

## S 1

### Keystone XL Pipeline Approval Act

**Congress:** 114 (2015–2017, Ended)

**Chamber:** Senate

**Policy Area:** Energy

**Introduced:** Jan 6, 2015

**Current Status:** Message on Senate action sent to the House.

**Latest Action:** Message on Senate action sent to the House. (Mar 4, 2015)

**Official Text:** <https://www.congress.gov/bill/114th-congress/senate-bill/1>

### Sponsor

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**Name:** Sen. Hoeven, John [R-ND]

**Party:** Republican • **State:** ND • **Chamber:** Senate

**Cosponsors** (59 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Alexander, Lamar [R-TN]	R · TN		Jan 6, 2015
Sen. Ayotte, Kelly [R-NH]	R · NH		Jan 6, 2015
Sen. Barrasso, John [R-WY]	R · WY		Jan 6, 2015
Sen. Blunt, Roy [R-MO]	R · MO		Jan 6, 2015
Sen. Boozman, John [R-AR]	R · AR		Jan 6, 2015
Sen. Burr, Richard [R-NC]	R · NC		Jan 6, 2015
Sen. Capito, Shelley Moore [R-WV]	R · WV		Jan 6, 2015
Sen. Cassidy, Bill [R-LA]	R · LA		Jan 6, 2015
Sen. Coats, Daniel [R-IN]	R · IN		Jan 6, 2015
Sen. Cochran, Thad [R-MS]	R · MS		Jan 6, 2015
Sen. Collins, Susan M. [R-ME]	R · ME		Jan 6, 2015
Sen. Corker, Bob [R-TN]	R · TN		Jan 6, 2015
Sen. Cornyn, John [R-TX]	R · TX		Jan 6, 2015
Sen. Cotton, Tom [R-AR]	R · AR		Jan 6, 2015
Sen. Crapo, Mike [R-ID]	R · ID		Jan 6, 2015
Sen. Cruz, Ted [R-TX]	R · TX		Jan 6, 2015
Sen. Daines, Steve [R-MT]	R · MT		Jan 6, 2015
Sen. Donnelly, Joe [D-IN]	D · IN		Jan 6, 2015
Sen. Enzi, Michael B. [R-WY]	R · WY		Jan 6, 2015
Sen. Ernst, Joni [R-IA]	R · IA		Jan 6, 2015
Sen. Fischer, Deb [R-NE]	R · NE		Jan 6, 2015
Sen. Flake, Jeff [R-AZ]	R · AZ		Jan 6, 2015
Sen. Gardner, Cory [R-CO]	R · CO		Jan 6, 2015
Sen. Graham, Lindsey [R-SC]	R · SC		Jan 6, 2015
Sen. Grassley, Chuck [R-IA]	R · IA		Jan 6, 2015
Sen. Hatch, Orrin G. [R-UT]	R · UT		Jan 6, 2015
Sen. Heitkamp, Heidi [D-ND]	D · ND		Jan 6, 2015
Sen. Heller, Dean [R-NV]	R · NV		Jan 6, 2015
Sen. Inhofe, James M. [R-OK]	R · OK		Jan 6, 2015
Sen. Isakson, Johnny [R-GA]	R · GA		Jan 6, 2015
Sen. Johnson, Ron [R-WI]	R · WI		Jan 6, 2015
Sen. Kirk, Mark Steven [R-IL]	R · IL		Jan 6, 2015
Sen. Lankford, James [R-OK]	R · OK		Jan 6, 2015
Sen. Lee, Mike [R-UT]	R · UT		Jan 6, 2015
Sen. Manchin, Joe, III [D-WV]	D · WV		Jan 6, 2015
Sen. McCain, John [R-AZ]	R · AZ		Jan 6, 2015
Sen. McCaskill, Claire [D-MO]	D · MO		Jan 6, 2015
Sen. McConnell, Mitch [R-KY]	R · KY		Jan 6, 2015
Sen. Moran, Jerry [R-KS]	R · KS		Jan 6, 2015
Sen. Murkowski, Lisa [R-AK]	R · AK		Jan 6, 2015
Sen. Paul, Rand [R-KY]	R · KY		Jan 6, 2015

Cosponsor	Party / State	Role	Date Joined
Sen. Perdue, David [R-GA]	R · GA		Jan 6, 2015
Sen. Portman, Rob [R-OH]	R · OH		Jan 6, 2015
Sen. Risch, James E. [R-ID]	R · ID		Jan 6, 2015
Sen. Roberts, Pat [R-KS]	R · KS		Jan 6, 2015
Sen. Rounds, Mike [R-SD]	R · SD		Jan 6, 2015
Sen. Rubio, Marco [R-FL]	R · FL		Jan 6, 2015
Sen. Sasse, Ben [R-NE]	R · NE		Jan 6, 2015
Sen. Scott, Tim [R-SC]	R · SC		Jan 6, 2015
Sen. Sessions, Jeff [R-AL]	R · AL		Jan 6, 2015
Sen. Shelby, Richard C. [R-AL]	R · AL		Jan 6, 2015
Sen. Sullivan, Dan [R-AK]	R · AK		Jan 6, 2015
Sen. Tester, Jon [D-MT]	D · MT		Jan 6, 2015
Sen. Thune, John [R-SD]	R · SD		Jan 6, 2015
Sen. Tillis, Thomas [R-NC]	R · NC		Jan 6, 2015
Sen. Toomey, Patrick [R-PA]	R · PA		Jan 6, 2015
Sen. Vitter, David [R-LA]	R · LA		Jan 6, 2015
Sen. Warner, Mark R. [D-VA]	D · VA		Jan 6, 2015
Sen. Wicker, Roger F. [R-MS]	R · MS		Jan 6, 2015

## Committee Activity

*No committee referrals or activity are recorded for this bill.*

## Subjects & Policy Tags

### Policy Area:

Energy

## Related Bills

Bill	Relationship	Last Action
114 S 720	Related bill	<b>Sep 9, 2015:</b> Placed on Senate Legislative Calendar under General Orders. Calendar No. 210.
114 HR 2177	Related bill	<b>Aug 18, 2015:</b> Referred to the Subcommittee on Energy.
114 HR 906	Related bill	<b>Jun 9, 2015:</b> Placed on the Union Calendar, Calendar No. 102.
114 S 523	Related bill	<b>Apr 30, 2015:</b> Committee on Energy and Natural Resources. Hearings held. Hearings printed: S.Hrg. 114-166.
114 S 1052	Related bill	<b>Apr 30, 2015:</b> Committee on Energy and Natural Resources. Hearings held. Hearings printed: S.Hrg. 114-166.
114 HR 1867	Related bill	<b>Apr 17, 2015:</b> Referred to the Subcommittee on Energy and Power.
114 HR 873	Related document	<b>Feb 13, 2015:</b> Referred to the Subcommittee on Energy and Power.
114 HRES 100	Procedurally related	<b>Feb 11, 2015:</b> Motion to reconsider laid on the table Agreed to without objection.
114 S 259	Related bill	<b>Jan 27, 2015:</b> Read twice and referred to the Committee on Energy and Natural Resources.
114 HR 3	Related bill	<b>Jan 12, 2015:</b> Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 3.
114 S 147	Related bill	<b>Jan 12, 2015:</b> Placed on Senate Legislative Calendar under General Orders. Calendar No. 2.

(This measure has not been amended since it was passed by the Senate on January 29, 2015. The summary of that version is repeated here.)

### **Keystone XL Pipeline Approval Act**

(Sec. 2) Authorizes TransCanada Keystone Pipeline, L.P. to construct, connect, operate, and maintain the pipeline and cross-border facilities specified in an application filed by TransCanada Corporation to the Department of State on May 4, 2012.

Deems the Final Supplemental Environmental Impact Statement regarding the pipeline issued by the Secretary of State in January 2014 to fully satisfy the National Environmental Policy Act of 1969 and any law that requires federal agency consultation or review, including the Endangered Species Act of 1973.

Maintains in effect any applicable federal permit or authorization issued before enactment of this Act.

Grants original and exclusive jurisdiction, except for review in the Supreme Court, to the U.S. Court of Appeals for the District of Columbia Circuit over any civil action for the review of a federal agency action regarding the pipeline and related facilities.

Declares that this Act does not alter any federal, state, or local process or condition in effect on the date of enactment of this Act that is necessary to secure access from an owner of private property to construct the pipeline and cross-border facilities.

Allows acquisition of land or an interest in land for the pipeline and cross-border facilities only in a manner consistent with the Constitution.

(Sec. 3) Directs the Department of Energy's (DOE) Office of Energy Efficiency and Renewable Energy to act as the lead federal agency for coordinating and disseminating information on existing federal programs and assistance that may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools.

Requires DOE to: (1) carry out a review of existing programs and financing mechanisms available in or from appropriate federal agencies with jurisdiction over energy financing and facilitation that are currently used or may be used for such purposes; (2) establish a federal collaborative coordination, education, and outreach effort to streamline communication and promote available federal opportunities and assistance for such projects that enables states, local educational agencies, and schools to use federal opportunities more effectively and to form partnerships with governors, state energy programs, state and local officials, nonprofit organizations, and other entities to support project initiation; (3) provide technical assistance for states, local educational agencies, and schools to help develop and finance projects that meet specified requirements; (4) develop and maintain a single website with contact information for relevant technical assistance and support staff in the Office for states, local educational agencies, and schools to effectively access and use federal opportunities and assistance to develop such projects; and (5) establish a process for recognition of schools that have successfully implemented such projects and are willing to serve as resources for other local educational agencies and schools to assist similar efforts.

(Sec. 4) Declares that nothing in this Act relieves the United States of its responsibility to consult with Indian nations as

required under Executive Order 13175.

(Sec. 5) Expresses the sense of the Senate that climate change is real and not a hoax.

(Sec. 6) Expresses the sense of the Senate that Congress should approve a bill, originated by the House, to ensure that all forms of bitumen or synthetic crude oil derived from bitumen are subject to the per-barrel excise tax associated with the Oil Spill Liability Trust Fund.

## DIVISION B [sic]--ENERGY EFFICIENCY IMPROVEMENT

### *Energy Efficiency Improvement Act of 2015*

#### TITLE I--BETTER BUILDINGS

##### *Better Buildings Act of 2015*

(Sec. 102) Requires the General Services Administration, in consultation with DOE, to develop and publish model commercial leasing provisions for use in leasing documents that designate a federal agency as a landlord or tenant that encourage building owners and tenants to invest in cost-effective energy and water efficiency measures.

Requires the Administrator to: (1) develop policies and best practices to implement such measures for the realty services; and (2) make available such model leasing provisions and best practices to state and local governments for use in managing owned and leased building space to encourage investment in such energy and water efficiency measures.

(Sec. 103) Amends the Energy Independence and Security Act of 2007 to require DOE's Office of Energy Efficiency and Renewable Energy to study the feasibility of: (1) significantly improving energy efficiency in commercial buildings through the design and construction of separate spaces with high-performance energy efficiency measures, and (2) encouraging owners and tenants to implement such measures in separate spaces. Requires the Secretary to publish such study on DOE's website.

(Sec. 104) Requires the Environmental Protection Agency (EPA) to develop a voluntary Tenant Star program within the Energy Star program to recognize tenants in commercial buildings that voluntarily achieve high levels of energy efficiency in separate spaces. Requires the Administrator of the Energy Information Administration (EIA) to collect data on categories of building occupancy that consume significant quantities of energy and on other aspects of the property, building operation, or building occupancy determined to be relevant to lowering energy consumption. Requires the EIA, with respect to the first such survey conducted after enactment of this Act, to the extent full compliance with the data collection requirements is not feasible, to conduct activities to develop the capability to collect such data and to begin such collection.

#### TITLE II--GRID-ENABLED WATER HEATERS

(Sec. 201) Amends the Energy Policy and Conservation Act (EPCA) to provide additional energy conservation standards applicable to grid-enabled water heaters for use as part of an electric thermal storage or demand response program (a program that enables customers to reduce or shift their power use during peak demand periods).

Requires annual reports from: (1) manufacturers of such water heaters regarding the quantity of the products shipped each year, and (2) utilities and other demand response and thermal storage program operators regarding the quantity of products activated for their programs.

Requires the Secretary to publish analyses of data collected from such reports and to establish procedures to prevent product diversion if sales of the products exceed by at least 15% the quantity activated for use in the demand response and thermal storage programs annually.

Maintains the standards and publication procedures established by this Act until DOE determines that: (1) such water heaters do not require a separate efficiency requirement, or (2) procedures to prevent product diversion for non-program purposes would not be adequate to prevent such product diversion.

Requires DOE to consider the impact of EPCA electric water heater standards on thermal storage and demand response programs, including on energy savings, electric bills, peak load reduction, electric reliability, integration of renewable resources, and the environment.

Directs DOE to require the water heaters be equipped with communication capability to enable the grid-enabled water heaters to participate in ancillary services programs if the technology is available, practical, and cost-effective.

Makes it unlawful for any person to: (1) activate an activation lock for a grid-enabled water heater with knowledge that it is not used as part of such program, (2) distribute an activation key for such a water heater with knowledge that it will be used to activate a heater that is not used as part of the program, (3) enable such water heater to operate at its designed specification and capabilities with knowledge that it is not used as part of the program, or (4) knowingly remove or render illegible the label of a such water heater.

### TITLE III--ENERGY INFORMATION FOR COMMERCIAL BUILDINGS

(Sec. 301) Amends the Energy Independence and Security Act of 2007 to revise exceptions to the requirement that federal agencies must lease space in buildings that have earned the Energy Star label.

Requires a space leased by an agency in a building that has not earned the Energy Star label to be benchmarked under a nationally recognized, online, free benchmarking program, with public disclosure. Exempts from such requirement a space for which owners cannot access whole building utility consumption data. Requires an agency that is a tenant of a space that has not earned such label to provide to a building owner, or authorize the owner to obtain from the utility, the energy consumption information of the space for the benchmarking and disclosure requirements.

Requires DOE to study and report on: (1) the impact of state and local performance benchmarking and disclosure policies, and any associated building efficiency policies, for commercial and multifamily buildings and the impact of programs and systems in which utilities provide aggregated information regarding whole building energy consumption and usage information to owners of multitenant commercial, residential, and mixed-use buildings; and (2) best practice policy approaches that have resulted in the greatest improvements in building energy efficiency.

Directs DOE to maintain, and if necessary create, a database to store and make publicly available energy-related information on commercial and multifamily buildings. Requires the database to complement, but not duplicate, the functions of the EPA Energy Star Portfolio Manager tool.

## Actions Timeline

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- **Mar 4, 2015:** Veto Message considered in Senate. (consideration: CR S1274-1285, S1274)
- **Mar 4, 2015:** Cloture motion on veto message withdrawn by unanimous consent in Senate. (consideration: CR S1274)
- **Mar 4, 2015:** Failed of passage in Senate over veto: Failed of passage in Senate over veto by Yea-Nay Vote. 62 - 37. Record Vote Number: 68.
- **Mar 4, 2015:** Failed of passage in Senate over veto by Yea-Nay Vote. 62 - 37. Record Vote Number: 68.
- **Mar 4, 2015:** Message on Senate action sent to the House.
- **Mar 2, 2015:** Veto Message considered in Senate.
- **Mar 2, 2015:** Cloture motion on veto message presented in Senate. (consideration: CR S1215; text: CR S1215)
- **Feb 24, 2015:** Presented to President.
- **Feb 24, 2015:** Vetoed by President.(text of veto message: CR S1073)
- **Feb 24, 2015:** Vetoed by President. (text of veto message: CR S1073)
- **Feb 24, 2015:** Veto message received in Senate. Ordered held at the desk.
- **Feb 11, 2015:** Rule H. Res. 100 passed House.
- **Feb 11, 2015:** Considered under the provisions of rule H. Res. 100. (consideration: CR H947-960)
- **Feb 11, 2015:** Rule provides for consideration of S. 1 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions. Measure will be considered read. Bill is closed to amendments. After disposition of the previous question, the resolution allows for one motion to commit during consideration of S. 1. The resolution also provides for proceedings during the period from Feb. 16, 2015 through Feb. 23, 2015.
- **Feb 11, 2015:** DEBATE - Pursuant to the provisions of H. Res. 100, the House proceeded with one hour of debate on S. 1.
- **Feb 11, 2015:** The previous question was ordered pursuant to the rule. (consideration: CR H958)
- **Feb 11, 2015:** Mrs. Capps moved to commit with instructions to the Committee on Energy and Commerce. (consideration: CR H958; text: CR H958)
- **Feb 11, 2015:** DEBATE - The House proceeded with 10 minutes of debate on the motion to commit with instructions, pending the reservation of a point of order. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment to require that TransCanada Keystone Pipeline, L.P. pay for any oil spill cleanup on American soil. The point of order was subsequently withdrawn.
- **Feb 11, 2015:** The previous question on the motion to commit with instructions was ordered without objection. (consideration: CR H959)
- **Feb 11, 2015:** On motion to commit with instructions Failed by the Yeas and Nays: 181 - 241 (Roll no. 74). (consideration: CR H959-960)
- **Feb 11, 2015:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 270 - 152 (Roll no. 75).(text: CR H947-950)
- **Feb 11, 2015:** On passage Passed by the Yeas and Nays: 270 - 152 (Roll no. 75). (text: CR H947-950)
- **Feb 11, 2015:** Motion to reconsider laid on the table Agreed to without objection.
- **Feb 10, 2015:** Rules Committee Resolution H. Res. 100 Reported to House. Rule provides for consideration of S. 1 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions. Measure will be considered read. Bill is closed to amendments. After disposition of the previous question, the resolution allows for one motion to commit during consideration of S. 1. The resolution also provides for proceedings during the period from Feb. 16, 2015 through Feb. 23, 2015.
- **Jan 30, 2015:** Received in the House.
- **Jan 30, 2015:** Message on Senate action sent to the House.
- **Jan 30, 2015:** Held at the desk.
- **Jan 29, 2015:** Considered by Senate. (consideration: CR S620-645)
- **Jan 29, 2015:** Motion to proceed to consideration of the motion to reconsider the vote by which cloture was not invoked on the measure (Roll Call Vote No. 30) agreed to in Senate by Unanimous Consent. (consideration: CR S626)
- **Jan 29, 2015:** Motion by Senator McConnell to reconsider the vote by which cloture was not invoked on the measure (Roll Call Vote No. 30) agreed to in Senate by Unanimous Consent.
- **Jan 29, 2015:** Upon reconsideration, cloture on the measure invoked in Senate by Yea-Nay Vote. 62 - 35. Record Vote Number: 45. (consideration: CR S626; text: CR S626)
- **Jan 29, 2015:** Passed/agreed to in Senate: Passed Senate with amendments by Yea-Nay Vote. 62 - 36. Record Vote Number: 49.(text: CR S637-641)

- Jan 29, 2015:** Passed Senate with amendments by Yea-Nay Vote. 62 - 36. Record Vote Number: 49. (text: CR S637-641)
- **Jan 28, 2015:** Considered by Senate. (consideration: CR S555-577)
  - **Jan 27, 2015:** Considered by Senate. (consideration: CR S497-503, S503-537)
  - **Jan 26, 2015:** Considered by Senate. (consideration: CR S449-460)
  - **Jan 26, 2015:** Cloture on the measure not invoked in Senate by Yea-Nay Vote. 53 - 39. Record Vote Number: 30. (consideration: CR S455; text: CR S455)
  - **Jan 26, 2015:** Motion by Senator McConnell to reconsider the vote by which cloture was not invoked (Record Vote No. 30) entered in Senate. (consideration: CR S455)
  - **Jan 22, 2015:** Considered by Senate. (consideration: CR S372-376, S376-383, S387-388, S390-404, S404-408)
  - **Jan 22, 2015:** Cloture motion on the measure presented in Senate. (consideration: CR S407-408; text: CR S407-408)
  - **Jan 21, 2015:** Considered by Senate. (consideration: CR S311-321, S323-338)
  - **Jan 20, 2015:** Considered by Senate. (consideration: CR S255-259, S260-272)
  - **Jan 16, 2015:** Considered by Senate. (consideration: CR S221-235)
  - **Jan 13, 2015:** Motion to proceed to measure considered in Senate. (consideration: CR S162-174, S181-184)
  - **Jan 13, 2015:** Motion to proceed to consideration of measure agreed to in Senate by Voice Vote. (consideration: CR S184)
  - **Jan 13, 2015:** Measure laid before Senate by motion. (consideration: CR S184-197)
  - **Jan 12, 2015:** Motion to proceed to measure considered in Senate. (consideration: CR S136-146)
  - **Jan 12, 2015:** Cloture on the motion to proceed to the measure invoked in Senate by Yea-Nay Vote. 63 - 32. Record Vote Number: 3. (consideration: CR S145-146; text: CR S145)
  - **Jan 9, 2015:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S121-128)
  - **Jan 8, 2015:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S69-72, S85-94)
  - **Jan 8, 2015:** Cloture motion on the motion to proceed to the measure presented in Senate. (consideration: CR S85; text: CR S85)
  - **Jan 7, 2015:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 1.
  - **Jan 6, 2015:** Introduced in Senate
  - **Jan 6, 2015:** Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time. (Sponsor introductory remarks on measure: CR S40-41)