sure folks have an opportunity to weigh in and vote on amendments that are important to them. I think we have a good series here that we will announce.

It is our hope that as we move to vote on these amendments, we will also continue the good work we have done to try to advance some other measures that will be able to go by voice votes, and we will be working on those throughout the day.

Madam President, I ask unanimous consent that it be in order to call up the following amendments: No. 3182, Rounds, as modified; No. 3030, Barrasso; No. 2996, Sullivan; No. 3176, Schatz; No. 3095, Durbin; and No. 3125, Whitehouse; that following the disposition of the Franken amendment No. 3115, the Senate proceed to vote in relation to the above amendments in the order listed with no second-degree amendments in order prior to the votes; that a 60-vote affirmative threshold be required for adoption; and that there be 2 minutes of debate equally divided prior to each vote.

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

Ms. MURKOWSKI. Madam President, I would note that there will now be a series of eight votes when we commence at 2:30 this afternoon, and recognizing that there are committees meeting and other Senate business going on, we would hope to be able to process these votes relatively efficiently, respecting that 10-minute vote parameter, so that we can move through them in a manner that respects others' schedules.

With that, Madam President, I yield the floor.

RECESS

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

Thereupon, the Senate, at 12:49 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

ENERGY POLICY MODERNIZATION ACT OF 2015—Continued

The PRESIDING OFFICER. Under the previous order, the time until 2:30 p.m. will be equally divided in the usual form.

The Senator from Arizona.

AMENDMENT NO. 3023

Mr. FLAKE. Mr. President, I rise today in support of Lee amendment No. 3023, which places commonsense limitations on the ability of the executive branch to unilaterally lock up large swaths of public land. Specifically, the amendment provides Congress and the applicable State legislatures a 3-year window to approve Presidentially declared national monuments, ensuring that land use decisions finally have the input from the impacted States.

Arizona knows all too well the effects of restrictive Federal land designations. Like most Western States, a significant portion of Arizona is under Federal ownership. Arizona leads the Nation with a total of 21 national parks and monuments. Like most, our Federal land is a mix of single-purpose lands set aside for recreation and multiple-use lands providing opportunities for grazing, mining, and timber production. The ability to use these lands for multiple purposes is critical; however, a national monument designation can take away that opportunity with one stroke of the President's pen.

It is also worth noting that a monument designation has the potential to change the character of the water rights associated with Federal lands—an outcome I am working to prevent with separate stand-alone legislation.

There is a real concern that the President will take unilateral action to increase the Federal Government's ownership of Federal lands. In fact, one recent proposal would lock up another 1.7 million acres right in Arizona to create yet another national monument. That is an area larger than the entire State of Delaware. The negative impact of such a land grab would likely extend to activities such as hunting, livestock grazing, wildfire prevention, mining, and other recreation activities. Last March Senator MCCAIN and I sent a letter to the President urging him to not unilaterally pursue this monument designation. This sentiment is echoed by a large number of individuals throughout Arizona, including State and local officials, several municipalities, and a wide range of sportsmen's groups.

The Lee amendment would give these stakeholders a voice in the monument designation process, and I am happy to be a cosponsor and to support this amendment on the floor today.

I also look forward to considering several amendments I have submitted on this legislation as well regarding safeguarding hydropower production, reimbursing national parks after a government shutdown occurs, and creating a database to increase transparency for WAPA customers.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. CANTWELL. 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. CANTWELL. Mr. President, we are about to vote shortly on the Lee amendment.

I rise to speak in opposition to that amendment and to remind my colleagues that this is a vote that we took around the same time last year.

The Antiquities Act is one of our Nation's most successful conservation laws. It was signed into law in 1906 and used by President Theodore Roosevelt to designate Devils Tower in Wyoming as its first national monument.

In the 110 years since its enactment, the Antiquities Act has been used by 16 different Presidents—8 Republicans, 8 Democrats—to designate more than 140 national monuments, including the San Juan Islands and the Hanford Reach in the State of Washington. Nearly half of our national parks, including national icons, such as the Grand Canyon and Olympic National Park, were designated as national monuments under the Antiquities Act. However, the amendment of the Senator from Utah would effectively end the President's ability to use the Antiquities Act to protect these threatened lands. His amendment requires that the national monument designation will expire after 3 years unless Congress enacts a law specifically approving the designation, and the State in which the monument would be located would also have to approve the designation. So this amendment requires State and Federal approval over a Federal land designation, which is unprecedented, giving away Federal land management responsibilities to States and a veto over these conservation efforts.

I hope that, as my colleagues look at this first vote, they will oppose this amendment. As I said, I strongly do, and I hope our colleagues will look at their past record on this as well, because I am pretty sure we are all on record on our side in opposition to this amendment in the past.

With that, I know we are probably ready to proceed to the vote.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I rise to speak in support of my amendment No. 3023.

The purpose of this amendment is simple—to put in the hands of the people the right to decide whether a monument close to them will be designated. My amendment would leave intact the President's authority to designate a monument such that we could protect land from imminent destruction, but it puts a fuse on that. It puts a finite limit on that authority so that within 3 years that monument designation would expire unless both the host State has acted to embrace it and Congress has affirmatively enacted the monument designation into law.

The American people demand and deserve nothing less than to have decisions such as these put in the hands of their elected representatives rather than simply handed over to one single official who doesn't stand accountable to the American people.

I encourage my colleagues to support this amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3023.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

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

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

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The result was announced—yeas 47, nays 48, as follows:

[Rollcall Vote No. 10 Leg.]

YEAS—47

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

NAYS—48

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

NOT VOTING—5

Cruz	Rubio	Shelby
Graham	Sanders	

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

The Senator from Minnesota.

AMENDMENT NO. 3115 TO AMENDMENT NO. 2953

(Purpose: To establish a Federal energy efficiency resource standard for electricity and natural gas suppliers)

Mr. FRANKEN. Mr. President, I call up amendment No. 3115 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. FRANKEN] proposes an amendment numbered 3115 to amendment No. 2953.

(The amendment is printed in the RECORD of January 28, 2016, under ''Text of Amendments.'')

Mr. FRANKEN. Mr. President, I ask for order so my colleagues might hear my wise remarks.

The PRESIDING OFFICER. The Senate will come to order.

Mr. FRANKEN. Mr. President, I call on my colleagues to support my amendment No. 3115 that I offer with Senators HEINRICH, WARREN, and SANDERS. This amendment establishes a national energy efficiency standard that requires electric and natural gas utilities to help their customers use energy more efficiently. Our amendment is modeled on the experience of Minnesota and 24 other States that have already adopted energy efficiency standards, including States such as Texas, Arizona, and Arkansas. The State programs are working great, helping reduce energy usage, saving customers, consumers, and businesses money on their electricity bills, creating well-paying jobs, and reducing greenhouse gas emissions. According to the American Council for an Energy-Efficient Economy, our amendment will generate more than three times the energy savings of the entire Portman-Shaheen energy efficiency title, which is a great title in and of itself, in the base bill. By the year 2030, our amendment will generate 20 percent energy savings across the country and result in about $145 billion in net savings to consumers.

We like to say that States are the laboratories of democracy, and half our States have shown that these policies work. So it is time to build on their successes and bring this successful experiment to the entire country. I ask my colleagues to join me in supporting this important amendment.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I urge that Members oppose this amendment that would impose a Federal mandate on retail electricity and natural gas suppliers to reduce a certain percentage of electricity or natural gas that their customers use annually. We have considered this before. We have seen it. It has been under consideration for about a decade. Most recently, the energy committee rejected this same proposal as we were moving forward on this bipartisan Energy bill.

A national mandate like this depends on the behavior of end-use customers. The concern that you take a one-size-fits-all policy that refuses to recognize very real regional differences that are in play out there with energy use is problematic. As the Senator from Minnesota said, 25 States already have this in place, but what we do by imposing a new national mandate is we upend those existing State programs.

We have a good, bipartisan efficiency measure contained in this. That is why a Federal EERS has not worked before. Now is not the right time to move forward with it.

Mr. President, I ask unanimous consent that the votes in this series be 10 minutes in length so we can move through the amendments we have in front of us.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

All time has expired.

The question occurs on agreeing to the amendment.

Mr. MCCONNELL. 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 senior assistant legislative clerk called the roll.

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

Further, if present and voting, the Senator from Alabama (Mr. SHELBY) would have voted ''nay.''

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The result was announced—yeas 43, nays 52, as follows:

[Rollcall Vote No. 11 Leg.]

YEAS—43

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

NAYS—52

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

NOT VOTING—5

Cruz	Rubio	Shelby
Graham	Sanders	

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

The Senator from South Dakota.

AMENDMENT NO. 3182, AS MODIFIED, TO AMENDMENT NO. 2953

Mr. ROUNDS. Mr. President, I call up my amendment No. 3182, as modified.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Dakota [Mr. ROUNDS] proposes an amendment numbered 3182, as modified, to amendment No. 2953.

The amendment, as modified, is as follows:

(Purpose: To direct the Secretary of the Interior to establish a conservation incentives landowner education program)

At the end of title V, add the following:

SEC. 50___. CONSERVATION INCENTIVES LANDOWNER EDUCATION PROGRAM.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Interior shall establish a conservation incentives landowner education program (referred to in this section as the ''program'').

(b) PURPOSE OF PROGRAM.—The program shall provide information on Federal conservation programs available to landowners interested in undertaking conservation actions on the land of the landowners, including options under each conservation program available to achieve the conservation goals of the program, such as—

(1) fee title land acquisition;

(2) donation; and

(3) perpetual and term conservation easements or agreements.

(c) AVAILABILITY.—The Secretary of the Interior shall ensure that the information provided under the program is made available to—

(1) interested landowners; and

(2) the public.

(d) NOTIFICATION.—In any case in which the Secretary of the Interior contacts a landowner directly about participation in a Federal conservation program, the Secretary shall, in writing—

(1) notify the landowner of the program; and

(2) make available information on the conservation program options that may be available to the landowner.

The PRESIDING OFFICER. There is 2 minutes equally divided.

The Senator from South Dakota.

Mr. ROUNDS. Mr. President, conservation easements are an important tool when we talk about rural America. They are used on a regular basis, but whenever entering into a conservation easement with the government, farmers, ranchers, and landowners should be made aware of all of the options made available to them, not just permanent easements. While there are many programs and options available, all too often landowners are not aware of these options and will unknowingly enter into a contract with the government because they don't realize there are also shorter term options available to them.

This amendment will aggregate information for landowners and will allow landowners to choose from conservation options that are shorter term and are not a permanent contract with the government.

I ask that my colleagues support this amendment.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, this amendment would direct the Department of the Interior to create a new education program to educate landowners about conservation programs. It also requires that if the Interior Department contacts landowners about selling property or participating in a Federal conservation program, that the landowner be provided information about the Federal conservation programs available. I think this information is already publicly available, so I don't oppose establishing it as a conservation education program, and I am happy to move this amendment by a voice vote.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I appreciate Senator ROUNDS bringing this measure before us. It appears we do have an agreement to do a voice vote on the Rounds amendment, as modified; therefore, I ask unanimous consent that the 60-vote threshold with respect to Rounds amendment No. 3182, as modified, be vitiated.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to the amendment.

The amendment (No. 3182), as modified, was agreed to.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENT NO. 3030 TO AMENDMENT NO. 2953

Mr. BARRASSO. Mr. President, I call up amendment No. 3030.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Wyoming [Mr. BARRASSO] proposes an amendment numbered 3030 to amendment No. 2953.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To establish deadlines and expedite permits for certain natural gas gathering lines on Federal land and Indian land)

At the appropriate place, insert the following:

SEC. _____. NATURAL GAS GATHERING ENHANCEMENT.

(a) CERTAIN NATURAL GAS GATHERING LINES LOCATED ON FEDERAL LAND AND INDIAN LAND.—

(1) IN GENERAL.—Subtitle B of title III of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 685) is amended by adding at the end the following:

''SEC. 319. CERTAIN NATURAL GAS GATHERING LINES LOCATED ON FEDERAL LAND AND INDIAN LAND.

''(a) DEFINITIONS.—In this section:

''(1) GAS GATHERING LINE AND ASSOCIATED FIELD COMPRESSION UNITS.—

''(A) IN GENERAL.—The term 'gas gathering line and associated field compression unit' means—

''(i) a pipeline that is installed to transport natural gas production associated with 1 or more wells drilled and completed to produce oil or gas; and

''(ii) if necessary, 1 or more compressors to raise the pressure of that transported natural gas to higher pressures suitable to enable the gas to flow into pipelines and other facilities.

''(B) EXCLUSIONS.—The term 'gas gathering line and associated field compression unit' does not include a pipeline or compression unit that is installed to transport natural gas from a processing plant to a common carrier pipeline or facility.

''(2) FEDERAL LAND.—

''(A) IN GENERAL.—The term 'Federal land' means land the title to which is held by the United States.

''(B) EXCLUSIONS.—The term 'Federal land' does not include—

''(i) a unit of the National Park System;

''(ii) a unit of the National Wildlife Refuge System;

''(iii) a component of the National Wilderness Preservation System; or

''(iv) Indian land.

''(3) INDIAN LAND.—The term 'Indian land' means land the title to which is held by—

''(A) the United States in trust for an Indian tribe or an individual Indian; or

''(B) an Indian tribe or an individual Indian subject to a restriction by the United States against alienation.

''(b) CERTAIN NATURAL GAS GATHERING LINES.—

''(1) IN GENERAL.—Subject to paragraph (2), the issuance of a sundry notice or right-of-way for a gas gathering line and associated field compression unit that is located on Federal land or Indian land and that services any oil or gas well shall be considered to be an action that is categorically excluded (as defined in section 1508.4 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this section)) for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) if the gas gathering line and associated field compression unit are—

''(A) within a field or unit for which an approved land use plan or an environmental document prepared pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) analyzed transportation of natural gas produced from 1 or more oil or gas wells in that field or unit as a reasonably foreseeable activity; and

''(B) located adjacent to or within—

''(i) any existing disturbed area; or

''(ii) an existing corridor for a right-of-way.

''(2) APPLICABILITY.—Paragraph (1) shall apply to Indian land, or a portion of Indian land, for which the Indian tribe with jurisdiction over the Indian land submits to the Secretary of the Interior a written request that paragraph (1) apply to that Indian land (or portion of Indian land).

''(c) EFFECT ON OTHER LAW.—Nothing in this section affects or alters any requirement—

''(1) relating to prior consent under—

''(A) section 2 of the Act of February 5, 1948 (25 U.S.C. 324); or

''(B) section 16(e) of the Act of June 18, 1934 (25 U.S.C. 476(e)) (commonly known as the 'Indian Reorganization Act');

''(2) under section 306108 of title 54, United States Code; or

''(3) under any other Federal law (including regulations) relating to tribal consent for rights-of-way across Indian land.''.

(2) ASSESSMENTS.—Title XVIII of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 1122) (as amended by section 2311) is amended by adding at the end the following:

''SEC. 1842. NATURAL GAS GATHERING SYSTEM ASSESSMENTS.

''(a) DEFINITION OF GAS GATHERING LINE AND ASSOCIATED FIELD COMPRESSION UNIT.—In this section, the term 'gas gathering line and associated field compression unit' has the meaning given the term in section 319.

''(b) STUDY.—Not later than 1 year after the date of enactment of this section, the Secretary of the Interior, in consultation with other appropriate Federal agencies, States, and Indian tribes, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a study identifying—

''(1) any actions that may be taken, under Federal law (including regulations), to expedite permitting for gas gathering lines and associated field compression units that are located on Federal land or Indian land, for the purpose of transporting natural gas associated with oil and gas production on any land to a processing plant or a common carrier pipeline for delivery to markets; and

''(2) any proposed changes to Federal law (including regulations) to expedite permitting for gas gathering lines and associated field compression units that are located on Federal land, for the purpose of transporting natural gas associated with oil and gas production on any land to a processing plant or a common carrier pipeline for delivery to markets.

''(c) REPORT.—Not later than 1 year after the date of enactment of this section, and every 1 year thereafter, the Secretary of the Interior, in consultation with other appropriate Federal agencies, States, and Indian tribes, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes—

''(1) the progress made in expediting permits for gas gathering lines and associated field compression units that are located on Federal land or Indian land, for the purpose of transporting natural gas associated with oil and gas production on any land to a processing plant or a common carrier pipeline for delivery to markets; and

''(2) any issues impeding that progress.''.

(3) TECHNICAL AMENDMENTS.—

(A) Section 1(b) of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 594) is amended by adding at the end of subtitle B of title III the following:

''Sec. 319. Natural gas gathering lines located on Federal land and Indian land.''.

(B) Section (1)(b) of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 594) is amended by adding at the end of title XXVIII the following:

''Sec. 1842. Natural gas gathering system assessments.''.

(b) DEADLINES FOR PERMITTING NATURAL GAS GATHERING LINES UNDER THE MINERAL LEASING ACT.—Section 28 of the Mineral Leasing Act (30 U.S.C. 185) is amended by adding at the end the following:

''(z) NATURAL GAS GATHERING LINES.—The Secretary of the Interior or other appropriate agency head shall issue a sundry notice or right-of-way for a gas gathering line and associated field compression unit (as defined in section 319(a) of the Energy Policy Act of 2005) that is located on Federal land not later than 90 days after the date on which the applicable agency head receives the request for issuance unless the Secretary or agency head finds that the sundry notice or right-of-way would violate division A of subtitle III of title 54, United States Code, or the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).''.

Mr. BARRASSO. Mr. President, we all want to reduce the flaring of natural gas in oil wells, and to do that we need natural gas gathering lines. These are small pipelines that capture natural gas from oil wells where it would otherwise be flared off into the atmosphere.

This is a bipartisan amendment. I am delighted to be here with Senator HEITKAMP, who is a cosponsor. This bipartisan amendment expedites the permitting of the gathering lines on Federal land and, subject to tribal consent, also on Indian lands. This is a commonsense solution that helps taxpayers, Indian Country, and our environment.

I yield to my lead cosponsor, the junior Senator from North Dakota.

Ms. HEITKAMP. Mr. President, I thank my great friend from the State of Wyoming.

Many of you have talked about the challenges you have in terms of seeing the flaring. If you want to stop waste, whether it is economic waste because of a lack of royalties, both Federal and State, or if you want to stop flaring and waste and do a great environmental thing, you will vote yes on this amendment.

What this amendment fundamentally does is shorten the time period for pipeline easements across Federal land—easements where today it takes 2 or 3 weeks to get a private or State easement—which takes over a year. During that period of time, we have seen flaring across North Dakota and across the West.

Please vote yes for this amendment. It is a great environmental and economic amendment.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, speaking in opposition to this amendment, it is basically like Keystone ''light.'' The proponents want to have no environmental review of natural gas gathering pipelines, and that is why we should oppose it. With two exceptions, the amendment would require the Secretary of the Interior or Agriculture to approve the right to waive any gathering pipelines, unless they violate the Endangered Species Act or the National Historic Preservation Act. It would require the Secretary of the Interior or Agriculture to approve the right to waive with pipelines.

I consulted with the Department of the Interior, which had grave concerns about waiving those laws here. This amendment would significantly limit the Department's ability to gather relevant, scientific, technical information, and the public views about how to manage our public lands. So I encourage our colleagues to vote no.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

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

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

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The result was announced—yeas 52, nays 43, as follows:

[Rollcall Vote No. 12 Leg.]

YEAS—52

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

NAYS—43

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

NOT VOTING—5

Cruz	Rubio	Shelby
Graham	Sanders	

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

The Senator from Alaska.

AMENDMENT NO. 2996 TO AMENDMENT NO. 2953

Mr. SULLIVAN. Mr. President, I call up my amendment No. 2996.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alaska [Mr. SULLIVAN] proposes an amendment numbered 2996 to amendment No. 2953.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require each agency to repeal or amend 1 or more rules before issuing or amending a rule)

At the appropriate place, insert the following:

SEC. ____. REPEAL OF RULES REQUIRED BEFORE ISSUING OR AMENDING RULE.

(a) DEFINITIONS.—In this section—

(1) the term ''agency'' has the meaning given the term in section 551 of title 5, United States Code;

(2) the term ''covered rule'' means a rule of an agency that causes a new financial or administrative burden on businesses in the United States or on the people of the United States, as determined by the head of the agency;

(3) the term ''rule''—

(A) has the meaning given the term in section 551 of title 5, United States Code; and

(B) includes—

(i) any rule issued by an agency pursuant to an Executive Order or Presidential memorandum; and

(ii) any rule issued by an agency due to the issuance of a memorandum, guidance document, bulletin, or press release issued by an agency; and

(4) the term ''Unified Agenda'' means the Unified Agenda of Federal Regulatory and Deregulatory Actions.

(b) PROHIBITION ON ISSUANCE OF CERTAIN RULES.—

(1) IN GENERAL.—An agency may not—

(A) issue a covered rule that does not amend or modify an existing rule of the agency, unless—

(i) the agency has repealed 1 or more existing covered rules of the agency; and

(ii) the cost of the covered rule to be issued is less than or equal to the cost of the covered rules repealed under clause (i), as determined and certified by the head of the agency; or

(B) issue a covered rule that amends or modifies an existing rule of the agency, unless—

(i) the agency has repealed or amended 1 or more existing covered rules of the agency; and

(ii) the cost of the covered rule to be issued is less than or equal to the cost of the covered rules repealed or amended under clause (i), as determined and certified by the head of the agency.

(2) APPLICATION.—Paragraph (1) shall not apply to the issuance of a covered rule by an agency that—

(A) relates to the internal policy or practice of the agency or procurement by the agency; or

(B) is being revised to be less burdensome to decrease requirements imposed by the covered rule or the cost of compliance with the covered rule.

(c) CONSIDERATIONS FOR REPEALING RULES.—In determining whether to repeal a covered rule under subparagraph (A)(i) or (B)(i) of subsection (b)(1), the head of the agency that issued the covered rule shall consider—

(1) whether the covered rule achieved, or has been ineffective in achieving, the original purpose of the covered rule;

(2) any adverse effects that could materialize if the covered rule is repealed, in particular if those adverse effects are the reason the covered rule was originally issued;

(3) whether the costs of the covered rule outweigh any benefits of the covered rule to the United States;

(4) whether the covered rule has become obsolete due to changes in technology, economic conditions, market practices, or any other factors; and

(5) whether the covered rule overlaps with a covered rule to be issued by the agency.

(d) PUBLICATION OF COVERED RULES IN UNIFIED AGENDA.—

(1) REQUIREMENTS.—Each agency shall, on a semiannual basis, submit jointly and without delay to the Office of Information and Regulatory Affairs for publication in the Unified Agenda a list containing—

(A) each covered rule that the agency intends to issue during the 6-month period following the date of submission;

(B) each covered rule that the agency intends to repeal or amend in accordance with subsection (b) during the 6-month period following the date of submission; and

(C) the cost of each covered rule described in subparagraphs (A) and (B).

(2) PROHIBITION.—An agency may not issue a covered rule unless the agency complies with the requirements under paragraph (1).

Mr. SULLIVAN. Mr. President, we all know that our economy is overregulated, and this overregulation undermines our ability to grow our economy and create good jobs. I am sure all the Senators know that just this last quarter we grew at 0.7 percent GDP growth. We can't even break 1 percent GDP growth now.

Take a look at this chart. This is one of the big problems. Federal regulations only grow. They only grow year after year. They never go away. They are never sunsetted.

Even President Obama recognizes this is a problem. In his State of the Union address, the President said: ''I think there are outdated regulations that need to be changed. There is red tape that . . . [must] be cut.''

My amendment is an opportunity to do just that. It is a simple, one-in, one-out requirement for agencies. When an agency issues a new reg, it has to sunset or get rid of an old reg. Now, it is up to the agency to choose which reg it is going to get rid of, but it has to abide by the one-in, one-out rule.

This is not a partisan idea. In fact, this is becoming a consensus idea.

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

Mr. SULLIVAN. The U.K. and Canada are doing this.

Many of my colleagues on the other side of the aisle are very interested in this idea. I ask for their support of this amendment.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, as the ranking member of the committee on homeland security, I rise in opposition to this amendment.

Our friend who is offering this amendment today indicates that Federal agencies are always promulgating regulations, and we never stand any of them down; we never retire them. As it turns out, about 5 or 6 years ago, President Obama said to Cass Sunstein, who runs OIRA, part of OMB: I want you to begin a top-to-bottom review of regulations. Find the ones that don't serve a purpose, and let's get rid of them.

Over the next 5 years, that effort will bear fruit. It is not like saving a couple of million dollars. Over the next 5 years, it is going to save $22 billion. So we actually do have a process, and this is one that has really been provided by leadership from the administration.

The other avenue was provided by our Democratic leader from years ago when he authored something called the Congressional Review Act. It is not always effective; it doesn't always work, but it is actually a way to stand down regulations that we don't want to see stood up.

So there are two ways to do this. We always have an opportunity whenever regulations are proposed. We can speak to them. We can testify to them. We can urge that they be changed while they are in production.

I urge us to vote no on this amendment.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The result was announced—yeas 49, nays 46, as follows:

[Rollcall Vote No. 13 Leg.]

YEAS—49

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

NAYS—46

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

NOT VOTING—5

Cruz	Rubio	Shelby
Graham	Sanders	

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

The Senator from Hawaii.

AMENDMENT NO. 3176 TO AMENDMENT NO. 2953

(Purpose: To amend the Internal Revenue Code of 1986 to phase out tax preferences for fossil fuels on the same schedule as the phase out of the tax credits for wind facilities)

Mr. SCHATZ. Mr. President, I call up amendment No. 3176 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Hawaii [Mr. SCHATZ] proposes an amendment numbered 3176 to amendment No. 2953.

(The amendment is printed in the RECORD of February 1, 2016, under ''Text of Amendments.'')

Mr. SCHATZ. Mr. President, this amendment is based on a very simple idea: that there should be a level playing field for fossil fuels and for clean energy. Right now we have subsidies on both the fossil fuel side and on the clean energy side through our Tax Code. Periodically, we need to recalibrate our energy policy based on market conditions, fiscal circumstances, and what is happening in the world.

Again, here is the idea: We should make sure to reevaluate tax preferences for fossil fuels and clean energy at the same time. If we are serious about creating a level playing field, we should phase out incentives for fossil fuels as we phased them out for wind and solar power. Majorities of both Democrats and Republicans support the repeal of these tax preferences, and so I hope my colleagues will join me in a big bipartisan vote for putting our clean sources of energy on equal footing with their fossil fuel counterparts.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, we have seen an iteration of this before. It is Groundhog Day, but there is a difference with the approach that has been taken with regard to targeting oil and gas production with this basket of fossil fuel subsidies, where we are talking about the repeal of five very important tax provisions that are vital to our domestic small and midsize operators.

The sponsor is correct. It does tie the expiration of these provisions to the expiration of wind tax credits, which most of us would agree should be phased out.

I am in favor of reforming our Tax Code to make it more straightforward and fair. I would welcome that discussion for us to engage in broad-based tax reform on the Senate floor, but the Energy Policy Modernization Act is not the place to do it. It is not the appropriate venue for a tax amendment. As my colleagues know, all revenue-raising measures must originate within the House. The adoption of this tax-related amendment would therefore create an impermissible blue-slip problem.

I urge its rejection.

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

Ms. MURKOWSKI. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

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

Further, if present and voting, the Senator from Alabama (Mr. SHELBY) would have voted ''nay.''

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The result was announced—yeas 45, nays 50, as follows:

[Rollcall Vote No. 14 Leg.]

YEAS—45

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

NAYS—50

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

NOT VOTING—5

Cruz	Rubio	Shelby
Graham	Sanders	

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

The Senator from Illinois.

AMENDMENT NO. 3095 TO AMENDMENT NO. 2953

Mr. DURBIN. Mr. President, I call up amendment No. 3095 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 3095 to amendment No. 2953.

The amendment is as follows:

(Purpose: To increase funding for the Office of Science of the Department of Energy)

On page 352, strike lines 17 through 21 and insert the following:

''(8) $5,423,000,000 for fiscal year 2016;
''(9) $5,808,000,000 for fiscal year 2017;
''(10) $6,220,000,000 for fiscal year 2018;
''(11) $6,661,000,000 for fiscal year 2019; and
''(12) $7,134,000,000 for fiscal year 2020.''.

Mr. DURBIN. Mr. President, this bipartisan amendment which I am offering with Senator ALEXANDER would increase funding levels for the Department of Energy Office of Science to a rate of 5 percent annual real growth for 5 years.

The Office of Science is an incredible organization—24 scientists, 10 national labs, research in 300 colleges and universities in all 50 States. It was their work which led to the development of the MRI, and they are currently working on imaging systems to identify Alzheimer's in its early stages. It is an incredible operation. This commitment will pay us back many times over.

I yield to my friend and colleague from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I urge a ''yes'' vote because I think an important part of a Republican progrowth policy is support for government-sponsored research. That is how we got 3–D mapping and horizontal drilling that led to unconventional gas and oil. That is how we are going to get the cost of carbon capture low enough to make it commercial. That is how we are going to get solar panels cheap enough to make them useful.

We should reduce wasteful spending on subsidies for mature energy technology and double energy research, and this would do that on a conservative path. At 5 percent a year, it would take 10 years to double the $5 billion of energy spending we have today.

I urge a ''yes'' vote.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I understand that we have an agreement to voice vote the Durbin amendment. Therefore, I ask unanimous consent that the 60-vote threshold with respect to the Durbin amendment No. 3095 be rescinded.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Is there any further debate on the amendment?

Hearing none, the question occurs on agreeing to the amendment.

The amendment (No. 3095) was agreed to.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 3125 TO AMENDMENT NO. 2953

Mr. WHITEHOUSE. Mr. President, I call up amendment No. 3125 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. WHITEHOUSE] proposes an amendment numbered 3125 to amendment No. 2953.

The amendment is as follows:

(Purpose: To require campaign finance disclosures for certain persons benefitting from fossil fuel activities)

At the appropriate place, insert the following:

SEC. ____. CAMPAIGN FINANCE DISCLOSURES BY FOSSIL FUEL BENEFICIARIES.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1974 (52 U.S.C.

30104) is amended by adding at the end the following new subsection:

''(j) DISCLOSURE BY FOSSIL FUEL BENEFICIARIES.—

''(1) IN GENERAL.—

''(A) INITIAL DISCLOSURE.—Every covered entity which has made covered disbursements and received covered transfers in an aggregate amount in excess of $10,000 during the period beginning on January 1, 2014, and ending on the date that is 165 days after the date of the enactment of this subsection shall file with the Commission a statement containing the information described in paragraph (2) not later than the date that is 180 days after the date of the enactment of this subsection.

''(B) SUBSEQUENT DISCLOSURES.—Every covered entity which makes covered disbursements (other than covered disbursement reported under subparagraph (A)) and received covered transfers (other than a covered transfer reported under subparagraph (A)) in an aggregate amount in excess of $10,000 during any calendar year shall, within 48 hours of each disclosure date, file with the Commission a statement containing the information described in paragraph (2).

''(2) CONTENTS OF STATEMENT.—Each statement required to be filed under this subsection shall be made under penalty of perjury and shall contain the following information:

''(A) The identification of the person making the disbursement or receiving the transfer, of any person sharing or exercising direction or control over the activities of such person, and of the custodian of the books and accounts of the person making the disbursement or receiving the transfer.

''(B) The principal place of business of the person making the disbursement or receiving the transfer, if not an individual.

''(C) The amount of each disbursement or transfer of more than $200 during the period covered by the statement and the identification of the person to whom the disbursement was made or from whom the transfer was received.

''(D) The elections to which the disbursements or transfers pertain and the names (if known) of the candidates involved.

''(E) If the disbursements were paid out of a segregated bank account which consists of funds contributed solely by individuals who are United States citizens or nationals or lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20))) directly to this account for electioneering communications, the names and addresses of all contributors who contributed an aggregate amount of $1,000 or more to that account during—

''(i) in the case of a statement under paragraph (1)(A), during the period described in such paragraph, and

''(ii) in the case of a statement under paragraph (1)(B), the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

Nothing in this subparagraph is to be construed as a prohibition on the use of funds in such a segregated account for a purpose other than covered disbursements.

''(F) If the disbursements were paid out of funds not described in subparagraph (E), the names and addresses of all contributors who contributed an aggregate amount of $1,000 or more to the person making the disbursement during—

''(i) in the case of a statement under paragraph (1)(A), during the period described in such paragraph, and

''(ii) in the case of a statement under paragraph (1)(B), the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

''(3) COVERED ENTITY.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'covered entity' means—

''(i) any person who is described in subparagraph (B), and

''(ii) any person who owns 5 percent or more of any person described in subparagraph (B).

''(B) PERSON DESCRIBED.—A person is described in this subparagraph if such person has received revenues or stands to receive revenues of $1,000,000 or greater from fossil fuel activities.

''(C) FOSSIL FUEL ACTIVITIES.—For purposes of this paragraph, the term 'fossil fuel activities' includes the extraction, production, refining, transportation, or combustion of oil, natural gas, or coal.

''(4) COVERED DISBURSEMENT.—For purposes of this subsection, the term 'covered disbursement' means a disbursement for any of the following:

''(A) An independent expenditure.

''(B) A broadcast, cable, or satellite communication (other than a communication described in subsection (f)(3)(B)) which—

''(i) refers to a clearly identified candidate for Federal office;

''(ii) is made—

''(I) in the case of a communication which refers to a candidate for an office other than President or Vice President, during the period beginning on January 1 of the calendar year in which a general or runoff election is held and ending on the date of the general or runoff election (or in the case of a special election, during the period beginning on the date on which the announcement with respect to such election is made and ending on the date of the special election); or

''(II) in the case of a communication which refers to a candidate for the office of President or Vice President, is made in any State during the period beginning 120 days before the first primary election, caucus, or preference election held for the selection of delegates to a national nominating convention of a political party is held in any State (or, if no such election or caucus is held in any State, the first convention or caucus of a political party which has the authority to nominate a candidate for the office of President or Vice President) and ending on the date of the general election; and

''(iii) in the case of a communication which refers to a candidate for an office other than President or Vice President, is targeted to the relevant electorate (within the meaning of subsection (f)(3)(C)).

''(C) A transfer to another person for the purposes of making a disbursement described in subparagraph (A) or (B).

''(5) COVERED TRANSFER.—For purposes of this subsection, the term 'covered transfer' means any amount received by a covered entity for the purposes of making a covered disbursement.

''(6) DISCLOSURE DATE.—For purposes of this subsection, the term 'disclosure date' means—

''(A) the first date during any calendar year by which a person has made covered disbursements and received covered transfers aggregating in excess of $10,000; and

''(B) any other date during such calendar year by which a person has made covered disbursements and received covered transfers aggregating in excess of $10,000 since the most recent disclosure date for such calendar year.

''(7) CONTRACTS TO DISBURSE; COORDINATION WITH OTHER REQUIREMENTS; ETC,.—Rules similar to the rules of paragraphs (5), (6), and (7) of subsection (f) shall apply for purposes of this subsection.''.

Mr. WHITEHOUSE. Mr. President, this is the last vote in this tranche of votes, and I hope this can be a bipartisan vote. We all understand that a shadow has fallen over this Chamber since Citizens United, and that is the shadow of dark money. The American public is sick about the special interests that have so much sway. They are even more sick of special interests having secret sway because of secret spending. This secret spending influences what we can and cannot do. It influences our deliberations. It has even constrained the shape of the very bill on the floor right now. As one Kentucky newspaper said, it has also created a tsunami of slime in our elections.

This vote gives us the chance to push back and to put a little daylight on the secret money that is being spent in our elections. I very much hope that, consistent with past Republican support for sunshine and disclosure, we can get a bipartisan vote in favor of disclosure of the big-money donors who are now putting secret money into our elections—in this case, particularly in the energy sector.

I ask for the votes of my colleague in favor of this amendment.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I do think that at some point in time it is fair to discuss disclosure when it comes to campaign finance and campaign finance disclosure. However what this amendment does is require campaign finance disclosures from individuals receiving over $1 million from fossil fuel activities—no other activities.

What activities are we talking about? It defines fossil fuel activities as those including ''the extraction, production, refining, transportation, or combustion of oil, natural gas, or coal.'' That is pretty broad. We are talking about explorers, producers, refiners, perhaps even the automotive industry, the rail industry, powerplants, and many others.

We can have a discussion about campaign finance disclosure and what may or may not be appropriate. We defeated an amendment similar to this when we had the Keystone debate last January. We tabled another. The time and the place to debate this issue is not in this Energy Policy Modernization Act. Therefore, I will be opposing the amendment and encourage my colleagues to do the same.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator

from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), and the Senator from Alabama (Mr. SHELBY).

Further, if present and voting, the Senator from Alabama (Mr. SHELBY) would have voted ''nay.''

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The result was announced—yeas 43, nays 52, as follows:

[Rollcall Vote No. 15 Leg.]

YEAS—43

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

NAYS—52

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

NOT VOTING—5

Cruz	Rubio	Shelby
Graham	Sanders	

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

The Senator from Alaska.

Ms. MURKOWSKI. Madam President, we have just concluded this series of eight votes. You combine that with the rollcall votes we had yesterday, as well as the voice votes we have taken, and we are up to 27 amendments that we have processed. We are moving right along.

I appreciate the cooperation of Members on both sides and the staff who are working as we speak to see if we can pull together yet another block of amendments we will be able to accept by voice vote. We will not have any more rollcall votes for the remainder of today, but know that we are working aggressively to try to process as many amendments as we can by voice vote and then set up a process tomorrow.

We will notify Members in terms of when we might be able to expect votes on amendments. I thank colleagues for the good work today. We encourage you to come down to the floor, speak to your amendments, speak to the issues you are hoping to advance. We would like to get this bill through to completion by the end of this week. I thank Members for their support.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the Murkowski substitute amendment No. 2953.

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

The 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, do hereby move to bring to a close debate on amendment No. 2953, the substitute amendment to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

Mitch McConnell, Lisa Murkowski, Cory Gardner, Mike Crapo, John Cornyn, John Barrasso, Steve Daines, Richard Burr, Bill Cassidy, Pat Roberts, John Hoeven, Shelley Moore Capito, John Thune, James E. Risch, Lamar Alexander, John McCain, Rob Portman.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the underlying bill, S. 2012.

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

The 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, do hereby move to bring to a close debate on Calendar No. 218, S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

Mitch McConnell, Lisa Murkowski, Cory Gardner, Mike Crapo, John Cornyn, John Barrasso, Steve Daines, Richard Burr, Bill Cassidy, Pat Roberts, John Hoeven, Shelley Moore Capito, John Thune, James E. Risch, Lamar Alexander, John McCain, Rob Portman.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call under rule XXII of the Standing Rules of the Senate with respect to the cloture motions be waived.

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

The Senator from Ohio.

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

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

Mr. BROWN. Mr. President, the crisis in Flint, MI, is a tragedy that was entirely preventable. This week we have a chance to do something about it. Senator STABENOW and Senator PETERS from Michigan have submitted an amendment that I hope, when we go back on the bill, we will consider. As we do so, it is important to remember that Flint is far from the only town in this country where families face exposure to dangerous levels of lead.

In Sebring, in northeast Ohio, near Youngstown, we know there are troubling amounts of lead in the water. Families are scared that their drinking water isn't safe. They are afraid they are facing another Flint. No parent should have to worry that the water coming out of their faucets might in fact be poisoning their children. Pregnant women shouldn't have to fear their tap water.

In Sebring, just as in Flint, families were left in the dark about the safety of their water. For months, local officials failed to notify residents about the lead, and the State EPA failed to step in. I spoke with the mayor. I spoke recently—just this week—to State Representative Boccieri and State Senator Schiavoni, who represent Sebring and that part of the county, about what our response should be.

The amendment before us this week will help put a stop to the failure—in Michigan, the failure of the Governor, and in Columbus, it appears to be the failure of the State EPA. It requires the Federal Environmental Protection Agency to notify the public directly if there is a danger from lead in the water system if a State fails to do so within 15 days. No more arguing about whose responsibility it is while families continue drinking water that we know is not safe. No more finger-pointing after the fact. This amendment says that when there is a problem with the water, people have a right to know and that it is the EPA's job to make sure they do. The sooner we know about lead contamination, the sooner we can get to work to fix it. That is why notification is critical. But notification is just the beginning. The amendment before us this week will be just the beginning of our work to protect Americans from unsafe levels of lead.

The Centers for Disease Control estimates that at least 4 million American households—4 million American households with children—are exposed to high levels of lead. We know what that does to their brain development. We know the impact it has for the rest of their lives. Four million households in this country have children who are exposed to high levels of lead even though we know it isn't safe.

This problem stretches far beyond Flint, MI, and far beyond just our water systems. Corroded lead pipes are a major health hazard, but they are far from the only source of lead poisoning. We know that too many of our children

are exposed to lead through paint—mostly in older homes and mostly in lower income homes—and even the dirt in their backyards. Imagine that.

The devastating effects of lead poisoning fall disproportionately on low-income children and on children of color. They are more likely to live in older homes closer to the city center and in rental housing that is poorly maintained. I have seen it firsthand in Ohio. The Cleveland Plain Dealer conducted an investigation last fall. They found that some 40,000 Cuyahoga County children have tested positive for lead poisoning in the last 10 years. Think about that—40,000 children in that community alone have been tested for lead poisoning over the past 10 years and have tested positive.

Paint chips shed from molding and windowsills in older homes turn into dust that is easily ingested. Sometimes babies pick up lead chips and chew on them because they are colorful.

The danger hasn't subsided. More than 187,000 homes in Cuyahoga County are putting their occupants at risk of lead poisoning. That is why our efforts can't stop with Michigan and can't stop with lead in our water.

The good news is, we can combat this. I know we can because we have done it before. In 2012 a number of my colleagues—Senators FRANKEN from Minnesota, CASEY from Pennsylvania, and MERKLEY from Oregon—wrote to the EPA about the danger posed by former lead smelter sites in urban residential communities. I was in one of those neighborhoods and talked to people who had seen far too much lead in the dirt where their children play in front or behind their houses. Because of our efforts and some diligent reporting by reporters at USA TODAY, the EPA has acted to reexamine hundreds of former lead factory sites, helping communities address and deal with this problem. Think about this: You move into a home. You didn't know that 40 years ago this neighborhood had a lead smelting plant. Your children play in it. You have no idea that soil is contaminated from that lead smelter that closed decades ago.

We also worked to combat the threat of lead in our children's toys. In 2007 Ashland University professor Jeff Weidenhamer found that more than one in seven Halloween toys he purchased and tested through his classes contained dangerous levels of lead, most of them made in China, most of them painted by companies contracting with U.S. toy companies. Who is responsible for that? Surely the Chinese companies' subcontractors that put the lead paint on the toys but certainly the U.S. toy companies that contracted with them and didn't care enough or know enough to check the quality of these toys. Following that shocking discovery, we worked with Professor Weidenhamer and other experts to pass the bipartisan Consumer Product Safety Improvement Act in 2008. When Professor Weidenhamer conducted the same test on toys in 2011, none of them tested positive for dangerous levels of lead.

In spite of the fact that many people sitting in this body won their elections by saying that the government can never do anything good, that the government can never have an impact on our lives, and that the government is too big, that is what the government did—we passed a consumer protection bill in 2008. Two years later we found that comparable toys don't have lead paint in them. So we know we can make progress when we work together and strengthen consumer protections to ensure that agencies tasked with protecting children have the resources they need.

We need to take the lead in our water, in our communities, and in our homes just as seriously as lead in toys. It is not enough to just respond to the crisis at hand. We should do that in Flint, we should do that in Sebring, and we should do that in smaller communities in Ohio in older homes—all of those things. But it is not enough just to respond. Once children have been exposed, the effects can't be erased. We have to do more to help protect families from being exposed to lead in the first place.

We did the right thing in December when we funded critical programs at the CDC and at Housing and Urban Development that helped prevent lead poisoning and monitor lead levels in children, but we can't stop there. We are seeing in Flint, we are seeing in Sebring, OH, and we are seeing in cities across our country that current efforts are not enough. Senator STABENOW and Senator PETERS' amendment is a first good step. I hope we will use this opportunity to examine what more we can do to protect our children, especially those young enough that their brain is developing. Lead poisoning arrests much of their brain development and affects the rest of their lives. We have to do whatever we can to protect our children from the terrible effects of lead poisoning.

The PRESIDING OFFICER. The Senator from Hawaii.

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

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

REMEMBERING STATE SENATOR GIL KAHELE

Mr. SCHATZ. Mr. President, what is aloha? It is not a catchphrase. As it is commonly understood, it is synonymous with kindness, with love, with hospitality, with a Hawaiian perspective, but it is difficult for those not from Hawaii to fully understand its meaning and for those of us from Hawaii to fully explain.

No one embodied the spirit of aloha more than State senator Gil Kahele, who died suddenly last week. He was a living personification of the idea that we are all in this together, that it really does mean something to live together in an island State in the most isolated populated place on the planet and the most beautiful place in the world.

Senator Kahele devoted his life to public service, but political office for him was an afterthought. Gil was a veteran of the U.S. Marine Corps. He worked for the State's department of defense for 33 years and eventually became director of public works at the Pohakuloa Training Area.

Gil took office in 2011 and dedicated his efforts to the people of Senate District 1. He was the chair of the Tourism and International Affairs Committee. Gil was committed to supporting the needs of his district and was instrumental in securing funding for the College of Pharmacy at the University of Hawaii at Hilo.

The circumstances of my election in 2014 were unusual in the extreme, and they brought me to Gil. On election night, I was ahead by fewer than 2,000 votes, but there were parts of Hawaii Island—two precincts in particular—that were unable to vote because of a category 4 hurricane that hit the southern part of the Big Island, the Puna District. As a result, the day after the primary election day, we realized we weren't quite done, and so we went to Puna. But more than the election not being done, the people of Puna were without water and power. Their food was rotting, their roads weren't clear, and they had no working utilities. So we went to work—not gathering votes but gathering provisions; not walking door to door to campaign but literally standing on the road handing out blocks of ice for the folks in Puna. We did this every day for a week, with Gil and the Kahele ohana, until a sense of normalcy was eventually restored. For their family, this was just what you do if you are a person like Gil Kahele, born in a grass shack in the fishing village of Miolii, a Native Hawaiian who served his country, his State, his community, and his family the best way he knew how—with aloha.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

WILDFIRE PREVENTION FUNDING

Mr. WYDEN. Mr. President, last year more acreage in our forests burned than ever before. I know the Presiding Officer understands what this has been like in the West over the last few years. Senator CRAPO and I have dedicated something like 5 years of our professional lives to coming up with practical approaches to deal with this mushrooming problem. There are a whole host of issues that go into making a sensible forestry policy to make sure that we can protect our treasures

in the West, have jobs in the woods that are sustainable, and keep our forests healthy.

In order to do that, one of the most important reforms that are necessary is the one that Senator CRAPO and I have been working on. I really began on this before I was the chairman of the Energy and Natural Resources Committee. Senator CRAPO and I literally have teamed up now for half a decade to end a particularly inefficient and harmful economic and environmental policy that we call fire borrowing. Fire borrowing takes place when Congress fails to budget enough money to fight wildfires, forcing agencies to raid their other accounts, including accounts to prevent wildfires.

Obviously, there may be some listening in who don't represent western communities. But what Senator CRAPO and I have tried to convey to our colleagues is that fire borrowing doesn't just threaten fire prevention and suppression. It is quicksand that is dragging down all of the programs at the Forest Service: timber sales, stream restoration, trail maintenance, recreation, and many more.

So Senator CRAPO and I said that this was too important to have yet another issue that gets thrown around, batted around like another bit of cannon fodder for partisan kind of drills. We have put together legislation with 21 cosponsors in the Senate and 145 in the House to end fire borrowing. Our legislation is supported by a coalition of more than 250 groups of anglers, sportsmen, environmentalists, and timber companies. It is pretty hard to get more than a handful of people to agree on much of anything here in Washington, DC. What Senator CRAPO and I have been talking about now has more than 250 organizations behind it.

Despite the overwhelming support for this effort, the bill has been stuck. Tonight what Senator CRAPO and I are going to talk about is how we can work together with our colleagues to unstick this and to get it done. We felt that all along we had been doing what it took to make this happen. We talked to our colleagues of both parties. We negotiated. We talked to House Members. We talked to Senate offices. We talked to the administration. We talked to timber and environmental people. All we said is that it makes sense, even though there are a whole host of changes that you can pursue for a sensible fire policy to end fire borrowing for good, to end the erosion of the Forest Service budget, and to start focusing on prevention. Wouldn't it make more sense to concentrate on prevention, going in there and thinning out the forests and using sensible fire prevention strategies rather than not to do the prevention and have the forests get hot and dry? Then we have lightning strikes in our part of the world. All of a sudden you have an inferno on your hands, and they don't have enough money to put all these fires out. So you borrow from the prevention fund and the problem gets worse.

What Senator CRAPO and I said is that we will work with all of the budget authorities. We were very much involved with Chairman ENZI in this. We could come up with some budget process issues that would be acceptable here in the Senate and also to our colleagues in the House.

There was a colloquy last week among the chairs of the Energy, Budget, and Agriculture Committees that indicated that they very much want a resolution of the issue. I am pleased that they are interested in hearings and working on legislation and moving in February and March. I felt that this was a promising start to the year because that is what Senator CRAPO and I were after last July when we got a great many Senators together and we said that we were going to try to get this worked out so that it could have been done last fall. We all said that we were going to get together and get this resolved.

Obviously, for a variety of reasons it didn't happen. But I think what we heard last week strikes me as a beginning to finally getting this unstuck, and I have been so appreciative of working with the Senator on this now for something like 5 years. I would be interested in the Senator's reaction with respect to this situation.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, I strongly agree with my friend and colleague Senator WYDEN from Oregon. He is absolutely right that we have been working on this for probably 5 years as we have worked to identify the solution and then build the coalition of support to implement the solution that is necessary for this critical problem.

I am also very appreciative, as Senator WYDEN has said, that we had the chairman of the Energy Committee, the chairman of the Budget Committee, and the chairman of the Agriculture Committee engaged in a colloquy last week discussing the urgency of resolving this issue. I believe we are now getting to a point at which the understanding of how critical it is to resolve this issue has penetrated deeply into the political fiber of both the Senate and the House. Now we need to take that momentum and continue to move forward.

As we take stock of last year's fire season, the statistics are sobering. Senator WYDEN referenced a little bit of it. Let me just add to that a little bit.

Nationally, last year, we had 68,151 fires that burned 10.1 million acres and cost over $1.7 billion in suppression operations. These fires accounted for the loss of roughly 4,600 structures, and, most tragically, the lives of 13 wild land firefighters.

This set of statistics is a set of statistics that is growing every year. We are seeing more fires and more catastrophic fires every year because we are not managing our forests properly, and we are not dealing with the crisis that is creating in forest fires.

There is a very important statistic that I think everyone in America should understand about this critical issue. I just said that there were 68,151 fires in America last year. One percent of those fires cost 30 percent of the firefighting budget. Those are the fires that became catastrophes. They became catastrophic. The solution we have come together on to help address this issue is simply to make a very obvious conclusion and to put it into the law; that is, when we get a fire that is 1 percent of the fires that cost 30 percent of the firefighting and do so much of the damage, we declare that they are natural disasters—just like the earthquakes, the hurricanes, the tornadoes, the floods and the other disasters that we acknowledge here in Congress and deal with as disasters when we finance the efforts to fight them and to respond to them.

With these numbers in mind, I want to again thank the committee chairmen who came to the floor last week and engaged in a colloquy to express how serious this issue is. It is getting to a crisis point. As those Senators last week noted, when it comes to how we fight wildfires, we are in a crisis.

For more than a decade, as fires have raged across the West, we have seriously underbudgeted for the necessary suppression costs with these disasters. To make matters worse, the lack of resources to fight the worst of our annual fires has forced land management agencies into what Senator WYDEN has so ably described—fire borrowing that results in less money for the very activities that can prevent the large devastating fires from happening in the first place. What happens is our management agencies, the Forest Service, Bureau of Land Management, and those who deal with the wild lands and grasses that burn, have had to borrow from all of their other funds so that they can't adequately manage the land. As a result, we end up with more bad fires, and every year the catastrophic fires grow.

When the Forest Service is forced to borrow to fight fires, they are actually borrowing against jobs, recreational opportunities, and proper forest management. The best way to think of fire borrowing is less timber, less jobs, and less access to these beautiful lands because while it is fire borrowing, in many cases it delays the repayment in ways that actually cancel projects, undercut the ability to implement proper forest management, lose jobs, and reduce access to our public lands. Perhaps the most destructive is the fact that less work in the woods means that the harmful cycle just gets worse.

As Senator WYDEN has noted, to address this problem, we have consistently introduced legislation for years now that would treat the devastating fires as the disasters that they are.

I need to back up for a second. We talk about the fact that there is a cost that is not being provided for by Congress and that this fire borrowing has

to happen, but I think it is critical to note that our solution has been scored by both the Congressional Budget Office and by the OMB at the White House as having zero budget impact. It will not increase the deficit because we do end up paying to fight these fires, it is just the way that we end up paying to fight them is the way we deal with so much of our catastrophic health care—at the emergency room with the most expensive solutions, the worst outcomes, and we don't deal with the underlying crisis.

While there is broad agreement from lawmakers on both sides of the aisle and in both Houses of Congress that a fix to fire borrowing is needed, there have been different approaches to the solution. Senator WYDEN and I have been very willing to work with those who have different ideas about how we need to solve this problem and can actually make adjustments in our legislation as we move forward to deal with issues and concerns that others have raised.

We are now at the crisis point, and now we need to move forward and put a final resolution in place. Senator WYDEN and I have worked with these lawmakers and will continue to work with them. We are simply here tonight to say that we are very pleased to see that the leadership of the critical committees in the Senate and others who are so concerned about this issue are in agreement that we need to put this on the front burner and engage with developing a solution and putting it into law.

I look forward to working with Senator WYDEN, the chairman of our Energy, Budget, and Agriculture Committees, and all the interested stakeholders whom Senator WYDEN mentioned—250 groups from across the political spectrum. This is one of those issues in which those groups that so often have different perspectives on how to manage our public lands are in agreement, and we need to take this support—the political agreement that is taking place and the political awareness of the crisis that is happening—and move forward to the implementation of a solution.

I appreciate the opportunity to come to the floor tonight and talk with Senator WYDEN one more time about this as we move to the final stages of implementing this important legislation.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I thank my friend from Idaho, and in wrapping this up I wish to convey what the bottom line really is here.

Senator CRAPO and I do not want to be back on the floor of the U.S. Senate in the winter of 2017 once again talking about how something got stuck or somebody didn't agree with somebody on one small aspect of this, and as a result fire borrowing is still in place. What Senator CRAPO and I are saying is we want to work with all sides. It is going to have to be bipartisan and it is going to have to be bicameral. Those are probably the most important words in this whole discussion. It is going to have to be bipartisan and it is going to have to be bicameral.

We have lots of committees involved. We have the Energy and Natural Resources Committee that I am on and the Agriculture, Nutrition, and Forestry Committee, and the Budget Committee that both of us have been on. We have lots of committees in the Senate, and we have partners in the House who have also played a meaningful role.

I would like to think that Senator CRAPO and I were able to move that bipartisan, bicameral process a fair way down the road at the end of last year, but what we are saying is: Let's now vow, as a body and working with our colleagues, to make sure we are not back here in the winter of 2017 after yet another horrendous fire season and once again saying: You know, this Forest Service practice is a textbook case of inefficiency, and we are explaining what fire borrowing is and how it does so much damage in the forest and to forest health.

This is about the betterment of rural resource-dependent communities, especially in the West and around the country. Senator CRAPO and I have worked together on other past efforts, such as the secure rural schools legislation and the Healthy Forests Restoration Act. We were both involved in those efforts and they were, in fact, bipartisan and bicameral.

Tonight our hope is, as a result of this discussion and what we heard on the floor of the Senate last week, that in fact after more than 5 years of effort on this issue, that this time the Congress, on both sides of the Capitol, will come together and will work with the administration. They indicated support for what we were doing last year and will indicate support early on for efforts that are bipartisan and bicameral. The sooner we can get on with that, the better. That is why it is good news that the committees will be starting hearings and legislative consideration shortly, and we look forward to working with our colleagues.

I yield at this time.

The PRESIDING OFFICER. The Senator from Massachusetts.

TRANS-PACIFIC PARTNERSHIP AGREEMENT

Ms. WARREN. Mr. President, on Thursday, 12 countries will sign a massive trade agreement to change the rules for 40 percent of the world's economy, but the Trans-Pacific Partnership will not go into effect unless Congress approves it. I urge my colleagues to reject the TPP and stop an agreement that will tilt the playing field even more in favor of big multinational corporations and against working families.

Much of the debate over this trade agreement has been described as a fight over America's role in setting the rules of international trade, but this is a deliberate diversion. In fact, the United States has free-trade agreements with half of the TPP countries. Most of the TPP's 30 chapters don't even deal with traditional trade issues. No. Most of TPP is about letting multinational corporations rig the rules on everything from patent protection to food safety standards all to benefit themselves.

The first clue about whom the TPP helps is who wrote it. Twenty-eight trained advisory committees were formed to whisper in the ear of our trade negotiators to urge them to move this way or that way during negotiations. Who are the special privileged whisperers? Well, 85 percent are corporate executives or industry lobbyists. Many of the committees—including those on chemicals and pharmaceuticals, aerospace equipment, textiles and clothing, and financial services—are 100 percent industry representatives. In 15 advisory committees, no one—no one—was in the room who represented American workers or American consumers. There was no one in the room who worried about the enforcement of environmental issues or protection against human rights abuses. Nope. Day after day, meeting after meeting, our official negotiators listened to the whispers of the giant industries and heard little from anyone else.

The second clue about what is going on is that it all happened behind closed doors. The U.S. Trade Representative, Michael Froman, says that the United States has been working to negotiate this trade deal for over 5½ years, but the text of the agreement was hidden from public view until just 3 months ago, and when I say hidden, I mean hidden. The drafts were kept under lock and key so that even Members of the Senate had to go to a secure location to see them, and then we weren't allowed to say anything to anyone about what we had actually seen. A rigged process produces a rigged outcome. When the people whispering in the ears of our negotiators are mostly top executives and lobbyists for big corporation—and when the public is shut out of the negotiating process—the final deal tilts in favor of corporate interests.

Evidence of this tilt can be seen in a key TPP provision, investor-state dispute settlement, ISDS. With ISDS, big companies get the right to challenge laws they don't like, not in courts but in front of industry-friendly arbitration panels that sit outside any court system. Those panels can force taxpayers to write huge checks to big corporations with no appeals. Workers, environmentalists, and human rights advocates don't get the special right, only corporations do.

Most Americans don't think of keeping dangerous pesticides out of our food or keeping our drinking water clean as trade issues, but all over the globe companies have used ISDS to demand compensation for laws they don't like. Just last year a mining company

won an ISDS case when Canada denied the company permits to blast off the coast of Nova Scotia. Today, Canadian taxpayers are on the hook for up to $300 million all because their government tried to protect its environment and tried to protect the livelihood of local fishermen.

ISDS hasn't been a problem just for other countries. We have seen the dangers of ISDS right here at home. Last year, the U.S. State Department concluded, and President Obama agreed, that the Keystone XL Pipeline would not serve the national interests of the United States. It was a long fight, but the administration, applying American law, decided that the pipeline was a threat to our air, to our water, and to our climate and denied the permit, but the oil company that wants to build this pipeline doesn't think the buck stops with our President. Now this foreign oil company is using the ISDS provision in NAFTA to demand more than $15 billion in damages from the United States just because we turned down the Keystone Pipeline.

The Nation's top experts in law and economics have warned us about the dangers of ISDS. Nobel Prize-winning economist Joe Stiglitz, Harvard law professor Laurence Tribe, and others recently noted that if ISDS panels force countries to pay high enough fines, the countries will voluntarily drop the health, safety, labor, and environmental laws that big corporations don't like. That is exactly what Germany did in 2011 when they cut back on environmental regulations after an ISDS lawsuit.

Everyone understands the risks associated with ISDS. In fact, the issue got so hot over tobacco companies using ISDS to roll back health standards around, the world that the TPP negotiators decided to limit the use of ISDS to challenge tobacco laws. That is a pretty bold admission that ISDS can be used to weaken public health laws.

I am glad tobacco laws are protected from ISDS, but what about food safety laws or drug safety laws or any other regulation that is designed to protect our citizens? Under TPP every other company, regardless of the health or safety impact, will be able to use ISDS.

Congress will have to vote straight up or down on TPP. We will not have a chance to strip out any of the worst provisions like ISDS. That is why I oppose the TPP, and I hope Congress will use its constitutional authority to stop this deal before it makes things even worse and more dangerous for America's hardest working families.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. GARDNER. Mr. President, I would like to take a moment to applaud the great work that Chairman MURKOWSKI and Ranking Member CANTWELL are doing this week on the Energy bill to get this bill to the floor—the Energy Policy Modernization Act of 2016. They have been leaders and have shown their commitment to developing and advancing what is truly a bipartisan bill.

This legislation is a result of nearly a year's work on the Energy and Natural Resources Committee, with four legislative hearings leading up to a July markup. There have been many hours put into the base text, and we had a strong bipartisan vote to report the bill out of committee 18 to 4. It is also nice to see Members over the past several days, and last week as well, having the opportunity to amend the bill on the floor—to make it even stronger through an open amendment process throughout this past week.

The Energy Policy Modernization Act will mean more energy efficiency, more energy generation, and more jobs in the energy sector. Promoting energy efficiency and clean alternative power sources is something that has been a focus of my service, and I am pleased that I have had a chance in my role on the Energy and Natural Resources Committee to continue shaping Federal energy policy in the U.S. Senate.

We have before us this week an opportunity to really advance our national energy policy and to think about what our national energy policy means for this country—energy being a cornerstone of our economy and our security. It means more jobs, it means more growth, and perhaps even one of the most potent foreign policy tools this Nation has to offer our allies.

I wish to take a little bit of time to highlight several provisions of the bill that I helped champion and sponsor to get included in the base of the text.

Section 1006 would encourage the use of something called energy savings performance contracts and utility energy savings contracts in Federal buildings. It is a long name for something that probably doesn't fit very well on a bumper sticker. But what energy savings performance contracts and utility energy savings contracts do is something very simple. They are tools that will allow innovative public and private partnerships to occur, that allow private companies to use private dollars to make energy efficient upgrades to Federal buildings. The private companies are then reimbursed for upgrades once the Federal buildings' energy costs are lower. So, in essence, we are taking private sector ingenuity and know-how and private sector investments and putting them into Federal buildings to lower utility costs, to make sure we are doing a better job of heating or cooling or turning the lights on in our buildings, all through private sector know-how, with no cost to the taxpayer, resulting in taxpayer savings and, of course, thousands of private sector jobs.

Last night we had an amendment that passed by voice vote which requires Federal agencies to implement energy savings projects at Federal facilities. For the past several years, we have been carrying out mandatory Federal energy audits that outline energy savings projects for Federal facilities that are aimed at reducing energy consumption and saving tax dollars, but Federal agencies were not required to implement these changes. So we were actually spending Federal dollars to find out how we can save Federal dollars. Yet we would put that report on a shelf where it could gather dust, and we actually didn't implement the taxpayer savings that the reports suggested. We are not talking about just a little bit of savings; we are talking about billions upon billions of dollars of savings that we could put upon the Federal Government simply by making the billions of square feet of office space that the Federal Government has more energy efficient—all, again, by using private sector know-how and private sector ingenuity, with zero taxpayer dollars involved. This amendment that we added last night would make sure those requirements—those findings of energy savings—are actually put into place. Instead of just gathering dust on the shelf, we are going to make them a reality.

Section 3002 of the bill would reauthorize a Department of Energy program for 10 additional years to provide funding to retrofit existing dams and river conduits with electricity-generating technology. It is estimated by the Department of Energy that there is up to 12 gigawatts of untapped hydropower development within the Nation's existing dam infrastructure—12 gigawatts already there, untapped. Right now we estimate that only about 3 percent of the Nation's 80,000 existing dams are used to generate clean hydroelectric power. If people are concerned about zero emissions and carbon emissions, hydropower is one of the greatest opportunities we have—hydroelectric generation—to produce clean energy, a renewable resource and emission free.

We have heard from the Colorado Small Hydro Association that there are new Colorado hydroelectric projects benefiting from this program that were originally authorized in the Energy Policy Act of 2005. These projects include new small hydro projects near Ouray, Creede, Grand Lake, and Ridgeway, CO.

Another measure I have been working on over the past several years is section 2201, which expedites the approval of liquefied natural gas export applications. I carried this measure in the House where we passed it with bipartisan support, and now we are going to be able to pass it with bipartisan support in the U.S. Senate.

When we think about the foreign policy potential that expediting liquefied natural gas has for this country and the world, it is truly significant. We

now can send to our allies in Eastern Europe and around the globe—nations that are currently dependent on energy from tyrannical governments or governments that would use their energy contracts and pricing to try to gouge their neighbors or to manipulate markets for their own gain of an unscrupulous leader—it is a foreign policy tool that the United States can now provide to our allies abundant, affordable energy. This bill will allow that liquefied natural gas permitting process to be expedited. Nations can't wait to get their hands on U.S. energy. The Department of Energy has said that they can comply with the terms of this bill. It is a no-brainer.

I also sponsored language in section 4101 of the bill to commission a study of the feasibility and the potential benefits that could be brought about by an energy-water Center Of Excellence within the Department of Energy's national laboratories. In Colorado we are home to the National Renewable Energy Laboratory. We are also home to some of the most incredible waterways our Nation has to offer. We are also home, of course, to the high plains areas of the Western Slope and the Eastern Plains that need more attention when it comes to how we are going to develop our energy sources while also making sure we are protecting our water and making sure we are being good conservationists when it comes to our water. An energy-water Center Of Excellence would aid in efforts to establish a comprehensive approach for managing energy and water resources in the future.

In section 3017, I worked to clarify that oilseed crops are eligible to qualify for the same research provisions as biomass. Meeting future demand for energy and fuel will require a variety of sources, and science and research indicate that oilseed crops have the potential to play a significant role. The Central Great Plains Research Station in Akron, CO, is researching right now oilseed productivity under varying water availability. Meeting our energy needs in an increasingly drought-ridden area will only become harder and harder. Without the necessary research, we may not have an appropriate response, but with continued innovation, we will have a great one.

Oilseeds can hold the key to providing safe, clean energy that is water efficient—a key for the increasingly drought-ridden West.

One of the things we know we have to consider in agriculture, as farmers sometimes face challenging and sometimes historic lows in commodity prices, is to make sure we are finding new ways and new value to the crops they can raise. The development of oilseeds, development of dryland oilseed technologies is an incredible way for us to bring value-added opportunities to rural America.

These are only a few of the provisions that I have worked to advance in this bill, and I wish to thank, again, Chairman MURKOWSKI and so many of our colleagues for including these provisions so important to States like Colorado and the Presiding Officer's State of Montana, and for what we have been able to do in this Energy bill.

We are spending this time on energy because it is so important to this country. Why is it important? Because it means jobs. It means an economic foundation. Abundant and affordable energy means the opportunity for a small business to open up. It means the ability of our neighbors to be able to afford to cool or heat their homes, to be able to turn on the light switch when they wake up in the morning and go home at night.

Over the past year we have looked back at the work the Senate has done, and really the past year has been a very productive one in the Senate for the American people. We have focused on four things in the Senate—four corners—something that I call my four corners plan: Working on education, passing a bipartisan education bill; areas such as our economy, and providing tax relief to small businesses and people around the country; passing a bipartisan transportation bill to make sure we are getting goods to and from the market. We have worked on the environment by passing the Land and Water Conservation Fund. In fact, this bill will address the great program of the Land and Water Conservation Fund, which has benefited all 50 States across the country with projects in every single one. This bill, the Energy Modernization Policy Act that we are working on today, will address the fourth corner of my four corner plan, and that is energy. We will hopefully produce hundreds of thousands of jobs around Colorado and the country, directly or indirectly related to energy development and energy production, whether that is clean energy, renewable energy, energy efficiency, traditional energy, transmission of that energy to and from consumers; whether it is produced in the sparsely populated southeastern areas of Colorado or the densely populated areas of Colorado's front range and beyond. I hope our colleagues will agree to support and pass this legislation so that it actually continues American leadership when it comes to energy policy.

So I thank the Presiding Officer for his leadership. I know in Montana this Energy bill is an important step forward because it represents an all-of-the-above energy policy. I want to thank the Presiding Officer for his leadership in Montana, and I also want to thank the chairman of the committee, Senator MURKOWSKI, for her leadership as well.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Ms. MURKOWSKI. Mr. President, we have been working hard this afternoon. I think we had a very productive day. We processed eight amendments, which was very good for the process we are in. I have appreciated Members' cooperation with that.

We have been working through the back-and-forth to come up with a package of amendments that we can process by voice vote. It has been good. It has been a little lengthier than we had anticipated, but I think we are in a good place now and I am pleased with that. Again, tomorrow we will look to set up a series of additional votes. Members can expect that beginning probably in the afternoon, but we are also looking to adopt additional votes as we try to reach that unanimous consent agreement.

AMENDMENTS NOS. 3064; 3065, AS MODIFIED; 3179; 3145; 3174; 3140, AS MODIFIED; 3156; 3143; 3194, AS MODIFIED; 3205; AND 3160 TO AMENDMENT NO. 2953

Ms. MURKOWSKI. Mr. President, at this point in time we are now ready to process some amendments by voice vote.

I ask unanimous consent that the following amendments be called up and reported by number: Hirono amendment No. 3064; Hirono amendment No. 3065, with modification; Klobuchar amendment No. 3179; Inhofe-Carper amendment No. 3145; Heitkamp amendment No. 3174; Collins-Klobuchar amendment No. 3140, with modification; Baldwin amendment No. 3156; Carper-Inhofe amendment No. 3143; Boxer-Feinstein amendment No. 3194, with modification; Inhofe-King amendment No. 3205; and Booker amendment No. 3160.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments by number.

The legislative clerk read as follows:

The Senator from Alaska [Ms. MURKOWSKI], for others, proposes amendments numbered 3064; 3065, as modified; 3179; 3145; 3174; 3140, as modified; 3156; 3143; 3194, as modified; 3205; and 3160 en bloc to amendment No. 2953.

The amendments are as follows:

AMENDMENT NO. 3064

(Purpose: To modify a provision relating to the energy workforce pilot grant program)

In section 3602(d)(1)(B), after ''State'' insert the following: ''(as defined in 202 of the Energy Conservation and Production Act (42 U.S.C. 6802)) (referred to in this section as the 'State')''.

AMENDMENT NO. 3065, AS MODIFIED

(Purpose: To modify a provision relating to the energy workforce pilot grant program)

In section 3602(d), strike paragraph (3) and insert the following:

(3) work with Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), tribal organizations (as defined in section 3765 of title 38, United States Code), and Native American veterans (as defined in section 3765 of title 38, United States Code), including veterans who are a descendant of an

Alaska Native (as defined in Section 3(r) of the Alaska Native Claims Settlement Act (432 U.S.C. 1602(r).''

AMENDMENT NO. 3179

(Purpose: To modify the areas of focus under the grid storage program)

On page 174, line 5, insert '', electric thermal, electromechanical,'' after ''materials''.

AMENDMENT NO. 3145

(Purpose: To provide that for purposes of the Federal purchase requirement, renewable energy includes thermal energy)

At the end of title III, add the following:

Subtitle I—Thermal Energy

SEC. 3801. MODIFYING THE DEFINITION OF RENEWABLE ENERGY TO INCLUDE THERMAL ENERGY.

(a) IN GENERAL.—Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) (as amended by section 3001(b)) is amended—

(1) in subsection (a), by inserting ''a number equivalent to'' before ''the total amount of electric energy'';

(2) in subsection (b)—

(A) by redesignating paragraph (2) as paragraph (3);

(B) by inserting after paragraph (1) the following:

''(2) QUALIFIED WASTE HEAT RESOURCE.—The term 'qualified waste heat resource' means—

''(A) exhaust heat or flared gas from any industrial process;

''(B) waste gas or industrial tail gas that would otherwise be flared, incinerated, or vented;

''(C) a pressure drop in any gas for an industrial or commercial process; or

''(D) such other forms of waste heat as the Secretary determines appropriate.''; and

(C) in paragraph (3) (as redesignated by subparagraph (A))—

(i) by striking ''produced from'' and inserting ''produced or, if resulting from a thermal energy project placed in service after December 31, 2014, thermal energy generated from, or avoided by,''; and

(ii) by inserting ''qualified waste heat resource,'' after ''municipal solid waste,''; and

(3) in subsection (c)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately;

(B) in the matter preceding subparagraph (A) (as so redesignated), by striking ''For purposes'' and inserting the following:

''(1) IN GENERAL.—For purposes''; and

(C) by adding at the end the following:

''(2) SEPARATE CALCULATION.—

''(A) IN GENERAL.—For purposes of determining compliance with the requirements of this section, any energy consumption that is avoided through the use of renewable energy shall be considered to be renewable energy produced.

''(B) DENIAL OF DOUBLE BENEFIT.—Avoided energy consumption that is considered to be renewable energy produced under subparagraph (A) shall not also be counted for purposes of achieving compliance with another Federal energy efficiency goal.''.

(b) CONFORMING AMENDMENT.—Section 2410q(a) of title 10, United States Code, is amended by striking ''section 203(b)(2) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)(2))'' and inserting ''section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b))''.

AMENDMENT NO. 3174

(Purpose: To affirm a Federal commitment to carbon capture utilization and storage research, development, and implementation and to study the costs and benefits of contracting authority for price stabilization)

On page 302, between lines 14 and 15, insert the following:

SEC. 3401. SENSE OF THE SENATE ON CARBON CAPTURE, USE, AND STORAGE DEVELOPMENT AND DEPLOYMENT.

It is the sense of the Senate that—

(1) carbon capture, use, and storage deployment is—

(A) an important part of the clean energy future and smart research and development investments of the United States; and

(B) critical—

(i) to increasing the energy security of the United States;

(ii) to reducing emissions; and

(iii) to maintaining a diverse and reliable energy resource;

(2) the fossil energy programs of the Department should continue to focus on research and development of technologies that will improve the capture, transportation, use (including for the production through biofixation of carbon-containing products), and injection processes essential for carbon capture, use, and storage activities in the electrical and industrial sectors;

(3) the Secretary should continue to partner with the private sector and explore avenues to bring down the cost of carbon capture, including through loans, grants, and sequestration credits to help make carbon capture, use, and storage technologies more competitive compared to other technologies that are a part of the clean energy future of the United States; and

(4) the Secretary should continue working with international partners on pre-existing agreements, projects, and information sharing activities of the Secretary to develop the latest and most cutting-edge carbon capture, use, and storage technologies for the electrical and industrial sectors.

On page 302, line 15, strike ''**3401**'' and insert ''**3402**''.

On page 302, line 21, strike ''**3402**'' and insert ''**3403**''.

On page 311, between lines 7 and 8, insert the following:

SEC. 3404. REPORT ON PRICE STABILIZATION SUPPORT.

(a) DEFINITION OF ELECTRIC GENERATION UNIT.—In this section, the term ''electric generation unit'' means an electric generation unit that—

(1) uses coal-based generation technology; and

(2) is capable of capturing carbon dioxide emissions from the unit.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall prepare and submit to the appropriate committees of Congress a report—

(1) on the benefits and costs of entering into long-term binding contracts on behalf of the Federal Government with qualified parties to provide price stabilization support for certain industrial sources for capturing carbon dioxide from electricity generated at an electric generation unit or carbon dioxide captured from an electric generation unit and sold to a purchaser for—

(A) the recovery of crude oil; or

(B) other purposes for which a commercial market exists; and

(2) that—

(A) contains an analysis of how the Department would establish, implement, and maintain a contracting program described in paragraph (1); and

(B) outlines options for how price stabilization contracts may be structured and regulations that would be necessary to implement a contracting program described in paragraph (1).

AMENDMENT NO. 3140, AS MODIFIED

(Purpose: To require certain Federal agencies to establish consistent policies relating to forest biomass energy to help address the energy needs of the United States)

At the end of part IV of subtitle A of title III, add the following:

SEC. 30___. POLICIES RELATING TO BIOMASS ENERGY.

To support the key role that forests in the United States can play in addressing the energy needs of the United States, the Secretary, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency shall, consistent with their missions, jointly—

(1) ensure that Federal policy relating to forest bioenergy—

(A) is consistent across all Federal departments and agencies; and

(B) recognizes the full benefits of the use of forest biomass for energy, conservation, and responsible forest management; and

(2) establish clear and simple policies for the use of forest biomass as an energy solution, including policies that—

(A) reflect the carbon-neutrality of forest bioenergy and recognize biomass as a renewable energy source, provided the use of forest biomass for energy production does not cause conversion of forests to non-forest use.

(B) encourage private investment throughout the forest biomass supply chain, including in—

(i) working forests;

(ii) harvesting operations;

(iii) forest improvement operations;

(iv) forest bioenergy production;

(v) wood products manufacturing; or

(vi) paper manufacturing;

(C) encourage forest management to improve forest health; and

(D) recognize State initiatives to produce and use forest biomass.

AMENDMENT NO. 3156

(Purpose: To strike a repeal under a provision relating to manufacturing energy efficiency)

Beginning on page 130, strike line 18 and all that follows through page 131, line 5.

Beginning on page 419, line 26, strike ''(as amended'' and all that follows through ''1201(d)(3))'' on page 420, line 1.

AMENDMENT NO. 3143

(Purpose: To reauthorize the diesel emissions reduction program)

At the end of part III of subtitle D of title I, add the following:

SEC. 131__. REAUTHORIZATION OF DIESEL EMISSIONS REDUCTION PROGRAM.

Section 797(a) of the Energy Policy Act of 2005 (42 U.S.C. 16137(a)) is amended by striking ''2016'' and inserting ''2021''.

AMENDMENT NO. 3194, AS MODIFIED

(Purpose: To direct the Secretary of Energy to establish a task force to analyze and assess the Aliso Canyon natural gas leak)

At the appropriate place, insert the following:

SEC. _____. ALISO CANYON NATURAL GAS LEAK TASK FORCE.

(b) ESTABLISHMENT OF TASK FORCE.—Not later than 15 days after the date of enactment of this Act, the Secretary shall lead and establish an Aliso Canyon Task Force (referred to in this section as the ''task force'').

(c) MEMBERSHIP OF TASK FORCE.—In addition to the Secretary, the task force shall be composed of—

(1) 1 representative from the Pipeline and Hazardous Materials Safety Administration;

(2) 1 representative from the Department of Health and Human Services;

(3) 1 representative from the Environmental Protection Agency;

(4) 1 representative from the Department of the Interior;

(5) 1 representative from the Department of Commerce; and

(6) 1 representative from the Federal Energy Regulatory Commission.

(d) REPORT.—

(1) FINAL REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the task force shall submit a final report that contains the information described in subparagraph (B) to—

(i) the Committee on Energy and Natural Resources of the Senate;

(ii) the Committee on Natural Resources of the House of Representatives;

(iii) the Committee on Environment and Public Works of the Senate;

(iv) the Committee on Transportation and Infrastructure of the House of Representatives;

(v) the Committee on Commerce, Science, and Transportation of the Senate;

(vi) the Committee on Energy and Commerce of the House of Representatives;

(vii) the Committee on Health, Education, Labor, and Pensions of the Senate;

(viii) the Committee on Education and the Workforce of the House of Representatives;

(ix) the President; and

(x) relevant Federal and State agencies.

(B) INFORMATION INCLUDED.—The report submitted under subparagraph (A) shall include, at a minimum—

(i) an analysis and conclusion of the cause of the Aliso Canyon natural gas leak;

(ii) an analysis of measures taken to stop the natural gas leak, with an immediate focus on other, more effective measures that could be taken;

(iii) an assessment of the impact of the natural gas leak on health, safety, the environment, and the economy of the residents and property surrounding Aliso Canyon;

(iv) an analysis of how Federal and State agencies responded to the natural gas leak;

(v) in order to lessen the negative impacts of natural gas leaks, recommendations on how to improve—

(I) the response to a future leak; and

(II) coordination between all appropriate Federal, State, and local agencies in the response to the Aliso Canyon natural gas leak and future natural gas leaks;

(vi) an analysis of the potential for a similar natural gas leak to occur at other underground natural gas storage facilities in the United States;

(vii) recommendations on how to prevent any future natural gas leaks;

(viii) recommendations on whether to continue operations at Aliso Canyon and other facilities in close proximity to residential populations based on an assessment of the risk of a future natural gas leak;

(ix) a recommendation on information that is not currently collected but that would be in the public interest to collect and distribute to agencies and institutions for the continued study and monitoring of natural gas infrastructure in the United States;

(x) an analysis of the impact of the Aliso Canyon natural gas leak on wholesale and retail electricity prices; and

(xi) an analysis of the impact of the Aliso Canyon natural gas leak on the reliability of the bulk-power system.

(2) PUBLICATION.—The final report under paragraph (1) shall be made available to the public in an electronically accessible format.

(3) If, before the final report is submitted under paragraph (1) the task force finds methods to solve the natural gas leak at Aliso Canyon; better protect the affected communities; or finds methods to help prevent other leaks, they must immediately issue such findings to the same entities that are to receive the final report.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary.

AMENDMENT NO. 3205

(Purpose: To provide for the use of geomatic data in consideration of applications for Federal authorization)

On page 196, between lines 7 and 8, insert the following:

(d) GEOMATIC DATA.—If a Federal or State department or agency considering an aspect of an application for Federal authorization requires the applicant to submit environmental data, the department or agency shall consider any such data gathered by geomatic techniques, including tools and techniques used in land surveying, remote sensing, cartography, geographic information systems, global navigation satellite systems, photogrammetry, geophysics, geography, or other remote means.

AMENDMENT NO. 3160

(Purpose: To strike a provision relating to identifyng and characterizing methane hydrate resources using remote sensing and seismic data in the Atlantic Ocean Basin)

On page 263, line 5, strike ''or the Atlantic Ocean Basin''.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate now vote on these amendments en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I know of no further debate on these amendments.

The PRESIDING OFFICER. Is there further debate?

If not, the question occurs on agreeing to the amendments en bloc.

The amendments (Nos. 3064; 3065, as modified; 3179; 3145; 3174; 3140, as modified; 3156; 3143; 3194, as modified; 3205; and 3160) were agreed to en bloc.

Ms. MURKOWSKI. Mr. President, I appreciate again the cooperation and the working relationship with my ranking member, as well as her very strong and able team working with mine, as well as the floor staff who have been doing a great job.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, we just cleared several amendments in a bipartisan fashion, working back and forth across the aisle, and I so appreciate our colleagues working so diligently on these tonight. If we want to keep making progress, obviously we have to keep communicating, but I thank everybody involved with getting these amendments done.

To my colleague from Alaska, thanks for her diligence in focusing on these issues. Hopefully we will resolve these issues tomorrow. The cloture motion has been filed, so we need to keep moving forward so that we can resolve these issues by the end of this week.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3140, AS MODIFIED

Ms. CANTWELL. Mr. President, I did want to mention on amendment No. 3140 that I want to thank everybody who worked on that particular amendment tonight. I know tomorrow we are going to have a colloquy continuing the dialogue among all our colleagues who care about these issues as they relate to energy and biomass and making sure we are all continuing to work on this together. I want to point out that there will be a colloquy on that tomorrow.

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

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

MORNING BUSINESS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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