in place.

Do we need to modify it? You bet. And Senator FEINSTEIN and I did a good job of that, considering 10 amendments within our committee, voting on all 10 of them. Some of them passed. Some of them didn't. The bill came out of our committee on a bipartisan vote.

The Leahy amendment has not even gone to the Judiciary Committee to give the members of the Judiciary Committee the opportunity to review it, to file amendments on it, to debate it in committee, and vote on it. That is not the way this institution has ever worked, and it is not the way it should work here in a lameduck session with time running out, and particularly on a controversial and sensitive and important program as is the 215 FISA amendment program.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. COATS. Mr. President, how much time is remaining on our side?

The PRESIDING OFFICER. There is 1 minute remaining.

The Senator from Texas.

Mr. CRUZ. Mr. President, many months ago the American people were astonished to learn the Federal Government was collecting bulk metadata from personal cell phones of millions of law-abiding citizens. This legislation protects the Constitutional rights of privacy under the Fourth Amendment while maintaining important tools to protect national security and law enforcement.

This is bipartisan legislation that enjoys the support of the intelligence community as well as the tech community. The bill is not perfect, but in my view we should take it up and consider reasonable amendments on the floor to make it better. But it is imperative that we stand together, united, protecting the Bill of Rights.

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

The Senator from Georgia has 1 minute remaining.

Mr. CHAMBLISS. I yield back the remaining time, and I ask for the yeas and nays.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant 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 the motion to proceed to Calendar No. 499, S. 2685, a bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

Harry Reid, Patrick J. Leahy, Sheldon Whitehouse, Martin Heinrich, Richard Blumenthal, Sherrod Brown, Thomas R. Carper, Al Franken, Bernard Sanders, Carl Levin, Tom Udall, Charles E. Schumer, Mazie K. Hirono, Tom Harkin, Cory A. Booker, Barbara Boxer, Christopher A. Coons, Richard J. Durbin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 2685, a bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

The yeas and nays resulted—yeas 58, nays 42, as follows:

[Rollcall Vote No. 282 Leg.]

YEAS—58

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

NAYS—42

Alexander	Cochran	Grassley
Ayotte	Collins	Hatch
Barrasso	Corker	Hoeven
Blunt	Cornyn	Inhofe
Boozman	Crapo	Isakson
Burr	Enzi	Johanns
Chambliss	Fischer	Johnson (WI)
Coats	Flake	Kirk
Coburn	Graham	McCain

McConnell	Risch	Shelby
Moran	Roberts	Thune
Nelson	Rubio	Toomey
Paul	Scott	Vitter
Portman	Sessions	Wicker

The PRESIDING OFFICER. On this vote the yeas are 58, the nays are 42. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The Senator from Vermont.

Mr. LEAHY. Mr. President, obviously I am disappointed by tonight's vote, but I am not new to this fight. We have had six public hearings on this issue. We heard interesting testimony by the head of the NSA who talked about 50-some-odd terrorist activities that have been thwarted by the bulk collection program. When he had to testify in public, it came down to possibly one.

I mention that because people asked whether we had hearings. We had six. But the reason I say I am not new to this fight is the very first vote I cast as a Senator in 1975 was in favor of the Senate resolution that created the Church Committee. I have worked ever since to ensure strong oversight of surveillance authorities.

We found in the Church Committee that administrations of both parties had so badly misused the tools they had in the intelligence community. We tried to put in restrictions that would balance our constitutional rights and the security that we needed as Americans. We tried to do that. I think we did.

That is why over the past decade I have consistently opposed expanding the USA PATRIOT Act and FISA Amendments Act sunsets without including meaningful reforms. The first sunsets were put in place by the Republican leader in the House, Dick Armey, a conservative Republican, and myself in the Senate. We joined together for the same reason: If you do not have an ability to look at these issues on a periodic basis, then they will get out of hand.

I fought the status quo every step of the way in these efforts. The broad coalition of those in favor of the USA FREEDOM Act shows we are gaining ground. While I am critical of those Republicans who failed to answer the call of the American people who elected them to stand up and work across the aisle, those who reverted to scare tactics rather than working productively to protect America's basic privacy rights and our national security—I acknowledge the hard work and principled stance of several Republicans: Senator HELLER, Senator LEE, and Senator CRUZ, as well as other Republicans in the other body, including my initial partner in this effort, Congressman JIM SENSENBRENNER. There have also been two important partners on the Democratic side in this reform effort: Senators FRANKEN and BLUMENTHAL who worked with me on transparency and the FISA Court reforms.

We Vermonters fight to protect our privacy rights. Every Vermonter does. They mean a great deal to us. Every Vermonter feels that way, and this lifelong Vermonter will not give up the fight. I owe that to the Vermonters I serve and to the Constitution I swore an oath to defend.

I would say to those both in this Chamber and outside who approached this issue by fomenting fear, fomenting fear stifles serious debate and constructive solutions, like the carefully drawn reforms in this bill. Doing it at the last minute is all the more regrettable. This Nation deserves more than that.

This Nation should not allow our liberties to be set aside by passing fears.

America will always face the threat of terrorist attacks, both outside our borders and inside. We didn't do away with all our civil liberties after the Oklahoma City bombing. It was an American who did that, somebody who served in our military, churchgoing, and so forth. No more should we do it if the attacks come from outside our country. We talk about 9/11. We had all the evidence necessary to stop 9/11 before it happened.

Everybody who has looked at that now agrees that if we had bothered to translate the material we had, if we had bothered to listen to people in Minnesota who tried to warn us about it, we could have stopped it.

But because mistakes were made then, let's not take away the liberties of 325 million Americans.

I felt this way when I was a prosecutor. We even had people escape from prison with the intent to kill me.

I said: OK. We will get them, but we will follow the law in doing it, and we did.

Mr. President, 13 years ago this week a letter was sent to me. The anthrax in it was so deadly that the one person who touched the envelope—that I was supposed to open—died. They died from it. We still haven't caught all of the people involved.

But notwithstanding that, when people came to me and said: Well, maybe we should do away with some of our search and seizure laws, maybe we should do way with some of our laws for wiretaps, after all somebody tried to kill you. And if you had touched that envelope you would have died.

I said: No, this is more than one Senator, more than one person, more than one individual. This is the Constitution of the United States. If we, 100 Members of this body, do not protect our Constitution, we do not protect our country, and we do not deserve to be in this body.

I will continue to fight, and whatever years I have left in this body, I will continue to fight to preserve our Constitution and our rights as Americans.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

EXECUTIVE SESSION

NOMINATION OF PAMELA PEPPER TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF WISCONSIN

Mr. REID. I move to proceed to executive session to consider Calendar No. 928.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Pamela Pepper, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk, and I ask the Chair to report it.

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

The assistant legislative 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 the nomination of Pamela Pepper, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin.

Harry Reid, Patrick J. Leahy, Robert Menendez, Patty Murray, Debbie Stabenow, Benjamin L. Cardin, Amy Klobuchar, Kirsten E. Gillibrand, Christopher Murphy, Brian Schatz, Richard J. Durbin, Richard Blumenthal, Tom Harkin, Angus S. King, Jr., Tom Udall, Mazie K. Hirono, Sheldon Whitehouse.

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

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

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

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

The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF BRENDA K. SANNES TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF NEW YORK

Mr. REID. I move to proceed to executive session to consider Calendar No. 930.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Brenda K. Sannes, of

New York, to be United States District Judge for the Northern District of New York.

CLOTURE MOTION

Mr. REID. Mr. President, there is a cloture motion at the desk and I ask that it be reported.

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

The assistant legislative 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 the nomination of Brenda K. Sannes, of New York, to be United States District Judge for the Northern District of New York.

Harry Reid, Patrick J. Leahy, Robert Menendez, Patty Murray, Debbie Stabenow, Benjamin L. Cardin, Amy Klobuchar, Kirsten E. Gillibrand, Christopher Murphy, Brian Schatz, Richard J. Durbin, Richard Blumenthal, Tom Harkin, Angus S. King, Jr., Tom Udall, Mazie K. Hirono, Sheldon Whitehouse.

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

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

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

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

The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF MADELINE COX ARLEO TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY

Mr. REID. I now move to proceed to executive session to consider Calendar No. 1032.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Madeline Cox Arleo, of New Jersey, to be United States District Judge for the District of New Jersey.

CLOTURE MOTION

Mr. REID. Mr. President, there is 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 assistant legislative 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 the nomination of Madeline Cox Arleo, of New Jersey, to be United States District Judge for the District of New Jersey.

Harry Reid, Patrick J. Leahy, Robert Menendez, Patty Murray, Debbie Stabenow, Benjamin L. Cardin, Amy Klobuchar, Kirsten E. Gillibrand, Christopher Murphy, Brian Schatz, Richard J. Durbin, Richard Blumenthal, Tom Harkin, Angus S. King, Jr., Tom Udall, Mazie K. Hirono, Sheldon Whitehouse.

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

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

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

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

The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF WENDY BEETLESTONE TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Mr. REID. I now move to proceed to executive session to consider Calendar No. 1033.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Wendy Beetlestone, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

CLOTURE MOTION

Mr. REID. There is 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 assistant legislative 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 the nomination of Wendy Beetlestone, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Harry Reid, Patrick J. Leahy, Robert Menendez, Patty Murray, Debbie Stabenow, Benjamin L. Cardin, Amy Klobuchar, Kirsten E. Gillibrand, Christopher Murphy, Brian Schatz, Richard J. Durbin, Richard Blumenthal, Tom Harkin, Angus S. King, Jr., Tom Udall, Mazie K. Hirono, Sheldon Whitehouse.

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

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

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

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

The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF VICTOR ALLEN BOLDEN TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF CONNECTICUT

Mr. REID. I now move to proceed to executive session to consider Calendar No. 1034.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Victor Allen Bolden, of Connecticut, to be United States District Judge for the District of Connecticut.

CLOTURE MOTION

Mr. REID. There is 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 assistant legislative 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 the nomination of Victor Allen Bolden, of Connecticut, to be United States District Judge for the District of Connecticut.

Harry Reid, Patrick J. Leahy, Robert Menendez, Patty Murray, Debbie Stabenow, Benjamin L. Cardin, Amy Klobuchar, Kirsten E. Gillibrand, Christopher Murphy, Brian Schatz, Richard J. Durbin, Richard Blumenthal, Tom Harkin, Angus S. King, Jr., Tom Udall, Mazie K. Hirono, Sheldon Whitehouse.

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

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

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

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

The motion was agreed to.

Mr. REID. 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. 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.

MORNING BUSINESS

Mr. REID. I ask unanimous consent that the Senate proceed to a period of

morning business, with Senators allowed to speak for up to 10 minutes each.

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

CHRIST THE KING SCHOOL 75TH ANNIVERSARY

Mr. LEAHY. Mr. President, Christ the King School of Burlington, VT, will soon celebrate its 75th anniversary, and it remains one of the most distinguished educational hubs in the Green Mountain State. Begun as a school to accommodate the overflow of students from the Cathedral School, three-quarters of a century later it continues to offer young Vermont students the educational foundation on which to build successful futures.

The school has undergone a considerable transformation since it opened its doors to the community of Burlington and beyond in 1940, but its commitment to education has been constant. Its curriculum helps students experience learning through real-world experiences. Recently, students traveled to Ausable Chasm in New York. Students, their teachers, and many parents hiked the chasm, collecting foliage for a future science lab where students will use paper chromatography to separate the components in leaves. By giving students opportunities to take their learning outside of the classroom, they early on come to understand the importance of engaging with the surrounding community.

In addition to expanding their curriculum to include this experiential learning, Christ the King School's recent partnership with the Tarrant Institute for Innovative Education at the University of Vermont will help give students access to technology and professional development resources that might not otherwise be available.

Christ the King School has a long history of commitment to excellence in education. I commended the School in the RECORD as the school celebrated its 50th anniversary, and I am pleased to again commemorate another milestone. Our young people deserve the best in their educational development. Christ the King School continues to provide the academic and spiritual guidance it has delivered for the last 75 years, and I hope will do so for decades to come.

TRIBUTE TO KATHERINE PATERSON

Mr. LEAHY. Mr. President, Katherine Paterson is a treasure to Vermont. She is also a close friend to Marcelle and me. And today, at the age of 82, she continues to write with the grace and talent that has made her a two-time National Book Award winner and twice a Newbery medalist.

I have had the honor and good fortune to know Katherine for many years. Her humble and soft-spoken nature belie the power of her writing and her myriad contributions to children's literature.

In announcing that she would be last year's winner of the Laura Ingalls Wilder Medal, the committee noted: ''Katherine Paterson has been writing books that have made a profound difference in children's lives for 40 years. Her work acknowledges life's challenges and difficulties, yet she always leaves her readers with hope.''

I ask that this recent profile of Katherine Paterson, from the Burlington Free Press, be printed in the RECORD.

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

[From The Burlington Free Press, Nov. 16, 2014]

KATHERINE PATERSON'S LIFE IN STORIES

(By Sally Pollak)

Montpelier Author's Memoir is a Set of Stories, Many Could Serve as a Manual for Loving and Raising Kids

In her new book, ''Stories of my Life,'' Katherine Paterson tells a set of wonderful stories that span her eight decades.

She writes about her young childhood in China, where she was born, and the mountain resort where she stayed with her mother and siblings (including a newborn sister) during wartime in the summer of 1937. Paterson tells about a family friend who was kissed by Robert E. Lee, and her distant cousin named Mark Twain. Yes, that Mark Twain. Paterson writes about taking her sixthgrade class on a field trip to the Washington zoo; the widow she lived with when she worked as a missionary in Japan, and her sons' adventures in places unknown to their mother.

Paterson doesn't write about her first fall in Barre, where she and her husband moved 28 years ago. The youngest of Paterson's four children went off to college, and Paterson had left behind friends in Virginia and Maryland.

''It rained a lot,'' Paterson said. ''I ate Ben and Jerry's Coffee Heath Bar Crunch, and read.''

Paterson, who turned 82 on Halloween, is an awardwinning author who started to write books in the bits of time when her young children were all asleep. She was able to devote more time to writing when her four kids were old enough for school. Paterson's books have won the most prominent honors in literature, including two Newbery Medals (''Bridge to Terabithia'' and ''Jacob Have I Loved'') and two National Book Awards (''The Master Puppeteer'' and ''The Great Gilly Hopkins.'') Before the Patersons moved to Vermont for John Paterson's work as a minister, the Patersons knew Vermont as the place they celebrated their wedding anniversary. They would drive north from New York's Lake George, where they spend summers, to eat at Dog Team Tavern. The restaurant in Middlebury, known for its sticky buns, burned down in 2006.

The ice-cream eating phase in the big brick house in Barre would give way to bookwriting, including books set in Vermont. Paterson had barely unpacked when she met a woman at a book signing in Shelburne who began a conversation: ''Now that you're a Vermonter. . . . '' The woman went on to inquire if Paterson had an interest in writing a book that would be meaningful for children of Vermont migrant farm workers.

This involved getting to know her new home state by visiting farms and homes, and completing a book on a six-month deadline (a first). In order to meet the deadline, Paterson proposed writing an I Can Read Book. ''The Smallest Cow in the World,'' with illustrations by Burlington native Jane Clark Brown, was Paterson's first book for new readers.

Decades later Paterson attempted another genre for the first time: memoir, or memoirish.

''Stories of my Life'' is lively, interesting and generous of spirit. Its stories are warm and humorous, and connected to a larger sphere: literature, religion, history. Certain stories could serve as a manual, a valuable one, for loving and raising kids.

Still, writing a memoir wasn't part of Paterson's plan.

''It just seems like such a me, me, me thing to do,'' Paterson said recently at her home in Montpelier, where she moved last spring. ''I didn't think people nearest and dearest to me would want to play minor roles in the stories of my life.''

KITCHEN SINK STORIES

The illness of Paterson's late husband, John Paterson, was a kind of catalyst for Paterson's recently published book. During his sickness, Katherine Paterson was somehow unable to start a novel, she said. Instead, she began to write down stories drawn from her life, what she calls in her book ''kitchen sink stories.''

These are stories she heard from her mother as a child, when she washed, dried and put away dishes with her mother and sister. Paterson's children grew up in a house with a dishwasher, and some stories went untold in the absence of that evening chore.

''I realized there were family stories that my children didn't know and I should write them down,'' Paterson said. ''It would be a good thing for the kids and for the grandchildren.''

The stories are a fascinating collection that take in family history (great uncles who died in the Civil War); Paterson's work and travel in Asia; her chance meeting while at graduate school with the man she would marry; raising a family with accompanying menagerie—and writing books.

In ''Stories of my Life'' Paterson draws connections between significant events and people in her own life, and aspects of her books: a story line, a character, a scene.

She explains that she discovered the ''emotional heart'' of her first novel, ''The Sign of the Chrysanthemum'' in a conversation with her oldest daughter, Lin.

Lin was born in Hong Kong; she was two years old when the Patersons adopted her. There were times when Lin was young that it was difficult for her parents to get through a ''curtain'' and reach their daughter, Paterson writes.

From her memoir: ''Lin,'' I yelled, ''how can I help you if you won't tell me what's the matter?''

She jerked to life, her eyes wide open. ''Why did that woman give me away?''

Paterson would go on to write a novel built around this question: ''What must it be like, I wondered, to have a parent somewhere whom you do not know?''

Later, at a time she was idea-less for a book, she asked her four children what to write about.

The kids voted for a mystery. Paterson was certain she wasn't capable of writing one. She describes this in her memoir: ''Do you think,'' I asked my eager children, ''that anyone who is regularly beaten at chess by a six year-old has the kind of brain it takes to plot a mystery story?''

Yet her kids' choice helped Paterson find her way to a story that involved Japanese puppet theater.

''So the children and I compromised,'' Paterson wrote. ''I would try to write an adventure story with as much suspense as possible.'' The resulting book, ''The Master Puppeteer,'' won the 1977 National Book Award.

Her beloved novel, ''Bridge to Terabithia,'' grew out of the accidental death of her son David's close friend at age 8. In ''Stories of my Life,'' Paterson discloses that confronting a different death—her own—made writing ''Terabithia'' a particular challenge.

A LOVE STORY

The story of a strong and loving marriage runs through Paterson's new book, a partnership that formed in a matter of months. When John Paterson proposed to Katherine Womeldorf, he made a promise to always help and support her.

''John said that he knew I was a strong woman with many gifts, and he wanted to promise me that he would never stand in the way of my exercising those gifts,'' Paterson writes in her new book.

''It was very memorable,'' Paterson said of the proposal, talking about the conversation more than half a century later.

''I had no idea that I was going to be a writer,'' she said. ''I had no idea what I was going to do. John thought I was going to be something.''

John Paterson was a Presbyterian minister who collected art, played tennis and co-wrote books with his wife. His death at age 80 in September, 2013, was the central aspect of the ''most extraordinary'' story of Paterson's life, she wrote.

The experience, including conversations with ''compassionate and honest doctors,'' suggested to the Patersons that a person needn't fight death with the full arsenal of modern medicine, Paterson said. John Paterson sought the advice of his wife, and chose to die at home.

''In our society we have to come to it,'' Paterson said. ''Death is not the enemy.''

The artist that John Paterson saw in his future wife is still at work. Paterson is writing a play with a friend, and awaiting the 2015 release of the film adaptation of ''The Great Gilly Hopkins.'' The screenplay was written by her son David Paterson.

''I had a good life,'' Paterson said. ''Let's face it.''

TRIBUTE TO DR. JIM TAYLOR

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to Dr. Jim Taylor as he ends his 35-year stint as president of the University of the Cumberlands. Dr. Taylor is an educator of the highest degree and deserves the praise of this body for his unremitting devotion to his students and his community.

When Dr. Taylor retired last month, he ended the longest tenure as president of any college or university in the Commonwealth of Kentucky. He led the university for so long, however, because he continued to get results from his students and contribute positively to his community—year after year.

Over the course of his tenure, enrollment in the school rose from 1,885 to over 5,500, the endowment rose from $6 million to $79 million, and numerous campus renovations were made including the construction of hundreds of handicap access ramps.

Dr. Taylor's impact did not stop at the boundaries of campus, however. He worked tirelessly to better his community—raising money for scholarships for Appalachian students and overseeing clothing and food drives for area families.

For now, Dr. Taylor and his wife of 46 years, Dinah Louise Taylor, will move to their home in Florida. However, Dr. Taylor could not separate himself from the institution for which he had worked for so long in one fell swoop. He will remain involved with the university in his new position of chancellor, where he will help with fundraising and provide counsel to his successor in order to provide for a smooth transition.

Dr. Jim Taylor's life of service to his students and his community provide a shining example of excellence for us all. Therefore, I ask that my U.S. Senate colleagues join me in honoring this exemplary citizen.

The Times-Tribune of Whitley County, KY, recently published an article detailing the life and career of Dr. Jim Taylor. 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 Times-Tribune, Oct. 8, 2014]

THE ENDING OF AN ERA: UNIVERSITY OF THE CUMBERLANDS PRESIDENT TO RETIRE

(By Kristina Smith)

Boxes filled the large rectangular room where Dr. James Harold Taylor usually sat and carried out his day-to-day business as president of the University of the Cumberlands.

Each box was marked with bold, white letters—''mover.''

Until Oct. 16, that's exactly what Taylor will be doing—moving.

Taylor's 35 years as president comes to an end next week as he officially retires and Dr. Larry Cockrum takes over the top position. His retirement also means the end of the longest tenure of a Kentucky college or university president.

So for now, Taylor prepares to move to his Florida residence with his wife of 46 years, Dinah Louise Taylor.

''I'm telling everybody goodbye and expressing my appreciation,'' Taylor said of his last week as president. ''This job is too big for one working alone. It takes a team, and we have a great one here. We have great faculty, staff and students.''

Taylor and his team have molded the university into the largest private college or university in the state of Kentucky during his time as president.

''We're also the only Baptist university in the state,'' Taylor quickly pointed out. ''Well, except for Clear Creek Bible School.''

Taylor is proud of the university and the over 5,000 students he is leaving behind. He mentions that he is especially happy with the developing physician's assistant program, nursing program and health programs.

However, he is most proud of the impact within the community that he leaves behind.

''What I'm pleased about is that we've been able to build 145 homes for people. Distributed tons of food and clothing. We've built hundreds of handicap access ramps, done insulation projects, roofing. We have a toy program for kids at Christmas who normally wouldn't get toys. Then we have Thanksgiving, where we do vouchers for people,'' Taylor said.

The list goes on and on.

''I've had a lot of fun,'' Taylor said with a grin.

But Taylor isn't boasting on his accomplishments. Once again, he points to the team of people surrounding him.

''When I'm talking about this, I'm just talking about how I hire smart people who are really good,'' Taylor said. ''And I just get out of their way and let them work.''

Running a university that spans over 100 acres is a lot of work, and Taylor acknowledges that his predecessor will have no easy task before him.

''This school is so much bigger than people think,'' Taylor said. ''See, our operating budget is $50 million a year. The fiscal plan here is around $200 million. You have to maintain all of it. So we raise probably around $300 million, and spend around $305 million. It takes a lot to keep it going.''

So Taylor will provide some help to Cockrum going forward. He hopes to help make the transition as smooth as possible.

For about a week of every month, Taylor will assist in raising money and identifying friends for the college as chancellor.

''No one does anything alone. It takes many heads, hearts and hands,'' Taylor said. ''Dr. Cockrum will take us to stellar heights and allow us to do things we've never done before.''

Taylor believes that choosing Cockrum to follow in his steps will help the university continue to flourish after he's left campus and moved to the Sunshine State. He notes that Cockrum has been with the university for nearly a decade, and has seen firsthand the work Cockrum is capable of.

''You know, this profession is filled with talkers. But, he delivers. He's about the best I've seen,'' Taylor said of Cockrum. ''I feel like all we've done is built the foundation and he's going to let this rocket ship fly.''

While Cockrum is preparing to blast off into his new presidential role, Taylor will take the time to ponder upon his years with the university.

''It's time for relaxation and reflection,'' Taylor said. ''I'm grateful for my wife who has allowed me to do what needed to be done in terms of promoting the institution. It's fulfilled this opportunity to serve. It's been a blessing. It's fulfilled our lifelong dreams. Few people get to live out their dreams—I was fortunate to be able to do that.''

Taylor has already thought of a few words of advice to the university he leaves behind, though.

''You have to have a moral compass, a true north. I think the Christian faith can give you that,'' Taylor said. ''Oh, and always measure twice, but cut once.''

So Taylor will finish packing papers, photos and his personal belongings into the cardboard boxes that are piled in his office. But he will be back to visit; he's not ready to leave Williamsburg completely behind.

''I'll come back some because our son is buried here, and we'll have a home here,'' Taylor said. ''But we'll come in for the holidays and things like that. We'll come in for some ball games.''

As a final note, Taylor quotes a line of Shakespeare to sum up his time with the university and his pending retirement.

''The crown rests heavy on the head of the king,'' Taylor said.

RECOGNIZING MARK PRATER

Mr. HATCH. Mr. President, I wish to pay tribute to Mark Prater, deputy staff director and chief tax counsel for the minority staff of the Senate Finance Committee.

Later this week, the Tax Foundation will award Mark their Exemplar of Excellence in Public Service Award for his many years of service on the Finance Committee. He will be only the second congressional staffer to be honored by the Tax Foundation in their 77-year history. And, I can say without

any reservation that no staffer is more worthy of such an honor.

After several years in private law practice in his native Oregon, Mark came to work for the Finance Committee in January 1990. At that time, Mark thought he would stay for just 2 years and return home. Fortunately for all of us, Mark has been on the Finance Committee staff for nearly 25 years now.

Over these years, he has served with great distinction and has come to be one of the most trusted and respected staffers on Capitol Hill. Indeed, it seems that everyone in Washington knows Mark Prater and seeks him out for advice on tax policy.

Perhaps most importantly, Mark is a kind person who treats everyone with respect. Honestly, he would be the last person to seek out this type of honor, usually opting to share credit for his successes with those he works with.

Mark has worked for a number of prominent chairmen and ranking members on the Finance Committee, including Bob Packwood, William Roth, and CHUCK GRASSLEY. But, while he is always worked for Republican Members, Senators on both sides of the aisle have come to rely on Mark's experience and expertise. This was never more evident than in 2011 when Mark was tapped to serve as the staff director for the Joint Select Committee on Deficit Reduction.

For the past 4 years, I have had the privilege of having Mark on my Finance Committee staff and I have been a direct beneficiary of his knowledge and understanding of not only the Tax Code but of how things can and should work in the Senate. You see, Mark is one of the few staffers who have been around long enough to remember a time when things used to get done around here. In fact, Tax Notes recently published the results of their survey about congressional tax staffers in which Mark was named the best dealmaker and the top Republican tax staffer. I have no doubt that, in the future, his work will be instrumental to helping restore the traditions and productivity of this Chamber.

I want to congratulate Mark for this tremendous honor from the Tax Foundation, along with his wonderful family—his wife Lori and his son James—who should enjoy this honor along with him.

Selfishly, I hope that Mark has many more years of honorable service here in the United States Senate.

VOTE EXPLANATION

Mr. THUNE. Mr. President, on Monday, November 17, 2014, I was unable to be present for rollcall vote No. 276, on the motion to concur to the House amendment to S. 1086, the Child Care and Development Block Grant Act of 2014, due to inclement weather and travel disruptions from Sioux Falls, SD. Had I been present, I would have voted in support of this measure.

Mr. RUBIO. Mr. President, on the evening of Monday, November 17, 2014, the Senate passed S. 1086, a bill reauthorizing the Child Care and Development Block Grant Program, CCDBG.

This bill reauthorizes and amends the CCDBG Act with new requirements for State health and safety standards, including annual, unannounced onsite monitoring of licensed providers, background checks of childcare staff and providers, expanded compliance with child abuse reporting requirements, and enhanced coordination with other programs.

On March 13, 2014, the Senate passed an earlier version of S. 1086, and I voted aye.

Due to a flight delay, I was unable to cast a vote yesterday on its passage. I would have voted aye.

REMEMBERING ROD BRADWAY

Mr. DONNELLY. Mr. President, today, I wish to recognize and honor the extraordinary service and ultimate sacrifice of Indianapolis Metropolitan Police Officer Rod Bradway. Dedicated, loyal, and above all compassionate to those in need, Officer Bradway had served with the Indianapolis Metropolitan Police Department, IMPD, since 2007.

On Friday, September 20, 2013, Officer Bradway responded to a domestic disturbance call at Eagle Pointe Apartments in Indianapolis. Upon arriving, he heard a woman screaming for help from inside her apartment, where she was being held against her will. Officer Bradway quickly called for backup, and without hesitation, forced his way into the apartment. Upon entering, he was immediately shot twice by a perpetrator who waited in ambush. Although severely wounded, Bradway returned fire and injured the shooter before assisting officers arrived. This courageous effort disabled the shooter, avoiding a second ambush. In addition, the woman whom Officer Bradway was rushing to aid, along with her 10-month-old child, emerged safely, largely due to his immediate response and selfless action. Sadly, despite the best efforts of his fellow officers, EMTs, and medical personnel, Officer Bradway, 41, succumbed to his wounds.

''When I heard he was the first in, I wasn't surprised,'' said Melissa Watkins, a friend and colleague. According to many of his peers and IMPD family members, Officer Bradway always wanted to be the first through the door, ready to help.

An Indiana native, Officer Bradway grew up in Nappanee, where he attended NorthWood High School. Known for his outgoing, gregarious personality, athleticism, and concern for others, Rod participated on both the track and football teams. Many of his high school coaches remembered Rod as athletic and willing to help others. Former coach Jon Andrews said, ''I think he loved people and loved athletics, and both of those traits showed up in the way he built his life.'' Rod graduated from NorthWood High School in 1991.

Following college, Officer Bradway moved to the Indianapolis area where he joined the Wayne Township Fire Department. He served for 10 years, and while there, he met the love of his life, Jamie, who worked at the Department as an Emergency Medical Technician. They married and had two children, Jonathan and Sierra.

Officer Bradway was a highly decorated policeman who served on the IMPD for 5 years. In February 2012, he received the Medal of Bravery, with which he was honored for apprehending a man who was wielding a knife and threatening others.

In addition to his service to his fellow citizens, Rod was an active supporter of animal rescue efforts. He and his wife traveled to Moore, OK, following the deadly tornado of May 2013 to help locate and gather displaced pets. Together, they delivered hundreds of pounds of pet food, crates, leashes, and other supplies for pets or local animal shelters.

Officer Bradway is survived and deeply missed by his wife Jamie; his son Jonathan; daughter Sierra; his parents Thomas and Sheri Bradway; brother Chip (Shelley) Bradway; mother and father-in-law Teresa and Ronald Gentry; sister-in-law Jaclyn (Donald) Gentry; nieces Ella Bradway and Kaylee Millard; nephew Conner Millard; as well as many other relatives and friends, the IMPD family, the Wayne Township Fire Department family, and Hoosiers throughout the State.

Officer Bradway loved his work, and he gave his life to serve and protect the Citizens of Indianapolis. Although he would have never thought of himself as a hero, Officer Bradway demonstrated his character daily by conducting himself with courage, bravery, compassion, honor, and integrity. Thus, he was a true American hero—in his everyday life as a police officer, husband and father—and in his final call to duty. Let us always remember and emulate the shining example this stalwart, modest yet brave man set for us and honor him for his selfless commitment to serving his fellow citizens. May God welcome him home and give comfort to his family and friends.

RECOGNIZING SIGNATURE SCHOOL

Mr. DONNELLY. Mr. President, today, I wish to applaud Signature School of Evansville, IN, for being recognized as a 2014 National Blue Ribbon School by the U.S. Department of Education.

Established in 1982, the National Blue Ribbon Schools Program has recognized over 7,000 public and nonpublic schools that demonstrate a vision of educational excellence for all students, regardless of their social or economic background. Since its inception, this program has offered the opportunity

for schools in every State to gain recognition for educational accomplishments in closing the achievement gaps among student groups.

Recognition as a National Blue Ribbon School by the U.S. Department of Education is based on a school either being measured as an ''Exemplary High Performing School''—where schools are among the State's highest scorers in English and mathematics—or as an ''Exemplary Achievement Gap Closing School''—where schools, with at least 40 percent of their student body coming from disadvantaged backgrounds, have reduced the achievement gap in English and mathematics within the last 5 years. Signature School has set the bar high in the area of improved proficiency in both English and Mathematics.

Consistently ranked in the top 100 high schools in the Nation since 2006, Signature School is a unique and innovative institution where students are given the opportunity to play a role in setting their academic goals. This independence instills in the students a sense of motivation and self-belief, two components that have helped narrow the achievement gap and increased English and mathematics scores.

I would like to acknowledge principal Jean S. Hitchcock of Signature School, the entire staff, and the student body. It undoubtedly took hard work and dedication to achieve this prestigious award.

On behalf of the citizens of Indiana, I congratulate Signature School, and I wish them continued success in the future.

RECOGNIZING EAST ELEMENTARY SCHOOL

Mr. DONNELLY. Mr. President, today, I applaud East Elementary of the Jay School Corporation, Portland, IN, for being recognized as a 2014 National Blue Ribbon School by the U.S. Department of Education.

Established in 1982, the National Blue Ribbon Schools Program has recognized over 7,000 public and nonpublic schools that demonstrate a vision of educational excellence for all students, regardless of their social or economic background. Since its inception, this program has offered the opportunity for schools in every State to gain recognition for educational accomplishments in closing any achievement gaps among student groups.

Recognition as a National Blue Ribbon School by the U.S. Department of Education is based on a school being identified as ''Exemplary High Performing''—schools that are ranked in the top 15 percent nationally in English and mathematics, measured by each State's assessment—or as ''Exemplary Achievement Gap Closing''—where schools with at least 40 percent of their student body coming from disadvantaged backgrounds are reducing the achievement gap in English and mathematics. East Elementary School has made great strides in these areas.

East Elementary School inspires its students by fostering a positive environment both at school and in the community. Staff and students are committed to working toward combining knowledge with social and emotional support and by doing so lift up a student body that comes from a predominately economically challenging background. East Elementary School has consistently achieved both an A-rating and a Four Star designation from the Indiana Department of Education. The hard work and creativity of this school has helped to strengthen the Portland community and the future of Indiana.

I would like to recognize principal Andy Schemenaur, the entire staff, and the student body. It undoubtedly took hard work and dedication to achieve this prestigious award.

On behalf of the citizens of Indiana, I congratulate the East Elementary of the Jay School Corporation of Portland, and I wish them continued success in the future.

ADDITIONAL STATEMENTS

CONGRATULATING THE SAN FRANCISCO GIANTS

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in congratulating the 2014 World Series champions, the San Francisco Giants. By defeating the Kansas City Royals in a fiercely contested and exhilarating World Series, the Giants became the second team in the storied history of the National League to win three World Series in a five-season span.

Led by manager Bruce Bochy and general manager Brian Sabean, this outstanding roster of all-stars, unflappable veterans, and exciting young talent showed great resolve, determination, and character as they battled a tough National League Western Division to emerge with 88 wins and a spot in the playoffs.

The Giants began their title march by shutting out the Pittsburgh Pirates 8-to-0 in the one-game National League Wildcard game. In the National League Division Series, the Giants showed their championship pedigree by winning several tightly contested games against the Washington Nationals that included a thrilling 18-inning marathon, the longest in postseason history. In the National League Championship Series, the Giants captured the pennant by defeating the St. Louis Cardinals, four games to one.

Driven by the historic performance of pitcher Madison Bumgarner, World Series MVP, and with contributions from every player on the roster, the Giants triumphed over the Kansas City Royals in a hard-fought, seven-game series. This team battled to win a game seven that came down to the last pitch of the ninth inning when third baseman Pablo Sandoval caught the final out—making the Giants the first team in 35 years to win game seven on the road.

With a combination of excellent pitching, great defense and clutch hitting, the Giants are bringing the World Series trophy back to China Basin for the third time in five seasons. They have evolved from the 2010 championship team that was fondly described as ''a band of misfits'' to a team that has etched themselves into baseball history. With this eighth World Series title—their third in five seasons—the San Francisco Giants have taken their rightful place among the nation's greatest franchises and chief executive officer Larry Baer and the entire Giants organization should be very proud.

I also want to congratulate the loyal San Francisco Giants fans, who have supported their team through good years and bad, and from the windy Candlestick Park to the picturesque AT&T Park. Whether it is nearly 42,000 fans turning the stadium into a sea of orange on an ''Orange Friday'' or wearing panda hats for Pablo Sandoval or bringing funny Hunter Pence signs, Giants fans have created an electric atmosphere at AT&T Park and provided its team with one of the most formidable home park advantages in all of baseball.

As the San Francisco Giants and their fans celebrate the 2014 championship campaign, I congratulate them on their unforgettable season and look forward to their continued success in 2015 and beyond.•

TRIBUTE TO ALAN DERSHOWITZ

• Mr. CRUZ. Mr. President, I would like to take a moment to honor a great teacher today.

His name is Alan Dershowitz. For half a century he was a professor at the Harvard Law School. He retired in December of 2013.

From all those students who were so fortunate to learn from him, including myself, let us say thank you.

Professor Dershowitz joined Harvard Law in 1964—at the tender age of 25—and during his time there, he trained more than 10,000 students in more than 100 semesters to be critical thinkers, lawyers, judges, and leaders.

Aside from being an incredible teacher, he is known as many things: advocate, columnist, novelist, and intellectual.

He is a passionate liberal, and yet he pressed all his students—conservative and liberal alike—to make the very best arguments they could, based on logic, reason, and precedent.

Like Professor Kingsbury in ''The Paper Chase,'' he didn't suffer fools. If you couldn't back up your position in his class, if you emoted rather than reasoned, you were in trouble.

He and I became friends, ironically, because we disagreed so much. In class, he would offer withering critiques of opinions authored by conservative Justices, Scalia and Thomas especially, and I was often moved to disagree. Heated arguments followed, which Professor Dershowitz always seemed to relish.

I am grateful for his patience and indulgence. As with countless law students before and after, Professor Dershowitz made me a much better lawyer.

He didn't just teach; he also practiced, in trial courts and the Supreme Court, taking on ''impossible'' cases and winning one after another. Truly, it was a privilege to learn from someone practicing at the very top of his field.

Although a man of the left, he did not shy away from disagreeing with his liberal colleagues when principle compelled it. A passionate advocate for free speech, he fearlessly took on the political correctness of campus speech codes. No conformist, he.

And there has been no fiercer advocate for Israel. His passion, his persuasiveness, his willingness to take on all comers, has made him an incomparable voice for the Jewish State.

Professor Dershowitz is an intellectual powerhorse who could have done anything in his life, and he made the deliberate decision to teach. He chose to share his brilliance and pass it on. He chose to invest in the future of others instead of only himself.

I am so grateful that I could be among the thousands of students Professor Dershowitz taught. He has made and continues to make a real difference.

Courage and principle are rare today. Professor Dershowitz has them both.●

CONGRATULATING MIKE CARRIGAN

● Mr. HELLER. Mr. President, I wish to congratulate Councilman Mike Carrigan, of Sparks, on his retirement. After serving as a member of the Sparks City Council for 15 years, Councilman Carrigan retired on November 10th, 2014. It gives me great pleasure to congratulate him on his retirement after many years of hard work and dedication to the City of Sparks and the Silver State.

Councilman Carrigan stands as a shining example of someone who has devoted their life to serving their country and community. Graduating from the Naval Academy in Annapolis, MD, he went on to serve in the U.S. Navy for 20 years as a naval aviator around the world. I extend my deepest gratitude to Councilman Carrigan for his courageous contributions to the United States of America and to freedom-loving nations around the world. His service to his country and his bravery and dedication earn him a place among the outstanding men and women who have valiantly defended our Nation. I am both humbled and honored by Councilman Carrigan's service to the community and am proud to call him a fellow Nevadan.

After his many years of service, Councilman Carrigan moved to Nevada in the early 1990s with his wife Cora and their two daughters Ashley and Molly. He attended the University of Nevada, Reno and earned his master's degree in journalism and soon began work as a newspaperman in Fallon. With his experience and expertise, Councilman Carrigan began teaching part-time in the Reynolds School of Journalism at his alma mater, where he taught journalism courses for several years. His desire to make positive changes in his community soon led to his first run and subsequent win in office on Sparks' City Council.

Upon being elected to the Sparks City Council in 1999, he has worked on numerous projects for the City of Sparks and has always strived to ensure that Sparks stayed family-oriented. Councilman Carrigan has remained committed to being a voice for the people of Sparks and has been a constant advocate for initiatives that meet the needs of Sparks' families. Among his many accomplishments, one of his proudest was the construction of Golden Eagle Regional Park in his ward, which was built without the use of taxpayer funds.

I am grateful for his dedication and commitment to the people of Sparks and to the State of Nevada. He exemplifies the highest standards of leadership and community service and should be proud of his long and meaningful career. Today, I ask that all of my colleagues join me in congratulating Councilman Carrigan on his retirement, and I offer my deepest appreciation for all that he has done to make Nevada an even better place. I offer my best wishes for many successful and fulfilling years to come.●

TRIBUTE TO DEE LIKES

● Mr. ROBERTS. Mr. President, in a State where cattle outnumber people, the Kansas livestock industry is one of the leading economic and cultural drivers of our State. Across the Midwest, ranchers and their families work hard every day to provide protein for a growing and hungry world, often without the appreciation or recognition they deserve.

I rise today to offer my sincere congratulations and thanks to a trusted leader and friend. Thomas ''Dee'' Likes has served for the last 31 years as the chief executive officer and executive vice president of the Kansas Livestock Association. Under his leadership, the 5,500-member trade association has grown into one of the most influential and respected agricultural organizations in Kansas and across the nation.

Dee Likes has made a distinguished impact on the livestock industry. As the longest tenured State affiliate organization CEO in the history of the National Cattlemen's Beef Association, he helped lead the industry through the 1996 merger between the National Cattlemen's Association and the Beef Industry Council of the National Live Stock and Meat Board.

In addition to his service as CEO of the Kansas Livestock Association, Dee Likes has been a true partner in government. He has successfully represented the livestock industry in front of Congress and has served two terms as president of the Kansas Agricultural Alliance, a coalition that represents over 20 Kansas agricultural associations before the Kansas Legislature.

I am grateful to Dee for his friendship, his advice, and his counsel over the years. Kansas agriculture has been fortunate to have Dee's commitment and dedication. I hope he and his wife Terry will enjoy their next chapter in life.●

TRIBUTE TO STEVE BACCUS

● Mr. ROBERTS. Mr. President, agriculture is one of the leading economic and cultural drivers in Kansas. Across our State, farmers and ranchers work hard every day to feed a growing world, often without the appreciation or recognition they deserve.

I rise today to offer my sincere congratulations and thanks to a special Kansas farmer and friend. Steve Baccus is a native Kansan, a veteran, a husband, a father of five, and a grandfather whose fourth-generation family farm in Ottawa County continues to produce wheat, corn, soybeans, and occasionally sunflowers and sorghum.

For the past 17 years, Steve has served on the board of directors for Kansas Farm Bureau, including the last 12 as its president. Kansas Farm Bureau is our State's largest general farm organization, with nearly 105,000 members. Under his leadership the organization has successfully influenced State and national agriculture policy, promoted rural values, and worked to show an increasingly urban populace how food is truly produced.

In addition to his service as president of the Kansas Farm Bureau, Steve Baccus has been a true partner in government. He has led trade missions, presented testimony before Congress and State legislative committees, and told the complex story of agriculture for much of his adult life.

Steve Baccus embodies many traits we can all admire: a deep love for the great State of Kansas, gratitude for the many hard-working families who provide the food, fuel, and fiber Americans rely on, and the respect of his peers across the Nation.

I personally am grateful for Steve's many years of wise counsel to me and for his service to Kansas and agriculture. I wish him and his wife Patricia all the best in their next chapter.●

TREATY OF 1864 ANNIVERSARY

● Mr. WYDEN. Mr. President, 150 years ago, on October 14, 1864, the Federal Government signed a treaty with the Klamath, Modoc, and Yahooskin Indian Tribes in the Klamath Basin establishing these tribes collectively as ''The Klamath Tribes'' and designating the Klamath Reservation in Southern Oregon.

I would like to recognize this historic event and acknowledge the great contributions made by the Klamath Tribes

to the State of Oregon. As we commemorate the anniversary of the Treaty of 1864, it is also important to recognize the strained relations and broken promises that dot the history of the Federal Government's relationship with the tribes. This is a time to reflect on the Federal Government's obligation to these sovereign nations and celebrate the rich history and promising futures they bring to this great country.

The Klamath, Modoc, and Yahooskin Tribes have a rich history in my State. Today the Klamath Tribes contributes significantly to Oregon's history, cultural diversity, and economy. Oregon tribes are active in a variety of industries, with positive economic impacts felt far beyond the reservation boundaries.

Recently, Oregonians had the opportunity to learn first-hand the history and culture of the Klamath Tribes. To recognize and celebrate the anniversary of the treaty, the Klamath County Museum provided free tours, giving visitors a unique opportunity to visit the historical site near Fort Klamath where the treaty was signed and to learn about the rich and storied past of the Klamath Tribes.

I am pleased to recognize the anniversary of the signing of the Treaty of 1864 and to ensure that this historic event is remembered as an important part of Oregon's past, and a lesson for the Nation's future.●

MESSAGES FROM THE HOUSE

At 10:57 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, without amendment:

S. 885. An act to designate the facility of the United States Postal Service located at 35 Park Street in Danville, Vermont, as the ''Thaddeus Stevens Post Office''.

S. 1093. An act to designate the facility of the United States Postal Service located at 130 Caldwell Drive in Hazlehurst, Mississippi, as the ''First Lieutenant Alvin Chester Cockrell, Jr. Post Office Building''.

S. 1499. An act to designate the facility of the United States Postal Service located at 278 Main Street in Chadron, Nebraska, as the ''Sergeant Cory Mracek Memorial Post Office''.

S. 1512. An act to designate the facility of the United States Postal Service located at 1335 Jefferson Road in Rochester, New York, as the ''Specialist Theodore Matthew Glende Post Office''.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5069. An act to amend the Migratory Bird Hunting and Conservation Stamp Act to increase in the price of Migratory Bird Hunting and Conservation Stamps to fund the acquisition of conservation easements for migratory birds, and for other purposes.

H.R. 5142. An act to designate the facility of the United States Postal Service located at 113 West Jackson Street in Rich Square, North Carolina, as the ''Chief Joseph E. White, Jr. Post Office Building''.

H.R. 5331. An act to designate the facility of the United States Postal Service located at 73839 Gorgonio Drive in Twentynine Palms, California, as the ''Colonel M.J. 'Mac' Dube, USMC Post Office Building''.

H.R. 5386. An act to designate the facility of the United States Postal Service located at 11662 Gravois Road in St. Louis, Missouri, as the ''Lt. Daniel P. Riordan Post Office''.

H.R. 5441. An act to amend the Federal charter of the Veterans of Foreign Wars of the United States to reflect the service of women in the Armed Forces of the United States.

H.R. 5468. An act to designate the facility of the United States Postal Service located at 1103 USPS Building 1103 in Camp Pendleton, California, as the ''Camp Pendleton Medal of Honor Post Office''.

H.R. 5544. An act to increase the understanding of the health effects of low doses of ionizing radiation.

ENROLLED BILL SIGNED

At 11:10 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 bill:

S. 1086. An act to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

At 4:35 p.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. 3608. An act to amend the Act of October 19, 1973, concerning taxable income to members of the Grand Portage Band of Lake Superior Chippewa Indians.

H.R. 4049. An act to amend the Act to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes, to adjust the boundary of that National Lakeshore to include the lighthouse known as Ashland Harbor Breakwater Light, and for other purposes.

H.R. 5040. An act to require the Secretary of the Interior to convey certain Federal land to Idaho County in the State of Idaho, and for other purposes.

H.R. 5162. An act to amend the Act entitled ''An Act to allow a certain parcel of land in Rockingham County, Virginia, to be used for a child care center'' to remove the use restriction, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5040. An act to require the Secretary of the Interior to convey certain Federal land to Idaho County in the State of Idaho, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5142. An act to designate the facility of the United States Postal Service located at 113 West Jackson Street in Rich Square, North Carolina, as the ''Chief Joseph E. White, Jr. Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5162. An act to amend the Act entitled ''An Act to allow a certain parcel of land in Rockingham County, Virginia, to be used for a child care center'' to remove the use restriction, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5331. An act to designate the facility of the United States Postal Service located at 73839 Gorgonio Drive in Twentynine Palms, California, as the ''Colonel M.J. 'Mac' Dube, USMC Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5386. An act to designate the facility of the United States Postal Service located at 11662 Gravois Road in St. Louis, Missouri, as the ''Lt. Daniel P. Riordan Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5468. An act to designate the facility of the United States Postal Service located at 1103 USPS Building 1103 in Camp Pendleton, California, as the ''Camp Pendleton Medal of Honor Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5544. An act to increase the understanding of the health effects of low doses of ionizing radiation; to the Committee on Energy and Natural Resources.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 107. Concurrent resolution denouncing the use of civilians as human shields by Hamas and other terrorist organizations in violation of international humanitarian law; to the Committee on Foreign Relations.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, November 18, 2014, she had presented to the President of the United States the following enrolled bill:

S. 1086. An act to reauthorize and improve the Child Care and Development Block Grant Act of 1990, 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–7600. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants: Generic Maximum Achievable Control Technology Standards; and Manufacture of Amino/Phenolic Resins'' ((RIN2060–AR49) (FRL No. 9916–90–OAR)) received during adjournment of the Senate in the Office of the President of the Senate on September 24, 2014; to the Committee on Environment and Public Works.

EC–7601. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Water Quality Standards for the State of Florida's Lakes and Flowing Waters; Withdrawal'' ((RIN2040–AF50) (FRL No. 9916–62–OW)) received during adjournment of the Senate in the Office of the President of the Senate on September 24, 2014; to the Committee on Environment and Public Works.

EC–7602. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Polychlorinated Biphenyls (PCBs):

Manufacturing (Import) Exemption for the Defense Logistics Agency (DLA)'' ((RIN2050–AG79) (FRL No. 9917–21–OSWER)) received during adjournment of the Senate in the Office of the President of the Senate on September 24, 2014; to the Committee on Environment and Public Works.

EC–7603. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Florida: Removal of Sulfur Storage and Handling Rules'' (FRL No. 9917–64–Region 4) received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2014; to the Committee on Environment and Public Works.

EC–7604. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Allegheny County's Adoption of Control Techniques Guidelines for Offset Lithographic Printing and Letterpress Printing; Flexible Package Printing; and Industrial Solvent Cleaning Operations for Control of Volatile Organic Compound Emissions'' (FRL No. 9917–16–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2014; to the Committee on Environment and Public Works.

EC–7605. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Infrastructure Requirements for the 2008 Ozone National Ambient Air Quality Standards'' (FRL No. 9917–67–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2014; to the Committee on Environment and Public Works.

EC–7606. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Approval of Revision to PSD Program'' (FRL No. 9916–27–Region 5) received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2014; to the Committee on Environment and Public Works.

EC–7607. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; New Mexico; Regional Haze and Interstate Transport Affecting Visibility State Implementation Plan Revisions; Withdrawal of Federal Implementation Plan for the San Juan Generating Station'' (FRL No. 9917–43–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2014; to the Committee on Environment and Public Works.

EC–7608. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; New Mexico; Regional Haze and Interstate Transport Affecting Visibility State Implementation Plan Revisions'' (FRL No. 9917–63–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2014; to the Committee on Environment and Public Works.

EC–7609. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Outer Continental Shelf Air Regulations Consistency Update for Maryland'' (FRL No. 9917–72–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2014; to the Committee on Environment and Public Works.

EC–7610. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Florida: Final Authorization of State Hazardous Waste Management Program Revisions'' (FRL No. 9917–53–Region 4) received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2014; to the Committee on Environment and Public Works.

EC–7611. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Automatic Delegation of Authority to the States of Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming to Implement and Enforce New Source Performance Standards.'' (FRL No. 9917–49–Region 8) received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2014; to the Committee on Environment and Public Works.

EC–7612. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Criteria for the Certification and Recertification of the Waste Isolation Pilot Plant's Compliance with the Disposal Regulations; Panel Closure Redesign'' (FRL No. 9917–57–OAR) received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2014; to the Committee on Environment and Public Works.

EC–7613. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Reporting and Recordkeeping Requirements, and Confidentiality Determinations Under the Greenhouse Gas Reporting Program'' ((RIN2060–AQ81) (FRL No. 9916–76–OAR)) received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2014; to the Committee on Environment and Public Works.

EC–7614. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, Placer County Air Pollution Control District'' (FRL No. 9916–95–Region 9) received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2014; to the Committee on Environment and Public Works.

EC–7615. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; North Dakota; Revisions to the Air Pollution Control Rules'' (FRL No. 9918–21–Region 8) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2014; to the Committee on Environment and Public Works.

EC–7616. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Kansas; Infrastructure SIP Requirements for the 2010 Nitrogen Dioxide National Ambient Air Quality Standard'' (FRL No. 9918–11–Region 7) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2014; to the Committee on Environment and Public Works.

EC–7617. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Kansas; Infrastructure SIP Requirements for the 2008 Ozone National Ambient Air Quality Standard'' (FRL No. 9918–19–Region 7) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2014; to the Committee on Environment and Public Works.

EC–7618. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Wyoming; Revisions to the Wyoming Air Quality Standards and Regulations; Ambient Standards for Nitrogen Oxides and for Ozone; Correction of Docket Number'' (FRL No. 9918–03–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2014; to the Committee on Environment and Public Works.

EC–7619. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Significant New Use Rules on Certain Chemical Substances'' ((RIN2070–AB27) (FRL No. 9914–56)) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2014; to the Committee on Environment and Public Works.

EC–7620. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Protection of Stratospheric Ozone: Adjustments to the Allowance System for Controlling HCFC Production, Import and Export, 2015–2019'' ((RIN2060–AR04) (FRL No. 9917–98–OAR)) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2014; to the Committee on Environment and Public Works.

EC–7621. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of Air Quality Implementation Plans; California; Imperial County; Ozone Precursor Emissions Inventories'' (FRL No. 9917–77–Region 9) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2014; to the Committee on Environment and Public Works.

EC–7622. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Quality State Implementation Plans; Approval and Promulgation: Missouri; 2013 State Implementation Plan for the 2008 Lead Standard'' (FRL No. 9918–18–Region 7) received during adjournment of the Senate in the Office of the President of the Senate on October 22, 2014; to the Committee on Environment and Public Works.

EC–7623. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Missouri, Control of Emissions from Hand-Fired Equipment''

(FRL No. 9918–10–Region 7) received during adjournment of the Senate in the Office of the President of the Senate on October 22, 2014; to the Committee on Environment and Public Works.

EC–7624. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Nebraska; Infrastructure SIP Requirements for the 2008 Lead National Ambient Air Quality Standards'' (FRL No. 9918–13–Region 7) received during adjournment of the Senate in the Office of the President of the Senate on October 22, 2014; to the Committee on Environment and Public Works.

EC–7625. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of Air Quality Implementation Plans; State of Missouri, Restriction of Emissions of Particulate Matter from Industrial Processes'' (FRL No. 9918–17–Region 7) received during adjournment of the Senate in the Office of the President of the Senate on October 22, 2014; to the Committee on Environment and Public Works.

EC–7626. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Wyoming; Revisions to the Air Quality Standards and Regulations'' (FRL No. 9918–20–Region 8) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2014; to the Committee on Environment and Public Works.

EC–7627. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Iowa'' (FRL No. 9918–15–Region 7) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2014; to the Committee on Environment and Public Works.

EC–7628. A communication from the Acting Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Safeguards Information—Modified Handling Categorization Change for Materials Facilities'' ((RIN3150–AJ18) (NRC–2012–0140)) received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2014; to the Committee on Environment and Public Works.

EC–7629. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel (OSS–2014–1590); to the Committee on Foreign Relations.

EC–7630. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–098); to the Committee on Foreign Relations.

EC–7631. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–097); to the Committee on Foreign Relations.

EC–7632. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–074); to the Committee on Foreign Relations.

EC–7633. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–077); to the Committee on Foreign Relations.

EC–7634. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–060); to the Committee on Foreign Relations.

EC–7635. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–085); to the Committee on Foreign Relations.

EC–7636. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–099); to the Committee on Foreign Relations.

EC–7637. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–116); to the Committee on Foreign Relations.

EC–7638. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–118); to the Committee on Foreign Relations.

EC–7639. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 14–079); to the Committee on Foreign Relations.

EC–7640. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 14–081); to the Committee on Foreign Relations.

EC–7641. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 14–117); to the Committee on Foreign Relations.

EC–7642. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to a section of the Arms Export Control Act (RSAT 13–3525); to the Committee on Foreign Relations.

EC–7643. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to a section of the Arms Export Control Act (DDTC 14–115); to the Committee on Foreign Relations.

EC–7644. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to sections 36(c) and 36(d) of the Arms Export Control Act (DDTC 14–082); to the Committee on Foreign Relations.

EC–7645. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the period June 1, 2014 through July 31, 2014; to the Committee on Foreign Relations.

EC–7646. A communication from the Executive Director, U.S. Agency for International Development (USAID), transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Administrator, U.S. Agency for International Development (USAID), received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2014; to the Committee on Foreign Relations.

EC–7647. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC–7648. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2014–0134—2014–0146); to the Committee on Foreign Relations.

EC–7649. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2014–0129—2014–0133); to the Committee on Foreign Relations.

EC–7650. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended, for the six months ending December 31, 2013''; to the Committee on Foreign Relations.

EC–7651. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers who were employed at General Atomics in La Jolla, California, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC–7652. A communication from the Acting Assistant General Counsel for Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''William D. Ford Federal Direct Loan Program'' (RIN1840–AD17) received during adjournment of the Senate in the Office of the President of the Senate on October 31, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–7653. A communication from the Acting Assistant General Counsel for Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Violence Against Women Act'' (RIN1840–AD16) received during adjournment of the Senate in the Office of the President of the Senate on October 28, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–7654. A communication from the Acting Assistant General Counsel for Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Program Integrity: Gainful Employment'' (RIN1840–AD15) received during adjournment of the Senate in the Office of the President of the Senate on October 31, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–7655. A communication from the Chairman of the National Health Care Workforce Commission, transmitting, pursuant to law, a report relative to the status of the Commission; to the Committee on Health, Education, Labor, and Pensions.

EC–7656. A communication from the Secretary of Labor, transmitting, pursuant to law, a report entitled ''The Department of

Labor's 2013 Findings on the Worst Forms of Child Labor''; to the Committee on Health, Education, Labor, and Pensions.

EC–7657. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Findings of Failure to Submit State Implementation Plan; California; Interstate Transport Requirements for 2006 24-hour Fine Particulate Matter (PM2.5) National Ambient Air Quality Standards'' (FRL No. 9918–38–Region 9) received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2014; to the Committee on Environment and Public Works.

EC–7658. A communication from the Chairman of the Broadcasting Board of Governors, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of April 1, 2014 through September 30, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–7659. A communication from the Chairman of the Federal Maritime Commission, transmitting, pursuant to law, the Commission's fiscal year 2013 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–7660. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled ''Statistical Programs of the United States Government: Fiscal Year 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–7661. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''General Services Administration Acquisition Regulation; (GSAR); Qualifications of Offerors'' (RIN3090–AJ46) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–7662. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''General Services Administration Acquisition Regulation (GSAR); Progressive Awards and Monthly Quantity Allocations'' (RIN3090–AJ47) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–7663. A communication from the Acting District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Fiscal Year 2013 Annual Report on Advisory Neighborhood Commissions''; to the Committee on Homeland Security and Governmental Affairs.

EC–7664. A communication from the Acting District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Status Report on Implementation of District of Columbia Auditor Recommendations''; to the Committee on Homeland Security and Governmental Affairs.

EC–7665. A communication from the Acting Commissioner of Social Security, transmitting, pursuant to law, the Annual Report of Continuing Disability Reviews for fiscal year 2012; to the Committee on Finance.

EC–7666. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Fifth Report to Congress on the Evaluation of the Medicare Coordinated Care Demonstration: Findings Over 10 Years''; to the Committee on Finance.

EC–7667. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''Removal of the Qualified Payment Card Agent Program'' ((RIN1545–BG53) (TD9699)) received during adjournment of the Senate in the Office of the President of the Senate on October 30, 2014; to the Committee on Finance.

EC–7668. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Lifetime Income Provided Through Target Date Funds in Section 401(k) Plans and Other Qualified Defined Contribution Plans'' (Notice 2014–66) received during adjournment of the Senate in the Office of the President of the Senate on October 30, 2014; to the Committee on Finance.

EC–7669. A communication from the Acting Commissioner of Social Security, transmitting, pursuant to law, the Administration's Annual Report of Payment Recapture Audits; to the Committee on Finance.

EC–7670. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare and Medicaid Programs: Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs; Physician-owned Hospitals; Data Sources for Expansion Exception; Physician Certification of Inpatient Hospital Services; Medicare Advantage Organizations and Part D Sponsors: CMS–Identified Overpayments Associated with Submitted Payment Data'' ((RIN0938–AS15) (CMS–1613-FC)) received during adjournment of the Senate in the Office of the President of the Senate on October 31, 2014; to the Committee on Finance.

EC–7671. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; End-Stage Renal Disease Prospective Payment System, Quality Incentive Program, and Durable Medical Equipment, Prosthetics, Orthotics, and Supplies'' ((RIN0938–AS13) (CMS–1614-F)) received during adjournment of the Senate in the Office of the President of the Senate on October 31, 2014; to the Committee on Finance.

EC–7672. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Revisions to Payment Policies Under the Physician Fee Schedule, Clinical Laboratory Fee Schedule, Access to Identifiable Data for the Center for Medicare and Medicaid Innovation Models & Other Revisions to Part B for CY 2015'' ((RIN0938–AS12) (CMS–1612-FC)) received during adjournment of the Senate in the Office of the President of the Senate on October 31, 2014; to the Committee on Finance.

EC–7673. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare and Medicaid Programs; CY 2015 Home Health Prospective Payment System Rate Update; Home Health Quality Reporting Requirements; and Survey and Enforcement Requirements for Home Health Agencies'' ((RIN0938–AS14) (CMS–1611-F)) received during adjournment of the Senate in the Office of the President of the Senate on October 30, 2014; to the Committee on Finance.

EC–7674. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; CY 2015 Inpatient Hospital Deductible and Hospital and Extended Care Service Coinsurance Amounts'' ((RIN0938–AR94) (CMS–8056-N)) received during adjournment of the Senate in the Office of the President of the Senate on October 9, 2014; to the Committee on Finance.

EC–7675. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; CY 2015 Part A Premiums for the Uninsured Aged and for Certain Disabled Individuals Who Have Exhausted Other Entitlement'' ((RIN0938–AR96) (CMS–8057-N)) received during adjournment of the Senate in the Office of the President of the Senate on October 9, 2014; to the Committee on Finance.

EC–7676. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Medicare Part B Monthly Actuarial Rates, Premium Rate, and Annual Deductible Beginning January 1, 2015'' ((RIN0938–AS34) (CMS–8058-N)) received during adjournment of the Senate in the Office of the President of the Senate on October 9, 2014; to the Committee on Finance.

EC–7677. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Excepted Benefits'' ((RIN1545–BL90) (TD9697)) received during adjournment in the Office of the President of the Senate on October 1, 2014; to the Committee on Finance.

EC–7678. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Fringe Benefits Aircraft Valuation Formula'' (Rev. Rul. 2014–60) received during adjournment of the Senate in the Office of the President of the Senate on October 1, 2014; to the Committee on Finance.

EC–7679. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Extension of Replacement Period for Livestock Sold on Account of Drought in Specified Counties'' (Notice 2014–60) received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2014; to the Committee on Finance.

EC–7680. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Local Lodging Expenses'' ((RIN1545–BH60) (TD9696)) received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2014; to the Committee on Finance.

EC–7681. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2014–62) received during adjournment of the Senate in the Office of the President of the Senate on October 20, 2014; to the Committee on Finance.

EC–7682. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Election Procedures and Information Reporting With Respect to Interests in Certain Canadian Retirement Plans'' (Rev. Proc. 2014–55) received during adjournment of the Senate in the Office of the President of the Senate on October 20, 2014; to the Committee on Finance.

EC–7683. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—November 2014'' (Rev. Rul. 2014–28) received during adjournment of the Senate in the Office of the President of the Senate on October 20, 2014; to the Committee on Finance.

EC–7684. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Electronic Submission of Forms, the Finished Products Records for Distilled Spirits Plants, and Closures on Certain Distilled Spirits Products; Correction'' (RIN1513–AB97) received during adjournment of the Senate in the Office of the President of the Senate on October 9, 2014; to the Committee on the Judiciary.

EC–7685. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Small Brewers Bond Reduction and Requirement To File Tax Returns, Remit Tax Payments and Submit Reports Quarterly'' (RIN1513–AB94) received during adjournment of the Senate in the Office of the President of the Senate on October 9, 2014; to the Committee on the Judiciary.

EC–7686. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Renaming of Express Mail to Priority Mail Express'' (RIN0651–AC98) received during adjournment of the Senate in the Office of the President of the Senate on October 22, 2014; to the Committee on the Judiciary.

EC–7687. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Annual Report to Congress for the Office of Justice Programs' Bureau of Justice Assistance for fiscal year 2012; to the Committee on the Judiciary.

EC–7688. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Debt Collection Recovery Activities of the Department of Justice for Civil Debts Referred for Collection Annual Report for Fiscal Year 2013''; to the Committee on the Judiciary.

EC–7689. A communication from the Chairman, Board of Trustees, and the President, John F. Kennedy Center for the Performing Arts, transmitting, pursuant to law, a report relative to the Center's financial statements, supplemental schedules of operations, and independent auditors' report for years ended September 29, 2013, and September 30, 2012, and a report relative to the Center's schedule of expenditures of federal awards and independent auditor's reports for the year ended September 29, 2013; to the Committee on Rules and Administration.

EC–7690. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, a report entitled ''Report to Congress on Wait-Time Goals of the Department for the Veterans Choice Program Authorized by Section 101 of the Veterans Access, Choice, and Accountability Act of 2014''; to the Committee on Veterans' Affairs.

EC–7691. A communication from the Acting Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Copayments for Medications in 2015'' (RIN2900–AP15) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2014; to the Committee on Veterans' Affairs.

EC–7692. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Fourth Quarter of Fiscal Year 2014''; to the Committee on Veterans' Affairs.

EC–7693. 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; Pollock in Statistical Area 630 in the Gulf of Alaska'' (RIN0648–XD519) received in the Office of the President of the Senate on October 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7694. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0291)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7695. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Turbomeca S.A. Turboshaft Engines'' ((RIN2120–AA64) (Docket No. FAA–2014–0164)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7696. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0792)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7697. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0672)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7698. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0424)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7699. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0343)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7700. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0144)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7701. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Zodiac Seats France (formerly Sicma Aero Seat) Passenger Seat Assemblies'' ((RIN2120–AA64) (Docket No. FAA–2014–0730)) received during adjournment of the Senate in the Office of the President of the Senate on November 4, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7702. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (56); Amdt. No. 3605'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7703. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (9134); Amdt. No. 3606'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7704. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification, Revocation, and Establishment of Multiple Air Traffic Service (ATS) Routes; North Central and Northeast United States'' ((RIN2120–AA66) (Docket No. FAA–2014–0295)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7705. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class B Airspace; Washington Tri-Area, DC'' ((RIN2120–AA66) (Docket No. FAA–2014–0713)) received during adjournment of the Senate in the Office of the President

of the Senate on October 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7706. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D Airspace; Wichita, McConnell AFB, KS'' ((RIN2120–AA66) (Docket No. FAA–2014–0294)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7707. A communication from the Management and Program Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airports/Locations: Special Operating Restrictions'' ((RIN2120–AA66) (Docket No. FAA–2014–0458)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7708. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Helicopter Air Ambulance, Commercial Helicopter, and Part 91 Helicopter Operations; Clarification'' ((RIN2120–AJ53) (Docket No. FAA–2010–0982)) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7709. 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; Portland Dragon Boat Races, Willamette River, Portland, OR'' ((RIN1625–AA00) (Docket No. USCG–2014–0492)) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7710. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Anchorage; Ashley River Anchorage, Ashley River, Charleston, SC'' ((RIN1625–AA01) (Docket No. USCG–2013–0819)) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7711. 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; Mavericks Invitational Surf Competition, Half Moon Bay, CA'' ((RIN1625–AA08) (Docket No. USCG–2014–0715)) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7712. 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; Bridge 1 Structural Repairs at Portsmouth Naval Shipyard, Kittery, ME'' ((RIN1625–AA11) (Docket No. USCG–2014–0215)) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7713. 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; Allegheny River; Mile 45.7; Kittanning, PA'' ((RIN1625–AA00) (Docket No. USCG–2014–0747)) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7714. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Moving Security Zone Around Crane Barge, New York Harbor Upper Bay and Hudson River, NY and NJ.'' ((RIN1625–AA87) (Docket No. USCG–2014–0886)) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7715. 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; Lower Mississippi River, Mile 170 to Mile 172; Darrow, LA'' ((RIN1625–AA00) (Docket No. USCG–2014–0780)) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7716. 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; Ordnance Removal; Saipan Harbor, CNMI'' ((RIN1625–AA00) (Docket No. USCG–2014–0849)) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7717. 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: Semisubmersible Loading Operation Safety Zone, South San Francisco Bay, San Francisco, CA'' ((RIN1625–AA00) (Docket No. USCG–2014–0922)) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7718. 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; Slip 4 Early Action Area Superfund Site, Lower Duwamish Waterway, Seattle, WA'' ((RIN1625–AA11) (Docket No. USCG–2013–0293)) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7719. 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 Zone; Cruise Ship HAMBURG, Lake Michigan, Milwaukee, WI and Chicago, IL'' ((RIN1625–AA87) (Docket No. USCG–2014–0916)) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7720. 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: Pier 39 36th Anniversary Fireworks Display, San Francisco Bay, San Francisco, CA'' ((RIN1625–AA00) (Docket No. USCG–2014–0832)) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7721. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report of a violation of the Antideficiency Act; to the Committee on Appropriations.

EC–7722. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Acetic Acid Ethenyl Ester, Polymer with Ethane, Ethenyltriethoxysilane and Sodium Ethenesulfonate (1:1); Tolerance Exemption'' (FRL No. 9918–50) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7723. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''2-Propenoic Acid, 2-Methyl-, Phenylmethyl Ester, Polymer with 2-Propenoic Acid, Peroxydisulfuric Acid ([[HO]S[O]2]2O2) Sodium Salt (1:2)-Initiated, Compounds with Diethanolamine; Tolerance Exemption'' (FRL No. 9918–28) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7724. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''FD and C Red No. 40; Exemption from the Requirement of a Tolerance'' (FRL No. 9917–14) received during adjournment in the Office of the President of the Senate on November 5, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7725. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Deltamethrin: Pesticide Tolerances'' (FRL No. 9918–24) received during adjournment in the Office of the President of the Senate on November 5, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7726. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Brucellosis Class Free States and Certified Brucellosis-Free Herds; Revisions to Testing and Certification Requirements'' ((RIN0579–AD22) (Docket No. APHIS–2009–0083)) received in the Office of the President of the Senate on November 12, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7727. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938; to the Committee on Banking, Housing, and Urban Affairs.

EC–7728. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Morocco; to the Committee on Banking, Housing, and Urban Affairs.

EC–7729. A communication from the Under Secretary for Industry and Security, Department of Commerce, transmitting, pursuant to law, a Foreign Policy Report entitled ''Report to the Congress: Venezuela: Restrictions on Certain Military End Uses and End Users''; to the Committee on Banking, Housing, and Urban Affairs.

EC–7730. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to

law, the report of a rule entitled ''Loans in Areas Having Special Flood Hazards'' (RIN3052–AC93) received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–7731. A communication from the Counsel, Office of the General Counsel, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Truth in Lending (Regulation Z) Annual Threshold Adjustments (CARD ACT, HOEPA and ATR/QM)'' (12 CFR Part 1026) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–7732. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Amendments to the 2013 Mortgage Rules Under the Truth in Lending Act (Regulation Z)'' ((RIN3170–AA43) (Docket No. CFPB–2014–0009)) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–7733. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Application of Regulation Z's Ability-To-Repay Rule to Certain Situations Involving Successors-in-Interest'' ((RIN3170–ZA00) (Docket No. CFPB–2014–0016)) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–7734. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Procedures and General Definitions'' (RIN2590–AA66) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–7735. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''Filing Financial and Other Reports'' (RIN3313–AE25) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–7736. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to storage of petroleum products owned by the United States in facilities other than those of the Strategic Petroleum Reserve; to the Committee on Energy and Natural Resources.

EC–7737. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; North Carolina; Approval of Revisions to Inspection and Maintenance (I/M) Regulations Within the North Carolina State Implementation Plan; Correcting Amendment'' (FRL No. 9918–94–Region 4) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2014; to the Committee on Environment and Public Works.

EC–7738. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Texas; Reasonable Further Progress Plan, Enhanced Monitoring, Clean Fuel Fleets and Failure-to-Attain Contingency Measures for the Dallas/Fort Worth 1997 8-Hour Ozone Nonattainment Area; and Transportation Conformity'' (FRL No. 9919–02–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2014; to the Committee on Environment and Public Works.

EC–7739. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Alaska: Infrastructure Requirements for the 1997 and 2006 Fine Particulate Matter and 2008 Ozone National Ambient Air Quality Standards'' (FRL No. 9918–97–Region 10) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2014; to the Committee on Environment and Public Works.

EC–7740. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Allegheny County; Control of Outdoor Wood-Fired Boilers'' (FRL No. 9918–73–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2014; to the Committee on Environment and Public Works.

EC–7741. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Washington: Nonattainment New Source Review'' (FRL No. 9918–84–Region 10) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2014; to the Committee on Environment and Public Works.

EC–7742. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Withdrawal of Federal Implementation Plan; Texas; Prevention of Significant Deterioration; Greenhouse Gas Tailoring Rule Revisions'' (FRL No. 9912–50–OAR) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2014; to the Committee on Environment and Public Works.

EC–7743. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Texas; Prevention of Significant Deterioration; Greenhouse Gas Tailoring Rule Revisions'' (FRL No. 9912–51–OAR) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2014; to the Committee on Environment and Public Works.

EC–7744. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Partial Exemption of Certain Chemical Substances from Reporting Additional Chemical Data'' ((RIN2070–AK01) (FRL No. 9918–23)) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2014; to the Committee on Environment and Public Works.

EC–7745. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Oil and Hazardous Substances Pollution Contingency Plan; Technical Amendment to Update Data Management System Nomenclature'' (FRL No. 9918–52–OSWER) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2014; to the Committee on Environment and Public Works.

EC–7746. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits'' (FRL No. 9914–32–OECA) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2014; to the Committee on Environment and Public Works.

EC–7747. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Missouri, Controlling Emissions During Episodes of High Air Pollution Potential'' (FRL No. 9918–75–Region 7) received during adjournment of the Senate in the Office of the President of the Senate on November 4, 2014; to the Committee on Environment and Public Works.

EC–7748. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maine; Volatile Organic Compound Regulations'' (FRL No. 9918–00–Region 1) received during adjournment of the Senate in the Office of the President of the Senate on November 4, 2014; to the Committee on Environment and Public Works.

EC–7749. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Approval of American Society of Mechanical Engineers' Code Cases'' ((RIN3150–AI72) (NRC–2009–0359 and NRC–2013–0133)) received during adjournment of the Senate in the Office of the President of the Senate on November 6, 2014; to the Committee on Environment and Public Works.

EC–7750. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Medicare Imaging Demonstration Evaluation Report to Congress''; to the Committee on Finance.

EC–7751. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Evaluation of the Medicare Frontier Extended Stay Clinic Demonstration Report to Congress''; to the Committee on Finance.

EC–7752. A communication from the United States Trade Representative, Executive Office of the President, transmitting a report relative to the inclusion of Uruguay in the ongoing negotiations of the Trade in Services Agreement (TiSA); to the Committee on Finance.

EC–7753. A communication from the United States Trade Representative, Executive Office of the President, transmitting a report relative to the inclusion of Israel in the ongoing negotiations of the Environmental Goods Agreement (EGA); to the Committee on Finance.

EC–7754. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Highway Use Tax; Sold Vehicles and Electronic Filing; Taxable

Period Beginning July 1, 2011'' ((RIN1545–BG63 and RIN1545–BK35) (TD9698)) received during adjournment of the Senate in the Office of the President of the Senate on November 4, 2014; to the Committee on Finance.

EC–7755. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Ebola Virus Disease Outbreak Occurring in Guinea, Liberia, and Sierra Leone Designated as a Qualified Disaster under Section 139 of the Internal Revenue Code'' (Notice 2014–65) received during adjournment of the Senate in the Office of the President of the Senate on November 6, 2014; to the Committee on Finance.

EC–7756. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2014 Section 43 Inflation Adjustment'' (Notice 2014–64) received during adjournment of the Senate in the Office of the President of the Senate on November 6, 2014; to the Committee on Finance.

EC–7757. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2014 Marginal Production Rates'' (Notice 2014–63) received in the Office of the President of the Senate on November 6, 2014; to the Committee on Finance.

EC–7758. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2015 Cost-of-Living Adjustments to the Internal Revenue Code Tax Tables and Other Items'' (Rev. Proc. 2014–61) received during adjournment of the Senate in the Office of the President of the Senate on November 6, 2014; to the Committee on Finance.

EC–7759. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Unpaid Losses Discount Factors and Payment Patterns for 2014'' (Rev. Proc. 2014–59) received during adjournment of the Senate in the Office of the President of the Senate on November 6, 2014; to the Committee on Finance.

EC–7760. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Group Health Plans that Fail to Cover In-Patient Hospitalization Services'' (Notice 2014–69) received during adjournment of the Senate in the Office of the President of the Senate on November 6, 2014; to the Committee on Finance.

EC–7761. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Computation of Annual Liability Insurance (Including Self-Insurance) Settlement Recovery Threshold''; to the Committee on Finance.

EC–7762. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Improving the Identification of Health Care Disparities in Medicaid and CHIP''; to the Committee on Finance.

EC–7763. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Indiana; Withdrawal of Direct Final Rule'' (FRL No. 9918–78–Region 5) received during adjournment of the Senate in the Office of the President of the Senate on November 4, 2014; to the Committee on Environment and Public Works.

EC–7764. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Child Welfare Outcomes 2009–2012: Report to Congress''; to the Committee on Finance.

EC–7765. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to a proposed permanent transfer of major defense equipment to a Middle Eastern country (OSS–2014–1801); to the Committee on Foreign Relations.

EC–7766. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS–2014–1812); to the Committee on Foreign Relations.

EC–7767. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended, for the six months ending December 31, 2013''; to the Committee on Foreign Relations.

EC–7768. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–101); to the Committee on Foreign Relations.

EC–7769. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–090); to the Committee on Foreign Relations.

EC–7770. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–100); to the Committee on Foreign Relations.

EC–7771. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to sections 36(c) and 36(d) of the Arms Export Control Act (DDTC 14–092); to the Committee on Foreign Relations.

EC–7772. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Iran-Related Multilateral Sanctions Regime Efforts'' covering the period February 7, 2014 to August 6, 2014; to the Committee on Foreign Relations.

EC–7773. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the status of the Government of Cuba's compliance with the United States-Cuba September 1994 ''Joint Communique'' and on the treatment of persons returned to Cuba in accordance with the United States-Cuba May 1995 ''Joint Statement''; to the Committee on Foreign Relations.

EC–7774. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Amendment to the International Traffic in Arms Regulations: Policy on Exports to Vietnam'' (RIN1400–AD73) received during adjournment of the Senate in the Office of the President of the Senate on November 10, 2014; to the Committee on Foreign Relations.

EC–7775. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Amendment to the International Traffic in Arms Regulations: Revision of U.S. Munitions List Category XV; Correction'' (RIN1400–AD33) received during adjournment of the Senate in the Office of the President of the Senate on November 10, 2014; to the Committee on Foreign Relations.

EC–7776. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled ''William D. Ford Federal Direct Loan Program'' ((RIN1840–AD17) (Docket ID ED–2014–OPE–0082)) received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–7777. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Premarket Approval of Pediatric Uses of Devices—FY 2012''; to the Committee on Health, Education, Labor, and Pensions.

EC–7778. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Fiscal Year 2011 Report to Congress on Community Services Block Grant Discretionary Activities—Community Economic Development and Rural Community Development Programs''; to the Committee on Health, Education, Labor, and Pensions.

EC–7779. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Delays in Approvals of Applications Related to Citizen Petitions and Petitions for Stay of Agency Action for Fiscal Year 2013''; to the Committee on Health, Education, Labor, and Pensions.

EC–7780. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''United States Tobacco Product Exports That Do Not Conform to Tobacco Product Standards''; to the Committee on Health, Education, Labor, and Pensions.

EC–7781. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled ''Program Integrity: Gainful Employment'' ((RIN1840–AD15) (Docket ID ED–2014–OPE–0039)) received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2014; to the Committee on Health, Education, Labor, and Pensions.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–350. A resolution adopted by the Legislature of the State of Alaska applying to the United States Congress to call a convention of the states under Article V of the Constitution of the United States to propose amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office of federal government officials; to the Committee on the Judiciary.

HOUSE JOINT RESOLUTION 22

Whereas the founders of the Constitution of the United States empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

Whereas the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas the federal government has invaded the legitimate roles of the states

through the manipulative process of federal mandates, most of which are unfunded; and

Whereas the federal government has ceased to live under a proper interpretation of the Constitution of the United States; and

Whereas it is the solemn duty of the states to protect the liberty of their people, particularly for the generations to come, to propose amendments to the Constitution of the United States through a convention of the states under art. V to place clear restraints on these and related abuses of power: Now, therefore, be it

Resolved, That under art. V, Constitution of the United States, the Alaska State Legislature respectfully applies to the United States Congress to call a convention of the states for the sole purpose of proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office of federal government officials; and be it further

Resolved, That this application constitutes a continuing application in accordance with art. V, Constitution of the United States, until at least two-thirds of the legislatures of the several states have applied for a similar convention of the states; and be it further,

Resolved, That the Alaska State Legislature urges the legislatures of the other 49 states to apply to the United States Congress to call a convention of the states.

Copies of this resolution shall be sent to the Honorable Barack Obama, President of the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable John Boehner, Speaker of the U.S. House of Representatives; the Honorable Patrick J. Leahy, President pro tempore of the U.S. Senate; the Honorable Nancy Erickson, Secretary of the U.S. Senate; the Honorable Karen L. Haas, Clerk of the U.S. House of Representatives; the Honorable Lisa Murkowski and the Honorable Mark Begich, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress; and the presiding officers of the legislatures of each of the other 49 states.

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 Mr. SCOTT:

S. 2936. A bill to provide that in the case of leases to local education agencies and elementary and secondary schools, consideration may be at or below fair market value or for no consideration; to the Committee on Armed Services.

By Mr. REED:

S. 2937. A bill to require the president of the Federal Reserve Bank of New York to be appointed by the President, by and with the advice and consent of the Senate; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 2938. A bill to provide to the Secretary of the Interior a mechanism to cancel contracts for the sale of materials CA–20139 and CA–22901, and other purposes; to the Committee on Energy and Natural Resources.

By Mr. TESTER:

S. 2939. A bill to amend the Internal Revenue Code of 1986 to require that return information from tax-exempt organizations be made available in a searchable format and to provide the disclosure of the identity of contributors to certain tax-exempt organizations; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCAIN:

S. Res. 581. A resolution honoring the life and service of the late Staff Sergeant Robert Henry Anderson; to the Committee on Armed Services.

By Mr. MORAN (for himself and Mr. BOOKER):

S. Res. 582. A resolution expressing support for designation of the third Tuesday of November as ''National Entrepreneurs Day''; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 641

At the request of Mr. WYDEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 641, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 907

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 907, a bill to provide grants to better understand and reduce gestational diabetes, and for other purposes.

S. 931

At the request of Mr. BLUNT, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 931, a bill to amend the Public Health Service Act to raise awareness of, and to educate breast cancer patients anticipating surgery, especially patients who are members of racial and ethnic minority groups, regarding the availability and coverage of breast reconstruction, prostheses, and other options.

S. 1011

At the request of Mr. JOHANNS, the names of the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Illinois (Mr. KIRK) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors 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. 1040

At the request of Mr. PORTMAN, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S. 1040, a bill to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus, in recognition of his service to the Nation in promoting excellence, good sportsmanship, and philanthropy.

S. 1187

At the request of Ms. STABENOW, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1187, a bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt.

S. 1332

At the request of Ms. COLLINS, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1332, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 1389

At the request of Mrs. GILLIBRAND, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1389, a bill to direct the Secretary of the Interior to study the suitability and feasibility of designating the Prison Ship Martyrs?' Monument in Fort Greene Park, in the New York City borough of Brooklyn, as a unit of the National Park System.

S. 1702

At the request of Mr. LEE, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 1702, a bill to empower States with authority for most taxing and spending for highway programs and mass transit programs, and for other purposes.

S. 2069

At the request of Mr. BEGICH, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2069, a bill to amend the Internal Revenue Code of 1986 to expand and modify the credit for employee health insurance expenses of small employers.

S. 2187

At the request of Mr. BEGICH, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2187, a bill to amend title XVIII of the Social Security Act to provide for a five-year extension of the rural community hospital demonstration program.

S. 2192

At the request of Mr. MARKEY, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 2192, a bill to amend the National Alzheimer's Project Act to require the Director of the National Institutes of Health to prepare and submit, directly to the President for review and transmittal to Congress, an annual budget estimate (including an estimate of the number and type of personnel needs for the Institutes) for the initiatives of the National Institutes of Health pursuant to such an Act.

S. 2250

At the request of Ms. KLOBUCHAR, the name of the Senator from New Jersey

(Mr. MENENDEZ) was added as a cosponsor of S. 2250, a bill to extend the Travel Promotion Act of 2009, and for other purposes.

S. 2572

At the request of Mr. MARKEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2572, a bill to ban the use of bisphenol A in food containers, and for other purposes.

S. 2634

At the request of Mr. PRYOR, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2634, a bill to provide tax relief for major disaster areas declared in 2012, 2013, and 2014, and for other purposes.

S. 2646

At the request of Mr. LEAHY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2646, a bill to reauthorize the Runaway and Homeless Youth Act, and for other purposes.

S. 2689

At the request of Mrs. SHAHEEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2689, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 2694

At the request of Mr. BROWN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2694, a bill to amend title XIX of the Social Security Act to extend the application of the Medicare payment rate floor to primary care services furnished under Medicaid and to apply the rate floor to additional providers of primary care services.

S. 2710

At the request of Mr. MENENDEZ, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2710, a bill to amend the Internal Revenue Code of 1986 to exempt private foundations from the tax on excess business holdings in the case of certain philanthropic enterprises which are independently supervised, and for other purposes.

S. 2738

At the request of Mr. BLUMENTHAL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2738, a bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces, to establish an advisory board on exposure to toxic substances, and for other purposes.

S. 2746

At the request of Mr. BROWN, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Pennsylvania (Mr. CASEY), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Washington (Mrs. MURRAY), the Senator from Maryland (Mr. CARDIN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 2746, a bill to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.

S. 2775

At the request of Mr. BROWN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2775, a bill to amend the Internal Revenue Code of 1986 to exempt aircraft management services from the ticket tax.

S. 2782

At the request of Mr. SANDERS, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 2782, a bill to amend title 36, United States Code, to improve the Federal charter for the Veterans of Foreign Wars of the United States, and for other purposes.

S. 2795

At the request of Ms. BALDWIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2795, a bill to amend the Higher Education Act of 1965 to expand the definition of eligible program.

S. 2796

At the request of Ms. BALDWIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2796, a bill to amend the Higher Education Act of 1965 to increase the income protection allowances.

S. 2839

At the request of Mr. WHITEHOUSE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2839, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

S. 2904

At the request of Mr. COBURN, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 2904, a bill to prevent the militarization of Federal, State, and local law enforcement by Federal excess property transfers and grant programs.

S. 2920

At the request of Mr. CASEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2920, a bill to deny Social Security benefits and other benefits to individuals who participated in Nazi persecution.

S. 2931

At the request of Mrs. FISCHER, her name was added as a cosponsor of S. 2931, a bill to amend the Unfunded Mandates Reform Act of 1995 to provide for regulatory impact analyses for certain rules and consideration of the least burdensome regulatory alternative, and for other purposes.

S. RES. 580

At the request of Mr. INHOFE, the names of the Senator from Maine (Mr. KING), the Senator from Pennsylvania (Mr. CASEY) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of S. Res. 580, a resolution expressing support for the goals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED:

S. 2937. A bill to require the president of the Federal Reserve Bank of New York to be appointed by the President, by and with the advice and consent of the Senate; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I am introducing legislation that would require the head of the Federal Reserve Bank of New York to be Presidentially appointed and Senate confirmed.

In 2010, I worked to include similar language in the Senate version of the Wall Street Reform and Consumer Protection Act, but this provision was ultimately not included in the final version of this law.

At the time, I noted that, ''if the Governors of the Federal Reserve System in Washington are required to be confirmed by the Senate, then the President of the Federal Reserve Bank of New York, who played a pivotal and perhaps more powerful role in obligating taxpayer dollars during the financial crisis, should also be subject to the same public confirmation process.''

As the response to the financial crisis showed, the New York Fed is unlike any of the other eleven regional Federal Reserve Banks.

For instance, along with the seven Governors of the Federal Reserve System who each require Senate confirmation, the president of the New York Fed is not only a permanent member of the Federal Open Market Committee, FOMC, but also acts as the FOMC's Vice Chairman. This is an important distinction because the FOMC establishes the Federal Reserve System's monetary policy, which in the wake of the financial crisis resulted in the Federal Reserve's balance sheet growing to almost five times what it was before the crisis in an attempt to reduce long-term interest rates.

Additionally, the Federal Reserve Bank of New York is solely responsible for implementing an aspect of monetary policy known as open market operations through which U.S. Treasury securities are purchased and sold on a secondary basis to influence the levels of bank reserves. In other words, this means that the New York Fed is in a position to pick and choose its counterparties in these secondary market

transactions, giving significant advantages to one market maker over another, which raises the potential for conflicts of interest.

Also, the New York Fed is entrusted with protecting the U.S. dollar in foreign exchange markets.

According to the New York Fed itself, ''though it serves a geographically small area compared with those of other Federal Reserve Banks, the New York Fed is the largest Reserve Bank in terms of assets and volume of activity.'' Indeed, the New York Fed in its regulatory capacity is not only in charge of supervising some of the largest banks in the country, but also some of the most active financial institutions.

While this is not an exhaustive list of the New York Fed's unique responsibilities, these examples demonstrate the extremely powerful and pivotal role the New York Fed plays in implementing our Nation's monetary policy and enforcing our banking laws. As such, we should have every expectation that the New York Fed has the public interest in mind to the fullest extent when it conducts its duties.

Unfortunately, these expectations have not been met. Last month, the Office of Inspector General, OIG, of the Board of Governors of the Federal Reserve System described the New York Fed's oversight efforts with respect to one large banking institution that eventually suffered billions of dollars in trading losses as a ''missed opportunity.'' On top of this, a report aired in September on the public radio program ''This American Life'' cast doubt on whether changes the New York Fed made after the financial collapse to address regulatory capture were sufficient to ensure the New York Fed would be a more proactive banking regulator and could prevent a future financial disaster.

All of this is disturbing, and it is past time that we add meaningful layers of accountability in order to prevent another problem from snowballing into a crisis because of the New York Fed's continued unwillingness to address potential financial pitfalls in advance.

By subjecting the president of the New York Fed to the confirmation process, an important check and balance will be added. The Senate will have a vital opportunity to evaluate whether a nominee has the experience, character, judgment, and skills to serve effectively as one of the most powerful banking regulators in the country, if not the world. In addition, this legislation requires the New York Fed president to testify before the Senate Banking Committee and the House Financial Services Committee at least once a year, so that Congress no longer has to negotiate about whether and when the New York Fed president will appear before Congress for oversight hearings. Simply put, this legislation is about holding the New York Fed accountable. The New York Fed is just too powerful to be left unchecked.

I thank Americans for Financial Reform, Public Citizen, and the AFL–CIO for their support, and I urge all my colleagues to join me in moving this legislation forward.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 581—HONORING THE LIFE AND SERVICE OF THE LATE STAFF SERGEANT ROBERT HENRY ANDERSON

Mr. MCCAIN submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 581

Whereas throughout his life, Staff Sergeant Robert Henry Anderson distinguished himself in each field in which he entered;

Whereas in the military, Staff Sergeant Robert Henry Anderson was a decorated noncommissioned officer in the United States Army during World War II, earning 2 Bronze Star Medals, 2 Presidential Unit Citations, the Purple Heart, and various campaign ribbons;

Whereas prior to entering military service, Staff Sergeant Robert Henry Anderson placed his education on hold to work full-time to support his family in Cleveland, Ohio;

Whereas drafted into the military at the age of 19, Staff Sergeant Robert Henry Anderson originally enlisted as a paratrooper, preparing to parachute behind enemy lines in Germany and all over Europe;

Whereas Staff Sergeant Robert Henry Anderson saw the desperate need for medical assistance in combat and volunteered to join the United States Army Ambulance Service as a combat medic;

Whereas Staff Sergeant Robert Henry Anderson was a valuable member of the fighting force, responsible for providing first aid and frontline trauma care on the battlefield;

Whereas combat medics were unsung heroes of World War II, as they were embedded among infantrymen, faced the enemy unarmed, and relied on the aid of comrades to keep them safe;

Whereas as a combat medic, Staff Sergeant Robert Henry Anderson helped countless soldiers, while dodging exploding mines, nearly getting run over by German tanks, and evading enemy fire;

Whereas based on his performance as a combat medic, at the end of World War II, the United States Army offered to help pay his way through medical school;

Whereas Staff Sergeant Robert Henry Anderson earned a bachelor's degree from Baldwin Wallace University, in Berea, Ohio;

Whereas at the conclusion of his time in service, Staff Sergeant Robert Henry Anderson returned to Cleveland and honorably served as a plumber for the Department of Public Works and as a valued member of the Journeymen Plumbers Union, Local 55;

Whereas Staff Sergeant Robert Henry Anderson is the pride of his family, which includes his parents, Otto and Sarah, his brothers, Alan, Wayne, and Leonard, his late wife of more than 60 years, Virginia, their son, Robert C. Anderson, and a large and loving extended family;

Whereas Staff Sergeant Robert Henry Anderson passed away on November 15, 2014, in Arizona, and his death is a major loss to his family, the Grand Canyon State, and the United States; and

Whereas the life and legacy of Staff Sergeant Robert Henry Anderson are an immense credit to his family and the cities of Cleveland and Mesa and typify the heroes of the ''Greatest Generation'': Now, therefore, be it

Resolved, That the Senate—

(1) honors and salutes the decades of service of Staff Sergeant Robert Henry Anderson to the people of the United States;

(2) acknowledges the contributions of Staff Sergeant Robert Henry Anderson as a paratrooper, combat medic, plumber, husband, father, and family member; and

(3) extends appreciation to the family of Staff Sergeant Robert Henry Anderson, in recognition of his role as a model of lifetime service to a grateful community and Nation.

SENATE RESOLUTION 582—EXPRESSING SUPPORT FOR DESIGNATION OF THE THIRD TUESDAY OF NOVEMBER AS ''NATIONAL ENTREPRENEURS DAY''

Mr. MORAN (for himself and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 582

Whereas since the founding of the United States, innovation, creativity, industriousness, and entrepreneurship have formed the economic fiber of the United States;

Whereas entrepreneurs have long been vital to the economic health and growth of the United States;

Whereas the willingness of entrepreneurs to assume risk has resulted in unparalleled contributions to the growth and development of the United States;

Whereas entrepreneurship is the stimulus for strengthening the economy, advancing innovation, improving productivity, and creating new jobs;

Whereas research shows that innovation has been responsible for approximately ⅔ of the economic growth of the United States since World War II;

Whereas more than 500,000 new businesses are created in the United States every month and small business openings have accounted for 40 percent of new jobs in the last 20 years;

Whereas research shows that businesses 5 years or younger were responsible for nearly every net new job in the economy of the United States between 1980 and 2005;

Whereas entrepreneurs and the businesses created by entrepreneurs are responsible for roughly 3,000,000 jobs every year;

Whereas despite economic instability, 56 percent of adults were confident that they could start a business and 82 percent of entrepreneurs in 2012 used their own savings for startup cash, indicating that entrepreneurial spirit remains strong in the United States;

Whereas collaboration and cooperation amidst a broad coalition of organizations, including nonprofit entrepreneurial incubators, angel investors, venture capitalists, crowd-funding initiatives, and other early-stage investors, catalyze entrepreneurial ventures;

Whereas the Federal Government must continue to promote entrepreneurship in all communities by ensuring that entrepreneurs find the necessary resources to pursue their ideas;

Whereas support for entrepreneurs, including firms managed and owned by women and other minorities, strengthens the overall economy of the United States;

Whereas entrepreneurial literacy skills serve as one of the 21st-century content areas critical to success in communities and workplaces;

Whereas more than 70 percent of young people in the United States envision starting a business or pursuing an entrepreneurial endeavor as adults;

Whereas positive outcomes for youth who participate in entrepreneurship education programs include improved academic performance, increased critical thinking skills, and heightened occupational aspirations;

Whereas to maintain the position of the United States as a world economic leader, government, entrepreneurs, institutions of higher education, and businesses of all sizes must be united in a comprehensive effort to welcome and cultivate entrepreneurial activities in the United States;

Whereas entrepreneurs face significant barriers that the Federal Government must work to reduce so that all entrepreneurs in the United States have a chance at success;

Whereas entrepreneurship is the best offense for economic progress and the finest defense against the status quo for the United States; and

Whereas the third Tuesday of November would be an appropriate date to designate as ''National Entrepreneurs Day'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of ''National Entrepreneurs Day'';

(2) recognizes the considerable contributions of entrepreneurs to the United States; and

(3) honors those entrepreneurs who ignite innovation and inspire the next generation.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3942. Mr. SCOTT submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 3943. Mr. SCOTT submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3944. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3945. Mr. DONNELLY (for himself, Mr. CRUZ, Mr. MANCHIN, Mr. MORAN, Mr. SCHATZ, Mr. MENENDEZ, Ms. HEITKAMP, Mr. BENNET, Mr. PRYOR, Mr. JOHANNS, Mr. BEGICH, Mr. BLUNT, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3946. Mrs. BOXER (for herself, Mr. MENENDEZ, Ms. COLLINS, Mr. KIRK, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3947. Mr. WYDEN (for himself, Mr. PAUL, Mr. UDALL of Colorado, Ms. BALDWIN, Mr. BROWN, Mr. HARKIN, Mr. HEINRICH, Mr. MERKLEY, Mr. SANDERS, Mr. TESTER, Mr. UDALL of New Mexico, Mr. WALSH, and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 2685, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table.

SA 3948. Mr. CHAMBLISS (for himself, Mr. MCCONNELL, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2685, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3942. Mr. SCOTT submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2835. CONVEYANCE, JOINT BASE CHARLESTON, SOUTH CAROLINA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey to the City of Hanahan (in this section referred to as the ''City'') all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 53 total acres at Joint Base Charleston, South Carolina, for the purpose of accommodating the City's recreation needs.

(b) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance under subsection (a), the City shall provide the United States with consideration in an amount that is acceptable to the Secretary, whether by cash payment, in-kind consideration as described under paragraph (2), or a combination thereof.

(2) IN-KIND CONSIDERATION.—In-kind consideration provided by the City under paragraph (1) may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facilities or infrastructure relating to the needs of Joint Base Charleston, South Carolina, that the Secretary considers acceptable.

(3) PUBLIC BENEFIT CONVEYANCE.—A public benefit conveyance may also be used to transfer the property under subsection (a) to the City for public use. The property use must benefit the community as a whole, including use for parks and recreation.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Air Force may require the City to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Air Force.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Air Force may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SA 3943. Mr. SCOTT submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXVIII, add the following:

SEC. 2813. LEASING OF NON-EXCESS PROPERTY OF MILITARY DEPARTMENTS AND DEFENSE AGENCIES; TREATMENT OF VALUE PROVIDED BY LOCAL EDUCATION AGENCIES AND ELEMENTARY AND SECONDARY SCHOOLS.

Section 2667 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(k) LEASES FOR EDUCATION.—In the case of a lease under this section to a local education agency or an elementary or secondary school (as those terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)), consideration may be at or below fair market value or for no consideration.''.

SA 3944. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1087. NATIONAL SECURITY CONCERNS INVOLVING HISTORIC PRESERVATION.

Section 101(a) of the National Historic Preservation Act (16 U.S.C. 470a(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (E), by striking ''and'' after the semicolon at the end;

(B) in subparagraph (F), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(G) if the property is owned or managed by the Federal Government, notifying the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives if the property is being considered for inclusion on the National Register, for designation as a National Historic Landmark, or for nomination to the World Heritage List.'';

(2) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively; and

(3) by inserting after paragraph (6) the following:

''(7) NATIONAL SECURITY.—If the head of an agency that owns or manages Federal property that is being considered for inclusion on the National Register, for designation as a National Historic Landmark, or for nomination to the World Heritage List objects to inclusion or designation for reasons of national

security (including any impact the inclusion or designation would have on use of the property for military training or readiness purposes), the Federal property shall not be included on the National Register of Historic Places, designated as a National Historic Landmark, or nominated to the World Heritage List until the objection is withdrawn.''.

SA 3945. Mr. DONNELLY (for himself, Mr. CRUZ, Mr. MANCHIN, Mr. MORAN, Mr. SCHATZ, Mr. MENENDEZ, Ms. HEITKAMP, Mr. BENNET, Mr. PRYOR, Mr. JOHANNS, Mr. BEGICH, Mr. BLUNT, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 1105. TIERED PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

(a) SHORT TITLE.—This section may be cited as the ''Military Reserve Jobs Act of 2014''.

(b) PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 2108 of title 5, United States Code, is amended—

(1) in paragraph (3)—

(A) in subparagraph (G)(iii), by striking ''and'' at the end;

(B) in subparagraph (H), by adding ''and'' at the end; and

(C) by inserting after subparagraph (H) the following:

''(I) a qualified reservist;'';

(2) in paragraph (4), by striking ''and'' at the end;

(3) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(6) 'qualified reservist' means an individual who is a member of a reserve component of the Armed Forces on the date of the applicable determination—

''(A) who—

''(i) has completed at least 6 years of service in a reserve component of the Armed Forces; and

''(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; or

''(B) who—

''(i) has completed at least 10 years of service in a reserve component of the Armed Forces; and

''(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; and

''(7) 'reserve component of the Armed Forces' means a reserve component specified in section 101(27) of title 38.''.

(c) TIERED HIRING PREFERENCE FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 3309 of title 5, United States Code, is amended—

(1) in paragraph (1), by striking ''and'' at the end; and

(2) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(3) a preference eligible described in section 2108(6)(B)—3 points; and

''(4) a preference eligible described in section 2108(6)(A)—2 points.''.

(d) GAO REVIEW.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that—

(1) assesses Federal employment opportunities for members of a reserve component of the Armed Forces;

(2) evaluates the impact of the amendments made by this section on the hiring of reservists and veterans by the Federal Government; and

(3) provides recommendations, if any, for strengthening Federal employment opportunities for members of a reserve component of the Armed Forces.

SA 3946. Mrs. BOXER (for herself, Mr. MENENDEZ, Ms. COLLINS, Mr. KIRK, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle I—International Prevention of Violence Against Women and Girls

SEC. 1091. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to take effective action to prevent and respond to violence against women and girls around the world, as a matter of basic human rights as well as to promote gender equality, economic growth, and improved public health;

(2) to systematically integrate and coordinate efforts to prevent and respond to violence against women and girls internationally into United States foreign policy and foreign assistance programs, including peacebuilding efforts and humanitarian relief and recovery;

(3) to support and build local capacity in developing countries, including of governments at all levels and nongovernmental organizations, especially women-led organizations, to prevent and respond to violence against women and girls;

(4) to consult, cooperate, coordinate, and collaborate with a wide variety of nongovernmental partners with demonstrated experience in preventing and responding to violence against women and girls, including faith-based organizations and women-led organizations;

(5) to employ a multisectoral approach to preventing and responding to violence against women and girls internationally, including activities in the economic, education, health, nutrition, legal, and judicial sectors;

(6) to work at all levels, from the individual to the family, community, local, national and international levels, to prevent and respond to violence against women and girls around the globe;

(7) to enhance training by United States personnel of professional foreign military and police forces and judicial officials to include specific and thorough instruction on preventing and responding to violence against women and girls around the world;

(8) to engage men and boys as partners, as an essential element of making sustained reductions in violence against women and girls;

(9) to include the prevention of early and forced marriage as an important part of United States Government efforts to prevent violence against girls and promote gender equality and global health;

(10) to require that all United States contractors and grantees establish appropriate policies and take effective measures to prevent violence against women and girls and sexual exploitation and abuse within their workforce;

(11) to exert sustained international leadership to prevent and respond to violence against women and girls, including in bilateral and multilateral fora;

(12) to implement the United States Strategy to Prevent and Respond to Gender-based Violence Globally; and

(13) to implement the United States National Action Plan on Women, Peace, and Security.

PART I—OFFICIAL DESIGNATIONS AND INSTITUTIONAL CHANGES

SEC. 1093. OFFICE OF GLOBAL WOMEN'S ISSUES.

(a) ESTABLISHMENT.—The Secretary of State shall establish in the Office of the Secretary of the Department of State an Office of Global Women's Issues (in this section referred to as the ''Office''). The Office shall be headed by an Ambassador-at-Large for Global Women's Issues, who shall be appointed by the President, by and with the advice and consent of the Senate. The Ambassador-at-Large shall report directly to the Secretary and shall have the rank and status of Ambassador-at-Large.

(b) PURPOSE.—In addition to the duties described in subsection (c) and those duties determined by the Secretary of State, the Ambassador-at-Large shall coordinate efforts of the United States Government as directed by the Secretary regarding gender integration and advancing the status of women and girls in United States foreign policy.

(c) DUTIES.—

(1) IN GENERAL.—The Ambassador-at-Large—

(A) shall direct activities, policies, programs, and funding relating to gender equality and the advancement of women and girls internationally, including those intended to prevent and respond to violence against women and girls, for all bureaus and offices of the Department of State and in the international programs of all other Federal agencies;

(B) shall actively promote and advance the full integration of gender analysis into the programs, structures, processes, and capacities of all bureaus and offices of the Department of State and in the international programs of other Federal agencies;

(C) shall direct, as appropriate, United States Government resources to respond to needs for gender integration and empowerment of women in United States Government foreign policies and international programs, including to prevent and respond to violence against women and girls internationally;

(D) may design, support, and implement activities regarding empowerment of women internationally, including for the prevention of and response to violence against women and girls internationally;

(E) shall conduct regular consultation with civil society organizations working to prevent and respond to violence against women and girls internationally;

(F) shall ensure that programs, projects, and activities designed to prevent and respond to violence against women and girls internationally are subject to rigorous monitoring and evaluation, and that there is a uniform set of indicators and standards for such monitoring and evaluation that is used across all Federal agencies;

(G) shall serve as the principal advisor to the Secretary of State regarding gender equality, women's empowerment, and violence against women and girls as a foreign policy matter; and

(H) is authorized to represent the United States in diplomatic and multilateral fora on matters relevant to the status of women

and girls, including violence against women and girls internationally.

(2) INFORMATION SHARING AND TRANSPARENCY.—The Office shall be the central repository of data on all United States programs, projects, and activities that relate to prevention and response to violence against women and girls, and shall produce a full accounting of United States Government spending on such programs, projects, and activities.

SEC. 1094. SENIOR COORDINATOR FOR GENDER EQUALITY AND WOMEN'S EMPOWERMENT.

(a) ESTABLISHMENT.—There is established in the United States Agency for International Development a Senior Coordinator for Gender Equality and Women's Empowerment, who shall report to the Administrator of the United States Agency for International Development and who shall conduct the activities of the Administrator under this subtitle.

(b) IN GENERAL.—The Senior Coordinator for Gender Equality and Women's Empowerment—

(1) shall direct activities, policies, programs, and funding of the United States Agency for International Development relating to gender equality and women's empowerment, including those intended to prevent and respond to violence against women and girls;

(2) shall actively promote and advance the full integration of gender analysis into the programs, structures, processes, and capacities of all bureaus and offices of the Agency as dictated by the USAID Gender Equality and Female Empowerment Policy;

(3) shall direct Agency resources for gender equality and women's empowerment, including to prevent and respond to violence against women and girls internationally;

(4) may design, support, and implement activities led by the Agency regarding gender equality and women's empowerment, including for the prevention and response of violence against women and girls internationally;

(5) shall conduct regular consultation with civil society organizations working to prevent and respond to violence against women and girls internationally;

(6) shall serve as the principal advisor to the Administrator regarding gender equality, women's empowerment, and violence against women and girls; and

(7) shall track and analyze monitoring and evaluation data and findings on international prevention and response programs of the Agency, consistent with Agency-wide monitoring and evaluation activities, and in order to assist in the preparation of the comprehensive strategy developed under section 1097.

SEC. 1095. BRIEFING.

Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Ambassador-at-Large and Senior Coordinator shall brief the appropriate congressional committees on international violence against women and girls prevention and response strategies, programming, and associated outcomes, and shall submit to the appropriate congressional committees an assessment of human and financial resources necessary to fulfill the purposes and duties of this subtitle.

PART II—STRATEGY, POLICY, AND PROGRAMS

SEC. 1097. UNITED STATES STRATEGY TO PREVENT AND RESPOND TO GENDER-BASED VIOLENCE GLOBALLY.

(a) GLOBAL STRATEGY REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for five years, the Ambassador-at-Large, in consultation with the Senior Coordinator, shall develop or update a United States global strategy to prevent and respond to violence against women and girls. Such strategy shall be transmitted to the appropriate congressional committees and made publicly available on the Internet.

(b) INITIAL STRATEGY.—For the purposes of this section, the ''United States Strategy to Prevent and Respond to Gender-Based Violence Globally'', issued in August 2012, shall be deemed to fulfill the initial requirement of subsection (a).

(c) IMPLEMENTATION PLAN.—Not later than 60 days after submission of the strategy under subsection (a), the Ambassador-at-Large, in consultation with the Senior Coordinator, shall submit to the appropriate congressional committees an implementation plan detailing how the strategy will be implemented in the upcoming five fiscal years, including the budget resources requested, and the specific activities to be supported, by each Executive agency under the strategy.

(d) COLLABORATION AND COORDINATION.—In developing the strategy under subsection (a), the Ambassador-at-Large and Senior Coordinator shall consult with—

(1) the heads of relevant Federal agencies;

(2) the Senior Policy Operating Group on Trafficking in Persons; and

(3) representatives of civil society and multi-lateral organizations with demonstrated experience in addressing violence against women and girls or promoting gender equality internationally.

(e) CONTENT.—The implementation plan required under subsection (c) shall—

(1) identify eligible low-income and lower-middle income countries with significant levels of violence against women and girls, including within displaced communities, that have the governmental or nongovernmental organizational capacity to manage and implement gender-based violence prevention and response program activities and should, when possible, be geographically, ethnically, and culturally diverse from one another;

(2) select 5 to 20 of the eligible countries identified under paragraph (1) in which to develop comprehensive and holistic individual country plans that incorporate at least two of the program activities listed in section 1098(b);

(3) assess and describe the current or potential capacity of the government of each eligible country selected under paragraph (2) and civil society organizations in each such eligible country to address and respond to violence against women and girls;

(4) identify coordination mechanisms with Federal agencies that—

(A) have existing programs relevant to the strategy;

(B) will be involved in new program activities; and

(C) are engaged in broader United States strategies around development;

(5) describe the monitoring and evaluation mechanisms established for each eligible country, and their intended use in assessing overall progress in prevention and response;

(6) project general levels of resources needed to achieve the stated objectives in each eligible country, including an accounting of—

(A) activities and funding already expended by the Department of State, the United States Agency for International Development, other Federal agencies, other donor country governments, and other multilateral institutions; and

(B) leveraged private sector resources;

(7) integrate gender analysis into the strategy for each country; and

(8) include, as appropriate, strategies designed to accommodate the needs of stateless, disabled, internally displaced, refugee, or religious or ethnic minority women and girls.

SEC. 1098. IMPLEMENTATION OF THE UNITED STATES STRATEGY TO PREVENT AND RESPOND TO GENDER-BASED VIOLENCE GLOBALLY.

(a) IN GENERAL.—The Secretary of State and the Administrator of the United States Agency for International Development are authorized to provide assistance to prevent and respond to violence against women and girls internationally.

(b) PROGRAM ACTIVITIES SUPPORTED.—Assistance provided to each country selected under subsection 1097(e)(2) should include at least two of the following activities:

(1) Development and implementation of programs that work to change social norms and attitudes so that violence against women and girls is neither condoned nor tolerated.

(2) Promotion of accessible quality educational and literacy opportunities for women and girls.

(3) Promotion of access to economic opportunities, including by increasing distribution, credit, property, and inheritance rights for women and girls.

(4) Development and enforcement of civil and criminal legal and judicial sanctions, protections, trainings, and capacity.

(5) Enhancement of the health sector capacity to detect, prevent, and respond to violence against women and girls.

(c) BUILDING LOCAL CAPACITY.—Not less than 10 percent of the amount of assistance provided to an eligible country under this section should be provided to community-based nongovernmental organizations, with priority given to nongovernmental organizations led by women.

SEC. 1099. MONITORING THE UNITED STATES STRATEGY TO PREVENT AND RESPOND TO GENDER-BASED VIOLENCE GLOBALLY.

(a) IN GENERAL.—In each strategy submitted under section 1097(a), the Ambassador-at-Large and Senior Coordinator shall include an analysis of best practices for preventing and addressing violence against women and girls internationally, which shall include—

(1) a description of successful efforts by foreign governments, multilateral institutions, nongovernmental organizations, educational organizations, and faith-based organizations in preventing and responding to violence against women and girls;

(2) recommendations related to best practices, effective strategies, and improvements to enhance the impact of prevention and response efforts; and

(3) the impact of activities funded by the strategy in preventing and reducing violence against women and girls internationally.

(b) AMENDMENTS.—The Foreign Assistance Act of 1961 is amended—

(1) in section 116(d) (22 U.S.C. 2151n(d))—

(A) in paragraph (11)(C), by striking ''and'' at the end;

(B) in paragraph (12)(C)(ii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(13) wherever applicable, the nature and extent of violence against women and girls.''; and

(2) in section 502B (22 U.S.C. 2304)—

(A) by redesignating the second subsection designated as subsection (i) as subsection (j); and

(B) by adding at the end the following new subsection:

''(k) INCLUSION OF INFORMATION RELATING TO VIOLENCE AGAINST WOMEN AND GIRLS.—The report required by subsection (b) shall include, wherever applicable, the nature and extent of violence against women and girls.''.

(c) MONITORING AND EVALUATION.—In coordination with relevant officials, and consistent with the monitoring and evaluation policies of their respective agencies, the Ambassador-at-Large and the Senior Coordinator shall develop a plan for monitoring and independent evaluation of programs, projects, and activities carried out under this subtitle. The plan shall—

(1) apply rigorous monitoring and evaluation methodologies to focus on learning, accountability, and policymaking, choosing from among a wide variety of qualitative, quantitative, summative, and formative methods common in the field of social scientific inquiry, including impact evaluations; and

(2) be included in the implementation plan required under section 1097(c).

(d) RESEARCH AND DATA COLLECTION.—The Secretary and the Administrator shall—

(1) produce original research or analysis of effective interventions to prevent or respond to violence against women and girls internationally;

(2) collect and analyze new or existing data on the scope and extent of all forms of violence against women and girls internationally, including under-documented forms of violence and violence against marginalized groups;

(3) conduct research on effective interventions to respond to violence against women and girls internationally, including efforts to scale up effective programming; and

(4) support systemic data collection using internationally comparable indicators, norms, and methodologies for measuring the scope, prevalence, and incidence of violence against women and girls internationally.

SA 3947. Mr. WYDEN (for himself, Mr. PAUL, Mr. UDALL of Colorado, Ms. BALDWIN, Mr. BROWN, Mr. HARKIN, Mr. HEINRICH, Mr. MERKLEY, Mr. SANDERS, Mr. TESTER, Mr. UDALL of New Mexico, Mr. WALSH, and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 2685, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS TO CONDUCT WARRANTLESS SEARCHES FOR THE COMMUNICATIONS OF UNITED STATES PERSONS.

Section 702(b) (50 U.S.C. 1881a(b)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting such subparagraphs, as so redesignated, an additional two ems from the left margin;

(2) by striking ''An acquisition'' and inserting the following:

''(1) IN GENERAL.—An acquisition''; and

(3) by adding at the end the following:

''(2) CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS OF UNITED STATES PERSONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), no officer or employee of the United States may conduct a search of a collection of communications acquired under this section in an effort to find communications of a particular United States person (other than a corporation).

''(B) CONCURRENT AUTHORIZATION AND EXCEPTION FOR EMERGENCY SITUATIONS.—Subparagraph (A) shall not apply to a search for communications related to a particular United States person if—

''(i) such United States person is the subject of an order or emergency authorization authorizing electronic surveillance or physical search under section 105, 304, 703, 704, or 705 of this Act, or under title 18, United States Code, for the effective period of that order;

''(ii) the entity carrying out the search has a reasonable belief that the life or safety of such United States person is threatened and the information is sought for the purpose of assisting that person; or

''(iii) such United States person has consented to the search.''.

SA 3948. Mr. CHAMBLISS (for himself, Mr. MCCONNELL, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2685, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''FISA Improvements Act of 2014''.

SEC. 2. SUPPLEMENTAL PROCEDURES FOR ACQUISITION OF CERTAIN BUSINESS RECORDS FOR COUNTERTERRORISM PURPOSES.

(a) SUPPLEMENTAL PROCEDURES FOR ACQUISITION OF CERTAIN BUSINESS RECORDS FOR INTERNATIONAL TERRORISM INVESTIGATIONS.—Section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) is amended by adding at the end the following:

''(i) GENERAL PROHIBITION ON BULK COLLECTION OF COMMUNICATION RECORDS.—No order issued pursuant to an application made under subsection (a) may authorize the acquisition in bulk of wire communication or electronic communication records from an entity that provides an electronic communication service to the public if such order does not name or otherwise identify either individuals or facilities, unless such order complies with the supplemental procedures under subsection (j).

''(j) AUTHORIZATION FOR BULK COLLECTION OF NON-CONTENT METADATA.—

''(1) SUPPLEMENTAL PROCEDURES.—Any order directed to the Government under subsection (a) that authorizes the acquisition in bulk of wire communication or electronic communication records, which shall not include the content of such communications, shall be subject to supplemental procedures, which are in addition to any other requirements or procedures imposed by this Act, as follows:

''(A) CONTENT PROHIBITION.—Such an order shall not authorize the acquisition of the content of any communication.

''(B) AUTHORIZATION AND RENEWAL PERIODS.—Such an order—

''(i) shall be effective for a period of not more than 90 days; and

''(ii) may be extended by the court on the same basis as an original order upon an application under this title for an extension and new findings by the court in accordance with subsection (c).

''(C) SECURITY PROCEDURES FOR ACQUIRED DATA.—Information acquired pursuant to such an order (other than information properly returned in response to a query under subparagraph (D)(iii)) shall be retained by the Government in accordance with security procedures approved by the court in a manner designed to ensure that only authorized personnel will have access to the information in the manner prescribed by this section and the court's order.

''(D) LIMITED ACCESS TO DATA.—Access to information retained in accordance with the procedures described in subparagraph (C) shall be prohibited, except for access—

''(i) to perform a query using a selector for which a recorded determination has been made that there is a reasonable articulable suspicion that the selector is associated with international terrorism or activities in preparation therefor;

''(ii) to return information as authorized under paragraph (3); or

''(iii) as may be necessary for technical assurance, data management or compliance purposes, or for the purpose of narrowing the results of queries, in which case no information produced pursuant to the order may be accessed, used, or disclosed for any other purpose, unless the information is responsive to a query authorized under paragraph (3).

''(2) RECORD REQUIREMENT.—

''(A) DETERMINATION.—For any determination made pursuant to paragraph (1)(D)(i), a record shall be retained of the selector, the identity of the individual who made the determination, the date and time of the determination, and the information indicating that, at the time of the determination, there was a reasonable articulable suspicion that the selector was associated with international terrorism or activities in preparation therefor.

''(B) QUERY.—For any query performed pursuant to paragraph (1)(D)(i), a record shall be retained of the identity of the individual who made the query, the date and time of the query, and the selector used to perform the query.

''(3) SCOPE OF PERMISSIBLE QUERY RETURN INFORMATION.—For any query performed pursuant to paragraph (1)(D)(i), the query only may return information concerning communications—

''(A) to or from the selector used to perform the query;

''(B) to or from a selector in communication with the selector used to perform the query; or

''(C) to or from any selector reasonably linked to the selector used to perform the query, in accordance with the court approved minimization procedures required under subsection (g).

''(4) LIMITS ON PERSONNEL AUTHORIZED TO MAKE DETERMINATIONS OR PERFORM QUERIES.—A court order issued pursuant to an application made under subsection (a), and subject to the requirements of this subsection, shall impose strict, reasonable limits, consistent with operational needs, on the number of Government personnel authorized to make a determination or perform a query pursuant to paragraph (1)(D)(i). The Director of National Intelligence shall ensure that each such personnel receives comprehensive training on the applicable laws, policies, and procedures governing such determinations and queries prior to exercising such authority.

''(5) AUTOMATED REPORTING.—

''(A) REQUIREMENT FOR AUTOMATED REPORTING.—The Director of the National Intelligence, in consultation with the head of the agency responsible for acquisitions pursuant to orders subject to the requirements of this

subsection, shall establish a technical procedure whereby the aggregate number of queries performed pursuant to this subsection in the previous quarter shall be recorded automatically, and subsequently reported to the appropriate committees of Congress.

''(B) AVAILABILITY UPON REQUEST.—The information reported under subparagraph (A) shall be available to each of the following upon request:

''(i) The Inspector General of the National Security Agency.

''(ii) The Inspector General of the Intelligence Community.

''(iii) The Inspector General of the Department Justice.

''(iv) Appropriate officials of the Department of Justice.

''(v) Appropriate officials of the National Security Agency.

''(vi) The Privacy and Civil Liberties Oversight Board.

''(6) COURT REVIEW OF RECORDS.—

''(A) REQUIREMENT TO PROVIDE RECORDS.—In accordance with minimization procedures required by subsection (g), and subject to subparagraph (B), a copy of each record for a determination prepared pursuant to paragraph (2)(A) shall be promptly provided to the court established under section 103(a).

''(B) RECORDS ASSOCIATED WITH UNITED STATES PERSONS.—In accordance with minimization procedures required by subsection (g), a copy of each record for a determination prepared pursuant to paragraph (2)(A) that is reasonably believed to be associated with a particular, known United States person shall be promptly provided the court established under section 103(a), but no more than 7 days after the determination.

''(C) REMEDY FOR IMPROPER DETERMINATIONS.—If the court finds that the record of the determination indicates the determination did not meet the requirements of this section or is otherwise unlawful, the court may order that production of records under the applicable order be terminated or modified, that the information returned in response to queries using the selector identified in the determination be destroyed, or another appropriate remedy.

''(7) RECORD RETENTION AND QUERY RESTRICTIONS.—

''(A) RECORD RETENTION.—All records and information produced pursuant to an order subject to this subsection, other than the results of queries as described in paragraph (3), shall be retained no longer than 5 years from the date of acquisition.

''(B) QUERY RESTRICTIONS.—The Government shall not query any data acquired under this subsection and retained in accordance with the procedures described in paragraph (1)(C) more than 3 years after such data was acquired unless the Attorney General determines that the query meets the standard set forth in paragraph (1)(D)(i).

''(8) CONGRESSIONAL OVERSIGHT.—A copy of each order issued pursuant to an application made under subsection (a), and subject to the requirements of this subsection, shall be provided to the appropriate committees of Congress.

''(9) DEFINITIONS.—In this subsection:

''(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(i) the Committee on the Judiciary and the Select Committee on Intelligence of the Senate; and

''(ii) the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives.

''(B) CONTENT.—The term 'content', with respect to a communication—

''(i) means any information concerning the substance, purport, or meaning of that communication; and

''(ii) does not include any dialing, routing, addressing, signaling information.

''(C) ELECTRONIC COMMUNICATION.—The term 'electronic communication' has the meaning given that term in section 2510 of title 18, United States Code.

''(D) ELECTRONIC COMMUNICATION SERVICE.—The term 'electronic communication service' has the meaning given that term in section 2510 of title 18, United States Code.

''(E) SELECTOR.—The term 'selector' means an identifier, such as a phone number or electronic account identifier, that is associated with a particular communicant or facility.

''(F) UNITED STATES PERSON.—The term 'United States person' has the meaning given that term in section 101 of this Act.

''(G) WIRE COMMUNICATION.—The term 'wire communication' has the meaning given that term in section 2510 of title 18, United States Code.''.

(b) ANNUAL UNCLASSIFIED REPORT.—Section 502(c)(1) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1862(c)(1)) is amended—

(1) in subparagraph (A), by striking ''and'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(C) for each order subject to the supplemental procedures under section 501(j)—

''(i) the number of unique selectors for which a recorded determination has been made under section 501(j)(1)(D)(i) that reasonable articulable suspicion exists that the selector is associated with international terrorism or activities in preparation therefor;

''(ii) the aggregate number of queries performed pursuant to such section;

''(iii) the aggregate number of investigative leads developed as a direct result of any query performed pursuant to subsection (j)(1)(D)(i); and

''(iv) the aggregate number of warrants or court orders, based upon a showing of probable cause, issued pursuant to title I or III of this Act or chapter 119, 121, or 205 of title 18, United States Code, in response to applications for such warrants or court orders containing information produced by such queries.''.

SEC. 3. ENHANCED CRIMINAL PENALTIES FOR UNAUTHORIZED ACCESS TO COLLECTED DATA.

Section 1030 of title 18, United States Code, is amended as follows:

(1) Subsection (a) is amended—

(A) in paragraph (5)(C), by striking the period at the end and inserting a semicolon;

(B) in paragraph (7)(C), by adding ''or'' at the end; and

(C) by inserting after paragraph (7)(C) the following:

''(8) accesses a computer without authorization or exceeds authorized access and thereby obtains information from any department or agency of the United States knowing or having reason to know that such computer was operated by or on behalf of the United States and that such information was acquired by the United States pursuant to the Foreign Intelligence Surveillance Act (50 U.S.C. 1801 et seq.) pursuant to an order issued by a court established under section 103 of that Act (50 U.S.C. 1803).''.

(2) Subsection (c) is amended—

(A) in paragraph (4)(G)(ii), by striking the period at the end and inserting a semicolon and ''or''; and

(B) by adding at the end the following:

''(5) a fine under this title, imprisonment for not more than 10 years, or both, in the case of an offense under subsection (a)(8) of this section.''.

SEC. 4. APPOINTMENT OF AMICUS CURIAE.

Section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803) is amended by adding at the end the following:

''(i) AMICUS CURIAE.—

''(1) AUTHORIZATION.—Notwithstanding any other provision of law, a court established under subsection (a) or (b) is authorized, consistent with the requirement of subsection (c) and any other statutory requirement that the court act expeditiously or within a stated time, to appoint amicus curiae to assist the court in the consideration of a covered matter.

''(2) DEFINITIONS.—In this subsection:

''(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(i) the Committee on the Judiciary and the Select Committee on Intelligence of the Senate; and

''(ii) the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives.

''(B) COVERED MATTER.—The term 'covered matter' means a matter before a court established under subsection (a) or (b)—

''(i) that, in the opinion of such a court, presents a legal or technical issue regarding which the court's deliberations would benefit from participation by an amicus curiae; and

''(ii) that pertains to—

''(I) an application for an order under this title, title III, IV, or V of this Act, or section 703 or 704 of this Act;

''(II) a review of a certification or procedures under section 702 of this Act; or

''(III) a notice of non-compliance with any such order, certification, or procedures.

''(3) DESIGNATION.—The courts established by subsection (a) and (b) shall each designate 1 or more individuals who have been determined by appropriate executive branch officials to be eligible for access to classified national security information, including sensitive compartmented information, who may be appointed to serve as amicus curiae. In appointing an amicus curiae pursuant to paragraph (1), the court may choose from among those so designated.

''(4) EXPERTISE.—An individual appointed as an amicus curiae under paragraph (1) may be a special counsel or an expert on privacy and civil liberties, intelligence collection, telecommunications, or any other area that may lend legal or technical expertise to the court.

''(5) DUTIES.—An amicus curiae appointed under paragraph (1) to assist with the consideration of a covered matter shall carry out the duties assigned by the appointing court. That court may authorize, to the extent consistent with the case or controversy requirements of Article III of the Constitution of the United States and the national security of the United States, the amicus curiae to review any application, certification, petition, motion, or other submission that the court determines is relevant to the duties assigned by the court.

''(6) NOTIFICATION.—A court established under subsection (a) or (b) shall notify the Attorney General of each exercise of the authority to appoint an amicus curiae under paragraph (1).

''(7) ASSISTANCE.—A court established under subsection (a) or (b) may request and receive (including on a non-reimbursable basis) the assistance of the executive branch in the implementation of this subsection.

''(8) ADMINISTRATION.—A court established under subsection (a) or (b) may provide for the designation, appointment, removal, training, support, or other administration of an amicus curiae appointed under paragraph (1) in a manner that is not inconsistent with this subsection.

''(9) CONGRESSIONAL OVERSIGHT.—The Attorney General shall submit to the appropriate committees of Congress an annual report on the number of notices described in paragraph (6) received by Attorney General for the preceding 12-month period.''.

SEC. 5. CONSOLIDATION OF CONGRESSIONAL OVERSIGHT PROVISIONS UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

(a) REPEAL OF CONGRESSIONAL OVERSIGHT PROVISIONS.—

(1) REPEAL.—The Foreign Intelligence Surveillance Act of 1978 is amended by striking sections 107, 108, 306, and 406 (50 U.S.C. 1807, 1808, 1826, and 1846).

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978 is amended by striking the items relating to sections 107, 108, 306, and 406.

(b) SEMIANNUAL REPORT OF THE ATTORNEY GENERAL.—Section 601 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1871) is amended to read as follows:

''SEC. 601. SEMIANNUAL REPORT OF THE ATTORNEY GENERAL.

''(a) IN GENERAL.—

''(1) INFORMATION.—On a semiannual basis, the Attorney General shall submit to the appropriate committees of Congress a report pursuant to paragraph (2) concerning all electronic surveillance, physical searches, and uses of pen registers and trap and trace devices conducted under this Act.

''(2) REPORT.—The report required by paragraph (1) shall include the following:

''(A) ELECTRONIC SURVEILLANCE.—The total number of—

''(i) applications made for orders approving electronic surveillance under this Act;

''(ii) such orders either granted, modified, or denied;

''(iii) proposed applications for orders for electronic surveillance submitted pursuant to Rule 9(a) of the Rules of Procedure for the Foreign Intelligence Surveillance Court, or any successor rule, that are not formally presented in the form of a final application under Rule 9(b) of the Rules of Procedure for the Foreign Intelligence Surveillance Court, or any successor rule;

''(iv) named United States person targets of electronic surveillance;

''(v) emergency authorizations of electronic surveillance granted under this Act and the total number of subsequent orders approving or denying such electronic surveillance; and

''(vi) new compliance incidents arising from electronic surveillance under this Act.

''(B) PHYSICAL SEARCHES.—The total number of—

''(i) applications made for orders approving physical search under this Act;

''(ii) such orders either granted, modified, or denied;

''(iii) proposed applications for orders for physical searches submitted pursuant to Rule 9(a) of the Rules of Procedure for the Foreign Intelligence Surveillance Court, or any successor rule, that are not formally presented in the form of a final application under Rule 9(b) of the Rules of Procedure for the Foreign Intelligence Surveillance Court, or any successor rule;

''(iv) named United States person targets of physical searches;

''(v) emergency authorizations of physical searches granted under this Act and the total number of subsequent orders approving or denying such physical searches; and

''(vi) new compliance incidents arising from physical searches under this Act.

''(C) PEN REGISTER AND TRAP AND TRACE DEVICES.—The total number of—

''(i) applications made for orders approving the use of pen registers or trap and trace devices under this Act;

''(ii) such orders either granted, modified, or denied;

''(iii) proposed applications for orders for pen registers or trap and trace devices submitted pursuant to Rule 9(a) of the Rules of Procedure for the Foreign Intelligence Surveillance Court, or any successor rule, that are not formally presented in the form of a final application under Rule 9(b) of the Rules of Procedure for the Foreign Intelligence Surveillance Court, or any successor rule;

''(iv) named United States person targets of pen registers or trap and trace devices;

''(v) emergency authorizations of the use of pen registers or trap and trace devices granted under this Act and the total number of subsequent orders approving or denying such use of pen registers or trap and trace devices; and

''(vi) new compliance incidents arising from the use of pen registers or trap and trace devices under this Act.

''(D) COMPLIANCE INCIDENTS.—A summary of each compliance incident reported under subparagraphs (A)(vi), (B)(vi), and (C)(vi).

''(E) SIGNIFICANT LEGAL INTERPRETATIONS.—A summary of significant legal interpretations of this Act involving matters before the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review, including interpretations presented in applications or pleadings filed with the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review.

''(b) SUBMISSIONS OF SIGNIFICANT DECISIONS, ORDERS, AND OPINIONS.—The Attorney General shall submit to the appropriate committees of Congress a copy of any decision, order, or opinion issued by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review that includes a significant construction or interpretation of any provision of this Act, and any pleadings, applications, or memoranda of law associated with such decision, order, or opinion, not later than 45 days after such decision, order, or opinion is issued.

''(c) PROTECTION OF NATIONAL SECURITY.—The Director of National Intelligence, in consultation with the Attorney General, may authorize redactions of materials described in subsection (b) that are provided to the appropriate committees of Congress if such redactions are necessary to protect properly classified information.

''(d) AVAILABILITY TO MEMBERS OF CONGRESS.—Consistent with the rules and practices of the Senate and the House of Representatives, each report submitted pursuant to subsection (a)(2) and each submission made pursuant to subsection (b) shall be made available to every member of Congress, subject to appropriate procedures for the storage and handling of classified information.

''(e) PUBLIC REPORT.—

''(1) IN GENERAL.—Subject to paragraph (2), the Attorney General, in consultation with the Director of National Intelligence, shall make available to the public an unclassified annual summary of the reports submitted under subsection (a) that, to the maximum extent practicable consistent with the protection of classified information, includes the information contained in the report submitted pursuant to subsection (a)(2).

''(2) MINIMUM REQUIREMENTS.—In each report made available to the public under paragraph (1), the Attorney General shall include, at a minimum, the information required under subparagraphs (A), (B), and (C) of subsection (a)(2), which may be presented as annual totals.

''(f) CONSTRUCTION.—Nothing in this title may be construed to limit the authority and responsibility of an appropriate committee of Congress to obtain any information required by such committee to carry out its functions and duties.

''(g) DEFINITIONS.—In this section:

''(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(A) the Select Committee on Intelligence and the Committee on the Judiciary of the Senate; and

''(B) the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives.

''(2) ELECTRONIC SURVEILLANCE.—The term 'electronic surveillance' has the meaning given that term in section 101 of this Act.

''(3) FOREIGN INTELLIGENCE SURVEILLANCE COURT.—The term 'Foreign Intelligence Surveillance Court' means the court established under section 103(a) of this Act.

''(4) FOREIGN INTELLIGENCE SURVEILLANCE COURT OF REVIEW.—The term 'Foreign Intelligence Surveillance Court of Review' means the court established under section 103(b) of this Act.

''(5) PEN REGISTER.—The term 'pen register' has the meaning given that term in section 401 of this Act.

''(6) PHYSICAL SEARCH.—The term 'physical search' has the meaning given that term in section 301 of this Act.

''(7) TRAP AND TRACE DEVICE.—The term 'trap and trace device' has the meaning given that term in section 401 of this Act.

''(8) UNITED STATES PERSON.—The term 'United States person' has the meaning given that term in section 101 of this Act.''.

(c) AVAILABILITY OR REPORTS AND SUBMISSIONS.—

(1) IN GENERAL.—Title VI of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1871) is amended by adding after section 601 the following:

''SEC. 602. AVAILABILITY OF REPORTS AND SUBMISSIONS.

''(a) AVAILABILITY TO MEMBERS OF CONGRESS.—Consistent with the rules and practices of the Senate and the House of Representatives, each submission to Congress made pursuant to section 502(b), 702(l)(1), or 707 shall be made available, to every member of Congress, subject to appropriate procedures for the storage and handling of classified information.

''(b) PUBLIC REPORT.—The Attorney General or the Director of National Intelligence, as appropriate, shall make available to the public unclassified reports that, to the maximum extent practicable consistent with the protection of classified information, include the information contained in each submission to Congress made pursuant to section 502(b), 702(l)(1), or 707.''.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978 is amended by inserting after the item relating to section 601 the following:

''Sec. 602. Availability of reports and submissions.''.

SEC. 6. RESTRICTIONS ON QUERYING THE CONTENTS OF CERTAIN COMMUNICATIONS.

Section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a) is amended by adding at the end the following:

''(m) QUERIES.—

''(1) LIMITATION ON QUERY TERMS THAT IDENTIFY A UNITED STATES PERSON.—A query of the contents of communications acquired under this section with a selector known to be used by a United States person may be conducted by personnel of elements of the Intelligence Community only if the purpose of the query is to obtain foreign intelligence information or information necessary to understand foreign intelligence information or to assess its importance.

''(2) RECORD.—

''(A) IN GENERAL.—For any query performed pursuant to paragraph (1) a record shall be retained of the identity of the Government personnel who performed the query, the date and time of the query, and the information indicating that the purpose of the query was to obtain foreign intelligence information or information necessary to understand foreign intelligence information or to assess its importance.

''(B) AVAILABILITY.—Each record prepared pursuant to subparagraph (A) shall be made available to the Department of Justice, the Office of the Director of National Intelligence, appropriate Inspectors General, the Foreign Intelligence Surveillance Court, and the appropriate committees of Congress.

''(3) CONSTRUCTION.—Nothing in this subsection may be construed—

''(A) to prohibit access to data collected under this section as may be necessary for technical assurance, data management or compliance purposes, or for the purpose of narrowing the results of queries, in which case no information produced pursuant to the order may be accessed, used, or disclosed other than for such purposes;

''(B) to limit the authority of a law enforcement agency to conduct a query for law enforcement purposes of the contents of communications acquired under this section; or

''(C) to limit the authority of an agency to conduct a query for the purpose of preventing a threat to life or serious bodily harm to any person.

''(4) DEFINITIONS.—In this subsection:

''(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(i) the Select Committee on Intelligence and the Committee on the Judiciary of the Senate; and

''(ii) the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives.''.

''(B) CONTENT.—The term 'content', with respect to a communication—

''(i) means any information concerning the substance, purport, or meaning of that communication; and

''(ii) does not include any dialing, routing, addressing, or signaling information.

''(C) SELECTOR.—The term 'selector' means an identifier, such as a phone number or electronic account identifier, that is associated with a particular communicant or facility.''.

SEC. 7. TEMPORARY TARGETING OF PERSONS OTHER THAN UNITED STATES PERSONS TRAVELING INTO THE UNITED STATES.

(a) IN GENERAL.—Section 105 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1805) is amended—

(1) by redesignating subsections (f), (g), (h), and (i) as subsections (g), (h), (i), and (j), respectively; and

(2) by inserting after subsection (e) the following:

''(f)(1) Notwithstanding any other provision of this Act, acquisition of foreign intelligence information by targeting a non-United States person reasonably believed to be located outside the United States that was lawfully initiated by an element of the intelligence community may continue for a transitional period not to exceed 72 hours from the time when it is recognized that the non-United States person is reasonably believed to be located inside the United States and that the acquisition is subject to this title or title III of this Act, provided that the head of the element determines that there exists an exigent circumstance and—

''(A) there is reason to believe that the target of the acquisition has communicated or received or will communicate or receive foreign intelligence information relevant to the exigent circumstance; and

''(B) it is determined that a request for emergency authorization from the Attorney General in accordance with the terms of this Act is impracticable in light of the exigent circumstance.

''(2) The Director of National Intelligence or the head of an element of the intelligence community shall promptly notify the Attorney General of the decision to exercise the authority under this section and shall request emergency authorization from the Attorney General pursuant to this Act as soon as practicable, to the extent such request is warranted by the facts and circumstances.

''(3) Subject to subparagraph (4), the authority under this section to continue acquisition of foreign intelligence information is limited to 72 hours. However, if the Attorney General authorizes an emergency acquisition pursuant to this Act, then acquisition of foreign intelligence information may continue for the period of time that the Attorney General's emergency authorization or any subsequent court order authorizing the acquisition remains in effect.

''(4) The authority to acquire foreign intelligence information under this subsection shall terminate upon any of the following, whichever occurs first—

''(A) 72 hours have elapsed since the commencement of the transitional period;

''(B) the Attorney General has directed that the acquisition be terminated; or

''(C) the exigent circumstance is no longer reasonably believed to exist.

''(5) If the Attorney General authorizes an emergency authorization during the transitional period, the acquisition of foreign intelligence shall continue during any transition to, and consistent with, the Attorney General emergency authorization or court order.

''(6) Any information of or concerning unconsenting United States persons acquired during the transitional period may only be disseminated during the transitional period if necessary to investigate, prevent, reduce, or eliminate the exigent circumstance or if it indicates a threat of death or serious bodily harm to any person.

''(7) In the event that during the transition period a request for an emergency authorization from the Attorney General pursuant to this Act for continued acquisition of foreign intelligence is not approved or an order from a court is not obtained to continue the acquisition, information obtained during the transitional period shall not be retained, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(8) The Attorney General shall assess compliance with the requirements of paragraph (7).''.

(b) NOTIFICATION OF EMERGENCY EMPLOYMENT OF ELECTRONIC SURVEILLANCE.—Section 106(j) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1806(j)) is amended by striking ''section 105(e)'' and inserting ''subsection (e) or (f) of section 105''.

SEC. 8. ANNUAL REPORTS ON VIOLATIONS OF LAW OR EXECUTIVE ORDER.

(a) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by adding at the end the following:

''SEC. 503. ANNUAL REPORT ON VIOLATIONS OF LAW OR EXECUTIVE ORDER.

''(a) ANNUAL REPORTS REQUIRED.—The Director of National Intelligence shall annually submit to the congressional intelligence committees a report on violations of law or executive order relating to intelligence activities by personnel of an element of the intelligence community that were identified during the previous calendar year.

''(b) ELEMENTS.—Each report submitted under subsection (a) shall, consistent with the need to preserve ongoing criminal investigations, include a description of, and any action taken in response to, any violation of law or executive order (including Executive Order No. 12333 (50 U.S.C. 3001 note)) relating to intelligence activities committed by personnel of an element of the intelligence community in the course of the employment of such personnel that, during the previous calendar year, was—

''(1) determined by the director, head, or general counsel of any element of the intelligence community to have occurred;

''(2) referred to the Department of Justice for possible criminal prosecution; or

''(3) substantiated by the inspector general of any element of the intelligence community.''.

(b) INITIAL REPORT.—The first report required under section 503 of the National Security Act of 1947, as added by subsection (a), shall be submitted not later than one year after the date of the enactment of this Act.

(c) GUIDELINES.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the head of each element of the intelligence community, shall—

(1) issue guidelines to carry out section 503 of the National Security Act of 1947, as added by subsection (a); and

(2) submit such guidelines to the congressional intelligence committees.

(d) TABLE OF CONTENTS AMENDMENT.—The table of sections in the first section of the National Security Act of 1947 is amended by adding after the item relating to section 502 the following new item:

''Sec. 503. Annual report on violations of law or executive order.''.

(e) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to alter any requirement existing on the date of the enactment of this Act to submit a report under any provision of law.

SEC. 9. PERIODIC REVIEW OF INTELLIGENCE COMMUNITY PROCEDURES FOR THE ACQUISITION, RETENTION, AND DISSEMINATION OF INTELLIGENCE.

(a) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), as amended by section 8, is further amended by adding at the end the following:

''SEC. 504. PERIODIC REVIEW OF INTELLIGENCE COMMUNITY PROCEDURES FOR THE ACQUISITION, RETENTION, AND DISSEMINATION OF INTELLIGENCE.

''(a) HEAD OF AN ELEMENT OF THE INTELLIGENCE COMMUNITY DEFINED.—In this section, the term 'head of an element of the intelligence community' means, as appropriate—

''(1) the head of an element of the intelligence community; or

''(2) the head of the department or agency containing such element.

''(b) REVIEW OF PROCEDURES APPROVED BY THE ATTORNEY GENERAL.—

''(1) REQUIREMENT FOR IMMEDIATE REVIEW.—Each head of an element of the intelligence community that has not obtained the approval of the Attorney General for the procedures, in their entirety, required by section 2.3 of Executive Order 12333 (50 U.S.C. 3001 note) within 5 years prior to the date of the enactment of the FISA Improvements Act of 2014, shall initiate, not later than 180 days after such date of enactment, a review of the procedures for such element, in accordance with paragraph (3).

''(2) REQUIREMENT FOR REVIEW.—Not less frequently than once every 5 years, each head of an element of the intelligence community shall conduct a review of the procedures approved by the Attorney General for

such element that are required by section 2.3 of Executive Order 12333 (50 U.S.C. 3001 note), or any successor order, in accordance with paragraph (3).

''(3) REQUIREMENTS FOR REVIEWS.—In coordination with the Director of National Intelligence and the Attorney General, the head of an element of the intelligence community required to perform a review under paragraphs (1) or (2) shall—

''(A) review existing procedures for such element that are required by section 2.3 of Executive Order 12333 (50 U.S.C. 3001 note), or any successor order, to assess whether—

''(i) advances in communications or other technologies since the time the procedures were most recently approved by the Attorney General have affected the privacy protections that the procedures afford to United States persons, to include the protections afforded to United States persons whose nonpublic communications are incidentally acquired by an element of the intelligence community; or

''(ii) aspects of the existing procedures impair the acquisition, retention, or dissemination of timely, accurate, and insightful information about the activities, capabilities, plans, and intentions of foreign powers, organization, and persons, and their agents; and

''(B) propose any modifications to existing procedures for such element in order to—

''(i) clarify the guidance such procedures afford to officials responsible for the acquisition, retention, and dissemination of intelligence;

''(ii) eliminate unnecessary impediments to the acquisition, retention, and dissemination of intelligence; or

''(iii) ensure appropriate protections for the privacy of United States persons and persons located inside the United States.

''(4) NOTICE.—The Director of National Intelligence and the Attorney General shall notify the congressional intelligence committees following the completion of each review required under this section.

''(5) REQUIREMENT TO PROVIDE PROCEDURES.—Upon the implementation of any modifications to procedures required by section 2.3 of Executive Order 12333 (50 U.S.C. 3001 note), or any successor order, the head of the element of the intelligence community to which the modified procedures apply shall promptly provide a copy of the modified procedures to the congressional intelligence committees.''.

(b) CLERICAL AMENDMENT.—The table of sections in the first section of the National Security Act of 1947, as amended by section 8, is further amended by adding after the section relating to section 503 the following:

''Sec. 504. Periodic review of intelligence community procedures for the acquisition, retention, and dissemination of intelligence.''.

SEC. 10. PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD ENHANCEMENTS RELATING TO THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE OFFICIAL.—The term ''appropriate official'' means the appropriate official of an agency or department of the United States who is responsible for preparing or submitting a covered application.

(2) BOARD.—The term ''Board'' means the Privacy and Civil Liberties Oversight Board established in section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee).

(3) COVERED APPLICATION.—The term ''covered application'' means a submission to a FISA Court—

(A) that—

(i) presents a novel or significant interpretation of the law; and

(ii) relates to efforts to protect the United States from terrorism; and

(B) that is—

(i) a final application for an order under title I, III, IV, or V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) or section 703 or 704 of that Act (50 U.S.C. 1881b and 1881c);

(ii) a review of a certification or procedure under section 702 of that Act (50 U.S.C. 1881a); or

(iii) a notice of non-compliance with such an order, certification, or procedures.

(4) FISA COURT.—The term ''FISA Court'' means a court established under subsection (a) or (b) of section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803).

(b) NOTICE OF SUBMISSIONS AND ORDERS.—

(1) SUBMISSION TO FISA COURT.—Notwithstanding any provision of section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803), if a covered application is filed with a FISA Court, the appropriate official shall provide such covered application to the Board not later than the date of such filing, provided the provision of such covered application does not delay any filing with a FISA Court.

(2) FISA COURT ORDERS.—Notwithstanding any provision of section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803), the appropriate official shall provide to the Board each order of a FISA Court related to a covered application.

(c) DISCRETIONARY ASSESSMENT OF THE BOARD.—

(1) NOTICE OF DECISION TO CONDUCT ASSESSMENT.—Upon receipt of a covered application under subsection (b)(1), the Board shall—

(A) elect whether to conduct the assessment described in paragraph (3); and

(B) submit to the appropriate official a notice of the Board's election under subparagraph (A).

(2) TIMELY SUBMISSION.—The Board shall in a timely manner prepare and submit to the appropriate official—

(A) the notice described in paragraph (1)(B); and

(B) the associated assessment, if the Board elects to conduct such an assessment.

(3) CONTENT.—An assessment of a covered application prepared by the Board shall address whether the covered application is balanced with the need to protect privacy and civil liberties, including adequate supervision and guidelines to ensure protection of privacy and civil liberties.

(d) ANNUAL REVIEW.—The Board shall conduct an annual review of the activities of the National Security Agency related to information collection under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

(e) PROVISION OF COMMUNICATIONS SERVICES AND OFFICE SPACE TO CERTAIN MEMBERS OF PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.—Section 1061(g) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(g)) is amended by adding at the end the following:

''(5) PROVISION OF COMMUNICATIONS SERVICES AND OFFICE SPACE.—The Director of National Intelligence shall provide to each member of the Board who resides more than 100 miles from the District of Columbia such communications services and office space as may be necessary for the member to access and use classified information. Such services and office space shall be located at an existing secure government or contractor facility located within the vicinity of such member's place of residence.''.

SEC. 11. EXTENSION OF SUNSETS OF PROVISIONS RELATING TO ACCESS TO BUSINESS RECORDS, INDIVIDUAL TERRORISTS AS AGENTS OF FOREIGN POWERS, AND ROVING WIRETAPS.

(a) USA PATRIOT IMPROVEMENT AND REAUTHORIZATION ACT OF 2005.—Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 50 U.S.C. 1805 note, 50 U.S.C. 1861 note, and 50 U.S.C. 1862 note) is amended by striking ''June 1, 2015,'' and inserting ''December 31, 2017,''.

(b) INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—Section 6001(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3742; 50 U.S.C. 1801 note) is amended by striking ''June 1, 2015.'' and inserting ''December 31, 2017.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 18, 2014, at 2:30 p.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on November 18, 2014, at 2:30 p.m.

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

SUBCOMMITTEE ON TAXATION AND IRS OVERSIGHT

Mr. CARDIN. Mr. President, I ask unanimous consent that the Subcommittee on Taxation and IRS Oversight of the Committee on Finance be authorized to meet during the session of the Senate on November 18, 2014, at 2:30 p.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Tax Relief after a Disaster: How Individuals, Small Businesses, and Communities Recover.''

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

PRIVILEGES OF THE FLOOR

Mr. CARDIN. Mr. President, I ask unanimous consent that floor privileges be granted to Timothy A. Zink, a member of my legislative staff, during Senate consideration of S. 2280, the Keystone XL Pipeline approval bill.

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

Mr. HARKIN. Mr. President, I ask unanimous consent that Leela Baggett, Vincent Brown, and Naomi Pitkin, interns with the Senate Health, Education, Labor, and Pensions Committee, be granted floor privileges for the remainder of today's session.

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

Mrs. MURRAY. Mr. President, I ask unanimous consent that Denise Dickenson, a fellow in my office, be granted the privilege of the floor until January 26, 2015.

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

PERMITTING THE COLLECTION OF CLOTHING, TOYS, FOOD, AND HOUSEWARES DURING THE HOLIDAY SEASON FOR CHARITABLE PURPOSES

Mr. REID. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of S. Res. 577 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 577) permitting the collection of clothing, toys, food, and housewares during the holiday season for charitable purposes in Senate buildings.

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

Mr. REID. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 577) was agreed to.

(The resolution is printed in the RECORD of November 12, 2014, under ''Submitted Resolutions.'')

ORDERS FOR WEDNESDAY, NOVEMBER 19, 2014

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, November 19, 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 Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each; and that the time from 1 p.m. to 2 p.m. be controlled by the Republicans and the time from 2 p.m. to 3 p.m. be controlled by the majority.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. 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 8:18 p.m., adjourned until Wednesday, November 19, 2014, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 18, 2014:

THE JUDICIARY

LESLIE JOYCE ABRAMS, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF GEORGIA.

MARK HOWARD COHEN, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA.

ELEANOR LOUISE ROSS, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA.

DEPARTMENT OF STATE

LESLIE ANN BASSETT, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PARAGUAY.

MARCIA STEPHENS BLOOM BERNICAT, OF NEW JERSEY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PEOPLE'S REPUBLIC OF BANGLADESH.

JAMES PETER ZUMWALT, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SENEGAL AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUINEA–BISSAU.

CRAIG B. ALLEN, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BRUNEI DARUSSALAM.

WILLIAM V. ROEBUCK, OF NORTH CAROLINA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF BAHRAIN.