

Whereas reunification remains a long-term goal of South Korea;

Whereas South Korea and North Korea are both full members of the United Nations, whose stated purpose includes maintaining international peace and security, and to that end “take effective collective measures for the prevention and removal of threats to the peace”;

Whereas the Governments and people of the United States and South Korea have continuously stood shoulder-to-shoulder to promote and defend international peace and security, economic prosperity, human rights, and the rule of law both on the Korean Peninsula and beyond, and the denuclearization of North Korea; and

Whereas July 27, 2013, marks the 60th anniversary of the Armistice Agreement of the Korean War; Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) recognizes the historical importance of the Korean War, which began on June 25, 1950;

(2) honors the noble service and sacrifice of members of the United States Armed Forces and the armed forces of allied countries that have served in Korea since 1950;

(3) reaffirms the commitment of the United States to its alliance with South Korea for the betterment of peace and prosperity on the Korean Peninsula; and

(4) calls on the Government of North Korea to abide by international law and cease its nuclear weapons program and denuclearize completely in order to resume talks that could eventually lead to peace and reunification.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1798. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table.

SA 1799. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1800. Mrs. McCASKILL (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1801. Mrs. McCASKILL (for herself and Mr. COBURN) submitted an amendment intended to be proposed by her to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1802. Mr. SCHUMER (for himself, Mr. CARDIN, Mrs. GILLIBRAND, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1803. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1243, supra.

SA 1804. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1805. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1806. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1807. Mr. HOEVEN submitted an amendment intended to be proposed by him

to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1808. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1809. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1810. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1811. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1812. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 1798. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### TITLE —TRANSPORTATION EMPOWERMENT ACT

##### SEC. 1. SHORT TITLE.

This title may be cited as the “Transportation Empowerment Act”.

##### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the objective of the Federal highway program has been to facilitate the construction of a modern freeway system that promotes efficient interstate commerce by connecting all States;

(2) that objective has been attained, and the Interstate System connecting all States is near completion;

(3) each State has the responsibility of providing an efficient transportation network for the residents of the State;

(4) each State has the means to build and operate a network of transportation systems, including highways, that best serves the needs of the State;

(5) each State is best capable of determining the needs of the State and acting on those needs;

(6) the Federal role in highway transportation has, over time, usurped the role of the States by taxing motor fuels used in the States and then distributing the proceeds to the States based on the Federal Government’s perceptions of what is best for the States;

(7) the Federal Government has used the Federal motor fuels tax revenues to force all States to take actions that are not necessarily appropriate for individual States;

(8) the Federal distribution, review, and enforcement process wastes billions of dollars on unproductive activities;

(9) Federal mandates that apply uniformly to all 50 States, regardless of the different circumstances of the States, cause the States to waste billions of hard-earned tax dollars on projects, programs, and activities that the States would not otherwise undertake; and

(10) Congress has expressed a strong interest in reducing the role of the Federal Gov-

ernment by allowing each State to manage its own affairs.

(b) PURPOSES.—The purposes of this title are—

(1) to return to the individual States maximum discretionary authority and fiscal responsibility for all elements of the national surface transportation systems that are not within the direct purview of the Federal Government;

(2) to preserve Federal responsibility for the Dwight D. Eisenhower National System of Interstate and Defense Highways;

(3) to preserve the responsibility of the Department of Transportation for—

(A) design, construction, and preservation of transportation facilities on Federal public land;

(B) national programs of transportation research and development and transportation safety; and

(C) emergency assistance to the States in response to natural disasters;

(4) to eliminate to the maximum extent practicable Federal obstacles to the ability of each State to apply innovative solutions to the financing, design, construction, operation, and preservation of Federal and State transportation facilities; and

(5) with respect to transportation activities carried out by States, local governments, and the private sector, to encourage—

(A) competition among States, local governments, and the private sector; and

(B) innovation, energy efficiency, private sector participation, and productivity.

##### SEC. 3. FUNDING LIMITATION.

Notwithstanding any other provision of law, if the Secretary of Transportation determines for any of fiscal years 2015 through 2019 that the aggregate amount required to carry out transportation programs and projects under this title and amendments made by this title exceeds the estimated aggregate amount in the Highway Trust Fund available for those programs and projects for the fiscal year, each amount made available for such a program or project shall be reduced by the pro rata percentage required to reduce the aggregate amount required to carry out those programs and projects to an amount equal to that available for those programs and projects in the Highway Trust Fund for the fiscal year.

##### SEC. 4. FUNDING FOR CORE HIGHWAY PROGRAMS.

(a) IN GENERAL.—

(1) AUTHORIZATION OF APPROPRIATIONS.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(A) FEDERAL-AID HIGHWAY PROGRAM.—For the national highway performance program under section 119 of title 23, United States Code, the surface transportation program under section 133 of that title, the highway safety improvement program under section 148 of that title, the congestion mitigation and air quality improvement program under section 149 of that title, and to carry out section 134 of that title—

(i) \$37,592,576,000 for fiscal year 2015;

(ii) \$19,720,696,000 for fiscal year 2016;

(iii) \$13,147,130,000 for fiscal year 2017;

(iv) \$10,271,196,000 for fiscal year 2018; and

(v) \$7,600,685,000 for fiscal year 2019.

(B) EMERGENCY RELIEF.—For emergency relief under section 125 of that title, \$100,000,000 for each of fiscal years 2015 through 2019.

(C) FEDERAL LANDS PROGRAMS.—

(i) FEDERAL LANDS TRANSPORTATION PROGRAM.—For the Federal lands transportation program under section 203 of that title, \$300,000,000 for each of fiscal years 2015 through 2019, of which \$240,000,000 of the

amount made available for each fiscal year shall be the amount for the National Park Service and \$30,000,000 of the amount made available for each fiscal year shall be the amount for the United States Fish and Wildlife Service.

(ii) FEDERAL LANDS ACCESS PROGRAM.—For the Federal lands access program under section 204 of that title, \$250,000,000 for each of fiscal years 2015 through 2019.

(D) ADMINISTRATIVE EXPENSES.—Section 104(a)(1) of title 23, United States Code, is amended to read as follows:

“(1) IN GENERAL.—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to be made available to the Secretary for administrative expenses of the Federal Highway Administration—

“(A) \$437,600,000 for fiscal year 2015;

“(B) \$229,565,000 for fiscal year 2016;

“(C) \$153,043,000 for fiscal year 2017;

“(D) \$119,565,000 for fiscal year 2018; and

“(E) \$88,478,000 for fiscal year 2019.”.

(2) TRANSFERABILITY OF FUNDS.—Section 104 of title 23, United States Code, is amended by striking subsection (f) and inserting the following:

“(f) TRANSFERABILITY OF FUNDS.—

“(1) IN GENERAL.—To the extent that a State determines that funds made available under this title to the State for a purpose are in excess of the needs of the State for that purpose, the State may transfer the excess funds to, and use the excess funds for, any surface transportation (including mass transit and rail) purpose in the State.

“(2) ENFORCEMENT.—If the Secretary determines that a State has transferred funds under paragraph (1) to a purpose that is not a surface transportation purpose as described in paragraph (1), the amount of the improperly transferred funds shall be deducted from any amount the State would otherwise receive from the Highway Trust Fund for the fiscal year that begins after the date of the determination.”.

(3) FEDERAL-AID SYSTEM.—

(A) IN GENERAL.—Section 103(a) of title 23, United States Code, is amended by striking “the National Highway System, which includes”.

(B) CONFORMING AMENDMENTS.—Chapter 1 of title 23, United States Code, is amended—

(i) in section 103 by striking the section designation and heading and inserting the following:

“§ 103. Federal-aid system”; and

(ii) in the analysis by striking the item relating to section 103 and inserting the following:

“103. Federal-aid system.”.

(4) CALCULATION OF STATE AMOUNTS.—Section 104(c) of title 23, United States Code, is amended—

(A) in paragraph (2)—

(i) in the paragraph heading by striking “FOR FISCAL YEAR 2014” and inserting “THEREAFTER”; and

(ii) in subparagraph (A) by striking “fiscal year 2014” and inserting “a fiscal year”.

(5) NATIONAL BRIDGE AND TUNNEL INVENTORY AND INSPECTION STANDARDS.—

(A) IN GENERAL.—Section 144 of title 23, United States Code, is amended—

(i) in subsection (e)(1) by inserting “on the Federal-aid system” after “any bridge”; and

(ii) in subsection (f)(1) by inserting “on the Federal-aid system” after “construct any bridge”.

(B) REPEAL OF HISTORIC BRIDGES PROVISIONS.—Section 144(g) of title 23, United States Code, is repealed.

(6) REPEAL OF TRANSPORTATION ALTERNATIVES PROGRAM.—The following provisions are repealed:

(A) Section 213 of title 23, United States Code.

(B) The item relating to section 213 in the analysis for chapter 1 of title 23, United States Code.

(7) NATIONAL DEFENSE HIGHWAYS.—Section 311 of title 23, United States Code, is amended—

(A) in the first sentence, by striking “under subsection (a) of section 104 of this title” and inserting “to carry out this section”; and

(B) by striking the second sentence.

(8) FEDERALIZATION AND DEFEDERALIZATION OF PROJECTS.—Notwithstanding any other provision of law, beginning on October 1, 2014—

(A) a highway construction or improvement project shall not be considered to be a Federal highway construction or improvement project unless and until a State expends Federal funds for the construction portion of the project;

(B) a highway construction or improvement project shall not be considered to be a Federal highway construction or improvement project solely by reason of the expenditure of Federal funds by a State before the construction phase of the project to pay expenses relating to the project, including for any environmental document or design work required for the project; and

(C)(i) a State may, after having used Federal funds to pay all or a portion of the costs of a highway construction or improvement project, reimburse the Federal Government in an amount equal to the amount of Federal funds so expended; and

(ii) after completion of a reimbursement described in clause (i), a highway construction or improvement project described in that clause shall no longer be considered to be a Federal highway construction or improvement project.

(9) REPORTING REQUIREMENTS.—No reporting requirement, other than a reporting requirement in effect as of the date of enactment of this Act, shall apply on or after October 1, 2014, to the use of Federal funds for highway projects by a public-private partnership.

(b) EXPENDITURES FROM HIGHWAY TRUST FUND.—

(1) EXPENDITURES FOR CORE PROGRAMS.—Section 9503(c) of the Internal Revenue Code of 1986 is amended—

(A) in paragraph (1)—

(i) by striking “October 1, 2014” and inserting “October 1, 2020”; and

(ii) by striking “MAP-21” and inserting “Transportation Empowerment Act”;

(B) in paragraphs (3)(A)(i), (4)(A), and (5), by striking “October 1, 2016” each place it appears and inserting “October 1, 2022”; and

(C) in paragraph (2), by striking “July 1, 2017” and inserting “July 1, 2023”.

(2) AMOUNTS AVAILABLE FOR CORE PROGRAM EXPENDITURES.—Section 9503 of such Code is amended by adding at the end the following:

“(g) CORE PROGRAMS FINANCING RATE.—For purposes of this section—

“(1) IN GENERAL.—Except as provided in paragraph (2)—

“(A) in the case of gasoline and special motor fuels the tax rate of which is the rate specified in section 4081(a)(2)(A)(i), the core programs financing rate is—

“(i) after September 30, 2014, and before October 1, 2015, 18.3 cents per gallon,

“(ii) after September 30, 2015, and before October 1, 2016, 9.6 cents per gallon,

“(iii) after September 30, 2016, and before October 1, 2017, 6.4 cents per gallon,

“(iv) after September 30, 2017, and before October 1, 2018, 5.0 cents per gallon, and

“(v) after September 30, 2018, 3.7 cents per gallon, and

“(B) in the case of kerosene, diesel fuel, and special motor fuels the tax rate of which is the rate specified in section 4081(a)(2)(A)(iii), the core programs financing rate is—

“(i) after September 30, 2014, and before October 1, 2015, 24.3 cents per gallon,

“(ii) after September 30, 2015, and before October 1, 2016, 12.7 cents per gallon,

“(iii) after September 30, 2016, and before October 1, 2017, 8.5 cents per gallon,

“(iv) after September 30, 2017, and before October 1, 2018, 6.6 cents per gallon, and

“(v) after September 30, 2018, 5.0 cents per gallon.

“(2) APPLICATION OF RATE.—In the case of fuels used as described in paragraph (3)(C), (4)(B), and (5) of subsection (c), the core programs financing rate is zero.”.

(c) TERMINATION OF MASS TRANSIT ACCOUNT.—Section 9503(e)(2) of the Internal Revenue Code of 1986 is amended—

(1) by inserting “and before October 1, 2014” after “March 31, 1983”, and

(2) by adding at the end the following new paragraph:

“(6) TRANSFER TO HIGHWAY ACCOUNT.—On October 1, 2014, the Secretary shall transfer all amounts in the Mass Transit Account to the Highway Account.”.

(d) EFFECTIVE DATE.—The amendments and repeals made by this section take effect on October 1, 2014.

**SEC. 5. FUNDING FOR HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.**

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out sections 503(b), 503(d), and 509 of title 23, United States Code, \$115,000,000 for each of fiscal years 2015 through 2019.

(b) APPLICABILITY OF TITLE 23, UNITED STATES CODE.—Funds authorized to be appropriated by subsection (a) shall—

(1) be available for obligation in the same manner as if those funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of a project or activity carried out using those funds shall be 80 percent, unless otherwise expressly provided by this Act (including the amendments by this Act) or otherwise determined by the Secretary; and

(2) remain available until expended and not be transferable.

**SEC. 6. RETURN OF EXCESS TAX RECEIPTS TO STATES.**

(a) IN GENERAL.—Section 9503(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

“(6) RETURN OF EXCESS TAX RECEIPTS TO STATES FOR SURFACE TRANSPORTATION PURPOSES.—

“(A) IN GENERAL.—On the first day of each of fiscal years 2016, 2017, 2018, and 2019, the Secretary, in consultation with the Secretary of Transportation, shall—

“(i) determine the excess (if any) of—

“(I) the amounts appropriated in such fiscal year to the Highway Trust Fund under subsection (b) which are attributable to the taxes described in paragraphs (1) and (2) thereof (after the application of paragraph (4) thereof) over the sum of—

“(II) the amounts so appropriated which are equivalent to—

“(aa) such amounts attributable to the core programs financing rate for such year, plus

“(bb) the taxes described in paragraphs (3)(C), (4)(B), and (5) of subsection (c), and

“(ii) allocate the amount determined under clause (i) among the States (as defined in section 101(a) of title 23, United States Code) for surface transportation (including mass transit and rail) purposes so that—

“(I) the percentage of that amount allocated to each State, is equal to

“(II) the percentage of the amount determined under clause (i)(I) paid into the Highway Trust Fund in the latest fiscal year for which such data are available which is attributable to highway users in the State.

“(B) ENFORCEMENT.—If the Secretary determines that a State has used amounts under subparagraph (A) for a purpose which is not a surface transportation purpose as described in subparagraph (A), the improperly used amounts shall be deducted from any amount the State would otherwise receive from the Highway Trust Fund for the fiscal year which begins after the date of the determination.”

(b) EFFECTIVE DATE.—The amendment made by this section takes effect on October 1, 2014.

**SEC. 7. REDUCTION IN TAXES ON GASOLINE, DIESEL FUEL, KEROSENE, AND SPECIAL FUELS FUNDING HIGHWAY TRUST FUND.**

(a) REDUCTION IN TAX RATE.—

(1) IN GENERAL.—Section 4081(a)(2)(A) of the Internal Revenue Code of 1986 is amended—

(A) in clause (i), by striking “18.3 cents” and inserting “3.7 cents”; and

(B) in clause (iii), by striking “24.3 cents” and inserting “5.0 cents”.

(2) CONFORMING AMENDMENTS.—

(A) Section 4081(a)(2)(D) of such Code is amended—

(i) by striking “19.7 cents” and inserting “4.1 cents”, and

(ii) by striking “24.3 cents” and inserting “5.0 cents”.

(B) Section 6427(b)(2)(A) of such Code is amended by striking “7.4 cents” and inserting “1.5 cents”.

(b) ADDITIONAL CONFORMING AMENDMENTS.—

(1) Section 4041(a)(1)(C)(iii)(I) of the Internal Revenue Code of 1986 is amended by striking “7.3 cents per gallon (4.3 cents per gallon after September 30, 2016)” and inserting “1.4 cents per gallon (zero after September 30, 2021)”.

(2) Section 4041(a)(2)(B)(ii) of such Code is amended by striking “24.3 cents” and inserting “5.0 cents”.

(3) Section 4041(a)(3)(A) of such Code is amended by striking “18.3 cents” and inserting “3.7 cents”.

(4) Section 4041(m)(1) of such Code is amended—

(A) in subparagraph (A), by striking “2016” and inserting “2021.”;

(B) in subparagraph (A)(i), by striking “9.15 cents” and inserting “1.8 cents”;

(C) in subparagraph (A)(ii), by striking “11.3 cents” and inserting “2.3 cents”; and

(D) by striking subparagraph (B) and inserting the following:

“(B) zero after September 30, 2021.”.

(5) Section 4081(d)(1) of such Code is amended by striking “4.3 cents per gallon after September 30, 2016” and inserting “zero after September 30, 2021”.

(6) Section 9503(b) of such Code is amended—

(A) in paragraphs (1) and (2), by striking “October 1, 2016” both places it appears and inserting “October 1, 2021”;

(B) in the heading of paragraph (2), by striking “OCTOBER 1, 2016” and inserting “OCTOBER 1, 2021”;

(C) in paragraph (2), by striking “after September 30, 2016, and before July 1, 2017” and inserting “after September 30, 2021, and before July 1, 2022”; and

(D) in paragraph (6)(B), by striking “October 1, 2014” and inserting “October 1, 2019”.

(c) FLOOR STOCK REFUNDS.—

(1) IN GENERAL.—If—

(A) before October 1, 2019, tax has been imposed under section 4081 of the Internal Revenue Code of 1986 on any liquid; and

(B) on such date such liquid is held by a dealer and has not been used and is intended for sale;

there shall be credited or refunded (without interest) to the person who paid such tax (in this subsection referred to as the “taxpayer”) an amount equal to the excess of the tax paid by the taxpayer over the amount of such tax which would be imposed on such liquid had the taxable event occurred on such date.

(2) TIME FOR FILING CLAIMS.—No credit or refund shall be allowed or made under this subsection unless—

(A) claim therefor is filed with the Secretary of the Treasury before April 1, 2020; and

(B) in any case where liquid is held by a dealer (other than the taxpayer) on October 1, 2019—

(i) the dealer submits a request for refund or credit to the taxpayer before January 1, 2020; and

(ii) the taxpayer has repaid or agreed to repay the amount so claimed to such dealer or has obtained the written consent of such dealer to the allowance of the credit or the making of the refund.

(3) EXCEPTION FOR FUEL HELD IN RETAIL STOCKS.—No credit or refund shall be allowed under this subsection with respect to any liquid in retail stocks held at the place where intended to be sold at retail.

(4) DEFINITIONS.—For purposes of this subsection, the terms “dealer” and “held by a dealer” have the respective meanings given to such terms by section 6412 of such Code; except that the term “dealer” includes a producer.

(5) CERTAIN RULES TO APPLY.—Rules similar to the rules of subsections (b) and (c) of section 6412 and sections 6206 and 6675 of such Code shall apply for purposes of this subsection.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to fuel removed after September 30, 2019.

(2) CERTAIN CONFORMING AMENDMENTS.—The amendments made by subsections (b)(4) and (b)(6) shall apply to fuel removed after September 30, 2016.

**SEC. 8. REPORT TO CONGRESS.**

Not later than 180 days after the date of enactment of this Act, after consultation with the appropriate committees of Congress, the Secretary of Transportation shall submit a report to Congress describing such technical and conforming amendments to titles 23 and 49, United States Code, and such technical and conforming amendments to other laws, as are necessary to bring those titles and other laws into conformity with the policy embodied in this Act and the amendments made by this Act.

**SEC. 9. EFFECTIVE DATE CONTINGENT ON CERTIFICATION OF DEFICIT NEUTRALITY.**

(a) PURPOSE.—The purpose of this section is to ensure that—

(1) this Act will become effective only if the Director of the Office of Management and Budget certifies that this Act is deficit neutral;

(2) discretionary spending limits are reduced to capture the savings realized in devolving transportation functions to the State level pursuant to this Act; and

(3) the tax reduction made by this Act is not scored under pay-as-you-go and does not inadvertently trigger a sequestration.

(b) EFFECTIVE DATE CONTINGENCY.—Notwithstanding any other provision of this Act,

this Act and the amendments made by this Act shall take effect only if—

(1) the Director of the Office of Management and Budget (referred to in this section as the “Director”) submits the report as required in subsection (c); and

(2) the report contains a certification by the Director that, based on the required estimates, the reduction in discretionary outlays resulting from the reduction in contract authority is at least as great as the reduction in revenues for each fiscal year through fiscal year 2019.

(c) OMB ESTIMATES AND REPORT.—

(1) REQUIREMENTS.—Not later than 5 calendar days after the date of enactment of this Act, the Director shall—

(A) estimate the net change in revenues resulting from this Act for each fiscal year through fiscal year 2019;

(B) estimate the net change in discretionary outlays resulting from the reduction in contract authority under this Act for each fiscal year through fiscal year 2019;

(C) determine, based on those estimates, whether the reduction in discretionary outlays is at least as great as the reduction in revenues for each fiscal year through fiscal year 2019; and

(D) submit to Congress a report setting forth the estimates and determination.

(2) APPLICABLE ASSUMPTIONS AND GUIDELINES.—

(A) REVENUE ESTIMATES.—The revenue estimates required under paragraph (1)(A) shall be predicated on the same economic and technical assumptions and score keeping guidelines that would be used for estimates made pursuant to section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902(d)).

(B) OUTLAY ESTIMATES.—The outlay estimates required under paragraph (1)(B) shall be determined by comparing the level of discretionary outlays resulting from this Act with the corresponding level of discretionary outlays projected in the baseline under section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907).

(d) CONFORMING ADJUSTMENT TO DISCRETIONARY SPENDING LIMITS.—On compliance with the requirements specified in subsection (b), the Director shall adjust the adjusted discretionary spending limits for each fiscal year through fiscal year 2019 under section 601(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 665(a)(2)) by the estimated reductions in discretionary outlays under subsection (c)(1)(B).

(e) PAGO INTERACTION.—On compliance with the requirements specified in subsection (b), no changes in revenues estimated to result from the enactment of this Act shall be counted for the purposes of section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902(d)).

**SA 1799.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, between lines 13 and 14, insert the following:

(d) Section 32906(a) of title 49, United States Code, is amended by striking “(except an electric automobile)” and inserting “(except an electric or natural gas automobile)”.

(e) The National Highway Traffic Safety Administration may not expend any

amounts appropriated under this Act unless chapter 329 of title 49, United States Code, is being enforced in accordance with the amendments made by this section.

**SA 1800.** Mrs. MCCASKILL (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 24, between lines 16 and 17, insert the following:

SEC. 119F. (a) The United States, acting through the Administrator of the Federal Aviation Administration, shall release the City of St. Clair, Missouri, from all restrictions, conditions, and limitations on the use, encumbrance, conveyance, and closure of the St. Clair Regional Airport, as described in the most recent airport layout plan approved by the Federal Aviation Administration, to the extent such restrictions, conditions, and limitations are enforceable by the Administrator.

(b) The release under subsection (a) shall not be executed until the City of St. Clair, or its designee, transfers to the Department of Transportation of the State of Missouri—

(1) the amounts described in subsection (c), to be used for capital improvements within the meaning of airport development (as defined in section 47102(3) of title 49, United States Code) and consistent with the obligations of the Department of Transportation of the State of Missouri under the State block grant program of the Federal Aviation Administration; and

(2) for no consideration, all airport and aviation-related equipment of the St. Clair Regional Airport owned by the City of St. Clair and determined by the Department of Transportation of the State of Missouri to be salvageable for use.

(c) The amounts described in this subsection are the following:

(1) An amount equal to the fair market value for the highest and best use of the St. Clair Regional Airport property determined in good faith by an independent and qualified real estate appraiser on or after the date of the enactment of this Act.

(2) An amount equal to the unamortized portion of any Federal development grants other than land paid to the City of St. Clair for use at the St. Clair Regional Airport, which may be paid with and shall be an allowable use of airport revenue notwithstanding section 47107 or 47133 of title 49, United States Code.

(3) An amount equal to the airport revenues remaining in the airport account for the St. Clair Regional Airport as of the date of the enactment of this Act and otherwise due to or received by the City of St. Clair after such date of enactment pursuant to sections 47107(b) and 47133 of title 49, United States Code.

(d) The Federal Aviation Administration shall remove the runway end indicator lighting system at St. Clair Regional Airport.

(e) Nothing in this section shall be construed to limit the applicability of—

(1) the requirements and processes under section 46319 of title 49, United States Code;

(2) the requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(3) the requirements and processes under part 157 of title 14, Code of Federal Regulations; or

(4) the public notice requirements under section 47107(h) of title 49, United States Code.

**SA 1801.** Mrs. MCCASKILL (for herself and Mr. COBURN) submitted an amendment intended to be proposed by her to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_ . **PROHIBITION ON PERFORMANCE AWARDS IN THE SENIOR EXECUTIVE SERVICE.**

(a) DEFINITIONS.—In this section, the terms “agency” and “career appointee” have the meanings given such terms in section 5381 of title 5, United States Code.

(b) PROHIBITION.—An agency may not use amounts made available under this Act to pay an award under section 4507 or 5384 of title 5, United States Code, to a career appointee during fiscal year 2014.

**SA 1802.** Mr. SCHUMER (for himself, Mr. CARDIN, Mrs. GILLIBRAND, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 26, line 4, insert “bridge” before “projects”.

On page 26, line 5, insert “and section 24402 of title 49” after “title 23”.

On page 26, line 14, strike “such title” and insert “title 23 or provided under section 24402 of title 49, United States Code, as applicable.”.

On page 26, line 15, after “112-141:” insert “Provided further, That the Secretary may transfer funds provided under this heading to the Federal Railroad Administration to carry out projects under title 49, United States Code:”.

On page 26, line 18, strike “such title” and insert “title 23, United States Code, or for projects under title 49, United States Code, not less than 80 percent”.

**SA 1803.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; as follows:

On page 12, between lines 12 and 13, insert the following:

SEC. 1 \_\_\_\_ . None of the funds made available under this Act to the Department of Transportation for cyber security may be obligated or expended until the Secretary of Transportation submits to the appropriate committees of Congress a detailed plan describing how the funding will be allocated and for what purposes, including a detailed description of—

(1) how the cyber security funding will be obligated or expended;

(2) the programs and activities that will receive cyber security funding;

(3) if and how the use of the funding complies with the Federal Information Security Management Act of 2002 (6 U.S.C. 101 et seq.) and any other applicable Federal law;

(4) the performance metrics that will be used to measure and determine the effectiveness of cyber security plans and programs; and

(5) the strategy that will be employed to procure goods and services associated with the cyber security objectives of the Department of Transportation.

**SA 1804.** Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_ . Not later than October 1, 2013, the Committee on Appropriations of the Senate shall revise the suballocations to the subcommittees of the Committee on Appropriations of the Senate for fiscal year 2014 under section 302(b) of the Congressional Budget Act of 1974 (2 U.S.C. 633(b)) such that the suballocations comply with the discretionary spending limits under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.).

**SA 1805.** Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, between lines 22 and 23, insert the following:

SEC. 244. Funds appropriated or otherwise made available by this title for grants to be awarded by the Secretary of Housing and Urban Development shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) IN GENERAL.—Beginning in the first fiscal year beginning after the date of the enactment of this title, and in each fiscal year thereafter, the Inspector General of the Department of Housing and Development shall conduct audits of recipients of any grant amounts appropriated or otherwise made available under this title to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall ensure that at least 10 percent of all grantees receiving grant amounts appropriated or otherwise made available under this title are audited each year.

(B) DEFINITION.—In this paragraph, the term “unresolved audit finding” means a finding in the final audit report of the Inspector General of the Department of Housing and Urban Development that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

(C) MANDATORY EXCLUSION.—A recipient of grant amounts appropriated or otherwise made available under this title that is found to have an unresolved audit finding shall not be eligible to receive grant amounts appropriated or otherwise made available under this title during the following 2 fiscal years.

(D) PRIORITY.—In awarding amounts appropriated or otherwise made available under this title, the Secretary of Housing and Urban Development shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for grant amounts appropriated or otherwise made available under this title.

(E) REIMBURSEMENT.—If an entity is awarded grant amounts appropriated or otherwise made available under this title during the 2-fiscal-year period in which the entity is barred from receiving grants under subparagraph (B), the Secretary of Housing and Urban Development shall—

(i) deposit an amount equal to the grant amounts that were improperly awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(F) DISCLOSURE.—A recipient of grant amounts appropriated or otherwise made available under this title shall disclose to the Secretary of Housing and Urban Development, in the application for the grant, if the recipient has ever requested that a departing employee or contractor of the recipient sign an agreement, for compensation, delaying or declining to cooperate with any audits or investigations performed by or on behalf of the United States Government relating to use of Federal housing grant amounts.

(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this paragraph and any grant programs described in this title, the term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Secretary of Housing and Urban Development may not award any grant amounts appropriated or otherwise made available under this title to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is a recipient of grant amounts appropriated or otherwise made available under this title and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Secretary of Housing and Urban Development, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Secretary of Housing and Urban Development shall make the information disclosed under this paragraph available for public inspection.

**SA 1806.** Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 24, between lines 16 and 17, insert the following:

SEC. 119F. Section 41731 of title 49, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(B) by inserting after subparagraph (B) the following:

“(C) is located not less than 90 driving miles from the nearest—

“(i) medium hub airport or large hub airport; or

“(ii) small hub airport that was classified as a medium hub airport or large hub airport during the most recent 5-year period;”;

(2) in subsection (c), by striking “subparagraphs (B), (C), and (D)” and inserting “subparagraphs (B), (C), (D), and (E)”;

(3) by striking subsection (d) and redesignating subsections (e) and (f) as subsections (d) and (e), respectively; and

(4) in subsection (d), as redesignated by paragraph (3)—

(A) by striking “For fiscal year” and inserting the following:

“(1) ENPLANEMENTS REQUIREMENT.—For fiscal year”;

(B) by adding at the end the following:

“(2) DISTANCE REQUIREMENT.—The Secretary may waive subsection (a)(1)(C) with respect to a location if the Secretary determines that without the waiver there would be undue difficulty accessing the nearest medium hub airport or large hub airport as a result of geographic characteristics unique to the location.”.

**SA 1807.** Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 24, between lines 16 and 17, insert the following:

SEC. 119F. It is the sense of Congress that the Secretary of Transportation should continue the process of drafting regulations on the integration of unmanned aerial systems into the national airspace system while developing the report required by section 119E.

**SA 1808.** Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 188, after line 24, add the following:

SEC. 422. (a) Funds appropriated for assistance for the Government of Egypt for fiscal year 2014 may only be obligated in the following manner—

(1) 25 percent of such funds may be made available after enactment of this Act;

(2) 25 percent of such funds may be made available if the Secretary of State certifies to the appropriate congressional committees that the Government of Egypt is supporting inclusive political processes and institutions, including permitting pro-democracy and other civil society organizations to operate freely, has released political prisoners, and is not prosecuting political cases in military courts;

(3) 25 percent of such funds may be made available if the Secretary of State certifies to the appropriate congressional committees

that credible elections have been conducted in Egypt and a democratically elected government is in place; and

(4) 25 percent of such funds may be made available if the Secretary of State certifies to the appropriate congressional committees that the newly elected Government of Egypt is taking steps to govern democratically and protect human rights and the rule of law (including the rights of women and religious minorities).

(b) None of the funds appropriated for assistance for the Government of Egypt in fiscal year 2014 may be made available if such government is not abiding by the 1979 Egypt-Israel Peace Treaty.

(c) The President shall submit to the appropriate congressional committees, concurrent with the fiscal year 2015 budget request, a comprehensive and strategic review of military and economic assistance for Egypt: *Provided*, That in conducting such review, the President shall consult with relevant Government of Egypt officials and representatives of civil society, and the appropriate congressional committees: *Provided further*, That such review shall include a detailed description of the purposes of such assistance, and the specific goals and objectives of furthering political, military, and economic reforms in Egypt, including—

(1) supporting democratic institutions (including an independent legislature and judiciary), an inclusive political process, and regular conduct of free and fair elections at all levels of government;

(2) promoting the rule of law (including equal access to justice, protection of the rights of women and religious minorities, and anti-corruption efforts);

(3) supporting economic reforms (including transparent and accountable governance, private sector-led growth and job creation, and trade expansion);

(4) fostering a vibrant civil society (including free and independent media);

(5) supporting security sector reform (including civilian police forces); and

(6) combating terrorism (including eliminating smuggling networks between Egypt and Gaza in the Sinai).

(d) Notwithstanding any other provision of law, the Secretary of State shall reduce the amount of assistance made available for assistance for Egypt in fiscal year 2014 by an amount the Secretary determines is equivalent to that expended by the United States Government for bail, and by nongovernmental organizations for legal and court fees, associated with democracy-related trials in Egypt.

(e)(1) The Secretary of State may waive the requirements of subsection (a)(2) not earlier than 3 months after enactment of this Act if the Secretary of State certifies to the appropriate congressional committees that to do so is important to the national security interests of the United States.

(2) The Secretary of State may waive the requirements of subsection (a)(3) not earlier than 6 months after enactment of this Act if the Secretary certifies to such committees that to do so is important to the national security interests of the United States.

(f) For purposes of this section, the term “appropriate congressional committee” means the Committees on Appropriations and Foreign Relations of the Senate, and the Committees on Appropriations and Foreign Affairs of the House of Representatives.

**SA 1809.** Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related

agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, between lines 22 and 23, insert the following:

SEC. 244. (a) None of the funds appropriated or otherwise made available under this title may be used by any recipient of such funds to discriminate against any person because that person is a member of the uniformed services.

(b) Any person or entity, acting in good faith, that has knowledge of any instance in which a recipient of funds under this title has discriminated or is discriminating against a member of the uniformed services may file a complaint against such recipient with the Office of Inspector General for the Department of Housing and Urban Development.

(c) For purposes of this section, the term "member of the uniformed services" means an individual who—

(1) is a member of—

(A) the uniformed services (as defined in section 101 of title 10, United States Code); or

(B) the National Guard in State status under title 32, United States Code; or

(2) was discharged or released from service in the uniformed services (as so defined) or the National Guard in such status under conditions other than dishonorable.

(d) Nothing in this section may be construed to prohibit the use or availability of any funds appropriated or otherwise made available under this title for programs, activities, or accounts that assist or provide housing to members of the uniformed services.

**SA 1810.** Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, between lines 22 and 23, insert the following:

SEC. 244. (a) The Secretary of Housing and Urban Development and the Neighborhood Reinvestment Corporation may not, from any amounts appropriated or otherwise made available under this title for fiscal year 2014, award any discretionary grant amounts to any nonprofit organization that, in any of fiscal years 2009 through 2013—

(1) provided a compensation package to one or more of its officers at a level exceeding, by at least 25 percent, the maximum basic rate of pay of the Senior Executive Service;

(2) utilized an average of 12 percent or more of the discretionary grant amounts it received from either the Secretary of Housing and Urban Development or the Neighborhood Reinvestment Corporation for the organization's grant administration expenses (including salaries); and

(3) had a finding of a significant deficiency or material weakness in any audit of that organization furnished to or conducted on behalf of either the Secretary of Housing and Urban Development or the Neighborhood Reinvestment Corporation in connection with a Federal housing grant award.

(b) The Secretary of Housing and Urban Development and the Neighborhood Reinvestment Corporation shall each submit a report to the Chair and Ranking Member of the Committee on Appropriations and the Committee on Banking, Housing, and Urban

Affairs of the Senate and the Chair and Ranking Member of the Committee on Appropriations and the Committee on Financial Services of the House of Representatives—

(1) on the number of nonprofit organization grantees meeting the criteria established under subsection (a);

(2) that summarize the type and amount of Federal housing grants awarded to each such organization, including the percentage of each such grant that was utilized by the organization for grant administration expenses, in each of fiscal years 2009 through 2013; and

(3) that describe the steps to be taken by the Secretary or the Corporation, as the case may be, to achieve greater cost-savings and grant-administration efficiencies in the future, including a plan for requiring future grant recipients to limit their grant administration expenditures to 10 percent of grant funds received from the Secretary or the Corporation, as the case may be.

(c) For purposes of this section, the term "nonprofit organization" means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

SEC. 245. Any amounts saved, reserved, remaining, or otherwise unobligated as a result of the prohibition set forth under section 244, shall be transferred to and appropriated under the heading "Home Investment Partnerships Program": *Provided*, that such amounts shall only be used by the Secretary of Housing and Urban Development to rehabilitate substandard housing of children residing in rural counties with the highest poverty rates.

**SA 1811.** Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, between lines 11 and 12, insert the following:

SURFACE TRANSPORTATION PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE

For grants to eligible applicants for eligible projects of national and regional significance (as such terms are defined in paragraphs (2) and (3) of section 1301(c) of SAFETEA-LU (23 U.S.C. 101 note)), \$500,000,000, to remain available until expended.

**SA 1812.** Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 24, add the following:

SEC. 155. (a) Not later than 1 year after the date of the enactment of this Act, the Administrator of the Federal Railroad Administration shall—

(1) complete a study of the safety of movable railroad bridges and the transportation of hazardous materials over such bridges; and

(2) post a report on the Federal Railroad Administration's website that containing the results of such study.

(b) The study conducted under subsection (a) shall address—

(1) the adequacy of span locking and its relation to the practice of trains passing over bridges displaying a stop signal; and

(2) the adequacy of training received by train crews to inspect their route before passing over a bridge displaying a stop signal.

NOTICE OF INTENT TO SUSPEND THE RULES

Mr. PAUL. Mr. President, I submit the following notice in writing:

In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XVI, and rule XXII, Paragraph 2, for the purpose of proposing and considering Amendment No. 1739, including germaneness requirements.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

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

The purpose of the hearing is to receive testimony on the November 6, 2012 referendum on the political status of Puerto Rico and the Administration's response.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to [danielle\\_deraney@energy.senate.gov](mailto:danielle_deraney@energy.senate.gov).

For further information, please contact Allen Stayman at (202) 224-7865 or Danielle Deraney at (202) 224-1219.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, the Subcommittee on National Parks has previously announced a hearing to be held on Wednesday, July 31, at 2:30 p.m. to consider several bills. In addition to the bills previously announced, the subcommittee will also hear testimony on:

S. 1328, to authorize the Secretary of the Interior to conduct a special resource study of the archeological site and surrounding land of the New Philadelphia town site in the State of Illinois, and for other purposes, and

S. 1339, to reauthorize the Ohio & Erie Canal National Heritage Canalway.

For further information, please contact David Brooks at (202) 224-9863 or John Assini at (202) 224-9313.