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Senate

The Senate met at 10:30 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

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

Let us pray.

Eternal Lord God, the giver of every good and perfect gift, during this Thanksgiving season, we lift grateful hearts to You in prayer. Thank You for the splash of raindrops, for the warmth of sunshine, for the melody of the moonlight, and for the stars that hang like scintillating lanterns in the night.

Lord, we are grateful for strength to meet life's challenges, for the fulfillment of honorable labor, for friendships that dispel loneliness, for the laughter of children, and for the joy of the harvest. We praise You for the privilege to receive Your forgiveness and to make operative Your redeeming grace in our thoughts, desires, and hopes.

We also express gratitude for our Senators, who have an opportunity to participate in history's great events and to serve Your purposes for their lives in this generation.

Lord of all, to You we raise this, our prayer, of grateful praise. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

WORKFORCE INVESTMENT ACT OF 2013

Mr. REID. Mr. President, I move to proceed to Calendar No. 243, S. 1356, the Workforce Investment Act of 2013.

The PRESIDENT pro tempore. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 243, S. 1356, a bill to amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will resume consideration of the National Defense Authorization Act. I filed cloture on that bill last night. As a result, the filing deadline for first-degree amendments to the bill is 1 p.m. today.

MEASURE PLACED ON THE CALENDAR—S. 1752

Mr. REID. Mr. President, I am told S. 1752 is due for a second reading.

The PRESIDENT pro tempore. The clerk will read the title of the bill for the second time.

The legislative clerk read as follows:

A bill (S. 1752) to perform procedures for determinations to proceed to trial by court-martial for certain offenses under the Uniform Code of Military Justice, and for other purposes.

Mr. REID. I object to any further proceedings on this bill at this time.

The PRESIDENT pro tempore. Without objection, the bill will be placed on the calendar.

RESERVATION OF LEADER TIME

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

IRAN SANCTIONS

Mr. REID. Mr. President, I am a strong supporter of our Iran sanction regime and believe that the current sanctions have brought Iran to the negotiating table.

I believe we must do everything possible to stop Iran from getting nuclear weapons capability, which would threaten Israel and the national security of our great country.

The Obama administration is in the midst of negotiations with the Iranians that are designed to end their nuclear weapons program. We all strongly support those negotiations and hope they will succeed, and we want them to produce the strongest possible agreement.

However, we are also aware of the possibility that the Iranians could keep the negotiations from succeeding. I hope that won't happen, but the Senate must be prepared to move forward with a new bipartisan Iran sanctions bill when the Senate returns after the Thanksgiving recess. I am committed to do just that.

A number of Senators, Democrats and Republicans, have offered their own amendments on Iran, and they have offered a couple of the amendments in the Defense authorization bill. I know other Senators also have their own sanctions bills they would like to move forward on.

I will support a bill that would broaden the scope of our current petroleum sanctions, place limitations on trade with strategic sectors of the Iranian economy that support its nuclear ambitions, as well as pursue those that divert goods to Iran.

While I support the administration's diplomatic efforts, I believe we need to leave our legislative options open to act on a new bipartisan sanctions bill in December, shortly after we return.

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

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

The legislative clerk proceeded to call the roll.

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

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

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

RULES REFORM

Mr. REID. Mr. President, the American people believe Congress is broken. The American people believe the Senate is broken, and I believe the American people are right.

During this Congress—the 113th Congress—the United States has wasted an unprecedented amount of time on procedural hurdles and partisan obstruction. As a result the work of this country goes undone.

Congress should be passing legislation that strengthens our economy and protects American families. Instead, we are burning wasted hours and wasted days between filibusters. I could say, instead, we are burning wasted days and wasted weeks between filibusters.

Even one of the Senate's most basic duties—confirmation of presidential nominees—has become completely unworkable. There has been unbelievable, unprecedented obstruction. For the first time in the history of our Republic, Republicans have routinely used the filibuster to prevent President Obama from appointing his executive team or confirming judges. It is truly a troubling trend that Republicans are willing to block executive branch nominees, even when they have no objection to the qualifications of the nominee. Instead, they block qualified executive branch nominees to circumvent the legislative process. They block qualified executive branch nominations to force wholesale changes to laws. They block qualified executive branch nominees to restructure entire executive branch departments, and they block qualified judicial nominees because they don't want President Obama to appoint any judges to certain courts.

The need for change is so very obvious. It is clearly visible. It is manifest we have to do something to change things.

In the history of our country—some 230-plus years—there have been 168 filibusters of executive and judicial nominations. Half of them have occurred during the Obama administration—so 230-plus years, 50 percent; 4½ years, 50 percent. Is there anything fair about that?

These nominees deserve at least an up-or-down vote—yes or no—but Republican filibusters deny them a fair vote—any vote—and deny the President his team.

Gridlock has consequences, and they are terrible. It is not only bad for President Obama and bad for this body, the Senate, it is bad for our country, it is bad for our national security, and it is bad for our economic security.

That is why it is time to get the Senate working again—not for the good of the current Democratic majority or some future Republican majority, but for the good of the United States of America. It is time to change. It is time to change the Senate before this institution becomes obsolete.

At the beginning of this Congress, the Republican leader pledged that, ''This Congress should be more bipartisan than the last Congress.''

We are told in the Scriptures—let's take, for example, the Old Testament, the Book of Numbers, that promises, pledges, a vow—one must not break his word.

In January, Republicans promised to work with the majority to process nominations in a timely manner by unanimous consent, except in extraordinary circumstances. Exactly three weeks later, Republicans mounted a first-in-history filibuster of a highly qualified nominee for Secretary of Defense.

Despite being a former Republican Senator and a decorated war hero, having saved his brother's life in Vietnam, Defense Secretary Chuck Hagel's nomination was pending in the Senate for a record 34 days—more than three times the previous average for a Secretary of Defense. Remember, our country was at war.

Republicans have blocked executive nominees such as Secretary Hagel not because they object to the qualifications of the nominee but simply because they seek to undermine the very government in which they were elected to serve.

Take the nomination of Richard Cordray to lead the Consumer Financial Protection Bureau. There was no doubt about his ability to do the job. But the Consumer Financial Protection Bureau, the brainchild of ELIZABETH WARREN, went for more than 2 years without a leader because Republicans refused to accept the law of the land, because they wanted to roll back the law that protects consumers from the greed of Wall Street.

I say to my Republican colleagues: You don't have to like the laws of the land, but you do have to respect those laws and acknowledge them and abide by them.

Similar obstruction continued unabated for 7 more months, until Democrats threatened to change Senate rules to allow up-or-down votes on executive nominations. In July, after obstructing dozens of executive nominees for months—and some for years—Republicans once again promised they would end the unprecedented obstruction.

One look at the Senate's Executive Calendar shows that nothing has changed since July. Republicans have continued their record obstruction as if no agreement had ever been reached. Again, Republicans have continued their record of obstruction as if no agreement had been reached.

There are currently 75 executive branch nominations ready to be confirmed by the Senate. They have been waiting an average of 140 days for confirmation.

One executive nominee to the agency that safeguards the water my children and my grandchildren drink and the air they breathe has waited almost 900 days for confirmation.

We agreed in July that the Senate should be confirming nominees to ensure the proper functioning of government.

Consistent and unprecedented obstruction by the Republican Caucus has turned ''advise and consent'' into ''deny and obstruct.''

In addition to filibustering a nominee for Secretary of Defense for the first time in history, Senate Republicans also blocked a sitting Member of Congress from an administration position for the first time since 1843.

As a senior Member of the House Financial Services Committee, Congressman MEL WATT's understanding of the mistakes that led to the housing crisis made him uniquely qualified to serve as Administrator of the Federal Housing Finance Agency.

Senate Republicans simply do not like the consumer protections Congressman WATT was nominated to develop and implement, so they denied a fellow Member of Congress and a graduate of the Yale School of Law even the courtesy of an up-or-down vote.

In the last 3 weeks alone, Republicans have blocked up-or-down votes on three highly qualified nominees to the DC Circuit Court of Appeals. This does not take into consideration they twice turned down one of the most qualified people in my 30 years in the Senate who I have ever seen come before this body: Caitlin Halligan. So we have three more to add to that list.

The DC Circuit is considered by many to be the second highest court in the land, and some think maybe the most important. It deals with these complex cases that come from Federal agencies and other things within their jurisdiction.

Republicans have blocked four of President Obama's five nominees to the DC Circuit, whereas the Democrats approved four of President Bush's six nominations to this important court.

Today the DC Circuit Court—at least the second most important court in the land—has more than 25 percent in vacancies. There is not a single legitimate objection to the qualifications of any of these nominees to the DC Circuit that President Obama has put forward. Republicans have refused to give them an up-or-down vote—a simple ''yes'' or ''no'' vote. Republicans simply do not want President Obama to make any appointments at all to this vital court—none, zero.

Further, only 23 district court nominations have been filibustered in the entire history of our country—23. And you know what. Twenty of them have been in the last 4½ years. Two hundred thirty-plus years: 3; the last 4½ years: 20. That is not fair. With one out of every 10 Federal judgeships vacant, millions of Americans who rely on courts that are overworked and understaffed are being denied the justice they rightly deserve.

More than half of the Nation's population lives in parts of the country that have been declared a ''judicial emergency.'' No one has worked harder than

the President pro tempore to move judges. The President pro tempore is the chairman also of the Judiciary Committee. No one knows the problem more than the President pro tempore.

The American people are fed up with this kind of obstruction and gridlock. The American people—Democrats, Republicans, Independents—are fed up with this gridlock, this obstruction. The American people want Washington to work for American families once again.

I am on their side, which is why I propose an important change to the rules of the U.S. Senate. The present Republican leader himself said—and this is a direct quote—''The Senate has repeatedly changed its rules as circumstances dictate.''

He is right. In fact, the Senate has changed its rules 18 times, by sustaining or overturning the ruling of the Presiding Officer, in the last 36 years—during the tenures of both Republican and Democratic majorities.

The change we propose today would ensure executive and judicial nominations an up-or-down vote on confirmation—yes, no. The rule change will make cloture for all nominations other than for the Supreme Court a majority threshold vote—yes or no.

The Senate is a living thing, and to survive it must change, as it has over the history of this great country. To the average American, adapting the rules to make the Senate work again is just common sense.

This is not about Democrats versus Republicans. This is about making Washington work—regardless of who is in the White House or who controls the Senate.

To remain relevant and effective as an institution, the Senate must evolve to meet the challenges of this modern era.

I have no doubt my Republican colleagues will argue the fault is ours, it is the Democrats' fault. I can say from experience that no one's hands are entirely clean on this issue. But today the important distinction is not between Democrats and Republicans. It is between those who are willing to help break the gridlock in Washington and those who defend the status quo.

Is the Senate working now? Can anyone say the Senate is working now? I do not think so.

Today Democrats and Independents are saying enough is enough. This change to the rules regarding Presidential nominees will apply equally to both parties. When Republicans are in power, these changes will apply to them as well. That is simple fairness, and it is something that both sides should be willing to live with to make Washington work again. That is simple fairness.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

HEALTH CARE

Mr. McCONNELL. Mr. President, over the past several weeks, the American people have been witness to one of the most breathtaking—breathtaking—indictments of big-government liberalism in memory. And I am not just talking about a Web site. I am talking about the way in which ObamaCare was forced on the public by an administration and a Democratic-led Congress that we now know was willing to do and say anything—anything—to pass the law.

The President and his Democratic allies were so determined to force their vision of health care on the public that they assured them up and down that they would not lose the plans they had, that they would save money instead of losing it, and that they would be able to use the doctors and hospitals they were already using.

But, of course, we know that that rhetoric does not match reality. The stories we are hearing on a nearly daily basis now range from heartbreaking to comical. Just yesterday I saw a story about a guy getting a letter in the mail saying his dog—his dog—had qualified for insurance under ObamaCare. So, yeah, I would probably be running for the exits too if I had supported this law. I would be looking to change the subject—change the subject—just as Senate Democrats have been doing with their threats of going nuclear and changing the Senate rules on nominations. If I were a Senator from Oregon, for example, which has not enrolled a single person—a single person—for the ObamaCare exchange, I would probably want to talk about something else too.

But here is the problem with this latest distraction: It does not distract people from ObamaCare. It reminds them of ObamaCare. It reminds them of all the broken promises. It reminds them of the power grab. It reminds them of the way Democrats set up one set of rules for themselves and another for everybody else—one set of rules for them and another for everybody else.

Actually, this is all basically the same debate, and rather than distract people from ObamaCare, it only reinforces the narrative of a party that is willing to do and say just about anything to get its way—willing to do or say just about anything to get its way. Because that is just what they are doing all over again.

Once again, Senate Democrats are threatening to break the rules of the Senate—break the rules of the Senate—in order to change the rules of the Senate. And over what? Over what? Over a court that does not even have enough work to do?

Millions of Americans are hurting because of a law Washington Democrats forced upon them, and what do they do about it? They cook up some fake fight over judges—a fake fight over judges—who are not even needed.

Look, I get it. As I indicated, I would want to be talking about something else too if I had to defend dogs getting insurance while millions of Americans lost theirs. But it will not work. The parallels between this latest skirmish and the original ObamaCare push are just too obvious to ignore.

Think about it. Just think about it. The majority leader promised—he promised—over and over that he would not break the rules of the Senate in order to change them. This was not an ancient promise. On July 14 on ''Meet the Press'' he said: ''We're not touching judges.'' This year, on July 14, on ''Meet the Press'': ''We're not touching judges.''

Then there are the double standards.

When Democrats were in the minority, they argued strenuously for the very thing they now say we will have to do without; namely, the right to extended debate on lifetime appointments. In other words, they believe that one set of rules should apply to them—to them—and another set to everybody else. He may just as well have said: ''If you like the rules of the Senate, you can keep them.'' ''If you like the rules of the Senate, you can keep them''—just the way so many Democrats in the administration and Congress now believe that ObamaCare is good enough for their constituents, but that when it comes to them, their political allies, their staffs, well, of course, that is different.

Let's not forget about the raw power—the raw power—at play here. On this point, the similarities between the ObamaCare debate and the Democratic threat to go nuclear on nominations are inescapable—inescapable. They muscled through ObamaCare on a party-line vote and did not care about the views of the minority—did not care one whit about the views of the minority. And that is just about what they are going to do here.

The American people decided not to give the Democrats the House or to restore the filibuster-proof majority they had in the Senate back in 2009, and our Democratic colleagues do not like that one bit. They just do not like it. The American people are getting in the way of what they would like to do. So they are trying to change the rules of the game to get their way anyway. They said so themselves. Earlier this year, the senior Senator from New York said they want to ''fill up the DC Circuit one way or another''—''fill up the DC Circuit one way or another.''

The reason is clear. As one liberal activist put it earlier this year, President Obama's agenda ''runs through the DC Circuit.'' You cannot get what you want through the Congress because the American people, in November 2010, said they had had enough—they issued a national restraining order, after watching 2 years of this administration unrestrained—so now their agenda runs through the bureaucracy and through the DC Circuit.

As I said, in short, unlike the first 2 years of the Obama administration,

there is now a legislative check on the President. The administration does not much like checks and balances, so it wants to circumvent the people's representatives with an aggressive regulatory agenda, and our Democratic colleagues want to facilitate that by filling up a court that will rule on his agenda—a court that does not even have enough work to do, especially if it means changing the subject from ObamaCare for a few days.

And get this: They think they can change the rules of the Senate in a way that benefits only them. They want to do it in such a way that President Obama's agenda gets enacted but that a future Republican President could not get his or her picks for the Supreme Court confirmed by a Republican Senate using the same precedent our Democratic friends want to set. They want to have it both ways.

But this sort of gerrymandered vision of the nuclear option is wishful thinking. As the ranking member of the Judiciary Committee Senator GRASSLEY pointed out yesterday: If the majority leader changes the rules for some judicial nominees, he is effectively changing them for all judicial nominees, including the Supreme Court, as Senator GRASSLEY pointed out yesterday.

Look, I realize this sort of wishful thinking might appeal to the uninitiated newcomers in the Democratic Conference who have served exactly zero days in the minority. But the rest of you guys in the conference should know better. Those of you who have been in the minority before should know better.

Let's remember how we got here. Let's remember that it was Senate Democrats who pioneered, who literally pioneered the practice of filibustering circuit court nominees, and who have been its biggest proponents in the very recent past. After President Bush was elected, they even held a retreat in which they discussed the need to change the ground rules by which lifetime appointments are considered. The senior Senator from New York put on a seminar, invited Laurence Tribe, Cass Sunstein. In the past the practice had been neither side had filibustered circuit court nominees. In fact, I can remember at Senator Lott's gagging several times and voting for cloture on circuit judges for the Ninth Circuit, knowing full well that once cloture was invoked, they would be confirmed.

So this business of filibustering circuit court judges was entirely an invention of the guys over here on the other side, the ones you are looking at right over here. They made it up. They started it. This is where we ended up.

After President Bush was elected, they held this retreat that I was just talking about and made a big deal about it. It was all a prelude to what followed, the serial filibustering of several of President Bush's circuit court nominees, including Miguel Estrada, whose nomination to the DC Circuit was filibustered by Senate Democrats a record seven times—seven times. Now they want to blow up the rules because Republicans are following a precedent they themselves set.

I might add, we are following that precedent in a much more modest way than Democrats did.

So how about this for a suggestion? How about instead of picking a fight with Senate Republicans by jamming through nominees to a court that does not even have enough work to do, how about taking yes for an answer and working with us on filling judicial emergencies that actually exist?

Yet rather than learn from past precedent on judicial nominations that they themselves set, Democrats now want to set another one. I have no doubt if they do, they will come to regret that one as well. Our colleagues evidently would rather live for the moment, satisfy the moment, live for the moment, and try to establish a story line that Republicans are intent on obstructing President Obama's judicial nominees. That story line is patently ridiculous in light of the facts. That is an utterly absurd suggestion in light of the facts.

Before this current Democratic gambit to fill up the DC Circuit one way or the other, the Senate had confirmed 215—215—of the President's judicial nominees and rejected 2. That is a 99-percent confirmation rate. There were 215 confirmed and 2 rejected—99 percent.

Look, if advice and consent is to mean anything at all, occasionally consent is not given. But by any objective standards, Senate Republicans have been very fair to this President. We have been willing to confirm his nominees. In fact, speaking of the DC Circuit, we just confirmed one a few months ago 97 to 0 to the DC Circuit.

So I suggest our colleagues take a timeout, stop trying to jam us, work with us instead to confirm vacancies that actually need to be filled, which we have been doing. This rules change charade has gone from being a biannual threat, to an annual threat, now to a quarterly threat. How many times have we been threatened, my colleagues? Do what I say or we will break the rules to change the rules. Confirm everybody, 100 percent. Anything less than that is obstructionism. That is what they are saying to us.

Let me say we are not interested in having a gun put to our head any longer. If you think this is in the best interests of the Senate and the American people to make advice and consent, in effect, mean nothing—obviously you can break the rules to change the rules to achieve that. But some of us have been around here long enough to know that the shoe is sometimes on the other foot.

This strategy of distract, distract, distract is getting old. I do not think the American people are fooled about this. If our colleagues want to work with us to fill judicial vacancies, as we have been doing all year—99 percent of judges confirmed—obviously we are willing to do that. If you want to play games, set yet another precedent that you will no doubt come to regret—I say to my friends on the other side of the aisle, you will regret this, and you may regret it a lot sooner than you think.

Let me be clear. The Democratic playbook of broken promises, double standards, and raw power, the same playbook that got us ObamaCare, has to end. It may take the American people to end it, but it has to end. That is why Republicans are going to keep their focus where it belongs, on the concerns of the American people. It means we are going to keep pushing to get back to the drawing board on health care, to replace ObamaCare with real reforms, to not punish the middle class, and we will leave the political games to our friends on the other side of the aisle.

The PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, what is the business before the Senate right now?

The PRESIDENT pro tempore. The business before the Senate is the motion to proceed to S. 1356.

MOTION TO PROCEED TO RECONSIDERATION

Mr. REID. Mr. President, I now move to proceed to the motion to reconsider the vote by which cloture was not invoked on the Millett nomination.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

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

The PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The yeas and nays are ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CHAMBLISS (when his name was called). ''Present.''

Mr. HATCH (when his name was called). ''Present.''

Mr. ISAKSON (when his name was called). ''Present.''

The result was announced—yeas 57, nays 40, as follows:

[Rollcall Vote No. 239 Leg.]

YEAS—57

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

NAYS—40

Alexander	Coats	Cruz
Ayotte	Coburn	Enzi
Barrasso	Cochran	Fischer
Blunt	Corker	Flake
Boozman	Cornyn	Graham
Burr	Crapo	Grassley

Heller	McConnell	Sessions
Hoeven	Moran	Shelby
Inhofe	Paul	Thune
Johanns	Portman	Toomey
Johnson (WI)	Risch	Vitter
Kirk	Roberts	Wicker
Lee	Rubio	
McCain	Scott	

ANSWERED ''PRESENT''—3

Chambliss	Hatch	Isakson

The motion was agreed to.

MOTION TO RECONSIDER—MILLETT NOMINATION

The PRESIDENT pro tempore. The majority leader.

Mr. REID. I move to reconsider the vote by which cloture was not invoked on the Millett nomination.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Parliamentary inquiry.

The PRESIDENT pro tempore. The Republican leader will state the parliamentary inquiry.

Mr. MCCONNELL. Is it correct that more than 200 judicial nominations have been confirmed by the Senate since 2009?

The PRESIDENT pro tempore. The Chair is informed the Secretary of the Senate confirmed that more than 200 judicial nominations have been confirmed since 2009.

Mr. MCCONNELL. Mr. President, a further parliamentary inquiry.

The PRESIDENT pro tempore. The Republican leader will state the parliamentary inquiry.

Mr. MCCONNELL. Is it correct that under the bipartisan streamlining provisions of S. Res. 116 and S. 679 in the 112th Congress, the Senate removed 169 nominations from Senate consideration completely, moved 272 nominations to the Senate's expedited calendar, and removed from Senate consideration approximately 3,000 nominations for the NOAA officer corps and the Public Health Service?

The PRESIDENT pro tempore. It is the understanding of the Chair that pursuant to S. Res. 116 and S. 679 of the 112th Congress, a large number of nominations were moved to a newly created expedited consideration process or removed from the advice-and-consent process of the Senate altogether. The Chair cannot confirm the exact number.

MOTION TO ADJOURN

Mr. MCCONNELL. I move to adjourn the Senate until 5 p.m. and ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 46, nays 54, as follows:

[Rollcall Vote No. 240 Ex.]

YEAS—46

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

NAYS—54

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

The motion was rejected.

MOTION TO RECONSIDER—MILLETT NOMINATION

The PRESIDENT pro tempore. The majority leader.

Mr. REID. Are we now on the motion to reconsider the Millett nomination?

The PRESIDENT pro tempore. We are.

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

The PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 57, nays 43, as follows:

[Rollcall Vote No. 241 Ex.]

YEAS—57

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

NAYS—43

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

The motion was agreed to.

The PRESIDENT pro tempore. The majority leader is recognized.

APPEALING RULING OF THE CHAIR

Mr. REID. I raise a point of order that the vote on cloture under rule XXII for all nominations other than for the Supreme Court of the United States is by majority vote.

The PRESIDENT pro tempore. Under the rules, the point of order is not sustained.

Mr. REID. I appeal the ruling of the Chair and ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

Mr. MCCONNELL. Mr. President, parliamentary inquiry.

The PRESIDENT pro tempore. The Republican leader will state the parliamentary inquiry.

Mr. MCCONNELL. Is it correct that under the bipartisan provisions of S. Res. 15, adopted earlier this year, postcloture debate time on a district court nomination is limited to 2 hours before an up-or-down vote is required under the rules?

The PRESIDENT pro tempore. Pursuant to S. Res. 15 of the 113th Congress, postcloture debate on district court nominees is limited to 2 hours.

Mr. MCCONNELL. Further parliamentary inquiry, Mr. President.

The PRESIDENT pro tempore. The Senator will state it.

Mr. MCCONNELL. Is it correct under the provisions of S. Res. 15, adopted earlier this very year, that postcloture debate time on any executive branch nomination other than those at the Cabinet level is already limited to 8 hours before an up-or-down vote is required under Senate rules?

The PRESIDENT pro tempore. Pursuant to S. Res. 15 of the 113th Congress, postcloture debate on any nomination to the executive branch, which is not a level 1 position as set forth in title 5 of the U.S. Code, section 5312, is limited to 8 hours.

Mr. REID. I appeal the ruling of the Chair and ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The Republican leader.

Mr. MCCONNELL. Mr. President, one other parliamentary inquiry. When the Senate's rules were amended and a new standing order on consideration of nominations was established earlier this year, the majority leader and I engaged in a colloquy to announce that no further rules changes would be considered unless under the regular order and through the action of the Senate Rules Committee.

Would the Chair confirm that currently the rules of the Senate provide that a proposal to change the Senate rules would be fully debatable unless two-thirds of the Senators present and voting voted to invoke cloture, which would mean 67 Senators voting in the affirmative if all 100 voted?

The PRESIDENT pro tempore. The Republican leader is correct.

Mr. MCCONNELL. Further inquiry: It is my understanding that prevailing on appeal of the ruling of the Chair would

change Senate precedent on how nominations are considered in the Senate and effectively change the procedures or application of the Senate's rules.

How many votes are required to appeal the ruling of the Chair in this instance?

The PRESIDENT pro tempore. A majority of those Senators voting, a quorum being present, is required.

Mr. McCONNELL. So I am correct that overturning the ruling of the Chair requires a simple majority vote?

The PRESIDENT pro tempore. The Senator from Kentucky is correct.

The majority leader has appealed from the decision of the Chair.

The question is, Shall the decision of the Chair stand as the judgment of the Senate?

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

The PRESIDENT pro tempore. The yeas and nays are requested.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 48, nays 52, as follows:

[Rollcall Vote No. 242 Ex.]

YEAS—48

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

NAYS—52

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

The PRESIDENT pro tempore. The decision of the Chair is not sustained.

The Republican leader.

APPEALING RULING OF THE CHAIR

Mr. McCONNELL. Mr. President, I make a point of order that nominations are fully debatable under the rules of the Senate unless three-fifths of the Senators chosen and sworn have voted to bring debate to a close. Under the precedent just set by the Senate, cloture is invoked at a majority. Therefore, I appeal the ruling of the Chair and ask for the yeas and nays.

The PRESIDENT pro tempore. The Chair has not yet ruled.

Under the precedent set by the Senate today, November 21, 2013, the threshold for cloture on nominations, not including those to the Supreme Court of the United States, is now a majority. That is the ruling of the Chair.

Mr. McCONNELL. I appeal the ruling of the Chair and ask for the yeas and nays.

The PRESIDENT pro tempore. The Republican leader appeals the decision of the Chair.

The question is, Shall the decision of the Chair stand as the judgment of the Senate?

The yeas and nays have been requested.

Is there a sufficient second?

There is a sufficient second.

The yeas and nays are ordered.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 243 Ex.]

YEAS—52

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

NAYS—48

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

The PRESIDENT pro tempore. The Senate sustains the decision of the Chair.

The majority leader.

Mr. REID. Mr. President, what is the pending question before the Senate?

CLOTURE MOTION

The PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

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, hereby move to bring to a close debate on the nomination of Patricia Ann Millett, of Virginia, to be United States Circuit Judge for the District of Columbia.

Harry Reid, Patrick J. Leahy, Richard J. Durbin, John D. Rockefeller IV, Benjamin L. Cardin, Jon Tester, Sheldon Whitehouse, Mark R. Warner, Patty Murray, Mazie K. Hirono, Angus S. King, Jr., Barbara Boxer, Jeanne Shaheen, Robert Menendez, Bill Nelson, Debbie Stabenow, Richard Blumenthal.

The PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Patricia Ann Millett, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit, shall be brought to a close, upon reconsideration?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CHAMBLISS (when his name was called). Present.

Mr. HATCH (when his name was called). Present.

The yeas and nays resulted—yeas 55, nays 43, as follows:

[Rollcall Vote No. 244 Ex.]

YEAS—55

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

NAYS—43

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

ANSWERED ''PRESENT''—2

Chambliss	Hatch

The PRESIDENT pro tempore. Upon reconsideration, the motion is agreed to.

EXECUTIVE SESSION

NOMINATION OF PATRICIA ANN MILLETT TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT—Resumed

The PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, I wish to take a few minutes first to congratulate our leader Senator REID for leading the Senate finally into the 21st century. This is the step that we have taken today. Thank you very much, Leader REID, for your courageous action and making sure that the Senate can now work and get our work done.

I have waited 18 years for this moment. In 1995, when we were in the minority, I proposed changing the rules on filibuster. I have been proposing this ever since.

What has happened is this war has escalated. It is war on both sides.

I said at the time, in 1995, that it was like an arms race. If we didn't do something about it, the Senate would reach a point where we wouldn't be able to function. At that time, I thought my words were a little apocalyptic, but as it turned out they weren't at all.

This is a bright day for the Senate and for our country, to finally be able to move ahead on nominations so that any President—not only this President, any President—can put together his executive branch under our Constitution. A President should have the people who he or she wants to form their executive branch.

Every Senator gets to pick his or her own staff. We don't have to have the House vote on it or anybody else. It is true of every Member of the House or Senate. It is true of the judiciary, the third branch of the government. They can hire their clerks or their staff without coming to us.

It is appropriate that any President can now form their executive branch with only 51 votes needed in the Senate, not a supermajority. That is a huge step in the right direction. We can confirm judges of all the courts less than the Supreme Court, circuit and district court judges, with 51 votes, without this supermajority that has been festering for so long.

I listened to the Republican leader during the runup to these votes, and he said that we were going to somehow break the rules to make a new rule. We did not break the rules. With the vote that we just had, the Senate broke no rules.

The rules provide for a 51-vote nondebatable motion to overturn the ruling of the Chair. We have done it many times in the past.

We did not break the rules. We simply used rules to make sure that the Senate could function and that we can get our nominees through.

I like what the writer Gail Collins said in her column this morning in the New York Times about these rule changes. She has had a lot of good columns, but she talked about how we were calling it the nuclear option. She proffered that it was probably called that because some think that changing the rules in the Senate is worse than a nuclear war, but it is not. It is time that we change these rules.

The Republican leader earlier said it was the Democrats who started this. It reminds me of a schoolyard fight between a couple of adolescents, and the teacher is trying to break it up. One kid says: He hit me first. The other says: No, he hit me first. Then the other kid says: No, he stepped on my toe first.

Who cares who started it? It is time to stop. Even if I accept the fact that Democrats started it—maybe they can prove that we did. It is possible way back when. It has escalated.

It turned from a punch here to a punch there to almost extreme fighting. It has reached the point where we can't function.

On nominations alone we had 168 filibusters since 1949. I picked that date because that is when all of this filibustering started, 168; 82 of those have been under this President. This is what I mean. It is worth it to talk about who started this. Fine. If they want to say the Democrats started it, fine, we started it. It has escalated beyond all bounds, as I said in 1995. It has turned into an arms race, so it is time to stop it. That is what we did this morning with this vote. We took a step in the right direction.

In 2008 Norman Ornstein, who is a congressional scholar, wrote about the broken Senate—our broken Senate—how we couldn't function. We can go back even beyond that. In 1985, my first year, Senator Thomas Eagleton, my neighbor to the south, said that the Senate is now in a state of incipient anarchy.

We had something such as 20 to 30 filibusters in the Congress before that. This has been escalating over a long period of time, and it was time to stop. That is what we did this morning.

This is a big step in the right direction, but now we need to take it another step further; that is, to change filibuster on legislation. We need to change it as it pertains to legislation.

For example, we recently had the spectacle of a bill that I reported out of our committee unanimously—Republicans and Democrats. It passed the floor of the House unanimously. It came to the Senate and one Senator stopped everything for 10 days. He stopped everything for 10 days. Guess what. It finally passed by unanimous consent.

Should one Senator be able to stop things in the Senate in this manner? It is time to move ahead and at the same time to protect the right of the minority, to offer amendments that are relevant and germane, debate, and vote on them. Not that they should win, but the minority should be able to offer, debate, and vote on relevant and germane amendments to legislation.

I proposed 18 years ago a formula that, quite frankly, was first proposed by Senator Dole many years before that. That was on a cloture vote to end a filibuster. The first time had to be 60 votes. Then we could wait 3 days to file a new motion with the requisite signatures and at that time we would need 57 votes. Then if we didn't have 57 votes, we could wait 3 more days, file the new motion on the same bill or amendment, and then it would require 54 votes. If we didn't have 54, we would wait 3 days, file a new motion, and then we needed 51 votes.

At some point the majority could act on legislation, but the minority would have the right to slow things down too; as Senator George Hoar said in 1897, give sober second thought to legislation in the Senate—sober second thought, not to stop it, not to block it, but to slow things down, yes; give it a second thought; maybe we shouldn't rush into things.

I understand that. Maybe things should be amended. The minority ought to have that right to offer those amendments—not just spurious amendments, but amendments that are relevant and germane to the legislation. Ultimately 51 should decide in the Senate what we proceed on and the outcome of the vote.

I hope the vote today leads the Senate to adopt such an approach in January 2015. When the new Senate comes in there will be a new Congress. I won't be here, but I hope at that point the Senate will then take the next step of cutting down on the blatant use of the filibuster on legislation.

Of the action taken today, this is what I predict. I predict the sky will not fall, the oceans will not dry up, a plague of locusts will not cover the Earth, and the vast majority of Americans will go on with their lives as before. But I do predict that our government will work better. A President will be able to form an executive branch, our judiciary will function better, and the Senate will be able to move qualified nominees through the Senate in a more responsible manner.

This is a good day for the Senate, a good day for our Nation. The Senate now enters the 21st century.

I congratulate Leader REID for bringing the Senate forward. It is a courageous action. I compliment all of my fellow Senators who upheld that vote, overruling the ruling of the Chair, so that from now on we only need 51 votes to close debate and move nominations and judges through the Senate.

I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Michigan.

Mr. LEVIN. I ask unanimous consent that after the Senator from Iowa is recognized, I be recognized for up to 20 minutes.

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

The PRESIDING OFFICER. The Senator from Iowa.

NUCLEAR OPTION

Mr. GRASSLEY. Mr. President, we didn't have a chance to debate the change in rules, and we should have, so I am going to speak now on some things I think should have been said before we voted—not that it would have changed the outcome but because we ought to have known what we were

doing before we vote rather than afterward. So I will spend a few minutes discussing what the majority leader did on the so-called nuclear option.

Unfortunately, this wasn't a new threat. Over the last several years, every time the minority has chosen to exercise his rights under the Senate rules, the majority has threatened to change the rules. In fact, this is the third time in just the last year or so that the majority leader has said that if he didn't get his way on nominations, he would change the rules. Ironically, that is about as many judicial nominees as our side has stopped through a filibuster—three or so.

Prior to the recent attempt by the President to simultaneously add three judges who are not needed to the DC Circuit, Republicans had stopped a grand total of 2 of President Obama's judicial nominees—not 10, as the Democrats had by President Bush's fifth year in office; not 34, as one of my colleagues tried to suggest earlier this week; no, only 2 had been stopped. If we include the nominees for the DC Circuit, we have stopped a grand total of 5—again, not 10, as the Democrats did in 2005; not 34, as one of my colleagues tried to argue earlier this week but 5. During that same time we have confirmed 209 lower court Article III judges. That is a record of 209 judges approved to 5 who were not approved. So this threat isn't based on any crisis. There is no crisis.

I would note that today's Wall Street Journal editorial entitled ''DC Circuit Breakers: The White House wants to pack a court whose judges are underworked'' lays out the caseload pretty clearly.

I ask unanimous consent to have printed in the RECORD the editorial to which I just referred.

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

[From the Wall Street Journal, Nov. 21, 2013]

D.C. CIRCUIT BREAKERS

(By the Wall Street Journal Editorial Staff)

The White House wants to pack a court whose judges are underworked.

We remember when a ''judicial emergency'' was the Senate's way of calling attention to vacancies based on a court's caseload. Those were the good old days. Now Democrats are threatening to change Senate rules if Republicans don't acquiesce to their plan to confirm three new judges to the most underworked appellate circuit in the country.

That's the story behind the fight over the D.C. Circuit Court of Appeals, with the White House trying to pack the court that reviews much of its regulatory agenda. On Monday Senate Republicans blocked the third nominee to the D.C. appellate court in recent weeks, and Democrats with short memories of their judicial filibusters in the Bush years are claiming this is unprecedented. Majority Leader Harry Reid and other Democrats are threatening to resort to the so-called nuclear option, which would let the Senate confirm judicial nominees by a simple majority vote.

This is nothing but a political power play because the D.C. Circuit doesn't need the new judges. It currently has 11 authorized judgeships and eight active judges—four appointed by Democratic Presidents and four by Republicans. The court also has six senior judges who hear cases varying from 25% to 75% of an active judge's caseload. Together they carry the equivalent caseload of 3.25 active judges, according to numbers from Chief Judge Merrick Garland. That means the circuit has the equivalent of 11.25 full-time judges.

That's more than enough considering that the court's caseload is the lightest in the country. For the 12-months ending in September, the D.C. Circuit had 149 appeals filed per active judge. By comparison, the 11th Circuit had 778 appeals filed per active judge for the same period. If all three nominees to the D.C. Circuit were confirmed, the number of appeals per active judge would be 108, while a full slate on the 11th Circuit would be 583 appeals per judge. The national average of appeals per active judge is 383. The closest to the D.C. Circuit is the 10th Circuit, at 217 appeals.

Liberal Senator Pat Leahy claims that these comparisons don't matter because the D.C. Circuit handles complex rulemakings by federal agencies and sensitive national security cases. But the truth is that all the circuits handle complicated cases. And even many regulatory cases have been migrating to other circuits as some of the D.C. Circuit's stars have taken senior status.

According to the Administrative Office of the U.S. Courts, 42.9% of the D.C. Circuit's caseload is made up of administrative appeals of federal rules or regulations, the highest percentage of any circuit. In raw numbers, the D.C. Circuit is not carrying the heaviest load. That honor goes to the Second Circuit Court of Appeals.

Democrats are in a rush to confirm as many judges as possible because they know the clock is ticking on the Obama second term. Liberals have criticized the White House for its slow pace of nominations, but that isn't the fault of Republicans. Iowa Senator Chuck Grassley, the ranking Republican on Judiciary who has led the fight against more D.C. Circuit confirmations, has been entirely consistent. In the Bush years he opposed the nomination of a twelfth judge for the court on workload grounds.

GOP Senators watched for years as Senate Democrats blocked George W. Bush's nominees to the D.C. Circuit, including the eminently qualified Miguel Estrada and Peter Keisler. Republicans are right to say that the D.C. Circuit now has a full complement of judges following the unanimous confirmation of Obama nominee Sri Srinivasan in May.

Mr. Reid and his fellow Democrats are claiming that even if they establish a new standard of 51 votes to confirm appellate judges and executive-branch officials, they can keep the 60 vote standard for the Supreme Court. They're kidding themselves. If they change the rules to pack the D.C. Circuit, Democrats should understand they are also setting that standard for future Supreme Court nominees opposed to Roe v. Wade.

Mr. GRASSLEY. This is about a naked power grab and nothing more than a power grab. This is about the other side not getting everything they want, when they want it.

The other side claims they were pushed to this point because our side objected to the President's plan to fill the DC Circuit with judges the court does not need, but the other side tends to forget history. History is something we ought to learn from, so let's review how we got here.

After the President simultaneously nominated three nominees who are not needed for the DC Circuit—a blatant political power grab in its own right—what did the Republicans do? Well, we did something quite simple: We said we want to go by the rules the Democrats set in 2006. We said we would hold those Democrats to the same standard they established in 2006 when they blocked a nominee of President Bush's by the name of Peter Keisler.

Let's be clear about why the Democrats are outraged. Democrats are outraged because Republicans actually had the temerity to hold the other political party to a standard they established, and because we did, because we insisted we all play by the same rules, they came right back and said: Then we will change the rules. In effect, the other side has said: We don't want to be held to the standard we established in 2006. And not only that, but if you don't give us what we want, we are willing to forever change the Senate. And that is what happened today.

We hear a lot of ultimatums around here, but this ultimatum was not run-of-the-mill. It was very different. It was different because this threat was designed to hold the Senate hostage. It was different because it is designed to hold hostage all of the Senate's history and traditions and precedents. It was different because its effectiveness depends on the good will of Senators who don't want to see the Senate as we know it destroyed or function other than as the constitutional writers intended.

I would note that today's majority didn't always feel that way—the very way we have seen expressed today. Not too many years ago my colleagues on the other side described their fight to preserve the filibuster with great pride. For instance, in 2006 one of my colleagues on the other side said:

> The nuclear option was the most important issue I have worked on in my public life. Its rejection was my proudest moment as a minority leader. I emerged from the episode with a renewed appreciation for the majesty of Senate rules. As majority leader, I intend to run the Senate with respect for the rules and for the minority rights the rules protect.

In 2005 another of my Democratic colleagues had this to say, referring to when Republicans were in the majority:

> Today, Republicans are threatening to take away one of the few remaining checks on the power of the executive branch by their use of what has become known as the nuclear option. This assault on our traditions of checks and balances and on the protection of minority rights in the Senate and in our democracy should be abandoned.
>
> Eliminating the filibuster by nuclear option would destroy the Constitution's design of the Senate as an effective check on the executive.

So here we have two quotes from Democrats in the 2005–2006 timeframe very strongly supporting the precedent of the Senate in using the filibuster to protect minority rights. But that was when they were in the minority. Now

they are in the majority, and the tradition of the Senate doesn't mean much.

Here is another quote from the late Senator Byrd in 2005:

> And I detest this mention of a nuclear option, the constitutional option. There is nothing constitutional about it. Nothing.

But, of course, that was way back then—just 6, 7 years ago when today's majority was in the minority and there was a Republican in the White House. Today the shoe is on the other foot. Today the other side is willing to forever change the Senate because Republicans have the audacity to hold them—the majority party of today—to their own standard. Why? Why would the other side do this? There clearly isn't a crisis on the DC Circuit. The judges themselves say that if we confirm any more judges, there won't be enough work to go around. And it is not as if all of these nominees are mainstream consensus picks despite what the other side would have us believe, that they are somewhat mainstream.

Take Professor Pillard, for instance. She has written this about motherhood:

> Reproductive rights, including rights to contraception and abortion, play a central role in freeing women from historically routine conscription into maternity.

Is that mainstream?

She has also argued this about motherhood:

> Antiabortion laws and other restraints on reproductive freedom not only enforce women's incubation of unwanted pregnancies, but also prescribe a ''vision of the woman's role'' as mother and caretaker of children in a way that is at odds with equal protection.

Is that mainstream?

What about her views on religious freedom? She argued that the Supreme Court's case of Hosanna-Tabor Evangelical Lutheran Church, which challenged the so-called ''ministerial exception'' to employment discrimination, represented a ''substantial threat to the American rule of law.'' Now, get this. After she said that, the Supreme Court rejected her view 9 to 0, and the Court held that ''it is impermissible for the government to contradict a church's determination of who can act as its ministers.''

Do my colleagues really believe mainstream America thinks churches shouldn't be allowed to choose their own ministers?

I could go on and on, but I hope my colleagues get the picture.

The point is this: Voting to change the Senate rules is voting to remove one of the last meaningful checks on the President—any President—and voting to put these views on this important court.

So I ask again, why would the other side do this? It is nothing short of a complete and total power grab. It is the type of thing we have seen again and again out of this administration and their Senate allies, and you can sum it up this way: Do whatever it takes.

You can't get ObamaCare passed with Republican support? Do whatever it takes: Pass it at 7 a.m. on Christmas Eve with just Democratic votes.

You can't get all of your side to support ObamaCare? Do whatever it takes: Resort to things like the ''Cornhusker kickback.''

You lose your 60th vote on ObamaCare due to a special election? Do whatever it takes: Ram it through anyway using reconciliation.

The American people don't want to be taxed for not buying health care? Do whatever it takes: Tell the American people it isn't a tax and then argue in the court that it is a tax.

The American people want to keep their health care? Do whatever it takes: Promise them ''if you like your health care, you can keep it'' and then issue regulations making it impossible.

Your labor allies want out from under ObamaCare? Do whatever it takes: Consider issuing them—labor—a waiver from the reinsurance tax.

You can't find consensus nominees for the National Labor Relations Board? Do whatever it takes: Recess-appoint them when the Senate is still in session.

You can't convince Congress to adopt your gun control agenda? Do whatever it takes: Issue some Executive orders.

You can't convince moderate Democrats to support cap-and-trade fee increases? Well, do whatever it takes: Do the same thing through EPA regulation.

Frustrated that conservative groups' political speech is protected under the First Amendment? Do whatever it takes: Use the IRS to harass and intimidate those same conservative groups.

Frustrated when the court stands up for religious freedom and issues a check on the ObamaCare contraception mandate? Do whatever it takes: Stack the DC Circuit Court in your favor.

Frustrated when the court curbs your power on recess appointments? Do whatever it takes: Stack the DC Circuit with your favorite appointees—people who will rule in your favor.

Worried EPA's regulations on cap-and-trade fee increases might get challenged in the court? Do whatever it takes: Stack the DC Circuit in your favor.

Frustrated because Senate Republicans have the nerve to hold you to the same standard you established during the last administration? Do whatever it takes: Change the rules of the Senate. That is what we have witnessed today, nothing but an absolute power grab.

The majority in the Senate and their allies in the administration are willing to do whatever it takes to achieve their partisan agenda. They know there will be additional challenges to ObamaCare. They know that if they can stack the deck on the DC Circuit they can remove one of the last remaining checks on Presidential power.

But make no mistake, my friends on the other side will have to answer this question: Why did you choose this moment to break the rules to change the rules? Why now? Why, when we are witnessing the collapse of this massive effort to centrally plan one-sixth of this wonderful Nation's economy—why, when millions of Americans are losing their health care—why did you choose this moment to hand the keys to the kingdom over to the President, a President with less check on his authority?

Because the fact of the matter is this: any vote to break the rules to change the rules is a vote to ensure ObamaCare remains intact.

I will conclude by saying this. Changing the rules of the Senate in this way was a mistake. But if the last several years have taught us anything, it is that the majority won't stop making these demands. We can't always give in to these constant threats. Sooner or later you have to stand up and say: Enough is enough.

But if there is one thing which will always be true, it is this: Majorities are fickle. Majorities are fleeting. Here today, gone tomorrow. That is a lesson that, sadly, most of my colleagues on the other side of the aisle haven't learned for the simple reason that they have never served a single day in the minority.

So the majority has chosen to take us down this path. The silver lining is that there will come a day when roles are reversed. When that happens, our side will likely nominate and confirm lower court and Supreme Court nominees with 51 votes, regardless of whether the Democrats actually buy into this fanciful notion that they can demolish the filibuster on lower court nominees and still preserve it for Supreme Court nominees.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. I ask unanimous consent that after my remarks, the Senator from Alabama be recognized.

The PRESIDING OFFICER. Without objection.

Mr. LEVIN. Mr. President, in the past, a few Senate majorities, frustrated by their inability to get certain bills and nominations to a vote, have threatened to ignore the rules and change them by fiat, and to change rules to a majority vote change. Rule XXII of the Senate requires two-thirds of the Senate to amend our rules. A new precedent has now been set, which is that a majority can change our rules. Because that step would change this Senate into a legislative body where the majority can, whenever it wishes, change the rules, it has been dubbed the nuclear option.

Arguments about the nuclear option are not new. Senator Arthur Vandenberg confronted the same question in 1949. Senator Vandenberg, who was a giant of the Senate and one of my predecessors from Michigan, said if the majority can change the rules at will, ''there are no rules except the transient, unregulated wishes of a majority

of whatever quorum is temporarily in control of the Senate.''

When Senator Vandenberg took that position, he was arguing against changing the rules by fiat, although he favored the rule change that was being considered.

Overruling the ruling of the Chair, as we have now done, by a simple majority is not a one-time action. If a Senate majority demonstrates it can make such a change once, there are no rules which bind a majority, and all future majorities will feel free to exercise the same power—not just on judges and executive appointments but on legislation.

We have avoided taking those nuclear steps in the past, although we have avoided them sometimes barely. I am glad we avoided the possible use of the nuclear option again earlier this year when our leaders agreed on a path allowing the Senate to proceed to a vote on the President's nominees for several unfilled vacancies in his administration. Today we are once again moving down a destructive path.

The issue is not whether to change the rules—I support changing the rules—to allow a President to get a vote on nominees to executive and most judicial positions. But this is not about the ends but the means. Pursuing the nuclear option in this manner removes an important check on majority overreach. As Senator Vandenberg said: If a Senate majority decides to pursue its aims unrestrained by the rules, we will have sacrificed a professed vital principle for the sake of momentary convenience.

Republicans have filibustered three eminently qualified nominees to the Circuit Court of Appeals for the District of Columbia. They make no pretense of argument that these nominees are unqualified. The mere nomination of qualified judges by this President, they say, qualifies as court packing. It is the latest attempt by Republicans, having lost two Presidential elections, to seek preventing the duly elected President from fulfilling his constitutional duties.

The thin veneer of substance laid over this partisan obstruction is the claim that the DC Circuit has too many judges. To be kind, this is a debatable proposition, one for which there is ample contrary evidence, and surely one that falls far short of the need to provoke a constitutional battle. Republicans know they cannot succeed in passing legislation to reduce the size of the court. So, presented with a statutory and constitutional reality they do not like, they have decided to ignore that reality and have decided they can obstruct the President's nominees for no substantive reason.

Let nobody mistake my meaning. The actions of Senate Republicans in these matters have been irresponsible. These actions put short-term partisan interest ahead of the good of the Nation and the future of this Senate as a unique institution. It is deeply dispiriting to see so many Republican colleagues who have in the past pledged to filibuster judicial nominees only in extraordinary circumstances engaged in such partisan gamesmanship. Whatever their motivations, the repercussions of their actions are clear. They are contributing to the destruction of an important check against majority overreach. To the frustration of those willing to break the rules to change the rules, those of us who are unwilling to do that have now seen it occur before our eyes when the Chair was overruled earlier today.

So why don't I join my Democratic colleagues in supporting the method by which they propose to change the rules? My opposition to the use of the nuclear option to change the rules of the Senate is not a defense of the current abuse of the rules. My opposition to the nuclear option is not new. When Republicans threatened in 2005 to use the nuclear option in a dispute over judicial nominees, I strongly opposed the plans, just as Senator Kennedy, Senator BIDEN, and Senator Byrd did, and just about every Senate Democrat did—including Democrats still in the Senate today.

Back then, Senator Kennedy called the Republican plan a ''preemptive nuclear strike,'' and said:

> Neither the Constitution, nor Senate rules, nor Senate precedents, nor American history, provide any justification for selectively nullifying the use of the filibuster. Equally important, neither the Constitution nor the Rules nor the precedents nor history provide any permissible means for a bare majority of the Senate to take that radical step without breaking or ignoring clear provisions of applicable Senate Rules and unquestioned precedents.

Here is what then-Senator BIDEN said during that 2005 fight:

> The nuclear option abandons America's sense of fair play. It's the one thing this country stands for. Not tilting the playing field on the side of those who control and own the field. I say to my friends on the Republican side, you may own the field right now but you won't own it forever. And I pray to God when the Democrats take back control, we don't make the same kind of naked power grab you are doing.

My position today is consistent with the position that I and every Senate Democrat took then—and that is just back in 2005—to preserve the rights of the Senate minority. I can't ignore that. Nor can I ignore the fact that Democrats have used the filibuster on many occasions to advance or protect policies we believe in.

When Republicans controlled the White House, the Senate, and the House of Representatives from 2003–2006, it was a Democratic minority in the Senate that blocked a series of bills that would have severely restricted the reproductive rights of women. It was a Democratic minority in the Senate that beat back efforts to limit Americans' right to seek justice in the courts when they are harmed by corporate or medical wrongdoing. It was a Democratic minority in the Senate that stopped the nominations of some to the Federal courts who we believed would not provide fair and unbiased judgment. Without the protections afforded the Senate minority, total repeal of the estate tax would have passed the Senate in 2006.

We don't have to go back to 2006 to find examples of Senate Democrats using the rules of the Senate to stop passage of what many of us deemed bad legislation. Just last year, these protections prevented adoption of an amendment which would have essentially prevented the EPA from protecting waters under the Clean Water Act. We stopped an amendment to allow loaded and concealed weapons on land managed by the Army Corps of Engineers. With minority votes, we stopped legislation that would have allowed some individuals who were deemed mentally incompetent access to firearms. That is just in the last year. Removing these minority protections risks that in the future, important civil and political rights might disappear because a majority agreed they should.

Let us not kid ourselves. The fact that we changed the rules today just to apply to judges and executive nominations does not mean the same precedent won't be used tomorrow or next year or the year after to provide for the end of a filibuster on legislation, on bills and amendments that are before us.

Just as I have implored my Democratic colleagues to consider the implications of a nuclear option which would establish the precedent that the majority can change the rules at will, it is just as urgent for my Republican colleagues to end the abuse of rules allowing extended debate that were intended to be invoked rarely.

Some of my Democratic colleagues may rightfully ask, if a Democratic majority cannot initially muster a supermajority to end filibusters or change the rules, then what can the majority do? The rules give us the path, and that is to make the filibusterers filibuster. Let the majority leader bring nominations before the Senate, and let the Senate majority force the filibusterers to come to the floor to filibuster. The current rules of the Senate allow the Presiding Officer to put the pending question to a vote when no Senator seeks recognition. Let us, as the Senate majority, dedicate a week, or a weekend, or even a night, to force the filibusterers to filibuster.

In 2010, in testimony before the rules committee on this subject, this is what Senator Byrd said:

> Does the difficulty reside in the construction of our rules, or does it reside in the ease of circumventing them? A true filibuster is a fight, not a threat, not a bluff. . . . Now, unbelievably, just the whisper of opposition brings the ''world's greatest deliberative body'' to a grinding halt.

Then he said:

> Forceful confrontation to a threat to filibuster is undoubtedly the antidote to the malady.

We have not used that antidote to the malady which besets this body, allowing the mere threat of a filibuster to succeed without challenging that threat, without telling the filibusterers: Go ahead, filibuster. We have rules that protect us. When you pause and when there is no one else here, at 3 o'clock on the fourth day or the fifth day or the sixth day, the Chair can put the question. The American people will then see in a dramatic way the obstruction which has taken place in this body.

But before a Senate majority assumes a power that no Senate majority before us has assumed, to change the rules at the will of the majority, before we do something that cannot easily be undone—and we have now done it—before we discard the uniqueness of this great institution, let us use the current rules and precedents of the Senate to end abuse of the filibuster. Surely we owe that much to this great and unique institution.

There is a conversation, which was a formal conversation between the majority and Republican leaders just last January. Here is what the majority leader said:

> In addition to the standing order [which is what we have adopted] I will enforce existing rules to make the Senate operate more efficiently. After reasonable notice, I will insist that any Senator who objects to consent requests or threatens to filibuster come to the floor and exercise his or her rights himself or herself. This will apply to all objections to unanimous consent requests. Senators should be required to come to the floor and participate in the legislative process, to voice objections, engage in debate or offer amendments.

He said:

> Finally, we will also announce that when the majority leader or bill manager has reasonably alerted the body of the intention to do so and the Senate is not in a quorum call and there is no order of the Senate to the contrary, the Presiding Officer may ask if there is further debate, and if no Senator seeks recognition, the Presiding Officer may put the question to a vote.

He, our majority leader, said:

> This is consistent with the precedent of the Senate and with Riddick's Senate Procedure.

What this showed again is that if we in the majority have the willpower, as much willpower as has been shown by some obstructionists in this body—if we have an equal amount of will as they have shown, that the current rules, before this change today, can be used to force filibusterers to filibuster, to come to the floor and to talk, all we need is the willingness to use the rules, to take the weekend off, to take a week that we hoped for a recess, and use it to come back here; to take the recess itself, if necessary during the summer, for 1 month if necessary, to try to preserve what is so essential to this body, its uniqueness, which is that the majority cannot change the rules whenever it wants.

The House of Representatives can change the rules whenever it wants. It is called a rules committee. They can adopt and modify the rules at any time, and they do. This body has not done that. We have resisted. We have been tempted to do it. We have come close to doing it. But we have never done it—until today.

Do I want to amend the rules? Do I. I want to amend these rules with all my heart. I want to embody a principle that a President, regardless of party, should be able to get a vote on his or her nominees to executive positions at the district and circuit courts. I believe in that. I believe most Senators believe in that. We need to change the rule. But to change it in the way we changed it today means there are no rules except as the majority wants them. It is a very major shift in the very nature of this institution, if the majority can do whatever it wants by changing the rules whenever it wants with a method that has not been used before in this body to change the very rules of this body.

We should have avoided a nuclear option. We should have avoided violating our precedents. We should have avoided changing and creating a precedent which can be used in the same way on legislation. It may give comfort to some today: ''But this is only on judges, this is only on executive appointments.'' This precedent is equally available to a majority that wants to change the rules relative to the legislative process.

Those who have abused these rules, mainly on the other side of the aisle, whether they acknowledge it, are contributors to the loss of protections which we see today for the Senate minority. Given a tool of great power, requiring great responsibility, they have recklessly abused it. But now I am afraid it will not just be they who will pay the price.

In the short term, judges will be confirmed who should be confirmed. But when the precedent is set, the majority of this body can change the rules at will, which is what the majority did today. If it can be changed on judges or on other nominees, this precedent is going to be used, I fear, to change the rules in consideration of legislation. Down the road—we don't know how far down the road, we never know that in a democracy—but down the road the hard-won protections and benefits for our people's health and welfare will be lost.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, throughout our Senate history we have had Senators such as Senator LEVIN. Before he does depart, I thank him for his principled approach to this complex issue.

Just to share with all of our colleagues, he is completing his service in the Senate this year. He is not running for reelection. He certainly would have been reelected. This weekend I was at a national security conference at the Reagan Library. The first winners of an award for national security were former Secretary of Defense Gates, who served two Presidents, and Senator LEVIN was the other winner. I think it is a tribute to his commitment to this country.

We have disagreed on a lot of issues and no one should think he is not a strong and effective advocate for values around here. But I think all of us should listen to his remarks and his warning, a very simple warning. That warning is that if a majority can change the rules with a simple majority vote in order to defeat what heretofore was a right of a minority party in the Senate, there are no minority rights left. They simply exist at the will of the majority. This is a fundamental matter. It is an important matter.

We have had some close calls and a lot of intensity, but we have avoided this kind of action. I think it is fair to say without dispute that the significance of this rule change today dwarfs any other appeal of the ruling of the Chair that we have seen—maybe in the history of the Republic. This is a big event. It changes what goes on because we deal with power and the exercise of power.

This whole thing is simply Majority Leader REID—and he has a difficult job. I have tried to not make his life more difficult than it needs to be.

But he is not a dictator. He does not get to dictate how this Senate is operated. He does not have the right to come in and change the rules because he wants to fill three judgeship slots that are not needed. There is no way one can justify filling these court slots, based on simple need or by caseload per judge.

He is unhappy about that. Maybe he wants to change the mood of the country from ObamaCare and the overreach that was executed to pass that bill on December 24, to ram it through the Senate on a straight party-line vote. I suspect that is part of it. But this is not the way to do business.

The only reason those judges were blocked, the only reason they did not get a confirmation, was because we did not need them. This country is going broke. There are districts in America that need judges. The DC Circuit does not need more judges. It does not need the eight they have. Yes, they have 3 vacancies, but with the current 8 judges, their average caseload per judge was 149, and they have been continuing to drop. My circuit, the Eleventh Circuit, the Chair would be interested to know, has an average caseload per judge of 740. The next lowest caseload per circuit is twice 149. The average is well above that per circuit. The judges themselves say they do not need anymore judges. They take the whole summer off.

These judges would not have been rejected if we had needed them. But the President is so determined to try to leave a legacy of friends on that court

that he just shoved them anyway and demanded the Senate pass them, and Senator REID demanded that we confirm these judges. The judges say they do not need anymore judges on that court. They do not need them, whether they say they need them or not. I know how to look at the caseload. I am on the Judiciary Committee. I am on the courts subcommittee. I have chaired it and been ranking member of it for years. I know how to analyze weighted caseloads. There is no justification for adding or filling a single slot on that court and we should not be doing it.

I am also ranking Republican on the budget committee, and I know we cannot keep throwing away money for no good reason. The last thing we should do is ask the American people to fund $1 million-a-year judges. That is what each judge and the staff are estimated to cost—and there are three of them. It is akin to every year burning $1 million on The Mall. We do not have $1 million to throw away. But we do have judges, we do have circuits, we do have district courts around the country that are overloaded and we are going to add some judges to them. We ought to close these judge slots and move them to a place they are needed, as any commonsense person would do.

So it was not any animosity to any of the nominations and their character or decency that led to this rejection. It was because we warned against it.

Senator GRASSLEY and I serve on the judiciary committee. He previously chaired the court subcommittee, and Senator GRASSLEY blocked President Bush in filling one of those slots. Oh, they wanted to fill the slot. They thought they might leave a legacy judge who would be influential to them. That is what they suggested, but we refused. We were actually able to transfer one of those slots to the Ninth Circuit. That is how good business should be done around here. We are at a point where we don't need to fill that slot, and it should in no way cause the majority leader to feel as if his power was threatened or that his majority was threatened. We are changing the rules of the Senate so he can get three judges confirmed that we do not need. I will be prepared to debate that issue anywhere, anytime on the merits. Not one of those slots should be filled.

They have the lowest caseload per judge in America. Their cases are not so complex that it would slow down their work and demand more judges. That has been analyzed, and it is not true.

Senator REID asked for this job. That is what my wife says to me when I complain. She says: Don't blame me; you asked for the job. He asked to be the majority leader of the Senate, and it is not easy. There are a lot of Members and a lot of different ideas about what ought to be done.

Trent Lott called it herding cats. I suppose that is a pretty good description of it. One time he said it is like putting a bunch of frogs in a wheelbarrow. You put one in and two jump out. It is not easy to move the Senate. I understand that. Changing the rules, as Senator LEVIN said, by a simple majority vote and significantly altering the tradition of the Senate is dangerous.

Senator REID said we have been wasting time on the procedural hurdles thrown up in the Senate. He also said Congress is broken and the American people think that Congress is broken. They thought it was broken when they used legerdemain on December 24 before Scott Brown from Massachusetts could take office so they could pass a health care bill that the American people overwhelmingly opposed.

Maybe the reason the American people are frustrated with the Congress is that they passed a bill that the American people opposed without a single Republican vote in the House or the Senate. Maybe that is why the American people are not happy with us.

I will explain, colleagues, what is causing the greatest frustration in the Senate. It is a trend that began some years ago—not long after I came to the Senate 17 years ago—and it has accelerated. It has reached a pace with Majority Leader REID we have never, ever seen before, and it undermines the very integrity and tradition of the Senate. It has to stop. We have to recover the tradition of this body. We owe it to those who will be filling these seats in the years to come.

This is the problem: A maneuver called filling the tree was discovered. It is a parliamentary maneuver where the majority leader, who gets recognition first in the Senate, seeks recognition and then he fills the tree. That parliamentary maneuver basically blocks anyone else from getting an amendment. A Senator cannot introduce his or her amendment. So how do we have an amendment? You have to go hat in hand to Senator REID and say: Senator REID, I would like an amendment.

Well, I don't think so.

I don't like that amendment.

But I like it. I want to vote on it.

Sorry. We don't want to vote on it.

That is the way it has been going every year. The Defense bill commonly had 30 or more amendments of substance when it hit the floor—$500 billion. It was the biggest appropriation bill we had—$500 billion. Senator COBURN has an amendment directly related to the Department of Defense that would save some money.

Senator REID will not give him a vote on that.

People say: Why don't you do something, SESSIONS? Why don't you get an amendment passed? I cannot bring an amendment to the floor unless he agrees. He says it is because of delay. He says it is because it creates time difficulties. We have been on this bill for a week, and we have only had two votes. We have gone for days with no votes. It is not about time. Let me tell you what it is: The majority leader of the Senate is protecting his members from tough votes. He does not want them to have to cast votes on critical issues in this country. He is not concerned about time or delay. There is plenty of time.

We could have already cast 15 votes on this bill, and everybody would be satisfied. That is the way it was when Senator MCCONNELL was here. That is the way it has been. That is the way it had been when I came here. We had 60-something votes on a bankruptcy bill. It went on for 3 weeks.

This is causing tension and frustration. One of our new Members in the Senate when we were debating this very question some months ago said: They tell us we have to get Senator MCCONNELL's decision before they will let us introduce an amendment. I said: Wait a minute. Do you not understand that you are a duly elected Senator from the United States of America and you have to ask permission of the Republican leader before you can get a vote on an amendment? How did this happen?

This is a background issue that is undermining collegiality in this body. I am tired of asking the majority leader for permission to give me a vote in the Senate. It is not right.

Mr. ROBERTS. Would the Senator yield?

Mr. SESSIONS. Yes, I will yield for a question.

Mr. ROBERTS. I am assuming that his situation is very similar to the situation that I find myself in. About a year ago we brought the farm bill to the floor. I was the ranking member of the committee. We voted 73 times. We had over 300 amendments offered. The amendments came forth, and the first amendment had nothing to do with agriculture. Basically, we were able to get through it in 2½ days.

Fast-forward to this year's farm bill. I think there were 10 votes. Senator THUNE has been on the committee for a long time. We respect his voice, and we respect his amendments. He had about four amendments. Senator GRASSLEY has been on the committee a lot longer. He always has amendments on the farm bill. Senator JOHANNS is a former Secretary of Agriculture. He is an excellent Senator for Nebraska and a real voice for Agriculture. He had several amendments. I had two or three amendments that I would have liked to have had considered.

The reason I mention them is because we all agreed to hold off in committee as long as we could bring them to the floor. We wanted to expedite it because the big issue was time. They said: Well, we don't have time for a farm bill. Usually a farm bill takes 1 to 2 weeks. That is just not the case anymore. Last year we got through it in 2½ days.

This year we expected to have votes, but none of us got amendments. After 10 votes, bingo, it was cut off. The majority leader controlled the effort. This is like the Rules Committee in the House.

When I was in the House, we had a Roberts-Stenholm amendment.

Mr. SESSIONS. An amendment can't come up for a vote in the House unless it is approved by the Rules Committee.

Mr. ROBERTS. That is correct.

Mr. SESSIONS. That is the difference between the House and the Senate.

Mr. ROBERTS. Madam President, if I could respond to the distinguished Senator. We had a Roberts-Stenholm amendment at that point while the Republicans were in the minority. Charlie Stenholm was a Democrat. As we went in he whispered: You might want to make this the Stenholm-Roberts amendment. I figured that out pretty fast, and we got our amendment made in order.

As a younger member of the House at that particular time, I thought the Rules Committee was based on the merits of whether it was germane or pertinent, et cetera. It wasn't. It was just a complete rehash of what went on with the authorizing committee.

One of the reasons I decided to come to the Senate was that you can offer an amendment at any time on any subject, unless it was something involving national security or whatever. I understand that. What we have now is a one-man rules committee. I deeply resent that.

I feel sorry for the Senate, and I feel sorry for the Members who come here and are not able to have their amendments considered.

One of the first things I did as the ranking member of the Senate agriculture committee last year was to promise that amendments could be brought to the floor. A lot of people on our side never had the opportunity to offer an amendment before. I said: You will have that opportunity if I can get this thing done. And we did. We opened it and it was one of the few bills that went under regular order, and we got things done.

There is only one House. There is the House and there is the Senate—just like the House—and that is a shame.

I thank the distinguished Senator for his comments.

Mr. SESSIONS. I thank the Senator so very much. His insight is correct. I will wrap up and say that what happened today is very significant, and it is a sad day. It represents the greatest alteration of the rules without proper procedure that we have probably seen in the history of the Republic.

It erodes legitimate minority rights in a way that subjects every right a minority party has in the Senate and the right any individual Senator has in the Senate. It places that right at great risk. A majority can do that at any time. That was explained so eloquently by Senator ROBERTS a few moments ago. I was so impressed with his analysis.

We will wrestle through this and work at it. I know that Senator ALEXANDER has worked hard in every way possible to avoid this day. He has expressed great interest in it, and I look forward to hearing his comments at this time on where we are and what is going to happen to us.

I thank the Senator and yield the floor.

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

Mr. ALEXANDER. Madam President, I thank the Senator from Alabama for his thoughtfulness and leadership.

As Senator Byrd used to say: The purpose of the Senate is to have a place where there can be an opportunity for unlimited discussion, unlimited debates and unlimited amendments. That is why we are here.

Senator Byrd used to say so eloquently that the Senate was a unique body because it provided the necessary fence against the abuses of the executive. That is what Senator Byrd said in his last speech to the Senate when he spoke before the rules committee. He said the Senate is the necessary fence against abuses of the executive—remembering how this country was founded in opposition to the king and the popular excesses. That was what the Senate was supposed to be. I am afraid that ended today.

This action by the Democratic majority is the most important and most dangerous restructuring of the rules of the Senate since Thomas Jefferson wrote the rules at the founding of our country. It creates the perpetual opportunity—as Alexis de Tocqueville described—that is most dangerous for our country. He said that when he came to our country to visit in the 1830s. The young Frenchman said: I see two great dangers for this new American democracy. One was Russia and the other was the tyranny of the majority.

The action that was taken today creates a perpetual opportunity for the tyranny of the majority because it permits a majority in this body to do whatever it wants to do anytime it wants to do it. This should be called ObamaCare 2 because it is another example of the use of raw partisan political power for the majority to do whatever it wants to do any time it wants to do it.

In this case what it wants to do is implement the President's radical regulatory agenda through the District of Columbia court. That's what this is. It is not about an abuse of the filibuster.

There is a big football weekend coming up in Tennessee. Vanderbilt University plays the University of Tennessee in Knoxville.

Let's imagine this: The Vanderbilt-Tennessee game, which is being played in Knoxville, home of the University of Tennessee, and Vanderbilt gets on the 1-yard line. The University of Tennessee says: Well, we are the home team, so we will just add 20 yards to the field or whatever it takes for us to win the game. Or the Boston Red Sox are playing at home. Let's say they are behind the Cardinals this year. They get to the ninth inning and they are behind and they say: Well, it is our home field. We will just add a few innings or whatever it takes so we can win the game. That is what the Democratic majority did today. They say: The rules don't allow us to do what we want to do, so we will just change the rules to do whatever it takes to get the result we want.

That is what they did with ObamaCare. We remember that. I was standing right here at the desk. It was snowing. It was the middle of the winter. Senators were coming in, in the middle of the night, and what happened? Among the things the American people like the least about ObamaCare is that it was crammed down the throat of the American people by the raw exercise of partisan political power with not one single Republican vote. That is not the way the civil rights bill was passed. That is not the way Social Security and other great bills were passed. They were passed by a bipartisan majority so we could gain the support of the American people.

Our Democratic majority must have liked that ObamaCare night. The American people aren't liking it so much because apparently nobody read the bill very closely. There are millions of Americans who have had their policies canceled. There are going to be millions more when employers start looking at the cost of ObamaCare.

This is ObamaCare 2; I say to my colleagues. This is another exercise of raw partisan political power for the Democratic majority to get the result it wants. There is only one cure for it, and that is an election. An election is coming up in about a year. The American people can speak. In the meantime, this has been the most dangerous, most important restructuring of the Senate since Thomas Jefferson wrote the rules.

It is, according to the Senator from Nevada, who is the majority leader—it is, according to his book in 2008, the end of the Senate. That is what he said this would be, and now he has done it. He has written the end of the Senate by his actions today.

The Senator from Michigan, Mr. LEVIN, said to all of us when we were discussing this earlier this year—he reminded us of the great Senator from Michigan, Arthur Vandenberg, who was the author of the idea of a bipartisan foreign policy. Senator Vandenberg said shortly after World War II that a U.S. Senate in which a majority can change the rules anytime the majority wants is a U.S. Senate without any rules. Let me say that again. A U.S. Senate in which the majority can change the rules anytime the majority wants is a U.S. Senate without any rules.

So this is not about the filibuster. This is another raw partisan political power grab so the Democratic majority can do whatever it wants to do whenever it wants to do it. It is ObamaCare II, and the American people will see it that way when they can take time away from the Web sites trying to fill

out their new insurance policies to be able to pay enough attention to it.

What is the excuse for this extraordinarily disturbing action today? They are the flimsiest of excuses, and I will take a few minutes to outline what those are.

The first allegation is that the Republican minority was using the filibuster to keep President Obama's appointees from gaining their seats. Well, let's look at the history from the Congressional Research Service. How many Supreme Court nominees have ever not been seated because of a failed cloture vote? That is a filibuster. The answer is zero in the history of the Senate—not just President Obama but the history of the Senate. Someone might point to the Abe Fortas case when President Johnson—I guess it was in the late 1960s—engineered a 45-to-43 cloture vote so, in Johnson's words, Abe Fortas could hold his head up, but, in fact, the filibuster has never been used to deny a Supreme Court Justice his or her seat. How many Cabinet Members of President Obama have been denied their seat by a filibuster? Zero. This is the Congressional Research Service.

The majority leader said: Well, what about Secretary Hagel, the distinguished Defense Secretary? He had to wait 34 days to be confirmed. Why shouldn't he wait 34 days to be confirmed? He was confirmed shortly after his name was reported. We had a perfectly adequate Secretary of Defense sitting in the office at the time—Secretary Panetta. I remember the Senator from Nevada standing over there and asking: What if we are attacked and Secretary Hagel is not there? Well, Secretary Panetta was there.

The number is zero.

Mr. INHOFE. Madam President, will the Senator yield?

Mr. ALEXANDER. Of course.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I ask unanimous consent that after the Senator concludes his remarks, we hear from the Senator from Arkansas Mr. PRYOR, and that I be recognized after Senator PRYOR for such time as I may consume.

The PRESIDING OFFICER. Is there objection?

Mr. ALEXANDER. Certainly. And if the Senator from Oklahoma needs to speak now, I will be glad to yield.

Mr. INHOFE. That is not necessary.

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

Mr. ALEXANDER. Madam President, my point is that the charge is that Republicans had been denying President Obama his nominations by filibuster. Not on the Supreme Court, not to his Cabinet, and no district judges, I say to my colleagues.

How many in the history of the country have ever been denied their seats by a failed cloture vote, including President Obama? The answer is zero.

That is very interesting. So what is the reason for this? Well, let's go on. Maybe it was some other nomination that caused such a problem that would justify this dangerous restructuring of the Senate rules.

Let's go to the sub-Cabinet category. These are all the executive appointments below the Cabinet level. How many of those have been denied? Under President Clinton, the Senate rejected two nominees of his by a cloture vote. Under George W. Bush, it was three. Under President Obama, it has been two. So in the history of the Senate, the cloture vote has been used to deny seven Presidential nominees their seat, including two for President Obama.

Let's go to the one area where there has been a little bit more; that is, the circuit judges. Remember, on the Supreme Court, never; district judges, never; Cabinet member, never; but circuit judges, yes. There have been 10 instances where Presidential nominees for the Federal circuit courts of appeals have been denied their seats because of a failed cloture vote—that is a filibuster—five Democrats, five Republicans.

How did this happen? If in all of these other areas it never happens, why did it happen here? Because, as the Republican leader explained this morning, Democrats got together in 2003—the year I came to the Senate—and said, for the first time in the history of the U.S. Senate, we are going to use the filibuster to deny President George W. Bush 10 nominations to the circuit court because they are too conservative, not because they are not qualified. One was Miguel Estrada, one of the most highly qualified nominees ever presented. One was Judge Pickering. One was Judge Pryor, who used to be a law clerk to Judge Wisdom, as I once was. I know the high respect Judge Wisdom had for him. The end result was that we had this Gang of 14, and the Democrats ended up only stopping five of President Bush's judges, but that was the first time in the history of the Senate. To date, including the judges we are discussing now, the three on the DC Circuit Court, the total is five. So that is it.

How can anyone say President Obama has not been treated fairly when, in fact, the answer is zero on the Supreme Court, zero on district judges, zero on Cabinet and two on sub-Cabinet, and the same on circuit courts that President Bush had?

I asked the Senate Historian if President Obama's second term Cabinet nominees had been moved through the Senate more swiftly or slower than those of his two predecessors, Bush and Clinton. The Senate Historian told me it was about the same. So on that question, that is a fake crisis.

The second allegation is that it takes too long for President Obama's nominees to come through the Senate. Well, we have something on our desks called the Executive Calendar. Every Senator has this. There are 44 Senators in their first term, and maybe some haven't had a chance to read it very carefully, but it has on it all of the names of everyone who could possibly be confirmed.

The way Senate procedure works is a nominee comes out of a committee to the Executive Calendar. Let me state the obvious: All of the committees are controlled by the Democrats. So if we want to report someone for the National Labor Relations Board, it has to be approved by a majority of senators on the committee on which I serve. Democrats have a majority of the seats on the Committee; so a nominee gets on this calendar by a majority of Democratic votes.

So how long have the people on the calendar been waiting? Well, 54 of them have been waiting only 3 weeks; in other words, they just got there. Most of them aren't controversial. Usually they are approved on a day such as this when we are wrapping up before we go home for a week or two, so half of them would probably be gone today. There are 16 who have been on the calendar for up to 9 weeks. That is a very short period of time in the U.S. Senate for people to have a chance to do their other business and get to know the nominees. There are eight who have been on the calendar more than 9 weeks. Of the eight, two are being held up by Democrats, and two more are Congressman WATT and Ms. Millett. That leaves four, and one of those is a newscaster who has been nominated to be a member of the board of the Morris K. Udall Foundation and who is being moved along with other people to that foundation board.

In other words, it is not true that there are people being held up for a long period of time because the only way a nominee can be confirmed in the U.S. Senate is if the majority takes someone from this Executive Calendar, moves their nomination—it doesn't have to go through any sort of other motion; he can do it on his own—and then we move to consider that person.

Well, one might say: But someone can hold each up one of those. Yes, we can, under the cloture procedure. But let's take an example. Let's say Senator REID, the distinguished majority leader, were to come, under the old rules, to the floor and say: I believe Republicans are holding up 10 of our lower-level nominees in an obstructionist way. So let's say he arrives on Monday and he files cloture. He moves to confirm all 10 of those. He takes them off this calendar, he moves them to be confirmed, and he files cloture on each of the 10 on Monday. Tuesday is what we call an intervening day. He can get the rest of them confirmed, by bankers' hours, by Friday if he wants to because after he has that intervening day, there could only be, because we changed the rules earlier this year, 8 hours of debate, and his side can yield back their 4 hours, and then we go to the next one and then the next one. So we have 40 or 45 hours, and we have them all.

The majority leader, if he wished to, could confirm all of these people very

easily unless 41 Republicans said no. But what we have already seen is that almost never happens. In the history of the country, it has happened twice to President Obama on his sub-Cabinet members, never on a Cabinet member; and never on district judges.

So the majority leader had plenty of opportunity to have everybody confirmed if he wanted to. This is why Senator Byrd, who was majority leader and minority leader, in his last speech to the Senate said: There is no need to change the rules—and I am paraphrasing. I was at the Rules Committee hearing when he spoke. He said: A majority leader can use the rules that we have—that is, until today—to do whatever he wants to get done.

Then there is the last charge about the District of Columbia Circuit. That was the other pretext for this. Somehow Republicans were doing something wrong by saying it is too soon to cut off debate on the President's three nominees for the District of Columbia Circuit.

Republicans were doing—to the letter—exactly what Democrats did in 2006 and 2007. They were saying that court is underworked, that other courts are overworked, and we ought to move judges from where they are needed least to where they are needed most before we put anymore judges on the court.

This is the letter sent on July 27, 2006, by all the Democrats on the Senate Judiciary Committee, including Senators LEAHY, SCHUMER, Feingold, Kohl, BIDEN, FEINSTEIN, Ted Kennedy. They said ''under no circumstances'' should President Bush's Republican nominee be considered, much less confirmed, by this committee before we address the very need for the judges on the committee.

All we in the Republican Party were saying is—Senator GRASSLEY has had his bill in since 2003; the Democrats said in 2006 we should not put anymore judges on the court until we look at where the judges are needed—we are saying: Consider Senator GRASSLEY's bill before you confirm the judges.

So that is the excuse—the flimsiest of excuses. The idea that President Obama is not being treated at least as well as previous Presidents with his nominees is just not true. The filibuster has not been used to deny him nominees, except in two cases for sub-Cabinet members; and in the case of circuit judges, no more than with President Bush.

The majority leader has not used the rules he had before him to easily confirm the people on the Executive Calendar. Those on the Executive Calendar for the most part have only been there for a few weeks. So why then did the majority feel the need to take this extraordinary action?

That takes us back to where we started. This is, very simply, another partisan political power grab to permit the majority to do whatever it wants to any time it wants to do it.

The American people—millions of them—are filling out their insurance forms. They are trying to make the Web site work. They are terrified by the fact that they may not have insurance by January 1. That is totally the result of a partisan political power grab in the middle of the night 3 years ago that put ObamaCare into place. This is another example of that. The only cure for that is a referendum next November.

I deeply regret the action the Democratic majority took today. It is the most dangerous and the most consequential change in the rules of the Senate since Thomas Jefferson wrote those rules at the founding of our country.

Madam President, I would refer my colleagues to the letter I had included in the RECORD yesterday, the letter from the Senate Democrats in 2006 arguing that the DC Circuit should have no more judges until we consider the proper number and also a 1-page list of the total number of sub-Cabinet members who have ever been denied their seat by a failed cloture vote—and that number is seventeen in the history of the Senate; two under Clinton, three under Bush, and two under President Obama—plus five Bush judges and five Obama judges.

Mr. ALEXANDER. I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Madam President, I want to echo at least some of the sentiment that my distinguished colleague from Tennessee just mentioned—that I am disappointed in the use of the nuclear option. I opposed that. I think it could do permanent damage to this institution and could have some very negative ramifications for our country and for the American people.

I do not want to be an alarmist about it, but I do have concerns. I am very disappointed that it got to this point, and I want to talk about that in a moment. But before I do, I would like to say, if you step back, the Senate was designed to be a place for debate. It is where Members—the way it was designed, the way the rules were structured, the size of it, the history of it—the Members can reach across the aisle and find solutions.

That is what this country needs right now. We need solutions. We need people who are willing to work together to get things done. Part of that is to allow the minority to speak, even if it is a minority of one. We need to protect that right, and we need to protect every Senator's right to debate and to amend legislation. I think no one here with a straight face would say there have not been abuses from time to time. We know that. There have been, and I have seen a lot since I have been here.

But also, if you step back and look at the Senate, it is the only place in our government where the American people can actually see law being made. With all due respect to our colleagues in the House, you do not see law being made there. They come out of their Rules Committee and it is all pretty much set up, and right now at least they kind of tend to vote party line, party line, party line—done. You do not see law being made at the White House. When they are doing things such as executive orders, all you know is you kind of get the press release or you see an announcement in the Rose Garden, and that is it. You do not see law even being made in the courts. A lot of law in this country is made by the courts. For example, across the street at the U.S. Supreme Court, what you have is they hear the arguments, and they all go back in chambers. You do not really know what they talk about, you do not really know how that is working, and then they come out with their decision—and in some cases decisions because a lot of times there is a dissent.

But the Senate is unique in that way. We are the only place in our government where you can actually see the law being made. It is also, in that same sense, the only place where the minority is guaranteed a voice. They sometimes get outvoted, but they are guaranteed at least to be heard. I think that is important.

So again, I share the disappointment of many of my colleagues today in how this happened.

The Senate rules I have worked with for 11 years now. They can be arcane and frustrating. But the way it is designed is it allows people to fight for their State's interests or their ideological beliefs, whatever it happens to be, and the sense is everybody is fighting for what is best for the country. We may disagree with what is best, and that is why we should have votes eventually on these matters. But it allows people to fight for what they think is right, best for their State, best for the country, best for the world—whatever the issue happens to be.

Since I have been here, what I have tried to do consistently is to fight to maintain the integrity of this institution. Since I have been here, there have been numerous times—and I have been part of bipartisan groups. Probably the most high profile one was the Gang of 14 back in 2005, where we worked out some judicial nominations. But nonetheless I was a part of that; just recently, the Levin-McCain group that helped to change the rules, as the Senator from Tennessee talked about.

What that is all about is working with Senators from both sides of the aisle to reach commonsense solutions—not just to protect the rights of the minority but also to improve the legislative process, to make sure this place works as it is designed. So certainly that is what I try to do every single day when I come here. I do understand that if you are going to get anything done in Washington, anything done in this Senate, you are going to have to work together to do it. It is like in the Book of Isaiah. It says: ''Come now, let us reason together.'' I think that is the

one verse in the whole Bible that sort of sums up the Senate: Come and let us reason together. The Senate should always be the place for that.

Let me make two last points on this nuclear option. The first is that I would encourage the American citizens to be very careful in looking at statistics. They are difficult to use. They can be very misleading because almost always these statistics lack context. I hear the talking heads. I hear folks on talk radio. I have even seen a few people right here in this Chamber use these extensively, and very often there is no context. Sometimes, for example—if you just look at cloture motions—you can actually have a filibuster without filing a cloture motion, and you can have a cloture motion without there actually being a filibuster. So, again, that will skew the numbers.

The bottom line is, there is plenty of blame to go around—plenty of blame. If one person says it is all the other side's fault, they are not being truthful. There is plenty of blame to go around. On this both parties are at fault. I will give you one example. It was not too long ago that I heard people come down here and say the DC Circuit's workload was such that they needed more judges. Well, guess what. Now I have heard those very same people say that the DC workload is so light they do not need any more judges. The shoe is on the other foot. Democrats back in the day said the DC Circuit had a light workload and did not need any more judges. Now Democrats are saying it does need more judges.

We need to stop the games and get back to work. I think there is one way to fix this, and that is by following the Golden Rule. I think if we take those words of Jesus literally and apply those to what we do here in the Senate—''Do unto others as you would have them do unto you''—and really mean that and really apply that—to do unto others as you would have them do unto you—I think all these problems would go away.

It is about respecting one another. It is about working with one another. It is about respecting elections in other States, and national elections. Do unto others as you would have them do unto you and all this would go away. Also, a little dose of forgive one another would also help.

APPROPRIATIONS

Madam President, let me also spend a couple minutes here thanking Chairwoman MIKULSKI. She has a tough job as chairwoman of the Appropriations Committee, and she is an example of someone who is determined to work together to get work done, trying to get the appropriations process back on track. No doubt it has been sidetracked this year and in recent years. This year we have seen what I would term an irresponsible feud, especially down on the House side, blowing up the farm bill, pushing for shutting down the government, trying to get us in a bad place on the debt ceiling.

I am not trying to do the blame game, but I know that Chairwoman MIKULSKI is fighting very hard to put an end to that. We need to get back to our No. 1 priority. That should be growing our economy and creating jobs. There are lots of ways we can do that, but one is through the appropriations process, by investing in infrastructure. We can make responsible, targeted investments in our future with the right kind of spending on infrastructure, whether it is roadways or airports or schools or centers for innovation—whatever it happens to be. There are lots of smart ways to do that.

The history of this country shows it is a winning strategy when we work together and make the right kind of investments in our future. Arkansas is a good example. We have a number of items we could talk about today where Federal spending has made a real difference in our State. One of those is called the Bayou Meto water project. It started back in 1923. It has been the subject of a lot of fights, and I have some scars to show that I have been part of some of those fights. But they are making great progress there. Not only is it good for thousands and thousands of farmers, but it is also great for drinking water and for flood control, and there are 55,000 acres of fish and wildlife habitat that are being protected through this project. So it is a win-win for everybody.

Arkansas airports would be another example. You may not think of Arkansas as an aviation State or an aviation powerhouse, but we have 29,000 jobs that are tied to commercial and general aviation. It is $2.5 billion in our economy. Again, that investment in infrastructure is what makes that possible.

We also have the National Center for Toxicological Research down near Pine Bluff, AR—cutting-edge research, lots of effort on nanotechnology.

We have a great technology park in Fayetteville. They are trying to build one in Little Rock. All of these—and the focus on STEM, et cetera—all of these help create jobs and grow our economy.

Congress needs to focus on that. I am not saying it is going to be easy, but we need to work together. We need to pass a budget. We need to move our appropriations bills through the process. And we just need to, bottom line, get back on track. The way to move our economy forward is by really putting the interests of our country first and not these partisan and sometimes petty disputes, ideological disputes. We need to think about what is best long term for the country. Again, I think the appropriations process is the way to do that.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. INHOFE. Madam President, it is my understanding we may have a vote this afternoon. I have often said the most important bill we pass every year—and we have passed every year for the last 52 years—is the National Defense Authorization Act.

I would like to say this about the process we have gone through. I do not recall ever having worked with a chairman when I have been in the minority who has been so easy to work with as Chairman LEVIN has been on this Defense bill. It is one we all understand we have to do. It has to be a reality. A lot of what we do around here we can wait a month and do it. But on this we cannot, because right now we have men and women in the field. We have their paychecks. We have things that have to happen to keep this going as it has in the last few years.

Maintenance and modernization are right now. If we were not able to pass this now, our research and development would no longer be able to be there in time to take care of the immediate needs we have.

I am very upset about what has happened to our defense system. Under this administration, we have lost $487 billion in Defense—coming out of the hide of Defense. In addition, we are now looking at the sequester. I will only say this, perhaps for the last time: Why should our defense system, which is only accountable for 18 percent of the budget, be responsible for 50 percent of the cuts? It is because this administration is determined that is what is going to happen to the military.

So now we have people such as General Odierno, Commanding General of the U.S. Army, who said:

> . . . lowest readiness levels I have seen within our Army since I have been serving for the last 37 years. Only two brigades are ready for combat.

Admiral Greenert, the CNO of the Navy:

> . . . because of the fiscal limitations and the situation we are in, we do not have another strike group trained and ready to respond on short notice in case of contingency. We are tapped out.

Admiral Winnefeld is the No. 2 guy in the military system. He is the Vice Chairman of the Joint Chiefs of Staff. He said:

> There could be, for the first time in my career, instances where we may be asked to respond to a crisis and we have to say we cannot.

I have given a lot of talks on the floor about how serious things are right now.

Put the readiness chart up there.

I would only comment to this. A lot of people think there is an easier answer for this, and that we can, through efficiencies in the Pentagon, take care of these problems. A lot of work needs to be done. My junior Senator certainly is going to be concentrating on that, on the efficiencies. However, if all

of the efficiencies were granted, that is only the blue line on this chart. This chart talks about sequestration, if nothing changes, what is going to happen to our military. We have that.

The next one up there, the next larger, is force structure. We are talking about how many brigades, how many boots on the ground, how many ships, what it is going to look like.

The next one up there is modernization. Modernization is a very small line. Here is the big one over here. That is our ability to fight a war. That is our readiness.

If you look down here at the bottom at fiscal years 2014 and 2015, you can see all of that is going to be gutted in the first 2 years if we do not make a change in it. I tried to do that. I have an amendment. I still have an amendment that is out there that could correct that situation. I think it is important for people to understand that the readiness is going to be hurt more. This is after $487 billion has been cut from our defense system.

General Amos, the Commandant of the Marine Corps, who testified under oath, said:

> We will have fewer forces arriving, less-trained, arriving late in the fight. This would delay the buildup of combat power, allow the enemy more time to build its defenses, and would likely prolong combat operations. Altogether, this is a formula for American casualties.

It gets back to that orange line up there. The orange line is when you do that, you have to accept a greater risk. That means American lives. I have already given that speech.

Right now we are getting close to the time when we are going to be actually casting a vote. I think I have kind of good news. Hopefully it is good news. I made a statement yesterday that the problem the Republicans have is they have not been able to get amendments in. We have gone through this in years past, and always something has broken loose where we are able to have amendments. Well, up until yesterday, the Republicans had 81 amendments that we wanted to be considered. Frankly, that is not all that uncontrollable. That could have been done. We could have still gotten through that this week. But as it is right now—the good news is, I said yesterday on the floor that I was going to come in and try to work all night long, and the staff has done this, to come up with 25 amendments and say: If we, the Republicans, can have 25 amendments to be considered, they can be voted down, but just to be considered on the floor, that we would be receptive to having the results.

Here is the interesting thing about it. We have heard a lot of people talking about, well, why is it all of a sudden this has to be done in 5 days? Yet we have been sitting around here for 3 months when we could have been considering it.

I would like to suggest, if you look at this, this is every year how many days it has taken for consideration. It is always more than what we have for the rest of this week. I only say that, because in spite of that, we still have a way of doing it.

For those who might think that the recorded votes we are requesting—it is not going to be that many votes. We are asking for 25 on the Republican side. Democrats have 25. That is 50. But if you look at years past—for example, last year we had total amendments offered of 106, but only 34 were voice voted, only 8 required a recorded vote.

I can go back to all of the rest of the years that are on this chart. But the bottom line is this: What I am asking for today is 25 for the Republicans, 25 for the Democrats. Of those, not more than 15 to 20 would require votes. We could do that in 1 day. So it can be done. We could finish this and still give Republicans the opportunity to have their votes.

What I have here is a list of the 25 amendments we are asking for. Again, I am not even for all 25 of them, but they should all be considered one way or another. This probably would end up requiring maybe at the most 10 votes. So I am offering these amendments and telling the majority—by the way, I have already talked about what a great relationship I have had during this consideration as the ranking member of Armed Services with the chairman CARL LEVIN. So I am offering to CARL LEVIN and to the Democrats, the majority in the Senate and the majority on the committee, these 25 amendments. All we are asking for is for those 25 to be considered. We can do this bill right, the way we have done it for 52 years. We can have a bill. We can have it by the end of this week. So I am offering that.

I also announced yesterday that in the event I can come up with a total number of 25 that our caucus would agree with, that if we could do that and we were refused, when the time comes I will vote against going to the bill. Now I think that very likely could happen this afternoon. However, if they accept them, I am committing right here on the floor that I will be in full support and I will vote for it. I want people to understand, in the unlikely event that the majority does not accept these—the consideration of these 25 votes, I will be voting against cloture on the bill when that vote comes up.

I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Vermont.

Mr. LEAHY. Madam President, I am not on the Armed Services Committee, although I was 38 years ago. But I would think that if there are any two people in this body who could work out a program to get the votes set up and voted on it is the distinguished senior Senator from Michigan and the distinguished senior Senator from Oklahoma. I would hope and encourage my colleagues on both sides of the aisle to listen to the Democratic and Republican leaders of this Committee, because I think they can probably work it out.

There has been a lot of discussion about the major rules change that occurred here today. In my capacity as President pro tempore, I was presiding during that time and did not get a chance to speak. I want to say a few things.

In the four decades I have served here, I have been here with both Democratic majorities and Republican majorities, through both Republican and Democratic administrations. We have had moments of crisis when I worried that our political differences outweighed the Senate's common responsibility. Yet we were always able to steer our way out of trouble. Majorities of both parties have come and gone, but I have never lost faith in our ability to see ourselves through the divisions and come together to do what is best for the Nation.

I have always believed in the Senate's unique protection of the minority party, even when Democrats held a majority in the Senate. When the minority has stood in the way of progress, I have defended their rights and held to my belief that the best traditions of the Senate would win out, that the 100 of us who stand in the shoes of over 310 million Americans would do the right thing. That is why I have always looked skeptically at efforts to change the Senate rules.

But in the past 5 years it has been discouraging. Ever since President Obama was elected, Senate Republicans have changed the tradition of the Senate, with escalating obstruction of nominations. They crossed the line from the use of the Senate rules to abuse of the Senate rules. In fact, the same abuse recently, and needlessly, shut down our government at a cost of billions of dollars to the taxpayers and billions of dollars to the private sector. I think it is a real threat to the independent, judicial branch of government.

As chairman of the Judiciary Committee, I am worried that the Republican obstruction is damaging our ability to fulfill the Senate's unique constitutional responsibility of advice and consent to ensure that the judicial branch has the judges it needs to do its job.

Republicans have used these unprecedented filibusters—and they are unprecedented—more than at any time that I have served here. They have obstructed President Obama from appointing to the Federal bench even nominations that were supported by Republican Senators from the State from where the nominee came. They have forced cloture to end filibusters on 34 nominees, far more than we ever saw during President Bush's 8 years in office. Almost all of these nominees were, by any standard, noncontroversial and ultimately were confirmed overwhelmingly. In fact, Republican

obstruction has left the Federal judiciary with 90 or more vacancies during the past 5 years.

Take for example the Republican filibuster of a judicial nominee to the Tenth Circuit, Robert Bacharach last year, despite the support of the Republican Senators from Oklahoma. This marked a new and damaging milestone. Never before had the Senate filibustered and refused to vote on a judicial nominee with such strong bipartisan support, and who was voted out of the Judiciary Committee with virtually unanimous support. Republicans continued to block Senate action on the Bacharach nomination through the end of last Congress and forced his nomination to be returned without action to the President. There is no good reason—none—why Robert Bacharach was not confirmed to serve the people of Oklahoma and the Tenth Circuit as a Federal judge last year. He was finally confirmed this year unanimously.

Republicans last year also filibustered William Kayatta, another consensus circuit nominee who had the support of both Republican home State Senators. Like Judge Bacharach, Mr. Kayatta received the ABA Standing Committee on the Federal judiciary's highest possible rating and had strong bipartisan support and unimpeachable credentials. The same also applies to Richard Taranto, whose nomination was returned to the President at the end of last year after Republicans blocked action on his nomination to a vacancy on the Federal Circuit for more than eight months, despite no opposition in the Senate and despite the support of both Paul Clement and the late Robert Bork. Neither of these nominees faced any real opposition. Yet Republicans stalled both of them through the end of last Congress and forced their nomination to be returned without action to the President. They were both confirmed this year with overwhelming bipartisan support.

Senate Republicans used to insist that the filibustering of judicial nominations was unconstitutional. The Constitution has not changed, but as soon as President Obama took office Republicans reversed course. It struck me, because the very first—the very first—nominee to the Federal bench that President Obama sent here was filibustered. Judge Hamilton of Indiana was a widely-respected 15-year veteran of the Federal bench nominated to the Seventh Circuit. President Obama reached out to the longest-serving Republican in the Senate, Senator Dick Lugar, to select a nominee he supported. Yet, Senate Republicans filibustered his nomination, requiring a cloture vote before his nomination could be confirmed after a delay of seven months.

It is almost a case of saying: Okay, Mr. President, you think you got elected? We are going to show you who is boss. We are going to treat you differently than all of the Presidents before you.

This has never been done before, to filibuster the President's very first nominee. Somehow this President is going to be told he is different than other Presidents.

Senate Republicans have obstructed and delayed nearly every circuit court nominee of this President, filibustering 14 of them. They abused the Senate's practices and procedures to delay confirmation of Judge Albert Diaz of North Carolina to the Fourth Circuit for 11 months, before he was confirmed by voice vote. They delayed confirmation of Judge Jane Stranch of Tennessee to the Sixth Circuit for 10 months before she was confirmed 71 to 21. Senate Republicans used procedural tactics to delay for months the Senate confirmation of nominations with the strong support of Republican home State Senators—including Judge Scott Matheson of Utah to the Tenth Circuit; Judge James Wynn, Jr. of North Carolina to the Fourth Circuit; Judge Henry Floyd of South Carolina to the Fourth Circuit; Judge Adalberto Jordan of Florida to the Eleventh Circuit; Judge Beverly Martin of Georgia to the Eleventh Circuit; Judge Mary Murguia of Arizona to the Ninth Circuit; Judge Bernice Donald of Tennessee to the Sixth Circuit; Judge Thomas Vanaskie of Pennsylvania to the Third Circuit; Judge Andrew Hurwitz of Arizona to the Ninth Circuit; Judge Morgan Christen of Alaska to the Ninth Circuit; and Judge Stephen Higginson of Louisiana to the Fifth Circuit.

The results are clear and devastating. The nonpartisan Congressional Research Service has reported that the median time circuit nominees had to wait before a Senate vote has skyrocketed from 18 days for President Bush's nominees during his first term in office to 132 days for President Obama's nominees during his first term in office. This is the result of Republican obstruction and abuse of Senate rules. In most cases, Senate Republicans have delayed and stalled without explanation. How do you explain the filibuster of the nomination of Judge Barbara Keenan of Virginia to the Fourth Circuit who was ultimately confirmed 99 to 0? And how else do you explain the needless obstruction of Judge Denny Chin of New York to the Second Circuit, who was filibustered for four months before he was confirmed 98 to 0?

In 2012, Senate Republicans refused to consent to a vote on a single circuit court nominee until the majority leader filed cloture, even for nominees with home State Republican support like Adalberto Jordan of Florida—strongly supported by Senator RUBIO—and Andrew Hurwitz of Arizona, strongly supported by Senator Kyl. They blocked the Senate from voting on a single circuit court nominee nominated by President Obama last year. Since 1980, the only other Presidential election year in which there were no circuit nominees confirmed who was nominated that same year was in 1996, when Senate Republicans shut down the process against President Clinton's circuit nominees.

In the 8 years George W. Bush served as President, only five of his district court nominees received any opposition on the floor. That was over 8 years. In just 5 years, 42 of President Obama's district court nominees have faced opposition. The majority leader had to file cloture on 20 of them. Federal district court judges are the trial court judges who hear cases from litigants across the country and preside over Federal criminal trials, applying the law to facts and helping settle legal disputes. They handle the vast majority of the caseload of the Federal courts and are critical to making sure our courts remain available to provide a fair hearing for all Americans. Nominations to fill these critical positions, whether made by a Democratic or Republican President, have always been considered with deference to the home State Senators who know the nominees and their States best, and have been confirmed quickly with that support. Never before in the Senate's history have we seen district court nominees blocked for months and opposed for no good reason. Many are needlessly stalled and then confirmed virtually unanimously with no explanation for the obstruction. Senate Republicans have politicized even these traditionally non-partisan positions.

As chairman of the Judiciary Committee I have always acted fairly and consistently whether the President has been a Democrat or a Republican. I have not filibustered nominees with bipartisan support. I have steadfastly protected the rights of the minority and I have done so despite criticism from Democrats. I have only proceeded with judicial nominations supported by both home State Senators. I will put my record of consistent fairness up against that of any chairman and never acted as some Republican chairmen have acted in blatantly disregarding evenhanded practices to ram through the ideological nominations of President George W. Bush.

Regrettably, the answer to my fairness and to my commitment to protecting the rights of the minority has been unprecedented and meritless obstruction. Even though President Obama has nominated qualified, mainstream lawyers, Republicans in the Senate have done away with regular order, imposing unnecessary and damaging delays. Until 2009, judicial nominees reported by the Judiciary Committee with bipartisan support were generally confirmed quickly. That has changed, with district nominations taking over four times longer and circuit court nominees over seven times longer than it took to confirm them during the Bush administration. Until 2009, we observed regular order and usually confirmed four to six nominees per week, and we cleared the Senate Executive Calendar before long recesses. Since then, Senate Republicans have refused to clear the calendar and slowed us down to a snail's pace. Until 2009, if a nominee was filibustered, it

was almost always because of a substantive issue with the nominee's record. We know what has happened since 2009—Republicans have required cloture to consider even those nominees later confirmed unanimously.

This obstruction was not merely a product of extreme partisanship in a Presidential election year—it has been a constant and across the board practice since President Obama took office. At the end of each calendar year, Senate Republicans have deliberately refused to vote on several judicial nominees just to take up more time the following year. At the end of 2009 Republicans denied 10 nominations pending on the Executive Calendar a vote. The following year, it took 9 months for the Senate to take action on 8 of them. At the end of 2010 and 2011, Senate Republicans left 19 nominations on the Senate Executive Calendar, taking up nearly half the following year for the Senate to confirm them. Last year they blocked 11 judicial nominees from votes, and refused to expedite consideration of others who already had hearings.

The effects of this obstruction have been clear. When the Senate adjourned last year, Senate Republicans had blocked more than 40 of President Obama's circuit and district nominees from being confirmed in his first term. That obstruction has led to a damagingly high level of judicial vacancies persisting for over four years.

This year, Senate Republicans reached a new depth of pure partisanship. They have decided to shut down the confirmation process altogether for an entire court—the U.S. Court of Appeals for the DC Circuit, even though there are three vacancies on that court. Senate Republicans attempt to justify their opposition to filling any of the three vacancies on the DC Circuit with an argument that the court's caseload does not warrant the appointments.

We all know that this ploy is a transparent attempt to prevent a Democratic President from appointing judges to this important court. We all know what has happened here in the DC Circuit. In 2003, the Senate unanimously confirmed John Roberts by voice vote as the 9th judge on the DC Circuit at a time when the caseload was lower than it is today. He was confirmed unanimously. No Democrat, no Republican opposed him. Not a single Senate Republican raised any concerns about whether the caseload warranted his confirmation and during the Bush administration they voted to confirm four judges to the DC Circuit—giving the court a total of 11 judges in active service.

Today there are only eight judges on the court; yet, when Patricia Millett was nominated to that exact same seat by President Obama, a woman with just as strong qualifications as John Roberts—they both had great qualifications—she was filibustered. Some say we should not call that a double standard. Well, I am not sure what else one might call it. We also should not be comparing the DC Circuit's caseload with that of other circuits, as Republicans have recently done. The DC Circuit is often understood to be the second most important court in the land because of the complex administrative law cases that it handles. The court reviews complicated decisions and rulemakings of many Federal agencies, and in recent years has handled some of the most important terrorism and enemy combatant and detention cases since the attacks of September 11, 2001. Comparing the DC Circuit's caseload to other circuits is a false comparison, and those who are attempting to make this comparison are not being fully forthcoming with the American public. Years ago, one of the senior most Republican Senators on the Judiciary Committee said this:

> [C]omparing workloads in the DC Circuit to that of other circuits is, to a large extent, a pointless exercise. There is little dispute that the DC Circuit's docket is, by far, the most complex and time consuming in the Nation.

Now, however, that same Senator has engaged in the precise pointless exercise he once railed against.

This is an unprecedented level of obstruction. I have seen substantive arguments mounted against judicial nominees, but I have never seen a full blockade against every single nominee to a particular court, regardless of the individual's qualifications. Republicans attempted to take this type of hardline stance with certain executive positions last year and earlier this year, when they refused to allow a vote for any nominee to the Consumer Financial Protection Bureau and the National Labor Relations Board. Rather than representing substantive opposition to these individual nominees, this obstruction was a partisan attempt to sabotage and eviscerate these agencies which protect consumers and American workers. I have heard some call this tactic ''nullification.'' It is as if the Republicans have decided that the President did not actually win the election in 2008, and was not re-elected in 2012.

Senate Republicans backed off this radical and unprecedented hardline stance on executive nominees earlier this year, but they have shown no signs of doing the same with the DC Circuit. And it is not for lack of qualified nominees. This year, Senate Republicans filibustered the nominations of three exceptionally qualified women: Caitlin Halligan, Patricia Millett and Nina Pillard. Earlier this week Republicans filibustered another stellar nominee to this court, Judge Robert Wilkins.

I am a lawyer. I have tried cases in Federal courts. I have argued cases in Federal courts of appeal. I always went into those courts knowing I could look at that Federal judge and say: It doesn't make any difference whether I am a Democrat or a Republican, whether I represent the plaintiff or the defendant; this is an impartial court.

If we play political games with our Federal judiciary, how long are the American people going to trust the impartiality of our Federal courts? At what point do these games start making people think maybe this is not an independent judiciary? If that day comes, the United States will have given up one of its greatest strengths.

Let's go back to voting on judges based on their merit—and not on whether they were nominated by a Democratic President or a Republican President. Let's stop holding President Obama to a different standard than any President before him—certainly no President since I have been in the Senate, and I began with President Gerald Ford.

This obstruction is not just bad for the Senate, it is also a disaster for our Nation's overburdened courts. Persistent vacancies force fewer judges to take on growing caseloads, and make it harder for Americans to have access to justice. While they have delayed and obstructed, the number of judicial vacancies has remained historically high and it has become more difficult for our courts to provide speedy, quality justice for the American people. In short, as a result of Republican obstruction of nominees, the Senate has failed to do its job for the courts and for the American people, and failed to live up to its constitutional responsibilities. That is why the Senate today was faced with what to do to overcome this abuse and what action to take to restore this body's ability to fulfill its constitutional duties and do its work for the American people.

HONORING PRESIDENT JOHN F. KENNEDY

Seeing the distinguished Presiding Officer who is not only a New Englander, but in this case from Massachusetts, let me just speak personally for a moment on a very, very sad day.

Tomorrow will be November 22. And ever since I was a law student, November 22 has always brought a feeling of dread to me. Tomorrow will be 50 years since President Kennedy was murdered.

My wife Marcelle and I were living in Washington at that time. She was a young nurse, a registered nurse, working at the VA hospital on Wisconsin Avenue, a site that is now occupied by the Russian Embassy. She was helping to put this equally impoverished law student through Georgetown Law School. We had been there in this basement apartment, first during the Cuban missile crisis. And like everybody, we held our breath in this city, wondering if this new, young President, John F. Kennedy, could get us through this crisis without plunging the world into nuclear war. I was excited—we both were—to be in the same city.

My family has always been Democratic. Back in Vermont, the joke was: ''That's the street where the Democrats live.'' There were so few of them

in Vermont. But with an Irish-Catholic father and an Italian-Catholic mother, we had seen John Kennedy win—and in my State, amid something that doesn't exist anymore—an anti-Catholic attitude.

President Kennedy stood up to those people, some in the Joint Chiefs, who said they had so much more experience and we ought to go ahead and we had nuclear superiority over the then-Soviet Union; let's attack them, let's have a preemptive strike. And, Madam President, anybody who studies history knows what would have happened: Half the world would have been destroyed. Through patience and diplomacy, we got out of the situation.

And so we watched a young President go step by step, not always accomplishing everything he wanted, but always inspiring young people. I remember standing on Pennsylvania Avenue and seeing an open car go by with him. He had greeted an emperor, and their procession drove down Pennsylvania Avenue with people cheering. This was only months before he died. I was closer to him than I am to the distinguished Presiding Officer.

I remember, as an honor student, our class was invited to the White House with other students. Standing there with other students, I remember being struck by how red his hair was and how young he was. He talked with all of us.

Then I remember—as though it were yesterday, 50 years ago tomorrow—I was standing in the library of Georgetown University Law School. One of my classmates, who was not a fan of President Kennedy, came in and said: The President has been shot. I told him there was nothing funny about saying something like that. Then I saw the shocked look on his face and realized he was telling the truth.

We didn't have a car and we used to take buses to school from where we lived in the Glover Park area. I knew that Marcelle had been working all night and was probably home after getting off of her shift in the wee hours of the morning, and was home sleeping. I went running out, grabbed a cab to go home to tell her what happened.

I think I got the only cab in Washington, DC, that did not have a radio. The cab driver didn't know what was going on. I just said: Let's go. We drove on K Street. A number of the stockbrokers were there. I remembered past times when I went by that exact spot and saw ticker tapes projected on the wall with the numbers going by, with the stock market's activities. They were blank, even though the stock market should have been open at that time. It was stopped.

I saw a relative of Mrs. Kennedy's going to work—being chauffeured in a Rolls-Royce. As one can imagine, as a young law student on an un-air-conditioned bus, I looked at him with envy. I saw him running out frantically trying to grab a cab. It was very obvious something was wrong.

I got home, banged on the door and woke up Marcelle. I turned on the TV set and told her he had been shot.

She said: Who?

I said: The President.

We saw Walter Cronkite—which is something we keep seeing over and over, and have for 50 years—announcing the President was shot, and was dead.

We prayed for him, his family, for our Nation. Phones were just seizing up in Washington, but we talked with our family back in Vermont.

We knew they were going to leave the White House to bring the President's body, so we decided to go watch the funeral procession. We waited on the curb a few yards from the route on Pennsylvania Avenue. We were expecting our first child—he was born in January following this—but we thought, even so, we should go down, and we took the bus down and we stood across from the National Gallery of Art, what's now the west wing of the National Gallery of Art. There were several lanes of rows of people along the street—and it was so quiet, Madam President—so quiet—that even though the roads were blocked, the street lights were going, as they changed from red to green to yellow—we could hear the ''click'' five lanes from the road. We could hear the click of the street lights changing; it was that quiet.

Then we heard the drums. We heard the cortege leaving the White House. This was back before we had cell phones and everything else you could follow. Everybody on the street turned toward the other end of Pennsylvania Avenue, even though we could not yet see them. But we could hear them, it was that quiet.

And then cars came by the cortege: A riderless horse, a very skittish horse. You could hear its horseshoes clicking back and forth, as it would pull back and forth against the reigns, held by the man leading it, the boots turned backwards in the empty stirrups.

I saw Robert Kennedy go by in a car. In fact I took a photograph of him—with his head bowed, his chin on his hand.

It was so sad. It all went by. As the casket passed by, people saluted, held their hands over their hearts, and cried. Again, Madam President, it's like it was yesterday.

We watched the funeral from home. Mrs. Kennedy had decided that all of the world leaders who had come would march together from the White House to St. Matthew's where the President's funeral would be held.

I remember there had been a discussion of the protocol for having Presidents, Prime Ministers, and Emperors present. Mrs. Kennedy made the brilliant decision to assign the countries alphabetically in English. Haile Selassie, of Ethiopia, resplendent in his uniform, with braids and everything else, walked next to Charles de Gaulle, who, like myself, is well over six-feet tall, with a very plain uniform without decorations. Nobody thought anything unusual about it. It was all so respectful. Because there were so many heads of state, virtually every police officer in the city was downtown in that area. Yet, there wasn't a crime reported in DC at that time. Everybody was glued to their TV set.

The funeral scenes included young John Kennedy Jr., saluting his father's coffin as it went by. We watched the burial at Arlington Cemetery—we lived only a couple miles from there—and we saw the first jets—the fighter jets—flying over. We rushed outside just in time to see what we all know as ''missing man formation,'' when the jets are in formation, and one peels off. We saw that, and then we saw Air Force One fly over, just having dipped its wing in tribute. It was a very large plane at that time—blue, white, and silver—the same plane that brought the President's body back a few days before, from Dallas. It was coming out of its salute.

Throughout that time, everywhere we went we saw a silent and stunned city—both those who supported President Kennedy and those who had not. Everybody knew what a blow this was to our country. In fact, I did not again see that kind of shock and silence in Washington, DC until I walked from my office on 9/11, here on Capitol Hill, and saw the same thing after that attack on us.

For something like this, most people set aside their political backgrounds.

I remember so many of us stood here on that March day when President Reagan was shot. We all joined hands, Democrats and Republicans, and prayed for his safety and for the country. It is awful to have to have a situation like that, a situation such as that, to bring people together, but we should think about the country first and foremost in these things.

We look at those in succession to the Presidency; we worry about what might happen to the President. No one ever wants anything to happen to any President, Republican or Democrat. We don't want these things to happen to our country.

I was one of those young people inspired by John Kennedy and by Robert Kennedy—who invited me to join the Department of Justice as a young law student, though I was homesick and wanted to go back to Vermont, and I am glad I did.

These were people who inspired young people. They inspired us because we saw political life and elective office not as something for cynical gain or something to promote yourself or something where you could do bumper-sticker sloganeering. I don't care whether you were on the left or the right. They inspired others to make life better for everybody else, to make the country better and stronger, and to leave a better country for the next generation.

I think that was the promise of John Kennedy. I am glad that many in both

parties decided to follow that same promise. I just wish more would.

Madam President, I thank my colleagues for letting me have all this time, and I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Madam President, I thank the distinguished Senator from Vermont for his remembrance of those days that were so special to him and also for really commemorating them so they will be special to all of us. I thank him for his comments.

RULES CHANGE

Madam President, I am going to speak as the ranking member of the Senate rules committee, and I am going to speak in regard to the rules changes that have occurred today.

Under the rules of this body, it takes 67 votes to end debate on a rules change. As a continuing body, our rules carry on from one Congress to the next—or at least they used to—and can only be changed pursuant to these rules. Our rules have always ensured a voice for the minority in this body. Unlike the House, where I served, where a simple majority has the power to impose a rule change at any time, in the Senate the minority has always been protected. Here, the rules protect the minority and cannot be changed without their consent—unless, of course, the majority decides it wants to break the rules to change the rules. I am saddened that is what happened today.

The Washington Post reported the other day that President Obama's approval rating has hit a record low; his disapproval rating has hit a record high—the worst of his Presidency. This is obviously the result of the disastrous rollout of ObamaCare which has caused Americans to question both the President's trustworthiness and his basic competence.

In light of these developments, one would think my colleagues on the other side of the aisle might be reconsidering the wisdom of some of their past decisions. One would hope it would occur to them that maybe it was a mistake to pass the health care reform bill on a straight party-line vote. I am one of the few who voted no in the HELP Committee, no in the Finance Committee, and no on the Senate floor on that Christmas Eve night.

One might expect them to have some doubts about the competence of this administration, as most Americans clearly do on this particular issue especially and on a lot of other regulations; that it would dawn on them that maybe now might be the right time to reassert congressional authority to rein in and redirect the administration—the executive, if you will—and use the power of the Senate to move the administration in a different direction. I am sorry that has not happened. Instead, in the face of the obvious failures of this President and his plummeting approval ratings, the majority has decided it would be a really good idea to give him more power. That is right, the majority thinks our biggest problem is that the President can't do whatever he wants to do and we should change our rules to allow him to do that. That is incredible.

The majority has permanently undermined this body, robbed it of a vital tool to check the untrammeled authority of this or any other President, so this sinking ship of an administration can make whatever appointments it wants. What a tragedy.

In Kansas, when you walk old ghost towns you will see buildings where nothing remains but the facade. Literally the entire building is gone and all that is left is the facade. To prevent that facade from collapsing, you may see beams propping it up.

In recent weeks this administration has been exposed as a facade. It still looks nice at first glance—the slick campaign-style appearances go on as usual—but when you look behind it, you see there is nothing there. It cannot perform the most basic tasks. It cannot even fulfill the responsibilities it has assigned to itself. It is collapsing. So now we, the Senate, are going to prop it up. The U.S. Senate, the world's greatest deliberative body, has been reduced to being a prop. We have reduced ourselves to rubberstamps, forfeiting our historical and constitutional authority to subject Presidential appointments to advice and consent so this administration can do whatever it wants. Again, what a tragedy. Never has so much been given for so little.

We have permanently undermined this body—for what? So this President can appoint a few more judges and stack the DC Circuit Court that oversees the constitutionality of Federal regulations? Yes, ObamaCare regulations, IRS regulations, EPA regulations—all of the regulations that come like a waterfall over basically every economic sector we have. This is unbelievable. What happened today will surely lead to complete control of this institution by the majority. I hope not, but that is what has happened in the past, more especially in the House.

Do not listen to those who would seek to minimize the importance of what has been done. The claim that what they have done is limited—applying only to executive nominations—misses the point. The change itself is less important than the manner in which it was imposed. Once you assume the power to write new rules with a simple majority vote, to ignore the existing rules that require a supermajority to achieve such a change, you have put us on a path that will surely lead to total control of this body by the majority.

Before today, there was only one House of Congress where the majority has total control. Now there are two. We have become the House. By its action today, the majority has ensured that for many years to come, Members will not have any rights beyond those which the majority is willing to grant.

When he was in the minority, our current majority leader recognized this. In his book ''The Good Fight,'' Senator REID wrote about the battle over the nuclear option back in 2005. This is what he wrote:

> Once you opened that Pandora's box, it was just a matter of time before a Senate leader who couldn't get his way on something moved to eliminate the filibuster for regular business as well. And that, simply put, would be the end of the United States Senate.

I repeat, ''the end of the United States Senate.''

Senator REID further wrote:

> . . . there will come a time when we will all be gone, and the institutions that we now serve will be run by men and women not yet living, and those institutions will either function well because we've taken care of them, or they will be in disarray and someone else's problem to solve.

He described the nuclear option this way then:

> In a fit of partisan furry, they were trying to blow up the Senate. Senate rules can only be changed by a two-thirds vote of the Senate, or 67 Senators. The Republicans were going to do it illegally with a simple majority, or 51 . . . future generations be damned.

If only today the majority leader had recalled his own words. Instead, by his own hand, he has brought on the end of the Senate as we know it. Instead of taking care of this institution, he will leave it in disarray—future generations be damned.

Our former Parliamentarian Bob Dove and Richard Arenberg, a professor and onetime aide to former majority leader George Mitchell, wrote a book on this subject called ''Defending the Filibuster,'' and this is what they said:

> If a 51-vote majority is empowered to rewrite the Senate's rules, the day will come, as it did in the House of Representatives, when a majority will construct rules that give it near absolute control over amendments and debate. And there is no going back from that. No majority in the House of Representatives has or ever will voluntarily relinquish that power in order to give the minority a greater voice in crafting legislation.

Do not be fooled by those who would try to minimize the impact of what happened today. Again, the rule change itself is less important than the manner in which it was imposed. Now that the majority has decided it can set the rules, there is no limit to what it or any future majority might do in the future. There are no constraints. The majority claims these changes are necessary to make the Senate function. If it decides further changes are needed, it will make them. The minority will have no voice, no say, no power. That has never been the case in the Senate—never. Until now.

It saddens me that we have come to this point. It saddens me that the Members on the other side of the aisle who should know better have taken this course. We have done permanent damage to this institution and set a precedent that will surely allow future majorities to further restrict the rights of the minority. That is not a threat; it is just a fact. We have weakened this

body permanently, undermined it, for the sake of an incompetent administration. What a tragedy.

This is a sad, sad day. When the future generations we have damned by today's actions look back and wonder ''Why are things in such disarray? When did it go wrong? When did the demise of the Senate begin?'' the answer will be today, November 21, 2013.

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

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

Mr. COCHRAN. Madam President, as the majority contemplate changing the rules of the Senate to expedite the confirmation of several executive branch nominees, I hope that serious consideration was given to the adverse effects this change could have.

We should resist embarking on a path that would circumvent the rights of the minority to exercise its advice and consent responsibilities provided in the Constitution.

The consequences of the action by the majority should not be minimized. Former Senator Ted Kennedy, in 2003, testified before the Rules Committee that by allowing a simple majority to end debate on nominees, ''the Senate would put itself on a course to destroy the very essence of our constitutional role.''

Such a departure from precedent would dilute the minority rights that differentiate the Senate from the other body. It also opens the door to applying this same rule to debate on judicial nominations, as well as the legislative process.

Mr. MCCAIN. Madam President, I wish to echo what my colleague from Michigan Senator LEVIN said on the floor earlier today. He quoted the late Senator Arthur Vandenburg of Michigan who said, in 1949, that if the majority can change the rules at will ''then there are no rules except the transient unregulated wishes of a majority of whatever quorum is temporarily in control of the Senate.''

Senator Vandenburg's words from 1949 have proven to be prophetic.

Additionally, when he was a Member of the Senate in 2005, President Obama said ''What [the American people] don't expect is for one party—be it Republican or Democrat—to change the rules in the middle of the game.'' That is exactly what his party did today—and they did so with the President's full support.

The American people will not be deceived—the Majority Leader's exercise of the ''nuclear option'' today is merely an attempt to divert their attention from Obamacare's failure to launch and the President's failure to keep his word to the American people on whether they can keep health care plans they already have. Republicans will, however, come together to maintain the American people's focus on these issues and on solving problems they are confronted with everyday—on health care reform, economic growth, runaway deficit-spending, and an unsustainable national debt that threatens future generations. Unfortunately, in his desperation to divert everyone's attention from Obamacare, the majority leader abused his position to decimate the integrity of the institution he is supposed to serve and continues to plunge this institution into a hopeless abyss of distrust and partisanship. These are circumstances that can be remedied by nothing less than a change in the majority in the Senate and its leadership. I remain dedicated towards achieving that outcome.

It is unfortunate we are in this position today. Numerous times over the years, the Senate has come to a standstill over nominees—whether they were judicial or executive branch. That gridlock inevitably leads to threats from the majority to use the ''nuclear option''—to change the rules of the Senate to strip the minority party of their right to filibuster certain nominees. I opposed using the nuclear option back when my party had the majority, and I oppose it today.

I think the Majority Leader made a huge mistake today.

Senator Vandenberg:

> . . . I continue to believe that the rules of the Senate are as important to equity and order in the Senate as is the Constitution to the life of the Republic, and that those rules should never be changed except by the Senate itself, in the direct fashion prescribed by the rules themselves.

Senator Vandenberg continued:

> I have heard it erroneously argued in the cloakrooms that since the Senate rules themselves authorize a change in the rules through due legislative process by a majority vote, it is within the spirit of the rules when we reach the same net result by a majority vote of the Senate upholding a parliamentary ruling of the Vice President which, in effect, changes the rules. This would appear to be some sort of doctrine of amendment by proxy. It is argued that the Senate itself makes the change in both instances by majority vote; and it is asked, what is the difference? Of course, this is really an argument that the end justifies the means.

Senator Vandenberg continued:

> We fit the rules to the occasion, instead of fitting the occasion to the rules. Therefore, in the final analysis, under such circumstances, there are no rules except the transient, unregulated wishes of a majority of whatever quorum is temporarily in control of the Senate. That, Mr. President, is not my idea of the greatest deliberative body in the world. . . . No matter how important [the pending issue's] immediate incidence may seem to many today, the integrity of the Senate's rules is our paramount concern, today, tomorrow, and so long as this great institution lives.

He concluded, with that ''one consideration'':

> What do the present Senate rules mean; and for the sake of law and order, shall they be protected in that meaning until changed by the Senate itself in the fashion required by the rules?
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> . . . [T]he rules of the Senate as they exist at any given time and as they are clinched by precedents should not be changed substantively by the interpretive action of the Senate's Presiding Officer, even with the transient sanction of an equally transient Senate majority. The rules can be safely changed only by the direct and conscious action of the Senate itself, acting in the fashion prescribed by the rules. Otherwise, no rule in the Senate is worth the paper it is written on, and this so-called ''greatest deliberative body in the world'' is at the mercy of every change in parliamentary authority.

According to CRS, proposals to limit Senate debate are as old as the Senate itself. Over the 224-year history of the body, numerous procedures have been proposed to allow the Senate to end discussion and act. The most important debate-limiting procedure enacted was the adoption in 1917 of the ''cloture rule,'' codified in paragraph 2 of Senate Rule XXII. Under the current version of this rule, a process for ending debate on a pending measure or matter may be set in motion by a supermajority vote of the Senate.

> At times, Senators of both political parties have debated the merits of the Senate's tradition of free and unlimited debate. These debates have occurred at different times and under different sets of circumstances as Senators attempted, for example, to prevent filibusters of civil rights measures, pass consumer protection legislation, or secure the confirmation of judicial or executive branch nominations.
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> Although many attempts have been made to amend paragraph 2 of Rule XXII, only six amendments have been adopted since the cloture rule was enacted in 1917: those undertaken in 1949, 1959, 1975, 1976, 1979, and 1986. Each of these changes was made within the framework of the existing or ''entrenched'' rules of the Senate, including Rule XXII.
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> In 1949, the cloture rule was amended to apply to all ''matters,'' as well as measures, a change that expanded its reach to nominations, most motions to proceed to consider measures, and other motions. A decade later, in 1959, its reach was further expanded to include debate on motions to proceed to consider changes in the Senate rules themselves. The threshold for invoking cloture was lowered in 1975 from two-thirds present and voting to three-fifths of the full Senate except on proposals to amend Senate rules. In a change made in 1976, amendments filed by Senators after cloture was invoked were no longer required to be read aloud in the chamber if they were available at least 24 hours in advance.
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> In 1979, Senators added an overall ''consideration cap'' to Rule XXII to prevent so-called post-cloture filibusters, which occurred when Senators continued dilatory parliamentary tactics even after cloture had been invoked. In 1986, this ''consideration cap'' was reduced from 100 hours to 30 hours.

At various times I have been a part of bipartisan groups of Senators who were able to come together and negotiate agreements to end the gridlock surrounding nominees, avert the nuclear option, and allow the Senate to move forward with our work on behalf of the American people. My work in these groups—often referred to as ''gangs''—has won me both praise and condemnation, and has often put me at odds with some in my own party.

In 2005 for instance, I joined 13 of my colleagues in an agreement that allowed for votes on three of President Bush's judicial nominees who were

being filibustered by the Democrats—who were in the minority at that time. Part of that agreement addressed future nominees. It stated:

''Signatories will exercise their responsibilities under the Advice and Consent Clause of the United States Constitution in good faith. Nominees should only be filibustered under extraordinary circumstances, and each signatory must use his or her own discretion and judgment in determining whether such circumstances exist.''

In January of this year I began working with like-minded members of both parties to diffuse legislative gridlock and to meet the goals of making it easier for the majority to bring legislation to the floor while also making it easier for a Member of the minority to offer amendments to that legislation. Having a robust amendment process, especially on legislation of major consequence, is how the Senate has traditionally operated. It is something that has been sorely lacking for the last several years. And it is something that, when it has occurred, has invariably led to legislative achievement.

And again in July of this year the Senate faced gridlock over the President's nominees to the National Labor Relations Board—NLRB. I joined with Members on both sides to come up with a reasonable compromise which allowed for votes of the President's nominees.

My colleagues in the majority are mistaken if they assume that these agreements have meant that we, the minority party, have surrendered our right to filibuster nominees in certain circumstances. The exact opposite is true. These agreements were negotiated precisely to protect the rights of the minority to filibuster nominations in good faith where the minority finds that doing so is warranted under the circumstances.

I am disappointed my colleagues on the other side have taken this step today. I would argue that our side, led by Senator MCCONNELL, has been very accommodating in helping to secure cloture on numerous nominees. The fact that we have exercised our rights in several instances should not deter from that fact, and is certainly not deserving of this retaliatory action.

I have worked to end the stalemates over nominees, not for praise or publicity, but to retain the rights of the minority, and to help return the Senate to the early practices of our government and to reduce the rancor and distrust that unfortunately accompanies the advice and consent process in the Senate. I fear that today's action by the majority will result in even more discord in this body.

Mr. HATCH. Madam President, today we face a real crisis in the confirmation process, a crisis concocted by the majority to distract attention from the Obamacare disaster and, in the process, consolidate more power than any majority has had in more than 200 years. This crisis was created by a majority that wants to win at all cost, for whom the political ends justify any means whatsoever. The two parts of this crisis are what the majority is doing and how they are doing it.

What the majority is doing is terminating the minority's ability to filibuster judicial nominees. If anyone thought that judicial filibusters were so easy that the minority has been doing it indiscriminately, they would be wrong. It is harder to filibuster judges today than at any time since the turn of the 19th century. And the truth is that Democrats are now terminating a practice that they created and that they have used, by orders of magnitude, far more than Republicans.

In February 2001, just after President George W. Bush took office, Democrats vowed to use ''any means necessary'' to defeat his judicial nominees. That is one promise Democrats kept. They pioneered using the filibuster to defeat majority-supported judicial nominees in 2003. In fact, 73 percent of all votes for judicial filibusters in American history have been cast by Democrats.

By this same point under President Bush, the Senate had taken 26 cloture votes on judicial nominees, more than twice as many as have occurred under President Obama. Under President Bush, 20 of those cloture votes failed, nearly three times as many as under President Obama. Democrats set a record for multiple filibusters against the same nominee that still stands today. They filibustered the nomination of Miguel Estrada, the first Hispanic nominee to the U.S. Court of Appeals for the DC Circuit, seven times.

Individual Democratic Senators took full advantage of the judicial filibuster that they now are terminating. The majority leader, the majority whip, and the Judiciary Committee chairman together voted 82 times to filibuster Republican judicial nominees. In contrast, the minority leader, minority whip, and Judiciary Committee ranking member have together voted only 29 times to filibuster Democratic judicial nominees. For those same Democratic Senators to now take away from others the very tactic that they invented and used so liberally is beyond hypocritical.

The other part of this crisis is how the majority is terminating the judicial filibuster. The title ''nuclear option'' has been given to two methods by which a simple majority can change how the Senate does business. The first method has never been tried and can occur, if at all, only at the beginning of a new Congress. Because this method would actually change the Senate's written rules, it would be a public process involving a resolution and examination by the Rules Committee. Republicans considered using this method at the beginning of the 110th Congress but did not do so.

The majority today is instead using the second method, which requires only a ruling from whoever is presiding over the Senate. It is a pre-scripted parliamentary hit-and-run, over in a flash and leaving Senate tradition and practice behind like so much confirmation roadkill. This would be the wrong way to address even a real confirmation crisis, let alone the fake one created by the majority today.

The majority, it seems, just does not like the way our system of government is designed to work. I have been in the majority and the minority several times each, more than enough to experience that the rules, practices, and traditions of this body can annoy the majority and empower the minority. That is how this body is designed to work as part of the legislative branch. But the majority today wants to have it all. They are denying to others the very same tools that they used so aggressively before.

This year, the Senate has confirmed more than twice as many judges than at the start of President Bush's second term. We have confirmed nine appeals court judges so far this year, a confirmation rate exceeded only a handful of times in the 37 years I have served in this body. President Obama has already appointed one-quarter of the entire Federal judiciary.

But that is not enough for this majority. In order to clear the way for winning every confirmation vote every time, Democrats set up a confrontation over nominees to the DC Circuit. They knew that the DC Circuit did not need more than the eight active judges it now has. How did they know? Because the very same standards they used in 2006 to oppose Republican nominees to that court told them so.

In 2006, Democrats opposed more DC Circuit nominees because written decisions per active judge had declined by 17 percent. Since 2006, written decisions per active judge have declined by an even greater 27 percent. In 2006, Democrats opposed more DC Circuit appointments because total appeals had declined by 10 percent. Since 2006, total appeals have declined by an even greater 18 percent. The DC Circuit's caseload not only continues to decline, but is declining faster than before.

In 2006, Democrats opposed more DC Circuit appointments because there were 20 judicial emergency vacancies and there were nominees for only 60 percent of them. Since 2006, judicial emergency vacancies have nearly doubled and the percentage of those vacancies with nominees has declined to less than 50 percent.

Judiciary Committee Democrats put those standards in writing in 2006. None of them, including the four who still serve on the Judiciary Committee today, have either said they were wrong in 2006 or explained why different standard should be used today. They have not done so because this about-face, this double-standard, is a deliberate ploy to create an unnecessary and fake confirmation confrontation.

I have to hand it to my Democratic colleagues because reality television cannot hold a candle to this saga.

Democrats first abandoned the arguments they used against Republican nominees to the DC Circuit in order to create a fake confrontation. Then they ''solve'' this confrontation by terminating judicial filibusters that they once used against Republican nominees.

The filibuster has been an important—some would say a defining—feature of how this body operates for more than 200 years. It has always annoyed the majority because it empowers the minority. Both parties have used it, both parties have criticized it. But no majority has done what Democrats have done today. They have fundamentally altered this body, they have in the most disingenuous way done long term institutional damage for short term political gain. This majority wants everything to go their way, and will do anything to make that happen.

The majority created this fake confirmation crisis for two reasons. First, they want to stack the DC Circuit with judges who will approve actions by the executive branch agencies that President Obama needs to push his political agenda. Second, they want to distract attention from the Obamacare disaster. I think this heavy-handed move will have the opposite effect on both counts. Just as both parties have used the filibuster to stop certain judicial nominees, both parties will use the absence of the filibuster to appoint certain judicial nominees. And now that the majority has crossed this parliamentary Rubicon, we can indeed focus again on what Obamacare is doing to American families. This is a sad day for the Senate, for the judiciary, and for the American people who want to see their elected representatives act on integrity and principle rather than use gimmicks and power plays.

Mr. UDALL of New Mexico. Madam President, today the Senate took an unusual step to change our rules with a simple majority vote. I say unusual step, and not unprecedented, because it was something the Senate has done on many occasions in the past. Like those previous changes, the action we took was not intended to destroy the uniqueness of the Senate but instead was meant to restore the regular order of the body.

I believe, as I have stated many times since coming to the Senate, that the best way to amend the rules is by having an open debate at the beginning of each new Congress and holding a majority vote to adopt the rules for that Congress. I, along with Senators HARKIN and MERKLEY, tried to do that at the beginning of this Congress and the last. Ultimately we were unsuccessful in achieving the real reforms we wanted, including a talking filibuster. But there was some hope that the debate highlighted some of the most egregious abuses of the rules and led to an agreement that both sides would strive to restore the respect and comity that is often lacking in today's Senate. Unfortunately, that agreement rapidly deteriorated and the partisan rancor and political brinksmanship quickly returned.

As expected, many of my Republican colleagues called today's action by the majority a power grab and ''tyranny of the majority.'' They decried the lack of respect for minority rights. I do believe that we must respect the minority in the Senate, but that respect must go both ways. When the minority uses their rights to offer germane amendments, or to extend legitimate debate, we should always respect such efforts. But that is not what we have seen. Instead, the minority often uses its rights to score political points and obstruct almost all Senate action. Instead of offering amendments to improve legislation, we see amendments that have the sole purpose of becoming talking points in next year's election. Instead of allowing up or down votes on qualified nominees, we see complete obstruction to key vacancies. It is hard to argue that the majority is not respecting the traditions of the Senate when the minority is using this body purely for political gain.

During the debate over rules reform we had in January, many of my colleagues argued that the only way to change the Senate Rules was with a two-thirds supermajority. As we saw today, that simply is not true. Some call what occurred the ''Constitutional Option,'' while others call it the ''Nuclear Option.'' I think the best name for it might be the ''Majority Option.'' As I studied this issue in great depth, one thing became very clear. Senator Robert Byrd may have said it best. During a debate on the floor in 1975, Senator Byrd said, ''at any time that 51 Members of the Senate are determined to change the rule . . . and if the leadership of the Senate joins them . . . that rule will be changed.'' That is what happened today.

We keep hearing that any use of this option to change the rules is an abuse of power by the majority. However, a 2005 Republican Policy Committee memo provides some excellent points to rebut this argument.

Let me read part of the 2005 Republican memo:

''This constitutional option is well grounded in the U.S. Constitution and in Senate history. The Senate has always had, and repeatedly has exercised, the constitutional power to change the Senate's procedures through a majority vote. Majority Leader Robert C. Byrd used the constitutional option in 1977, 1979, 1980, and 1987 to establish precedents changing Senate procedures during the middle of a Congress. And the Senate several times has changed its Standing Rules after the constitutional option had been threatened, beginning with the adoption of the first cloture rule in 1917. Simply put, the constitutional option itself is a longstanding feature of Senate practice.

The Senate, therefore, has long accepted the legitimacy of the constitutional option. Through precedent, the option has been exercised and Senate procedures have been changed. At other times it has been merely threatened, and Senators negotiated textual rules changes through the regular order. But regardless of the outcome, the constitutional option has played an ongoing and important role.''

The memo goes on address some ''Common Misunderstandings of the Constitutional Option.''

One misunderstanding addressed, which we heard today is that, ''The essential character of the Senate will be destroyed if the constitutional option is exercised.''

The memo rebuts this by stating that ''When Majority Leader Byrd repeatedly exercised the constitutional option to correct abuses of Senate rules and precedents, those illustrative exercises of the option did little to upset the basic character of the Senate. Indeed, many observers argue that the Senate minority is stronger today in a body that still allows for extensive debate, full consideration, and careful deliberation of all matters with which it is presented.''

Changing the rules with a simple majority is not about exercising power, but is instead about restoring balance. There is a fine line between respecting minority rights and yielding to minority rule. When we cross that line, as I believe we have many times in recent years, the majority is within its rights to restore the balance. This is not tyranny by the majority, but merely holding the minority accountable if it crosses that line and makes the Senate a dysfunctional body. I would expect the same if my party was in the minority and we were abusing the rules.

Many of my colleagues argue that the Senate's supermajority requirements are what make it unique from the House of Representatives, as well as any other legislative body in the world. I disagree. If you talk to the veteran Senators, many of them will tell you that the need for 60 votes to pass anything or confirm nominees is a recent phenomenon. Senator HARKIN discussed this in great detail during our debate in January and I highly recommend reading his statement.

I think this gets at the heart of the problem. We are a unique legislative body, but not because of our rule book. We have recently devolved into a body that our Founders never intended. Rather than one based on mutual respect that moves by consent and allows majority votes on almost all matters, we have become a supermajoritarian institution that often does not move at all.

With all of the economic issues we face, our country cannot afford a broken Senate. Both sides need to take a step back and understand that what we do on the Senate floor is not about winning or keeping the majority next November, but about helping the country today.

Today's vote to change the rules is a victory for all Americans who want to end obstruction and return to a government that works for them. Americans sent us here to get things done, but in recent years, the minority has filibustered again and again—not to slow action out of substantive concerns, but

for political gain. Any President—Democrat or Republican—should be able to make their necessary appointments.

This change finally returns the Senate to the majority rule standard that is required by the Constitution when it comes to executive branch and judicial nominees. With this change, if those nominees are qualified, they get an up-or-down vote in the Senate. If a majority is opposed, they can reject a nominee. But a minority should not be able to delay them indefinitely. That is how our democracy is intended to work.

New Mexicans—all Americans—are tired of the gridlock in Washington. The recent filibuster of three DC Circuit nominees over the last 4 weeks was not the beginning of this obstruction. It was the final straw in a long history of blocking the President's nominees. Doing nothing was no longer an option. It was time to rein in the unprecedented abuse of the filibuster, and I am relieved the Senate took action today.

LEGISLATIVE SESSION

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014—Continued

Mr. REID. Madam President, I ask unanimous consent that notwithstanding cloture having been invoked on the Millett nomination, the Senate resume legislative session and consideration of S. 1197; that the time until 4 p.m. be equally divided and controlled between Chairman LEVIN and Ranking Member INHOFE or their designees, with the chairman controlling the last half of the time; that at 4 p.m., the Senate proceed to vote on the motion to invoke cloture on S. 1197, the Department of Defense authorization bill; that if cloture is invoked, notwithstanding cloture having been invoked, the Senate proceed to vote on S. Con. Res. 28; further, if cloture is invoked on S. 1197, the second-degree amendment filing deadline be 5 p.m. today; finally, that if cloture is not invoked on S. 1197, the Senate proceed to vote on adoption of S. Con. Res. 28.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1197) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Reid (for Levin/Inhofe) Amendment No. 2123, to increase to $5,000,000,000 the ceiling on the general transfer authority of the Department of Defense.

Reid (for Levin/Inhofe) Amendment No. 2124 (to Amendment No. 2123), of a perfecting nature.

Reid motion to recommit the bill to the Committee on Armed Services, with instructions, Reid Amendment No. 2305, to change the enactment date.

Reid Amendment No. 2306 (to (the instructions) Amendment No. 2305), of a perfecting nature.

Reid Amendment No. 2307 (to Amendment No. 2306), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, let me first repeat, as I have many times, I have never worked with a manager more closely than the chairman of the Armed Services Committee Senator LEVIN. We worked very hard through a lot of issues. On the few where we disagreed with each other, we have handled it in a very civil way. We both want a bill and we will have one.

The problem we have on the Republican side is we have not had a chance to have amendments. I don't have the charts in here, but earlier this morning I had charts here to show historically every time this comes up, we have a number of amendments that the minority has—whether the minority happens to be the Democrats or Republicans. All we want to do is to consider these amendments.

Yesterday I said I don't think we will be able to do it, but I am going to attempt to come today—or yesterday, I said tomorrow—with 25 amendments that all of the Republicans have said they would not object to and we would say these are the ones we would like to have considered. Of those, assuming the Democrats had 25 also, the most we would have up for consideration would be maybe 20, probably less than that, because historically that is the way it is.

I have given the majority the 25 amendments we would like to have considered, and I made the statement yesterday—and I want to repeat it today—that now that we have agreed on a list, if we can have these amendments considered on the floor, then I would be a very strong supporter of this bill.

However, after going through the work of coming down to these amendments—and that is not an easy thing to do—if we are rejected and we are not going to be able to have consideration of these 25 amendments, I would vote in opposition to cloture to go to the bill.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, we will soon vote on whether to invoke cloture on S. 1197, the National Defense Authorization Act for Fiscal Year 2014. This bill was reported out of the Armed Services Committee with a strong bipartisan vote of 23 to 3. We have enacted a National Defense Authorization Act every year for more than 50 years, and it is critically important that we do so again this year.

We spent all day yesterday debating two amendments addressing sexual assault in the military, but we have not been allowed to vote on them. There was opposition on the other side to voting even on those two amendments which have now been fully debated. We were told that Senators wouldn't let us vote on the sexual assault amendments because they were afraid those would be the only votes. We offered to lock in additional amendments, six for Democrats, six for Republicans. That got an objection. Staff had built up a cleared amendment package of 39 additional amendments on a bipartisan basis, about half for each side, that were all agreed to on the merits. Again, we got thwarted.

So over and over, we had objections to considering amendments, based on the accusation that we were not considering enough amendments. But how on earth does blocking the consideration of amendments that we can all agree on advance the cause of considering amendments?

I am going to continue to work with my friend from Oklahoma—and we are good friends and we work together well. He is right. I am going to continue to work toward an agreement that will enable us to proceed with additional amendments on this bill.

This would not be the first time this kind of a problem has happened on a Defense authorization bill. In 2008, one Senator objected to cleared amendment packages and to bringing up amendments. As a result, we were able to have only two rollcall votes and adopted only 9 amendments—all of which were agreed to before the objection was raised. Then, as now, the objection did not result in more amendments being adopted but, rather, in almost no amendments being adopted at all. In 2008, we invoked cloture and proceeded with the bill with virtually no Senate amendments—a result which was less than ideal, but at least it enabled us to enact a National Defense Authorization Act that year.

We must pass a national defense authorization bill. If we fail to do so, we will be letting down our men and women in uniform and failing to perform one of Congress' most basic duties—providing for the national defense.

As is the case every year, if we fail to enact this bill, our troops will not get the full amount of compensation to which they are entitled. If we fail to act, the Department's authority to pay out combat pay, hardship duty pay, special pay for nuclear-qualified servicemembers, enlistment and reenlistment bonuses, incentive pay for critical specialties, assignment incentive pay, and accession and retention bonuses for critical specialties will expire on December 31.

After that date, we will have troops in combat who will not get combat pay. We will lose some of our most highly skilled men and women with specialties that we vitally need. Not only will we be shortchanging our soldiers, sailors, airmen, and marines, but we will be denying our military services critical authorities they need to recruit and retain high-quality servicemembers, and to achieve their force-

shaping objectives as they draw down their end strengths.

That is not all. If we fail to enact this bill, school districts all over the United States that rely on supplemental impact aid to help them educate military children will no longer receive that money. If we fail to enact this bill, the Department of Defense will not be able to begin construction on any new military construction projects in the coming year. That means our troops won't get the barracks, ranges, hospitals, laboratories, and other support facilities they need to support operational requirements, conduct training, and maintain equipment. It means that military family housing will not receive needed upgrades.

If we fail to enact this bill, the existing military land withdrawals will expire at China Lake Naval Air Weapons Station and Chocolate Mountain Aerial Gunnery Range. That means our military will have to cease operations on those vital test and training ranges, losing critical testing and training capabilities that they relied on for the last 25 years.

If we fail to enact this bill, the Department of Defense will run out of money for the construction of the first ship of the Navy's new class of aircraft carriers, the Gerald R. Ford. That means the Navy will have to issue a stop work order on the construction of the Ford, requiring them to lay off workers and requiring a break in production that will add hundreds of millions, if not billions, of dollars not only to the cost of the Ford, but also to the cost of follow-on aircraft carriers.

It goes on and on. If we fail to enact this bill, we will enact none of the far-reaching reforms we need to address on the problem of sexual assault in the military. Already we have been blocked in our effort to clear a package of manager's amendments, including Senator BOXER's amendment reforming the article 32 process.

Now, we are not only going to lose important reforms, but there are two dozen measures that are in the bill which address the problem of sexual assault. If we don't adopt this bill, we won't be providing a Special Victims' Counsel for victims of sexual assault. We won't make retaliation for reporting a sexual assault a crime under the Uniform Code of Military Justice. If we don't adopt this bill, we won't require commanders to immediately refer all allegations of sexual assault to professional criminal investigators. We won't restrict the authority of senior officers to modify the findings and sentence of court-martial convictions, and we won't require higher level review of any decision not to prosecute allegations of sexual assault.

We have already failed our men and women in uniform by failing to end sequestration. We should not fail them again by failing to enact the many critical measures included in the National Defense Authorization Act for Fiscal Year 2014.

Mr. MARKEY. Mr. President, the Gillibrand amendment would address an issue that is fundamental to who we are as Americans: ensuring justice for the men and women who serve in our military.

When brave young men and women enlist in the armed services, they do so to defend our country and our values. Yet those values are being undermined by the problem of sexual assault in the military.

Over the past decades, our military has expanded equality. I am proud that all of our services recognize that women have a vital role to play in the military, including in combat. I wholeheartedly endorse, after years of debate, the recognition that being openly gay or lesbian has no bearing on one's ability to serve.

These advances in equality in our military are vitally important—they make our military stronger and all of us safer—but they are an empty promise without access to justice. And when men and women are the victims of sexual assault in the military, they are often deprived of justice.

We all know the shameful numbers. An estimated 26,000 cases of unwanted sexual contact and sexual assaults occurred in 2012—a 37 percent increase from 2011. But the statistics that trouble me most are that 50 percent of female victims did not report the crime because they believed that nothing would be done. And 62 percent of victims who did report a sexual assault perceived some form of professional, social, or administrative retaliation as a result.

And the tragedy is—they're right. The Defense Advisory Committee on Women in the Services spoke to this same problem and found: ''Unfortunately, recent events have shown these fears to be justified, and may also have communicated to perpetrators that they need not fear being held accountable for their actions.''

No wonder then, that the advisory committee voted in favor of removing the decision whether to prosecute sexual assaults and other serious crimes from the chain of command.

The United States was founded on twin ideals: equality and justice. And much of our history has involved the struggle to expand equal treatment under the law and access to justice. When we expand equality, we also provide access to justice.

I think of the Civil Rights Act of 1964 which made it unlawful for employers to discriminate on the basis of race, sex, religion, or national origin and created the Equal Employment Opportunity Commission to enforce the law. Congress recognized that there is no equality without justice. I think back to the days when white male juries were the rule in virtually every courthouse in this country. Yet finally, the Supreme Court in Norris v. Alabama and Taylor v. Louisiana said that no one could be assured of a fair trial unless women and African Americans served on their juries.

Equality and Justice—they are two sides of the same coin. They walk hand in hand.

In the United States, one of the fundamental precepts of our criminal justice system is an independent prosecutor. The authority to charge someone with a crime is an awesome power. Exercised improperly, an innocent person can be forced to endure a trial or a criminal can go unpunished, free to harm their next victim. Under the Code of Military Justice, that critical prosecutorial decision is made by a commanding officer—someone often in both the victim's and the alleged perpetrator's chain of command—and, typically, not someone trained in the law. If——and statistically in sexual assault cases it is rare—if the commanding officer determines to try a charge by court-martial, the same commander also picks the jurors who will decide the case. I have no doubt that most commanders try their best to evaluate charges of sexual assault but they are inherently conflicted and compromised when we force them to make the call. We do these commanders a disservice by requiring them to solve this inexorable conflict.

As an impressive group of law professors, many of whom are veterans, and all of whom are experts in military justice wrote:

> Commanders play a decisive role in military operations and must likewise play a central role in reducing sexual assault and maintaining good order and discipline generally. That role, however, need not extend to the relatively narrow and thoroughly legal arena of criminal prosecution. Contemporary norms of procedural justice require that attorneys, not commanding officers, make decisions to prosecute. As a result, we recommend that the decision to prosecute a member of the armed forces for criminal conduct . . . be made by an independent prosecutor outside the chain of command.

And, they added, personnel who serve as court-martial jurors should be chosen by a court-martial administrator rather than a commander, ''to avoid concerns about jury-stacking and unlawful command influence.''

That is precisely what the Gillibrand amendment does. It vests the authority to prosecute serious criminal charges with experienced judge advocate general officers who can evaluate the evidence with a clear, cold eye and determine whether charges should be tried. That independence is the only way we can assure both the victim and the alleged perpetrator of justice—equal justice under the law. That's what this country is all about. That's why so many young men and women volunteer to serve. And we owe them nothing less.

Ms. COLLINS. Madam President, today I rise in support of the fiscal year 2014 National Defense Authorization Act and to address significant challenges facing the Department of Defense.

The bill approved by the Armed Services Committee includes necessary provisions to take care of our troops, such

as a 1-percent pay raise and the maintenance of affordable health care fees to avoid a detrimental effect on military retirees and their families.

I thank Chairman LEVIN and Ranking Member INHOFE for increasing authorizations for the shipbuilding budget, including an additional $100 million to support the procurement of a tenth DDG–51 destroyer under the current multiyear procurement contract. I am pleased that the Defense Appropriations Subcommittee on which I serve has also included this critical $100 million.

This ship is needed in the fleet to maintain the robust forward presence our Nation requires to protect trade routes, keep the peace, and assist when tragedy strikes.

When tensions flared in Syria, it was Navy destroyers that were positioned off the coast. Following the devastation of Typhoon Haiyan in the Philippines, two U.S. Navy destroyers were among the first ships on station.

Taking advantage of the opportunity to procure this ship will lock additional savings on a multiyear procurement that has already saved taxpayers $1.5 billion compared to procuring the ships individually.

I am also pleased the Armed Services Committee incorporated many provisions I support to combat sexual assault, which is one of the greatest challenges faced by the Department of Defense for a decade.

I first raised my concern about sexual assaults in the military with General George Casey in 2004. To say his response was disappointing would be an understatement. I am convinced that if the military had heeded the concern I raised then, this terrible problem would have been addressed much sooner, saving many individuals the trauma, pain, and injustice they endured.

While I will address this issue at greater length during consideration of this bill, I want to highlight three of the most important changes included in the bill.

First, the bill limits the authority of a convening authority to overturn or modify the findings of a court-martial in sexual assault cases. Second, the bill requires the military to provide an attorney dedicated to the interests of survivors of sexual assaults to provide legal advice and assistance when survivors need such assistance the most. Third, a servicemember convicted of sexual assault would be discharged from the military.

I also support the provisions in the bill to maintain the readiness of our military services by authorizing $1.8 billion to address readiness problems caused by fiscal year 2013 sequestration. This bill also directs the Pentagon to rein in unnecessary or wasteful spending while rejecting proposals that purport to save money but that actually cause more harm than good.

Two important provisions require DOD to develop a plan to reduce the number of General and Flag officer billets and to streamline management headquarters in an effort to save $100 billion over 10 years. Reducing unnecessary overhead is something we must insist upon in these fiscally constrained times.

Increasing the authorization for the Department of Defense Inspector General by $36 million will allow the office to perform additional oversight and help identify waste, fraud, and abuse in DOD programs. Historically, DOD IG reviews have resulted in a return on investment of nearly $11 dollars for every $1 appropriated.

The bill wisely rejects the President's proposal to authorize a new Base Realignment and Closure round in 2015 and prohibits the authorization of another BRAC round at least until the Department submits a review of excess overseas military facilities.

This is the right way to proceed because the GAO has found that the previous BRAC round has never produced the amount of savings that were promised when it was originally sold to Congress.

While this is an excellent bill, I hope to offer several amendments to make this important bill even stronger in addressing the national security challenges facing our country.

The first amendment I intend to offer, with my colleague Senator KING, has been requested by the Navy to support the final settlement of the A–12 case. The Navy has reached an agreement with Boeing and General Dynamics to settle a decades-old lawsuit concerning the cancellation of the A–12 aircraft.

Our amendment would allow the Navy to accept $400 million in in-kind payments from industry to satisfy outstanding Navy claims related to the A–12 legal dispute between the Navy and two contractors, Boeing and General Dynamics. All parties—the Navy, the Department of Justice, Boeing, and General Dynamics—support the settlement.

If this amendment is adopted, the Navy will receive $400 million worth of needed military hardware effectively for free at a time when it is facing incredible fiscal challenges from sequestration.

In addition, taxpayers benefit because there is no guarantee the government will ultimately prevail in the ongoing litigation. If the government does not prevail, taxpayers may not get anything.

The second amendment I intend to file would require athletic footwear purchased for new military recruits to be domestically manufactured. Currently, DOD is circumventing the intent of the law known as the Berry Amendment through the use of cash allowances that provide no preference for domestically manufactured footwear. This amendment, which is also cosponsored by Senator KING, would align the procurement policy for athletic footwear with other footwear and clothing provided to servicemembers.

In the last year, the Defense Logistics Agency has awarded more than $36 million in contracts for combat boots and dress shoes made in America. In contrast, the military services have provided cash vouchers totaling more than $15 million per year to new recruits to purchase athletic footwear, without any preference for domestically manufactured products. Why should DOD single out athletic footwear to be treated differently from dress shoes or combat boots?

Another amendment with Senator BLUMENTHAL would require the Attorney General to jointly prescribe regulations to implement prescription drug take-back programs with the Secretaries of Defense and Veterans Affairs.

We know prescription drug abuse is a major factor in military and veteran suicides, which are occurring at an alarming rate. Unfortunately, 349 servicemembers died from suicide in 2012—more than the number of servicemembers who lost their lives in combat in Afghanistan last year. According to the VA, 22 veterans commit suicide each day based on data collected from more than 21 States.

Last year, the Senate adopted this amendment by unanimous consent. Regrettably, the provision was eliminated at the urging of the Drug Enforcement Agency with assurances that the agency was nearing completion of regulations that would address the concern.

One year later, we are still receiving written assurances from the DEA that they are ''almost ready'' to complete these regulations. In the meantime, prescription drug abuse continues to afflict our service men and women and our veterans. We cannot sit idly by for another year waiting for the bureaucracy to address this matter of life and death.

Finally, Senator KING and I will offer an amendment to allow businesses that are located on a closed military base to draw employees from the local community to meet the 35-percent requirement for the purposes of qualifying as a HUBZone.

Congress previously passed a law to assist communities affected by previous BRAC rounds by allowing former bases to be eligible for HUBZone status, which provides preferences for certain Federal contracting opportunities.

Unfortunately, the law limits the geographic boundaries of a BRAC-related HUBZone to be the same as the boundaries of the base that was closed, which makes it difficult or impossible for businesses to qualify for the HUBZone program.

Our amendment would allow employees that live in nearby census tracts to count toward the 35 percent requirement and extend the period of eligibility from 5 years to 10 years so Congress' original intent can be fulfilled.

In addition to these amendments, I intend to cosponsor several others to further improve the bill.

Once again, I will support Senator FEINSTEIN'S amendment to make clear that a U.S. citizen or legal permanent resident arrested in the U.S. cannot be

detained indefinitely without charge or trial.

I am also cosponsoring an amendment with Senator PRYOR to make sure that our dual status National Guard technicians are treated on an equal footing as our Active-Duty personnel. If our Active-Duty personnel are exempted from sequestration, then the National Guard dual status technicians—who are effectively the equivalent of Active-Duty military in the National Guard—should be exempt as well.

Let me close by thanking Chairman LEVIN and Ranking Member INHOFE for their hard work in putting together a bipartisan bill that addresses the needs of our military and our national security.

Mr. CRUZ. Madam President, I strongly oppose efforts to close down debate on the National Defense Authorization Act.

It is a shame that despite being on this bill for four days, we have only had two rollcall votes for amendments. Over 400 amendments have been filed and we only found time to vote twice.

This is unacceptable. While I voted against this legislation in committee because it clearly and significantly ignored the budget caps put in place by sequestration, there are significant provisions worthy of support.

The Senate worked in a bipartisan manner with leadership from the junior Senator from New York to consider an amendment to reform and modernize our military justice system. This amendment was carefully crafted in anticipation that it would receive a roll call vote on the Senate floor and I proudly cosponsored and supported this amendment.

The junior Senator from Indiana had an amendment to help military reservists and the National Guard be recognized for their service and qualify for veterans' preference in hiring for federal jobs. His amendment deserves consideration and a vote.

Democrats and Republicans in the Armed Services Committee adopted several of my amendments to this bill to protect the religious liberty of our troops serving here in the United States and overseas. The Armed Services Committee also accepted my proposals to prohibit a base realignment and closure commission until after the Department of Defense conducts an exhaustive review of our overseas bases, and to study how the entire United States should be protected against threats from a missile launch.

Also, I am seeking an up-or-down vote or an acceptance of an amendment I filed to authorize up to a $10 million reward for any information regarding the terrorist attacks against Americans in Benghazi, Libya. I have been very flexible in accepting edits and changes from the majority in order to speed this process along.

The same goes for my amendment to protect the Mount Soledad veterans' memorial in California. In fact, the senior Senator from California filed the exact same legislation. So this is not a political or partisan amendment but yet it is still being denied consideration.

For these reasons and for the obstruction by the Senate majority leader who accuses the minority of being obstructionist, I oppose ending debate on the National Defense Authorization Act.

Mr. INHOFE. Would the Chairman yield?

Mr. LEVIN. I would be happy to yield.

The PRESIDING OFFICER. All time has expired.

Mr. INHOFE. Parliamentary inquiry? We were to be given equal time for the last 10 minutes. I had 3 minutes. All I want to do is ask a question. Am I entitled to do that?

Mr. LEVIN. I ask unanimous consent that be allowed.

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

Mr. INHOFE. Everything my Chairman has said I agree with. He is making my speech for me. It is critical we get the bill. All I am saying is I made the statement yesterday that Republicans are entitled to some amendments. I am asking now—we were able to get it down to 25 amendments to be considered. Will the majority consider these 25 amendments which can be done in half a day? Would he consider that?

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, there are no Democrat amendments on his list.

Mr. INHOFE. I said 25 amendments. This is our list. You come up with your list.

Mr. LEVIN. We cannot agree with a list of amendments, many of which are not agreed to on this side, many of which would be filibustered on this side, which would result in just making it impossible for us to get to a Defense authorization bill conclusion.

I ask unanimous consent that a unanimous consent request—which I was going to make but I will withhold—that lists 26 amendments, half Democratic, half Republican, that I was going to ask consent be adopted because they have been cleared—which I understand will be objected to so I will not make the unanimous consent request—be printed in the RECORD.

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

LEVIN AMENDMENTS ON DOD AUTH REQUEST

I ask unanimous consent that prior to the vote on the motion to invoke cloture on S. 1197, the motion to recommit be withdrawn; the pending Levin amendment #2123 be set aside for Senator Gillibrand, or designee, to offer amendment #2099 relative to sexual assault; that the amendment be subject to a relevant side-by-side amendment from Senators McCaskill and Ayotte, amendment #2170; that no second degree amendments be in order to either of the sexual assault amendments; that each of these amendments be subject to a 60 affirmative vote threshold; the Senate proceed to vote in relation to the Gillibrand amendment #2099; that upon disposition of the Gillibrand amendment, the Senate proceed to vote in relation to the McCaskill-Ayotte amendment #2170; that there be two minutes equally divided in between the votes; upon disposition of the McCaskill-Ayotte amendment and prior to the cloture vote, the following amendments be in order to the bill and called up, en bloc:

Inhofe #2031
Chambliss #2038
Graham #2062
Collins #2064
Thune #2093
Flake #2263
Kirk #2287
Johanns #2348
Moran #2365
McCain #2489
Lee #2453
Portman #2461
Cruz #2511
Gillibrand #2283
Warner #2415
Heinrich #2243
Durbin #2278
Kaine #2424
Boxer #2081
Hagan #2391
Wyden #2282
Blumenthal #2121
Manchin #2251
Coons #2442
McCaskill #2171; and
Levin #2204

That these amendments be agreed to, en bloc; and the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that upon disposition of these amendments, the Senate proceed to the cloture vote as provided under the previous order.

CLOTURE MOTION

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

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 1197, a bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Harry Reid, Carl Levin, Richard J. Durbin, Tim Kaine, Dianne Feinstein, Kay R. Hagan, Barbara A. Mikulski, Joe Donnelly, Mark Udall, Claire McCaskill, Christopher A. Coons, Jeanne Shaheen, Mark R. Warner, Jack Reed, Patty Murray, Bill Nelson, Angus S. King, Jr.

The PRESIDING OFFICER. By unanimous consent the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. MARKEY) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Texas (Mr. CORNYN), and the Senator from Nevada (Mr. HELLER).

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

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

The yeas and nays resulted—yeas 51, nays 44, as follows:

[Rollcall Vote No. 245 Leg.]

YEAS—51

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

NAYS—44

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

NOT VOTING—5

Cornyn	Heller	Warner
Cruz	Markey	

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 44. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

The majority leader.

Mr. REID. Mr. President, I enter a motion to reconsider the vote by which cloture was not invoked on S. 1197.

The PRESIDING OFFICER. The motion is entered.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID. I move to proceed to the consideration of S. Con. Res. 28 as provided for under the previous order.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 28) providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the concurrent resolution.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second. There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Montana (Mr. TESTER) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from New Hampshire (Ms. AYOTTE), the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), the Senator from Arizona (Mr. FLAKE), and the Senator from Nevada (Mr. HELLER).

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

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

The result was announced—yeas 51, nays 42, as follows:

[Rollcall Vote No. 246 Leg.]

YEAS—51

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

NAYS—42

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

NOT VOTING—7

Ayotte	Flake	Warner
Cornyn	Heller	
Cruz	Tester	

The concurrent resolution (S. Con. Res. 28) was agreed to, as follows:

S. CON RES. 28

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, November 21, 2013, through Friday, December 6, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, December 9, 2013, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 or section 3 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Thursday, November 21, 2013, through Tuesday, November 26, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, December 2, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

SEC. 3. After the House reassembles pursuant to the first section of this concurrent resolution, the Majority Leader of the Senate after consultation with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble whenever, in his opinion, the public interest shall warrant it.

The PRESIDING OFFICER. The majority leader.

EXECUTIVE SESSION

NOMINATION OF PATRICIA ANN MILLETT TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT—Continued

Mr. REID. Mr. President, I ask for regular order regarding the Millett nomination.

The PRESIDING OFFICER. Regular order is requested.

The Senate resumes executive session to consider the Millett nomination, postcloture.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

CHANGING SENATE RULES

Mr. MCCAIN. Mr. President, the events and votes that took place today are probably as historic as any votes that I have seen taken in the years I have been here in the Senate.

The majority, with only majority votes—the same as ObamaCare passed with only Democratic votes—changed the rules of the Senate in a way that is detrimental, in my view, not only to the Senate, not only to those of us in the minority party, but great damage to the institution itself.

One of the men who served in this Senate for a long, long time, whom we respected as much or more than any other leader—he certainly knew the Senate rules more than any of the rest of us combined—was one Robert Byrd. Three months before his death, Robert

Byrd wrote this letter. Three months before his death, he said:

During my half-century of service in various leadership posts in the U.S. Senate—including Minority Leader, Majority Leader, Majority Whip and now President Pro Tempore—I have carefully studied this body's history, rules, and precedents. Studying those things leads one to an understanding of the Constitutional Framers' vision for the Senate as an institution, and the subsequent development of the Senate rules and precedents to protect that institutional role.

This is important, I say to my colleagues.

He said:

I am sympathetic to frustrations about the Senate's rules, but those frustrations are nothing new. I recognize the need for the Senate to be responsive to changing times, and have worked continually for necessary reforms aimed at modernizing this institution, using the prescribed Senate procedure for amending the rules.

However, I believe that efforts to change or reinterpret the rules in order to facilitate expeditious action by a simple majority, while popular, are grossly misguided. While I welcome needed reform, we must always be mindful of our first responsibility to preserve the institution's special purpose.

Finally, at the end, he said:

Extended deliberation and debate—when employed judiciously—protect every Senator, and the interests of their constituency, and are essential to the protection of the liberties of a free people.

Mr. President, I ask unanimous consent that this letter by Robert Byrd be printed in the RECORD.

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

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
Washington, DC, February 23, 2010.

DEAR COLLEAGUE: During my half-century of service in various leadership posts in the U.S. Senate—including Minority Leader, Majority Leader, Majority Whip and now President Pro Tempore—I have carefully studied this body's history, rules and precedents. Studying those things leads one to an understanding of the Constitutional Framers' vision for the Senate as an institution, and the subsequent development of the Senate rules and precedents to protect that institutional role.

I am sympathetic to frustrations about the Senate's rules, but those frustrations are nothing new. I recognize the need for the Senate to be responsive to changing times, and have worked continually for necessary reforms aimed at modernizing this institution, using the prescribed Senate procedure for amending the rules.

However, I believe that efforts to change or reinterpret the rules in order to facilitate expeditious action by a simple majority, while popular, are grossly misguided. While I welcome needed reform, we must always be mindful of our first responsibility to preserve the institution's special purpose. The occasional abuse of the rules has been, at times, a painful side effect of what is otherwise the Senate's greatest purpose—the right to extended, or even unlimited, debate.

If the Senate rules are being abused, it does not necessarily follow that the solution is to change the rules. Senators are obliged to exercise their best judgment when invoking their right to extended debate. They also should be obliged to actually filibuster, that is go to the Floor and talk, instead of finding less strenuous ways to accomplish the same end. If the rules are abused, and Senators exhaust the patience of their colleagues, such actions can invite draconian measures. But those measures themselves can, in the long run, be as detrimental to the role of the institution and to the rights of the American people as the abuse of the rules.

I hope Senators will take a moment to recall why the devices of extended debate and amendments are so important to our freedoms. The Senate is the only place in government where the rights of a numerical minority are so protected. Majorities change with elections. A minority can be right, and minority views can certainly improve legislation. As U.S. Senator George Hoar explained in his 1897 article, ''Has the Senate Degenerated?'', the Constitution's Framers intentionally designed the Senate to be a deliberative forum in which ''the sober second thought of the people might find expression.''

Extended deliberation and debate—when employed judiciously—protect every Senator, and the interests of their constituency, and are essential to the protection of the liberties of a free people.

With kind regards, I am

Sincerely yours,

ROBERT C. BYRD.

Mr. MCCAIN. Mr. President, I wish Robert Byrd had been here on the floor today. I wish Robert Byrd had seen the travesty that just took place on a party-line vote. And when I use the word ''hypocrisy,'' I use it guardedly. I do not use that word with abandon. But this is another broken promise—another broken promise.

I read from an article entitled ''FLASHBACK: Reid in 2008: 'As Long As I Am The Leader' We Will Not Have a Nuclear Option.''

Sen. Harry Reid said in a 2008 interview that as long as he was the Senate Majority Leader, the nuclear option would never happen under his watch.

''As long as I am the Leader, the answer's no,'' he said. ''I think we should just forget that. That is a black chapter in the history of the Senate. I hope we never, ever get to that again because I really do believe it will ruin our country.''

He was talking about 2005 when this side of the aisle was in the majority and there was an effort—which we were able to diffuse—in order to do exactly what we did today. In 2008:

Reid railed against Republicans who fought for the measure, saying it would lead to a unicameral legislature and that the U.S. Senate was purposefully set up by the Founding Fathers to have different rules than the House of Representatives. Such a measure like the nuclear option, he said, would ''change our country forever.''

I am sorry to say, I agree with him.

I agree with what he said in 2008. Yet, on Thursday, on a nearly party-line vote of 52–48, the Democrats abruptly changed the Senate's balance of power.

Here is the full exchange I will read from.

Tom Daschle: What was the nuclear option, and what likelihood is there that we're going to have to face nuclear option-like questions again?

This is an interview that the majority leader had with the former majority leader Tom Daschle.

What the Republicans came up with was a way to change our country forever. They made a decision if they didn't get every judge they wanted, every judge they wanted, then they were going to make the Senate just like the House of Representatives. We would in fact have a unicameral legislature where a simple majority would determine whatever happens. In the House of Representatives today, Pelosi's the leader. Prior to that, it was Hastert. Whatever they wanted, Hastert or Pelosi, they get done. The rules over there allow that. The Senate was set up to be different.

That was the genius, the vision of our Founding Fathers, that this bicameral legislature which was unique, had two different duties. One was as Franklin said, to pour the coffee into the saucer and let it cool off. That's why you have the ability to filibuster and to terminate filibuster. They wanted to get rid of all of that, and that's what the nuclear option was all about.

Daschle: And is there any likelihood that we're going to face circumstances like that again?

Reid: As long as I am the Leader, the answer's no.

I repeat. He said, ''As long as I'm the Leader, the answer's no.''

I think we should just forget that. That is a black chapter in the history of the Senate. I hope we never, ever get to that again because I really do believe it will ruin our country. I said during that debate that in all my years in government, that was the most important thing I ever worked on.

This gives new meaning as to where you stand on an issue as opposed to where you sit. This hypocrisy is not confined to Members of the Senate. Senator Barack Obama, former Member of this body, on April 1, 2005, for the benefit especially of our newer Members on the Democratic side who were not here at the time and do not know what we went through to try to stop it when it was being proposed by this side of the aisle, then-Senator Barack Obama said—who congratulated the Senate today on our action. He said:

The American people sent us here to be their voice. They understand that those voices can at times become loud and argumentative, but they also hope we can disagree without being disagreeable.

Then-Senator Barack Obama went on to say:

What they don't expect is for one party, be it Republican or Democrat, to change the rules in the middle of the game so that they can make all of the decisions while the other party is told to sit down and keep quiet.

I ask my colleagues, what were we just told to do today?

He went on to say that the American people want less partisanship in this town. But everyone in this Chamber knows that if the majority chooses to end the filibuster:

If they choose to change the rules and put an end to the Democratic debate, then the fighting and the bitterness and the gridlock will only get worse.

He went on to say:

Now, I understand the Republicans are getting a lot of pressure to do this from factions outside the Chamber. But we need to rise above the ends-justifies-the-means mentality, because we're here to answer to the people, all of the people, not just the ones that are wearing our particular party label.

He went on to say:

If the right of open and free debate is taken away from the minority party and the

millions of Americans who ask us to be their voice, I fear that already partisan atmosphere in Washington will be poisoned to the point where no one will be able to agree on anything.

That does not serve anyone's best interests. It certainly is not what the patriots who founded this democracy had in mind.

We owe the people who sent us here more than that. We owe them much more. There are several other—in May 2005, Senator REID also said:

If there was ever an example of an abuse of power, this is it. The filibuster is the last check we have against the abuse of power in Washington.

We just eliminated the filibuster, my dear friends, on nominees.

Then he went on to say in April of 2005:

The threat to change Senate rules is a raw abuse of power and will destroy the very checks and balances our Founding Fathers put in place to prevent absolute power by any one branch of government.

So, yes, I am upset. Yes, on several occasions we have gotten together on a bipartisan basis and prevented what exactly happened today. What exactly happened today is not just a shift in power to appoint judges. That, in itself, is something that is very important. But what we really did today and what is so damning and what will last for a long time, unless we change it, that could permanently change the unique aspects of this institution, the Senate, is if only a majority can change the rules, then there are no rules. That is the only conclusion anyone can draw from what we did today.

Suppose that in a few weeks the majority does not like it that we object to the motion to proceed: 51 votes. Suppose on cloture, they do not like having those votes for cloture: 51 votes. My friends, we are approaching a slippery slope that will destroy the very unique aspects of this institution called the Senate.

I believe the facts will show, as the Republican leader pointed out today, that this was a bit of a strawman. Yes, there have been a handful, a small number, of nominees who were rejected by this side of the aisle. But there have been literally hundreds and hundreds of nominees who have not even been in debate on the floor of the Senate.

All I can say is, when people make a commitment such as I just read from the President of the United States when he was in the Senate, from our majority leader, we should not be surprised when there is a great deal of cynicism about when we give our word and our commitment. I go back to the man I probably respected more than anyone in the years I have been in the Senate, one Robert Byrd. One thing I can promise you, if Robert Byrd had been sitting over in the majority leader's chair today, we would not have seen the events that transpired. This is a sad day.

I am angry, yes. We will get over the anger. But the sorrow at what has been done to this institution will be with us for a long time.

I yield the floor.

The PRESIDING OFFICER (Mr. MARKEY.) The Senator from Alabama.

Mr. SESSIONS. Mr. President, I want to thank Senator MCCAIN, because I remember very vividly Senator MCCAIN was part of a group of 14 Senators who avoided this kind of occurrence.

In 2005, I guess it was, right after President Bush took office, a group of Senators, really the entire Democratic Conference, went into a retreat, as reported by the New York Times. I think Senator SCHUMER was the organizer of it, but the whole conference attended. Cass Sunstein, Laurence Tribe, Marcia Greenberger were their experts. They discussed what to do about President Bush's new election and his ability to appoint judges. They announced they were changing the ground rules of confirmation, and for the first time immediately thereafter the Bush nominees were filibustered systematically. He nominated a Mr. Gregory who had been nominated by President Clinton and not confirmed. President Bush renominated him in a bipartisan act. He was promptly confirmed.

But I believe the very next 10 nominees were all filibustered, every one of them. We had never seen a real filibuster of any judges at that time. But they were changing the ground rules to commit systematic filibusters. They filibustered virtually the first 10 judges President Bush nominated. It went on for weeks and months.

We brought up nominees every way we could. These were some fabulous nominees, Supreme Court Justices, people with high academic records. But they were all blocked. It was something we had never seen before in the Senate. There was great intensity of focus on it. It went on for quite a long time.

Finally there was a feeling on this side that this systematic filibuster was so significant that it undermined and neutered the ability of the President of the United States to appoint judges. There was a discussion about changing the rules. As time went by, that became more and more of a possibility. I think the American people turned against my colleagues who were blocking these judges, because they did not appreciate it.

But finally a compromise was reached. This was what it amounted to: We will not filibuster a judge unless there are substantial reasons to do so. That was sort of the agreement. At that moment, five judges were confirmed—and a lot of people remember that. But what is forgotten is five went down. Five highly qualified judges were defeated on a partisan, ideological basis right out of the chute. They were some of the first judges President Bush ever nominated.

I would just say that what has happened so far is that we have confirmed over 200 of President Obama's judges. Only two have been blocked. They have brought forth at this time three judges for the DC Circuit, the District of Columbia Circuit, the Federal Circuit. They are not needed. This country is financially broke. Even with the vacancies on the court today, with the 8 judges they have, their average caseload per active judge is 149. The average caseload for all the judges in all of the circuits around the country is 383, almost 3 times, more than twice. My circuit, the Eleventh Circuit, the average caseload per judge is 778. They say they are not asking for more judges; they have been able to maintain that caseload.

They say: Well, this is such a horrible, complex circuit. It is not a horrible, complex circuit. That is not so. The judges take the whole summer off because they do not have sufficient caseloads to remain busy. Judges on that circuit say they do not need any more judges. They do not need any more judges.

I have been the ranking Republican on the courts subcommittee of the Judiciary Committee and chairman of it at times. The entire time I have been in the Senate I have been on that subcommittee one way or the other. I know how the caseloads are calculated, weighted caseloads and actual caseloads.

That is why these judges were not confirmed, because we do not need them. Not for some ideological purpose. But the reason the President has insisted that they be appointed is an ideological purpose, because he wants to pack that court because he thinks he can impact regulatory matters for years to come. But I would just say, President Bush tried to do the same thing. Senator GRASSLEY and I, who had been opposing to expanding the circuit, resisted President Bush's importunings to approve one of his judges.

We eventually were able to fully transfer and close out one of those slots and move it to the Ninth Circuit where the judge was needed. Still, the caseloads have dropped. The caseloads in the DC Circuit have continued to drop year after year after year.

We are going broke. This country doesn't have enough money to do its business. We are borrowing and placing our children at great risk. It is obvious we ought not to fill a judgeship we don't need. It is about $1 million a year, virtually $1 million a year to fund one of these judgeships. For the judges, the clerks, the supporting secretaries, the computer systems, and courtrooms we have to supply is $1 million. It is similar to burning $1 million a year on The Mall. We don't have $1 million a year to throw away.

We have other places in America that need judgeships. Senator GRASSLEY has asked—and I have supported—and our bill would call for hearings and then we would transfer these judges to places that have greater need. That is why the judges were not moved forward.

The caseloads continue to decline. The need is less than ever, and we don't

have the money to fill a slot we don't need.

It is heartbreaking to see that we have crossed this rubicon and changed these rules when the President—as a matter of actual ability to perform the job—has only had 2 judges fail to be confirmed out of over 200.

This is breathtaking to me. There is a growing concern on our side of the aisle that Senator REID, the majority leader, is very unwilling to accept the process. He is unwilling to accept the fact that he can't win every battle, and he changed the rules so he could win.

I feel this is a dark day for the Senate. I don't know how we can get out of it. It is the biggest rules change—certainly since I have been in the Senate, maybe my lifetime, and maybe in the history of the Senate—where it has changed by a simple majority by overruling the Chair.

The Parliamentarian advises the Presiding Officer of the Senate, when Senator REID asked that these judges be confirmed by a majority vote, the Parliamentarian advises the Chair and the Chair ruled we can't confirm them on a majority vote. We can't shut off debate without a supermajority vote. The Chair ruled.

Senator REID says: I appeal the ruling of the Chair. I ask my colleagues in the Senate to overrule the rules of the Senate, by a simple majority vote, to overrule the Parliamentarian and the Presiding Officer of the Senate.

This is what happened. When our rules say to change the rules of the Senate, it takes a two-thirds vote.

This is a dangerous path which I hope my colleagues understand. Many things that are bad have been happening in the Senate. I will speak more about things that should not have happened and are eroding the ability of this Senate and the way it should function, that are eroding the ability of individual Senators from either party to have their voices heard.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. I am a new Member of the Senate, serving in my first term. I was a Member of the House of Representatives before coming to the Senate, and I had great anticipation and expectation of the opportunity that service in this body presented to me.

The Presiding Officer of the Senate today has had similar experiences. We served in the House of Representatives together. The ability for an individual Senator, particularly a new Senator, and perhaps even more so, someone from a smaller, rural State, our ability to influence the outcome to receive attention and to have the administration's nominees come to pay a call on us to become acquainted is diminished.

In my view, today is the day that reduces the ability for all Senators to have influence in the outcome of the decisions of this body and therefore the outcome of the future of our country.

I don't understand why this happened today. The empirical evidence doesn't suggest that Republicans have been abusive, that the minority party has failed in its obligation to be responsible.

We heard the words the Senator from Arizona Mr. MCCAIN spoke about others—President Obama, the majority leader of the Senate, the former Senator from West Virginia Mr. Byrd—about their views on this issue. Yet the outcome today was something different, different from what they said only a short time ago.

It is hard to know why we did what we did today, but I know our ability as Senators of the United States to represent the people who hired us to represent them has been diminished.

I am reluctant to attribute motives as to why this occurred. In the absence of evidence that would suggest there is a justifiable reason, a justified reason for doing so, I am fearful that what is reported in the press and elsewhere is the reason the rules were changed, which makes today even more sad to me because the explanation for why the rules were changed was a political effort to change the topic of conversation in Washington, DC, and across the country.

The story is that the White House pressured the Senate to change its rules, not because the rules needed to be changed, there was abuse or because people actually believed this was a good rules change for the benefit of the Senate and the country but because the Affordable Care Act, ObamaCare, is front and center in the national media and on the minds of the American people. As ObamaCare is being implemented, people are discovering the serious problems it presents them and their families. Therefore, politically, we need to change the dialog, change the topic. For us to use a political reason to do so much damage to the institution of the United States is such a travesty.

HEALTH CARE

I wish to mention the Affordable Care Act and talk for a moment about that.

I am headed home and on Monday I will conduct my 1,000th townhall meeting. From the time I was in the House of Representatives, I held a townhall meeting in every county. In the Senate, I have conducted a townhall meeting in all 105 counties since my election to the Senate. I am beginning again and it happens that Monday will be my 1,000th.

I have no doubt the serious conversations we have will not be about the rules or the institution of the Senate or what happened with something called cloture filibuster, the real problem people face is what ObamaCare is doing to them and their families. I have this sense there is an effort or perhaps belief—at least an effort—to convince people this is only a problem with a Web site. The Web site has certainly received a lot of attention over the past few weeks. Perhaps, unfortunately, the Web site is not the real problem.

The real problems we have with the Affordable Care Act passed by a Congress on a straight party-line vote in the Senate, similar to what we saw today, and the consequences of ObamaCare are real and cannot be fixed by fixing the Web site. I wish those problems were only a simple matter of a technician adjusting the program that has been created for enrollment, but it is not the case.

The mess of ObamaCare runs so much deeper. One of the consequences I know I will hear about on Monday and hitting individuals and families across the country right now is their cancelled insurance companies.

President Obama spoke about this in the description of what the Affordable Care Act would mean to Americans: If you like your policy, you can keep it. If you like your physician, you can retain him or her.

The fact that millions of Americans are now losing their health care coverage is not an unintended consequence. I doubt if it is anything that can be fixed with anything that President Obama said in his press conference a few days ago. The reality is this cannot be described as something we didn't know about.

In fact, on the Senate floor in 2010, again, a straight party-line vote occurred, as we saw today, in which the opportunity to do away with the provisions of the grandfather clause—again, Republicans unanimously supporting an Enzi amendment to change it so this wouldn't occur and a straight party-line vote, with Democrats voting the other way. It wasn't as if this was something that wasn't considered or thought about. It wasn't as if we only woke up 2 weeks ago and we saw policies were being canceled and thought: Oh, my gosh. That is not what the Affordable Care Act is about.

The reality is it was expected, it was built in, and it is a consequence of the Affordable Care Act.

In order for ObamaCare to work and the exchanges to function, the Federal Government has to have the power to describe what policies will be available to the American people. ObamaCare takes the freedom to make health care decisions for an individual and their families and rests that authority with the Federal Government.

Despite the headaches, frustrations, and anger Americans and Kansans are experiencing now, I don't see there is a real opportunity for us to solve that problem, because undoing what is transpiring with the policies would undermine the foundation of ObamaCare. I consider my task as a Senator from Kansas, in part, is to help people. People tell me in person, email, and by phone call about the consequences.

The stories are a wide range of challenges. I talked about this on the Senate floor last week. An example is one conversation with a constituent who said: My wife has breast cancer. Our policy has been canceled. We have nothing to replace it with. Help me.

These are things I can't imagine anyone in the Senate wouldn't want to try to help them. I don't know how we do that with the basis of ObamaCare that designs the policies and removes the individual person from making the decisions about what is in their best interests and for their families.

Calling for repeal and replacement of ObamaCare is not an assertion on my part that everything is fine with our health care system. There are problems with our health care delivery system, and they do need addressing.

Long before President Obama was President of the United States, my service in Congress, much of the effort was trying to find ways to make certain health care was available and affordable to places across my State, whether one lived in a community of 2,000 or 20,000 or 2 million—we don't have many communities with 2 million—200,000; people ought to have access to health care. In my view, it is an important task for all of us.

While some hoped ObamaCare would be the solution, it turns out to be the problem. We can replace ObamaCare with practical reforms that promote the promise that the President made, that empower individuals, and give people the options they want. We need to do that. In order to do that we need to set ObamaCare aside and pursue what I would call commonsense, step-by-step initiatives to improve the quality of health care and slow the increase or reduce the cost of health care.

In my view, we cannot not address preexisting conditions. We need protections for people, individual coverage, without a massive expansion of the Federal Government.

We need to make certain millions of individuals retain their current health insurance policies that they know about and they like. We need to make certain we continue that health care coverage by enabling Americans to shop for coverage from coast-to-coast regardless of what State they live in. Competition will help reduce premiums. Increased competition in the insurance market is something that is of great value.

It will extend tax incentives for people to purchase health care coverage, regardless of where they live. To assist low-income Americans, we can offer tax credits for them to obtain private insurance of their choice and to strengthen access to health care in our community health care centers. We need to make certain our community health care centers are supported so people who have no insurance or no ability to pay have access to the health care delivery system.

Instead of limiting the plans Americans can purchase and carry, we need to give small businesses and other organizations the ability to combine their efforts and get a lower price because of quantity buying. We need to encourage Health Savings Accounts so people are more responsible for their own health.

When it comes time to purchase health care coverage or access to health care, we are focused on what it would cost and we don't overutilize the system. People need to be empowered to have ownership of their health care plans and their health.

We spend billions of dollars on health care entitlements. We need to boost our Nation's support for the National Institutes of Health by investing in medical research. We can reduce the cost of health care for all, save lives, and improve the quality of life.

Our medical workforce needs to be enhanced. We need more doctors, nurses, and other health care providers. They need to be encouraged to serve across the country in urban areas of our country where it is difficult to attract and retain a physician and in rural and small towns where that is a challenge as well.

Finally, we need to reform our medical liability system and reduce frivolous lawsuits that inflate premiums and cause physicians and others to practice defensive medicine.

Those are examples of what we can do and we can do incrementally, and they seem, at least in my view, to be common sense. If we don't get it quite right, we have the ability to take a step back and make an alteration and improve it over time, as compared to the consequences—the massive consequences—of this multithousand-page bill that, as we were told, we had to pass so that we would know what was in it.

The fatal flaw of the Affordable Care Act is not its Web site but, rather, the underlying premise that the government can and should determine what is best for Americans regardless of what they want. We must not accept a health care system built upon such a faulty foundation.

ObamaCare stands in stark contrast to the values of individual liberty and freedom that have guided our country since its inception. Americans should be in control of their own health care, and I will continue to fight policies that violate those values and advocate for policies that guard them, but also work to make sure that all Americans have better access to more affordable health care.

If you like your health care policy, you should be able to keep it, and if you like your physician, you should be able to retain him or her providing health care for you. Our task is difficult, but it is one that is well worth the battle. We can preserve individual liberty and pursue goals in our country that benefit all Americans.

I thank the Presiding Officer for the time on the floor this afternoon. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. SESSIONS. Mr. President, to follow up on some of the comments I made earlier about the DC Circuit, there have been accusations—and I guess everybody has their perspective—that seem to suggest that Republicans, for ideological reasons, won't fill these judgeships slots.

I have voted for probably 90 percent of President Obama's judges—well over 80, I know—and the Senate has had confirmed over 200 of President Obama's nominees. I earlier said 250—I think maybe it is over 200. Only two have been denied confirmation.

So these three judges have been appointed to a circuit where the caseload has been falling, and it already, by far—by far—has the lowest caseload in the country based on the eight judges now active in that circuit. So adding three more judges would bring that caseload down substantially further and create an even more underemployed court, which we don't need to do, especially when we have courts around the country that do need more judges. We need more district judges than circuit judges, but there are some circuit judge slots that need to be filled. So I say that out of respect to my colleagues. But it was a cause for concern that the President and other supporters of his judicial vision have openly stated their goal for filling these slots is to advance their agenda.

President Obama says:

> We are remaking the courts.

Senator SCHUMER:

> Our strategy will be to nominate four more people for each of those vacancies. We will fill up the DC Circuit one way or the other.

One way or the other. In other words, no limit to what we will do to fill these slots that are not needed.

Senator HARRY REID:

> Switch the majority. People don't focus much on the DC Circuit. It is, some say, even more important than the Supreme Court.

I have heard conservatives make somewhat that statement, but that is totally wrong: It is not that important a circuit.

It is an important circuit. Occasionally, key administrative rulings get filed in the DC Circuit, and they never get appealed to the Supreme Court. Their decision may be final on some administrative powers, but it is not equivalent to the Supreme Court—nowhere close. You can see that based on how few cases they actually handle.

Senator REID goes on to say:

> There are three vacancies. We need at least one more, and that will switch the majority.

Apparently, he is saying there is a division within the circuit and a one-vote majority for a more restrained view of the administrative rulings the court deals with sometimes and a group that is more activist, and he wants to switch that majority. A bunch of others have said the same thing. They have said it.

Doug Kendall, a liberal activist has said:

With legislative priorities gridlocked in Congress—

Now, get this—

—they want the court to advance their political agenda that cannot be passed in the Congress.

Let me repeat that. The liberal activist goal is to advance an agenda that cannot be passed by the Congress—the duly elected representatives.

I remember Hodding Carter, who served President Jimmy Carter, went on one of the morning Sunday talk shows—Meet the Press or something. He was one of the regular guest hosts, and he said one time: We Democrats and liberals have got to just admit it. We want the courts to do for us that which we cannot win at the ballot box.

Judges shouldn't be doing that. But that is what Mr. Kendall says. He says:

With legislative gridlock in Congress, the President's best hope for advancing his agenda is through executive action.

That runs through the DC Circuit.

Nan Aaron, long active in advocating for activist Federal judges, said this:

This court is critically important. The majority has made decisions that frustrated the President's agenda.

So the President is being pressured by a lot of these special interests, and there are others who are advocating these kind of actions. But the court is a court that is well constituted to do its duty, and it will continue to do so and needs no more judges. We don't have the money to fill them. We don't have the money to spend on it just to allow the President to pack the court with some of his nominees that will more likely advance an agenda. At least the agenda that he and his activist friends seem to favor that.

When I came to the Senate, Senators on both sides of the aisle got to offer amendments. I remember Senator Specter, who was then a Republican—an independent Republican and a great Senator. He loved the Senate. He switched parties and became a Democrat. We were right down there on the floor. He was managing a health bill, and I had something I wanted him to accept as part of the manager's package, and he didn't want to do it. So I asked him again and he didn't want to do it, and I asked him again and he didn't want to do it. I wanted him to agree because I didn't want to offer the amendment and have Senator Specter oppose it because I figured I would lose the vote. So I asked him again, and he finally got irritated with me bugging him and he said: You are a United States Senator. If you want to offer your amendment, offer your amendment.

That is the way it was when I came to the Senate.

If you didn't like something, you could offer your amendment. But the managers of the bill had a lot of respect from the colleagues, and if the managers urged people not to vote for it, you were likely not going to win, but at least you could get a vote.

If you promised your constituents back home that you believed in something and you were going to fight for it, you could at least get a vote, even if you lost. You could tell people you did that. And then you could hold people accountable for voting against what some might like and others would oppose, and people would know where Senators stand.

We have had a significant, dramatic reduction in the number of votes. I think it started in maybe the late 1990s. I know Senator Frist filled the tree a number of times, but not many, over his time here. But Senator REID has just exploded this process.

A perfect example is this Defense bill. It was on the floor all week. We have normally had at least 25 or 30 votes on the Defense bill. We spend $500 billion in that authorization. There is a lot of concern and interest about defense money is spent and policies over sexual assault or other issues relative to the military, and those are important issues that people have concerns about and are willing to vote on. Why shouldn't they be able to get a vote? Really, why shouldn't they be able to get a vote?

Some of the new colleagues who got elected in 2012 particularly wanted to change the rules of the Senate and demanded that we do better. I raised the question of what the majority leader had been doing. Let's take this Defense bill I mentioned. What did he do? He gets the right of first recognition in the Senate, and there are only a certain number of amendments that can be put on the amendment tree. He fills all those slots—we call it filling the tree—and then no one else can get an amendment pending that the majority leader doesn't approve. It is really unbelievable. And like frogs in warming water, we don't even realize the pan we are in has about got us cooked. We have Members on our side who have missed what is happening to us. I guess half of our Members even on the Republican side were not here when all this started. All they have known is this process.

So Senator REID fills the tree. He says he approved two sexual assault amendments for the military. That is all we have had all week, and he immediately files cloture. He immediately files to shut off debate. When he does that, he then says we are filibustering. He is saying that is a filibuster and he is going to file cloture, demand that we grant cloture and move the bill without any amendments.

This is unacceptable. So Republicans say: We are not going to end debate on the bill until we have a legitimate opportunity to file amendments to the Defense authorization bill and actually vote on some of the key issues facing America's national security and our men and women in uniform. We want a robust ability.

No.

Well, submit a few amendments. Well, that is too many. We are not going to vote on that one. I don't like that one. I don't like that one. No, you can't get a vote on that one. Our Members don't want to vote on that. You can only have a constricted number.

So we have this spectacle of Senators from great States all over America, hat in hand, bowing before the majority leader, pleading that he allow them to have their amendment up for a vote. It is not right. It is an alteration of the whole concept of the free and open debate the Senate is all about. I truly believe it is, and we are going to have to stop it.

I blame myself. I have complained about this probably as much or maybe more than anyone on our side, but I haven't taken the action maybe that we need to take to begin to confront this issue.

When my new young colleagues and I were discussing this, one of them said: Why, we even have to ask Senator MCCONNELL and get his permission to offer our amendment.

How could this happen? How could a Senator from one of the great States of America be in a position—a Democratic Senator. He has a majority in the Senate. How could he be in a position to have to seek Senator MCCONNELL's approval to call up an amendment?

Here is the answer. Senator REID tells Senator MCCONNELL: I am not going to have all of these amendments. We are only going to have five amendments, and you can't have this one, this one, and this one.

What are your amendments, Senator MCCONNELL says to Senator REID.

He says: Well, these are the amendments we want to offer.

Senator MCCONNELL says: Well, you have restricted my amendments. I don't want to vote on those two amendments of your five. You are going to have to pull those down.

So, in a sense, that young Senator was telling me the truth. I suspect Senator REID goes back and says: Senator So-and-So, Senator MCCONNELL is objecting to your amendment. We can't call it up.

Well, why can't you call it up? I mean, the very idea that a Senator from New York has to ask a Senator from Kentucky whether he can have an amendment is contrary to the approach of the Senate.

So filling the tree is altering the whole process. Again and again, Senator REID takes the floor, he fills the tree, limits amendments, and files cloture immediately. And those of us who say: No, we are not going to agree to shut off debate through cloture because you haven't allowed us to have a legitimate chance to offer amendments—we vote against cloture, and he says: You are filibustering the bill. And he adds these up, and he says that Republicans to an unprecedented degree are filibustering, when all it is, is a reaction to his railroading tactics that have never been used to this degree in the history of the Senate.

Senator MCCAIN was quite correct in pointing out the switching of positions

that Senator REID now takes. While he was opposing this kind of tactic before and supporting filibusters, he has now taken the exact opposite.

With regard to our judicial issues, the Democrats went to a retreat in 2000 and decided to change the ground rules. I believe Senator REID was involved, and Senator SCHUMER was one of the organizers, according to the New York Times. He said: We are going to change the ground rules. And they started immediately and held the first 10 Federal judge nominees to the courts of appeals of President Bush and filibustered. We had never seen anything like that.

Now, according to this document I have, Senator SCHUMER says: We are going to confirm these judges one way or the other, and if you use the right to filibuster—which I pioneered and Senator REID pioneered—if you use that right, now that we have the majority, we are going to change the rules with a simple majority, and we are not going to allow these judges to be blocked even though we have no need for one of them. We are going to ram it through, and we are going to make the taxpayers pay for it, $1 million a year, one way or the other.

So that is where we are, and I don't believe it is good.

I am not opposed to modernists. I believe we need to be consistent in our principles. We need to defend the history of the Senate. And I don't believe you can change it one year and change it back the next and act as if nothing significant happened. I believe there is a truth and I believe there are values that need to be consistently upheld—at least at a minimum—so this Senate can function.

Senator REID has to stop this process. He cannot continue to dominate the Senate the likes of which has never happened before. There is no one-man dictator in this Senate. We need to say no. That is just the way it is. There is no way the majority leader of the Senate of the United States should be dominating this body the way it is happening today and going to the ultimate of changing the rules as was done today. I feel strongly about that. We are going to continue to talk about that.

We have an institution to preserve. Senator Byrd would never have allowed this to happen—as Senator MCCAIN said—the historian of the Senate, who explained this great Senate's history. When I first came here, he lectured to both parties and new Members about what it is all about. The love he had for this institution was strong.

I happened to have the honor earlier today to hear Senator LEVIN talk about this issue. He is leaving this body. He is a great Senator. He is smart. I have been so impressed with how he has handled the Armed Services Committee, on which I am a member and he is chairman. He gets virtually unanimous votes on the defense authorization bill. And the only reason we had no votes on the bill on the floor today in committee was because they marked the spending level above what the Budget Control Act says. They shouldn't have done that. Under that proposal, we would spend more money than we are allowed to spend under law. But it was done. Otherwise, all the differences were freely discussed. We had multiple amendments. Senator LEVIN is very precise. He allows people to make amendments. He suggests compromise. He allows people time to discuss with staff, come back, amend, agree, disagree, and finally have a vote. It creates good spirit, and it creates a committee such that even legislation as important as this can pass unanimously out of committee. I believe last year the bill was unanimous out of the Armed Services Committee, which is hard to achieve in any legislative body.

This is a dark day. I am disappointed at where we are. This is a matter that can't just be forgotten. It won't be forgotten. We don't need to act precipitously, but we need to make clear that for the Senate to work, individual Senators of both parties have to be free to offer amendments—that clearly needs to be so—and certain rights the minority party might have cannot be eroded anytime they become effective to frustrating the majority leader's desire to advance certain pieces of legislation or nominees.

This is not going away. We will keep discussing it. I hope and pray we will be able to reach some sort of solution which puts us back on the right path.

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

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

The legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—S. 1774

Mr. SCHUMER. Mr. President, I ask unanimous consent that, as in legislative session, the Senate proceed to the consideration of S. 1774, a bill to reauthorize the Undetectable Firearms Act of 1988 for 1 year, introduced earlier today; that the bill be read three times and passed and the motion to reconsider be laid upon the table with no intervening action.

The PRESIDING OFFICER. Is there objection?

Mr. SESSIONS. Mr. President, reserving the right to object, I say to our colleagues, this is not a good day to move forward with this legislation. We will be glad to give it serious attention. I know it is the kind of thing we probably can clear at some point, but I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New York.

Mr. SCHUMER. Mr. President, I appreciate the remarks of my friend from Alabama, my gym mate and friend and colleague. I would say this. This is simply a renewal of a bill that has passed the Senate unanimously several times before. These days, technology has allowed us to make undetectable a firearm—no metal. It can get right through a metal detector.

I would like to improve on this bill but, because it expires by December 9, right before we get back, I was hoping we could simply pass the existing law that is on the books. I am afraid that will not happen.

I understand why my colleague from Alabama objected. I hope as soon as we come back we might get this body to pass it and maybe get the House to pass it.

We are in a dangerous world. To allow terrorists, criminals, those who are mentally infirm, to walk through metal detectors with guns that are made of plastic and then use them at airports, sporting events, and schools is a very bad thing. What makes us need to do this rather quickly is that a few months ago someone in Texas published on a Web site a way to make a plastic gun, buying a 3–D printer for less than $1,000. There are over 200,000 copies, hits on that Web site. People hit the Web site then, so we have to move quickly here. I hope we can move as soon as we get back.

I do understand the objection of my colleague tonight, given everything that has happened today, but we cannot wait. I hope nobody will object to this bill. I have some worries that some might, but let's hope not. This is serious stuff.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. THUNE. Mr. President, I rise today to speak on the National Defense Authorization Act, an amendment I have filed, Amendment No. 2903, which supports the next generation long-range strike bomber. I hope we do get on the Defense bill.

This amendment, like many of the amendments that have been filed to this bill, is both germane and noncontroversial. As has been the past practice with the Defense authorization bill, my amendment should be included in a managers' package that could be passed by unanimous consent. In the past, when the Senate has considered the National Defense Authorization Act, we have had an average of around 11 recorded votes. That is the historical average. This year so far we have had two. For amendments included by voice vote or unanimous consent, anywhere from 80 to 100 amendments tend to be the norm. In other words, that is the number of amendments that we process, not have recorded votes on, but amendments that

are offered to the bill and handled one way or another but end up getting added to the legislation. This year we have not even been able to have a managers' package, which would include many of these noncontroversial amendments.

I support Senator INHOFE, who is the ranking Republican on the Armed Services Committee and my Republican colleagues here in the Senate, in the approach they have taken while this bill has been on the floor. Considering this bill, there needs to be an open amendment process. We are not talking, as I said, about the hundreds of amendments that have been filed, but a reasonable number should be considered on the Senate floor.

Everyone here is aware of the time constraints we are under, but that is not an excuse for bypassing an open amendment process on this important piece of legislation.

As the Senate debates the annual Defense authorization bill, our military continues to face increasing budget constraints. These budget constraints have forced our military to prioritize and develop ways to increase efficiency and reduce spending. As we look ahead, the Department of Defense must continue to focus on ways to best prepare for the threats our country will face in the future.

On all fronts, these future threats will require an increasingly mobile force that relies on speed and technology to reach conflict points around the world. With regard to the Air Force, this means a modernization of our current fleet. According to General Welsh, the Chief of Staff for the Air Force, the next generation long-range bomber is one of the top three procurement programs our Air Force must pursue to modernize our fleet and to meet future challenges. The other two, the F–35 joint strike fighter and the KC–46 aerial refueling tanker, are currently underway.

The next generation bomber, which General Welsh has called a must-have capability, will ensure our ability to operate effectively in anti-access and area-denial environments. As potential adversaries continue to modernize their anti-aircraft systems, our ability to penetrate those systems must modernize as well.

The Department of Defense has already begun investing in the research and development phase for the next generation bomber. In the meantime, our current bomber fleets, B–2s, B–1s, and B–52s, continue to provide robust deterrent in long-range strike capabilities. The upgrades which are currently being made to these aircraft allow them to operate in the modern environment. However, as this fleet continues to age into the mid-2020s, the next generation bomber will need to come online.

My home State of South Dakota is home of the 28th Bomb Wing, which commands two of three combat squadrons operating the B–1B strategic bomber. The men and women of the 28th Bomb Wing have bravely defended our country in Iraq and Afghanistan.

In 2011, the B–1 played a key role in Operation Odyssey Dawn, launching from Ellsworth Air Force Base in South Dakota, dropping munitions in Libya, and returning home in one continuous flying mission. This operation marked the first time the B–1 launched combat sorties from the continental United States to strike targets overseas, and it exemplifies the B–1's crucial flexibility and capability to project conventional airpower on short notice anywhere in the world. Of the three aircraft in our bomber fleet, the B–1B has the highest payload, fastest maximum speed, and operates at the lowest cost per flying hour. As I have said before, the B–1 is the workhorse of our U.S. Air Force.

As the R&D continues for the next generation bomber, the Air Force has already identified many essential capabilities to this aircraft. According to the Air Force, the next generation bomber should be usable across the spectrum of conflict from isolated strikes to prolonged campaigns. It should provide the Commander in Chief the option to strike a target at any point on the globe, and it must be able to penetrate modern air defenses despite an adversary's anti-aircraft systems. In terms of payload, it must be capable of carrying a wide mix of standoff and direct attack munitions and have the option for either nuclear or conventional capability.

As part of the strategy for development, the next generation bomber should allow for the integration of mature technologies and existing systems, taking into account the capabilities of other weapon systems to reduce program complexity.

While developing the next generation bomber will not be easy, the Air Force has learned several important lessons from its most recent procurement efforts. The Department of Defense has already streamlined requirements and oversight to ensure a timely decision-making process for the next generation bomber.

This initiative has included efforts to reduce costs for the overall program with a goal of preventing cost overruns which have plagued previous acquisition programs.

The Department of Defense already knows the importance of this program. As outlined in the 2015 to 2019 Program Objective Memorandum, the Air Force intends to prioritize the development and acquisition of the long-range strike bomber over the next several years. As the Air Force continues to modernize, the long-range strike bomber remains a must-have capability for future combat operations.

This amendment is very straightforward. I hope we get back on the Defense authorization bill. I hope we have an open amendment process. I hope that amendments such as this, which are germane and noncontroversial, can be included in a managers' package of amendments or at least considered on the floor by my colleagues in the Senate.

It is essential in light of the many challenges we face around the globe today with the potential adversaries out there and the threats that exist as we look out over the horizon that we make every preparation and take every necessary step to ensure our country can defend itself and our allies around the world. American interests and American national security interests are always at stake, and it is important for us to invest wisely in those types of weapon capabilities that can ensure that the United States is prepared for whatever contingency might develop around the world.

I hope we will get back on the Defense authorization bill, allow amendments to be considered, as they have been in the past. Whenever we have processed Defense bills in the past, we have had a process that has allowed for consideration of many amendments. As said before, we had 80 to 100 amendments in most cases and multiple roll-call votes—way more than we had on this bill so far.

This is important to the men and women who wear the uniform of the U.S. military. This should be a priority for us, and it should be a priority for our country. I hope we can get the bill on the floor, process amendments, pass it, and get it on the President's desk where it can be signed into law.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to 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.

NATIONAL HOMELESSNESS AND HUNGER AWARENESS WEEK

Mr. LEAHY. Mr. President, next week, Americans across the country will gather with family and friends to celebrate a national tradition, Thanksgiving. Some will give thanks for their good fortune or health over the past year, while others will simply be thankful to see their loved ones together in one place. What most of us will take for granted, however, is that we will have a meal to eat and have a home in which to gather. Far too many Americans will not have that luxury. During this time of reflection, and in

honor of National Homelessness and Hunger Awareness week, I would like to take a moment to speak about those who are all too often overlooked, the homeless and the hungry.

Each and every day, millions of Americans face the uncertainty of when their next meal will be or when they will be able to feed their family. On any given night, a disgraceful number of Americans face the uncertainty of not knowing where they will sleep. Sadly, many have nowhere to turn. These Americans live in both large States and small, in urban centers, and small, rural towns across the country. These are men, women, and children who live, work, and attend schools in our communities without the basic needs of food security and a place to call home.

There are nearly 3,000 Vermonters who do not have a roof over their head each night. And while organizations like the Committee on Temporary Shelter, COTS, Spectrum Youth and Family Services, and the Vermont Coalition for Runaway and Homeless Youth do their best to provide emergency shelter, services, and housing for people who are homeless or marginally housed, the need far outweighs their capacity.

Nationally, we have made some progress to address this issue and have seen the number of individuals experiencing chronic homelessness and homeless veterans significantly decrease. Unfortunately, the face of homelessness is changing, and the number of families facing homelessness has dramatically increased. Shelters are seeing an unprecedented number of families. Many of these families have at least one adult who is working full time, but who does not earn enough to afford a place to live. Of the 4,244 people who used emergency shelters in Vermont last year, 952 of them were children. We know that children who experience homelessness suffer from high rates of anxiety, depression, behavioral problems, and below-average school performance. Regrettably, shelter workers are beginning to see the first signs of generational homelessness. This is unacceptable, and we owe it to those children and families to do more.

Across the country nearly 1 in 6 people faces hunger on a daily basis; 1 in 5 children are living in a household with food insecurity. In a Nation where $165 billion worth of food goes to waste each year, it is clear that there is enough food to feed everyone in America. We need to do a better job of getting that food to those who need it most. For the more than 84,000 Vermonters facing food insecurity, the Supplemental Nutrition Assistance Program, SNAP, known as 3Squares in Vermont, is a lifeline helping to feed their families. SNAP is our single most important anti-hunger program providing assistance to nearly 49 million Americans in need of help to afford food. With so many Americans still struggling to put food on the table, it is deplorable that some in Congress continue to call for reductions to food assistance as a way to solve our Nation's deficit problems.

No one can deny the effects of hunger on Americans, especially children. Children who live in food insecure homes are at a greater risk of developmental delays, poor academic performance, nutrient deficiencies, obesity and depression. Yet participation in food assistance programs turns these statistics on their head. Federal nutrition programs have been shown to decrease the risk a child will develop health problems and is associated with decreases in the incidence of child abuse. Children from families who receive food stamps have a higher achievement in math and reading and have improved behavior, social interactions and diet quality than children who go without.

Two-thirds of SNAP beneficiaries are children, the disabled, or the elderly who cannot be expected to work. The remaining participants in the program are subject to rigorous work requirements in order to receive continuing benefits. While SNAP offers crucial support to a family's grocery expenses, the benefits far from cover a family's food expenses. With a benefit average of about $1.25 per person, per meal, it is understandable that families typically fall short on benefits by the middle of the month.

Across the Nation, wages have remained flat as prices for every day essentials like food, heat, and especially housing, continue to rise. At the same time, as more families find themselves in need of some help, the programs that provide that safety net have been devastated by cuts over the past several years and continue to be targeted for even further reductions in the name of protecting tax loopholes for corporate jets and oil companies.

The budget decisions made in Congress have real impacts for real people. Reductions to funding for the organizations providing emergency shelter, or programs that build much needed affordable housing, means more Americans face housing insecurity. Cuts to the SNAP program means benefits will run out earlier in the month and even though donations to food banks and soup kitchens are down, they will see a record number of families looking for a little help to just make it to the next month.

As the budget conferees discuss a path forward, it is essential that they find a common sense compromise to replace sequestration and put an end to the deficit reduction on the backs of those most in need. There are just too many people that are one unforeseen expense away from a desperate financial situation that could result in them losing the roof over their head, and the means to feed their family. We can all agree that there is something fundamentally wrong with the reality that children living in one of the wealthiest nations in the world do not know when they will get their next meal and do not have a safe place to sleep at night.

Every child in America deserves a fair shot. This is why I have championed the Runaway and Homeless Youth Act. Programs authorized by the RHYA have successfully helped countless runaway and homeless youth and their families in Vermont and across the nation over the last 30 years, but we can and must do more. We must recognize the importance of investing in our Nation's youth, and direct resources where they are needed most. Programs authorized by the RHYA expired at the end of September. I hope that we can work to reauthorize and improve RHYA by addressing the needs of children in the most vulnerable communities, and provide services that meet the needs of youth who identify as LGBT and the young victims of trafficking or exploitation. We need more training and resources to help our grantees meet the needs of young victims, and that is what the Runaway and Homeless Youth Act provides.

There are families that are having difficulty making ends meet. We must pass a farm bill that does not include the extreme House cuts to SNAP benefits at levels 10 times as high as the bipartisan Senate bill and nearly twice as high as the House's original bill. Those cuts would mean that each year, an average of three million people will be kicked off food assistance, and hundreds of thousands of children will lose access to school means. I hope that the bipartisan efforts of the Senate to pass a responsible farm bill will help produce a good farm bill out of conference that does not contain these deep and damaging cuts to food assistance.

We owe it to the American people to put politics aside and especially during this time of year, to give a voice to those who are most in need, to those often overlooked and marginalized and to start making meaningful progress to eliminating homelessness and hunger in this country.

TRIBUTE TO JAMES L. HURLEY

Mr. MCCONNELL. Mr. President, I rise today to congratulate a friend of mine and a good friend to the Commonwealth, Mr. James L. Hurley, on his recent inauguration as the 20th president of the University of Pikeville. A graduate of the class of 1999 himself, President Hurley's new post makes him the school's first alumnus to serve as president.

President Hurley was sworn in last month at the Eastern Kentucky Expo Center in Pikeville, KY. He succeeds former Governor Paul Patton in the position. Patton previously appointed Hurley as the institution's vice president and special assistant. James is a native of eastern Kentucky and is married to Tina, also an alumna of the University of Pikeville.

President Hurley, after earning his bachelor's degree at the institution he now leads, earned a master's degree in educational leadership from Indiana

University, a rank I in instructional supervision from the University of Kentucky, and a doctorate in higher education leadership and policy at Morehead State University. As an undergraduate he was a student-athlete on the Pikeville men's basketball team.

I commend President Hurley for his great achievement in reaching this position and certainly wish him all the best in his leadership of the University of Pikeville. I look forward to working with him to accomplish great things for the school, the region, and the Commonwealth.

Mr. President, an article that appeared in the University of Pikeville campus newspaper after the announcement of his ascension to the presidency described James L. Hurley's accomplishments and goals in his new position. I ask unanimous consent that said article be printed in the RECORD.

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

[From the University of Pikeville Campus Publication, May 21, 2012]

HURLEY NAMED UNIVERSITY OF PIKEVILLE PRESIDENT-ELECT

Pikeville, KY—The University of Pikeville Board of Trustees has named James L. Hurley president-elect of the institution, effective July 1, 2013. Hurley currently serves as the vice president for enrollment and retention and special assistant to the president.

The action was taken during the board's spring meeting May 18. University President Paul Patton informed the board that he would not ask for an extension of his contract, which expires June 30, 2013.

''The Patton-Hurley team has brought us tremendous progress,'' said Board Chairman Terry Dotson. ''The Hurley-Patton team will continue that progress.''

An experienced educator and administrator, Hurley spent 11 years in the public education system, serving in numerous roles, including as principal, assistant principal, dean of students, teacher, and athletic coach. He joined Patton at the University in 2009, providing leadership in the administration of campus operations, program development, strategic initiatives, recruiting, financial aid and retention efforts.

Along with his wife, Tina, he is a graduate of the University of Pikeville, formerly Pikeville College. He earned his master's degree from Indiana University, a Rank I from the University of Kentucky and his superintendent's certification at Morehead State University. He will complete his doctorate at Morehead in the fall.

''James Hurley is bright, energetic, motivated and a self-starter. He has been an integral part of the tremendous progress we have made at the University these past three years,'' said Patton. ''As our chief executive officer, he will lead this University to new heights.''

The board also voted to establish the position of chancellor, which Patton will assume on July 1, 2013. As chancellor, Patton, who was governor of Kentucky from 1995 to 2003, will represent the University and concentrate on fundraising.

''I am humbled and honored by the board of trustees' decision in naming me president-elect to succeed Governor Patton next year,'' said Hurley. ''My wife and I love this institution and we look forward to our continued journey with the administration, faculty, staff and students at UPIKE. Governor Patton's willingness to accept the role of university chancellor will make for a seamless and smooth transition.''

The announcement also has historical significance, as Hurley will become the first alumnus to lead the institution, which was established in 1889 to serve the youth of Appalachia.

''A great university can measure its worth by the quality of its alumni,'' said Kay Hammond, president of the Alumni Association. ''Vice President Hurley is certainly one of our most accomplished. He has always sought to protect and preserve all that is special about the University of Pikeville.''

NATIONAL RURAL HEALTH DAY

Mr. DURBIN. Mr. President, today is National Rural Health Day. More than 59 million Americans—nearly one in five—call rural communities their home, including more than 9 million Medicare beneficiaries. These small towns, farming communities, and frontier areas depend on rural hospitals for their health care needs. And their needs are as unique as the communities they live in.

Rural areas are sparsely populated and are disproportionately older. More families in rural communities tend to live with less income than their urban counterparts, and patients tend to be physically isolated, which can substantially increase travel costs associated with medical care. These needs are not easily addressed by a one-size-fits-all approach. Rural providers must rely on providing affordable primary care and a system that values prevention, wellness and, above all, care coordination.

In Illinois, there are 102 counties, 83 of which are rural. Of these 83 rural counties in Illinois, 81 are designated as primary care shortage areas, which affects nearly 2 million Illinoisans. To incentivize providers to work in underserved areas, States rely on the National Health Service Corps—NHSC—Loan Repayment program, the NHSC Scholars program, and the State Loan Repayment program. These programs have been a mainstay of rural recruitment. This year, through the coordination of loan repayment programs, an estimated 231,000 patients in rural Illinois were able to access care. These programs provide recruitment tools for facilities in rural parts of the State.

Recruiting primary care professionals to rural communities is challenging. Many programs, including these recruitment programs, require more funding.

New approaches are needed to increase the workforce in rural America. For instance, the Federal Government and States should look at licensure and new payment models that would allow allied professionals, including advanced practice nurses and physician assistants living in these communities, to help meet the growing demand for primary health care services.

Fortunately for Illinois, our network of critical access hospitals, rural health clinics, and federally qualified health centers work with their limited resources to provide exceptional care in rural communities. Critical access hospitals provide local access to healthcare for more than one million people in Illinois in areas that are medically underserved and have too few primary care professionals.

More needs to be done to help rural communities improve access to primary medical care. About 10 percent of physicians practice in rural America despite the fact that nearly one-fourth of the population lives in these areas.

This is a fact that Cody Holst and his wife know all too well. Cody is a Hancock County cattleman who lives in Carthage, IL. Last year, Cody's wife Erin was rushed to the emergency department at Memorial Hospital. Erin was expecting but was only 32 weeks along in her pregnancy. Doctors told Cody that typically they would recommended she be flown to Peoria, IL, approximately 100 miles away. But in this case they did not have that much time. Erin would need an emergency C-Section. Any delay in this operation would jeopardize Erin's pregnancy and her life. Fortunately, the operation was successful and led to the healthy birth of Reese Holst. If Memorial Hospital was not in the community and Cody had to travel any further, his wife and child may not be here today.

This is just one of the many examples of what critical access hospitals are able to do for families in these communities. Critical access hospitals make sure Americans in small communities, such as Cody and his family, still have access to high quality health care.

The Affordable Care Act begins to address some of these urgent issues facing the Nation's health care system, such as lack of access to health insurance coverage. Nearly 8 million rural Americans under the age of 65 will have insurance under the law. More Americans will gain access to private health insurance and Medicaid, increasing the demand for care by rural hospitals and providers. Many of the provisions in the law are aimed at solving this very challenge. For example, the Affordable Care Act dedicates funding to evaluate current payment systems, particularly the Medical Home Model of care that incentivizes care coordination.

As the demand for primary care providers increases, the Affordable Care Act aims to extend the role of nurse practitioners in primary care settings and provides $15 million for ten nurse-managed clinics that train nurses and provide primary health care services in medically underserved communities. The law also includes more than $200 million to training primary care doctors, nurses, and physician assistants and expanded the National Health Service Corps program by $1.5 billion. The Affordable Care Act has provided a great foundation to solving these problems, but more needs to be done.

Today, on National Rural Health Day, I urge my colleagues to join me in

recognizing the unique healthcare needs and opportunities that exist in rural communities and work together to solve the issues these communities face.

TRIBUTE TO CHAD PREGRACKE

Mr. DURBIN. Mr. President, today I wish to honor the outstanding work of a great Illinoisan, Chad Pregracke, who has just been named a 2013 CNN Hero.

A native of East Moline, IL, Chad grew up knowing how important the Mississippi River was to his community. He spent a lot of time on the river with his parents, KeeKee and Gary, and his older brother Brent. Chad saw how badly the river was being polluted and knew something had to be done. When no one else stepped up, he decided he would.

In 1997, he received a small grant and spent that summer cleaning up part of the river on his own, sorting through the trash on his parents' front lawn.

In 1998, when he was just 23 years old, Chad founded his own non-profit—Living Lands & Waters. The venture has now grown to a full staff and fleet of barges. Living Lands & Waters relies on teams of volunteers throughout the Nation, with a heavy focus on the Mississippi, Illinois and Ohio River regions.

Living Lands & Waters organizes about 70 cleanups a year in 50 different communities. Chad estimates that his group has worked with about 70,000 volunteers to remove more than 7 million pounds of trash from the Nation's waterways. Among the trash they have pulled from river are more than 67,000 tires, 218 washing machines and four pianos.

Not all of their finds are the size of pianos. Chad boasts an extensive collection of messages in bottles he has found over the years. To date, Chad has retrieved 64 of these bottles, often hundreds of miles from their place of origin. They include everything from love letters and lottery tickets to treasure maps and simple notes of good wishes.

Chad's hard work has earned him significant recognition and praise, most recently being honored by CNN as one of its 2013 Heroes. I am pleased to add my thanks to Chad Pregracke for working to improve our communities by saving our rivers.

COMMON SENSE GUN SALES

Mr. LEVIN. Mr. President, as the holiday season draws close, millions of Americans are shopping online for clothes, toys, and other holiday gifts. But alarmingly, at the same time, convicted felons, domestic abusers, terrorists, and other dangerous people are able to go online and just as easily shop for something else: guns.

Studies have shown that thousands of firearms are bought and sold online every year. Many of these sales exploit loopholes in the background check laws designed to keep our communities safe. Under current law, an individual buying a gun at a brick-and-mortar, Federally licensed firearm dealer must pass a simple and quick background check to make sure that, among other things, they haven't been convicted of a felony, or aren't a domestic abuser, or haven't been adjudicated to be dangerously mentally ill. Department of Justice statistics have shown that Brady background checks have blocked more than two million instances in which a dangerous individual attempted to obtain a deadly weapon. But a significant loophole in this law is now well known: felons and other prohibited persons can simply go to a ''private seller,'' as opposed to a licensed dealer, and buy a gun without a background check.

It has been estimated that as of September 2013, about 67,000 firearms were listed for sale online from private sellers. Many of the people buying guns from these sellers have no intention of committing any sort of crime and would easily pass a background check. But as a disturbing new report recently released by Mayors Against Illegal Guns makes clear, all too often, the Internet serves as a black market where dangerous individuals can get their hands on weapons. According to this report, 1 in 30 would-be firearm purchasers on www.armslist.com has a criminal record that legally prohibits them from purchasing or owning a gun.

This means, according to the report, that more than 25,000 guns of almost any kind may be transferred to prohibited persons through www.armslist.com in any given year. At any time, a convicted felon can log on and purchase a military-style weapon from a ''private seller.'' For example, one ''private party'' listing on the website touts a military-style semiautomatic rifle as the ''World War III special,'' and boasts that the weapon can ''provide rapid defensive fire when needed.'' Such a weapon has no sporting purpose. It is designed to kill as many people as possible, as quickly as possible. Should it really be available for anyone to purchase, at any time, without a background check?

This leads to dangerous and sometimes tragic outcomes. For example, the report cites a man from North Carolina who, earlier this year, posted an ad on the Web site seeking to purchase a military-style assault rifle specifically from a private seller. The investigation found that this prospective buyer had previously been convicted of several felonies, including robbery with a dangerous weapon, and would have failed a background check. In another case, Zina Daniel of Wisconsin obtained a restraining order against her husband which legally prohibited him from purchasing a firearm. Days later, the husband bought a semiautomatic handgun from a dealer through armslist.com, and went to find Ms. Daniel at her workplace. There, he used the weapon to murder her and two others, injure four more, and kill himself.

Had these individuals been confronted with a simple background check at a brick-and-mortar gun shop, they may have been turned away. Why should a purchase from the online marketplace be any different? Study after study, conducted by organizations across the political spectrum, have shown that around 90 percent of the American public supports the enactment of background checks on all gun sales. The vast majority of our constituents agree that wherever someone is buying a gun—at the shop around the corner, from the Internet, from a gun show, or even from the back of a van in a dark alley—they should be able to prove that they can pass a simple and quick background check.

We must not wait until the next unstable individual buys a deadly weapon online and turns it on our communities. We should act to protect our families, our neighbors, and our loved ones. I urge my colleagues to take up and pass background check legislation to shut down the online black market for illegal firearm purchases. It's just common sense.

TRIBUTE TO MAGGIE McINTOSH

Ms. MIKULSKI. Mr. President, I rise to honor Maggie McIntosh on the occasion of her retirement as director of Federal Relations at Johns Hopkins University.

Maggie has a long career in public service. She has served in the Maryland House of Delegates since 1992, when she was first elected to represent the 42nd District. Since 2002, Maggie has represented the people of northern Baltimore City as the Delegate for the 43rd District of Maryland.

She is also an active member of the Maryland Democratic Party. She previously served for 8 years as a member of the Democratic Central Committee from Baltimore City.

Maggie is a woman of many firsts. She was the first female majority leader in the Maryland House of Delegates. She was also the first woman to serve as chair of the Environmental Matters Committee.

Maggie is also a fighter. One of her many passions is education. She was a Baltimore City public school teacher, and an adjunct professor at Catonsville Community College and the University of Baltimore.

Maggie is also passionate about environmental issues, Maryland economic development, equal rights, and the effort to elect more women in Maryland. She has an extraordinary record as a legislature, and she is only now getting started.

Additionally, Maggie is a trusted friend. I have known her for many years. Maggie previously served as my State director and campaign manager—I call her ''Boss Maggie.''

Today, I wish to recognize her for her years of service to Johns Hopkins University. Maggie joined Johns Hopkins in 1992, and is currently the director of

Federal Relations. She is retiring from her position after 20 years at Johns Hopkins.

I wish her the best as she continues to serve the people of Maryland and fights the good fight for the issues she believes in.

TRIBUTE TO DENISE NOOE

Ms. MIKULSKI. Mr. President, today, I wish to honor my long-time staff member, Denise Nooe, on the occasion of her retirement.

Denise has been a part of my team for 30 years. She began working for me in 1983 as a constituent services representative when I was representing Maryland's Third District in the U.S. House of Representatives, and she was a key part of my team when I transitioned from the House to the Senate. Denise has been the outstanding director of my Annapolis office since 1987.

Denise and I have similar backgrounds. We both believe in the power of community organizing to make a difference. We believe the best ideas come from the people. We both have master's degrees in social work, and believe in the importance of helping individuals and serving our communities. We believe that the people have a right to know, to be heard and to be represented.

Throughout her career, Denise has strived to make a difference in people's lives. She has utilized her social work skills every day in understanding how she can best serve the people of Maryland, and help them to the best of her ability. As a caseworker, she has helped thousands of veterans and military personnel negotiate the labyrinth of the Federal bureaucracy. She has brought solace to families when their loved one has died in the line of duty. She has made sure that the brave soldier who died for his Nation could be buried at Arlington. She was vigilant in getting the widow and children the benefits that the servicemember earned for them.

Our wounded warriors could always come to her with a problem and be confident that it would be managed for them. She has represented me on hundreds of occasions on Veterans Day and Memorial Day and any day that veterans and our brave military needed me. She has also been the link to my Veterans Advisory Board and the Governor's Commission on Veterans.

Denise also represents me throughout Maryland, most especially in Anne Arundel County. She was instrumental in the creation of the BWI partnership and the Fort Meade Alliance. State and local officials in Anne Arundel County know she is my catcher's mitt. Actually they think she is the Senator, because we are both short in height. But Denise is also tall in stature among her colleagues, for certainly she has no peer.

Denise has recently been in a key advocacy role assisting me in my efforts to reduce the horrific backlog of Veteran's disability claims in Baltimore. She has been my boots on the ground in Baltimore and played an important role in rallying and assisting the Veterans Service Organizations during this difficult time.

Throughout these wonderful 30 years, Denise has been an invaluable member of my staff. Not only has she helped me immensely in my work as a U.S. Senator, but she has also stood sentry with me and served the people of Maryland with distinction for three decades. Today I want to recognize her for all of the important work she has done, tell the world that I hold her in the highest regard and wish her the very best on her retirement.

50TH ANNIVERSARY OF JOHN F. KENNEDY'S ASSASSINATION

Mr. MANCHIN. Mr. President, 50 years after the assassination of John F. Kennedy, America still mourns his loss. For those of us who were inspired by his Presidency, it is easy to understand why. In a time of indifference, he reawakened this Nation to the finest meaning of citizenship—placing public service ahead of private interest.

That is why a half a century later, he remains a powerful symbol of a time of soaring idealism in America, when our people believed our country could do anything—even go to the moon.

John Kennedy also inspires Americans who know him only from history books or from the stories their parents and grandparents tell of that all-too-brief shining moment that was his Presidency.

John Kennedy was in the White House for only 1,000 days, not even 3 years. But his achievements exceeded his years. It's easy to dismiss his Presidency as one of rhetoric more than results. But to do so ignores the New Frontier he pioneered—a new era of economic growth, space exploration, civil rights advancements, conservation of natural resources, nuclear disarmament and generations of Americans who have made public service a way of life.

John Kennedy's immortal words, especially those of his Inaugural Address, still call us to action—to think beyond our own self-interests, and to do what is best for our country and the people of the world.

Like millions of Americans, I vividly recall the exact moment on that cold day of November 22, 1963, when I heard the shocking news from Dallas that the President had been shot. I was a junior at Farmington High School. By the time we were told of the tragedy, it was just after lunch and my classmates and I walked into English class. Mr. Simon Matthews, our English teacher who also was one of our football coaches, broke the unspeakable news.

Mr. Matthews announced austerely, ''The President has been shot.'' We thought he was joking and teased him to quit kidding us. He said again, ''The President has just been assassinated,'' and we were sent home from school early.

When I arrived home, I was stunned to walk in to my living room and find it filled by my entire family. I had never seen my grandfather or father or my uncles leave work early. It was a somber time for every member of my family as we tried to come to grips with the terrible news. It was just so hard to believe our President could be taken from us. But he was.

Three days later, it was decided that our family would go to Washington to pay our respects to the President. As an eager 16 year old who had just gotten my license a few months before, I volunteered to drive us in Papa's '58 Cadillac. Six of us piled into the car and made the trip to our Nation's capital.

I will never forget, as the caisson bearing the President's casket was led down Pennsylvania Avenue on its way to Arlington Cemetery, my cousins and I climbed into the trees for a better view of the procession. We saw the President's stricken family and friends, the somber Washington dignitaries and world leaders, and Black Jack, the riderless horse with boots turned backwards in the stirrups, a heartbreaking symbol of the loss of a great leader. As I watched the procession move slowly to the sad cadence of military drums, I thought of the time I had been fortunate enough to meet members of the Kennedy family.

I was working on my go-cart downstairs in the garage when they visited my family in Farmington as then-Senator Kennedy was preparing for the West Virginia presidential primary. My hands were dirty and greasy, but my mother insisted that I wipe them clean and come upstairs to meet a few people. As I climbed the steps, I smelled my grandmother, Mama Kay's, spaghetti. Everyone had gathered at the table for dinner and an exciting discussion about the political race ramping up in West Virginia. That was the day I shook hands with the Kennedys.

John Kennedy and his family spent so much time campaigning in West Virginia that he once quipped that ''West Virginia'' was the third word his daughter Caroline learned to pronounce. He once boasted that he was the only Presidential candidate in history, other than West Virginian John Davis in 1924, ''who knows where Slab Fork is and has been there.''

John Kennedy came to West Virginia to show that a Catholic could win in a predominantly Protestant State. Americans worried that a Catholic President would be controlled by the Pope and that Catholic Mass would be held in the White House every day. Let me just note here that John Kennedy carried the West Virginia primary in a landslide—with 60.8 percent. He won our votes and our heart. He went on to become, as he put it, ''not the Catholic candidate for President,'' but ''the

Democrat Party's candidate for President, who happens also to be a Catholic.'' But there was one Catholic Mass in the White House, on November 23, 1963—a Requiem Mass for the slain President.

As I reflect now on how much life intersected with John Kennedy's life, I prefer to think about the beginning of the Kennedy Presidency rather than its tragic ending. I prefer to remember his Inaugural Address. It was just 1,355 words and 14 minutes long, but it set in motion a generation of Americans with a passion for public service.

Some were inspired to defend liberty as soldiers, sailors, Marines and airmen. Some would march for civil rights in the South. Some would join the Peace Corps and become ambassadors of peace in villages throughout the world. And some would answer the call to service by seeking public office.

John Kennedy was a powerful and positive force in my life and the life of our Nation. To me, he embodied a time when politics could be harnessed to higher aspirations, to do good things for the country.

Not only did his Inaugural Address famously challenge us to ask ourselves what we can do for our country, it also provided timeless advice on how to overcome the bitterness of partisan politics. An election, he said, is ''not a victory of party, but a celebration of freedom,'' not an end but a beginning ''signifying renewal.'' That is still good advice.

John Kennedy was a committed Democrat and few people loved politics more than he and his family. But he understood—as he wrote in his book Profiles In Courage, that ''there are few if any issues where all the truth and all the right and all the angels are on one side.'' He accepted the fact that democracy relies on competing views and vigorous debate.

But he did not believe the objective should be to win political power but to solve our country's problems. As he once said, ''Let us not despair but act. Let us not seek the Republican answer or the Democratic answer but the right answer. Let us not seek to fix the blame for the past—let us accept our own responsibility for the future.''

That is what I have always tried to do—to find the right answer and to do what is best for my country and the generations of Americans to follow. That is why, 50 years after John Kennedy's death, I still try to follow his admonition to ''go forth to lead the land we love, asking His blessing and His help knowing that here on earth God's work must truly be our own.''

He acknowledged that this was not the work of a hundred days, or of a thousand days, or of one administration, or of a lifetime, but of generations. Even so, he said, ''Let us begin.'' Mr. President, to you and to all our colleagues in the Senate, I say: Let us continue.

THE CAREGIVERS ACT

Mr. SANDERS. Mr. President, November is National Family Caregivers Month. As Chairman of the Senate Committee on Veterans' Affairs, I would like to take a moment to discuss the important role caregivers play in the lives of our Nation's veterans as they cope with the visible and invisible wounds of war.

For generations, as the men and women of our armed forces returned home with serious injuries sustained overseas, their wives, husbands, parents and other family members stepped in to care for them. These family members have often provided this care at significant personal sacrifice. Their dedication to the needs of injured veterans has often resulted in lost professional opportunities, negative impact on their own physical and mental health, and reduction in income.

Under the ''Caregivers and Veterans Omnibus Health Services Act of 2010,'' a number of important benefits were made available to these caregivers for the first time, with additional services and benefits made available to caregivers of seriously injured post–9/11 veterans and their families. These additional services and benefits include a tax-free monthly stipend, travel assistance, health insurance, mental health services and counseling, caregiver training and respite care.

Passage of the Caregivers Act served as an important step in ensuring the caregivers of our newest generation of veterans received the additional resources to provide the best possible care for their loved ones. However, limiting eligibility for these additional services and benefits to caregivers of post-9/11 veterans created an inequity between caregivers of the newest generation of veterans and the tens of thousands of hardworking, dedicated caregivers who provide care to all other veterans.

In an effort to address the disparity, I introduced legislation earlier this year that would extend the services and benefits of the Caregiver Program to caregivers of veterans of all eras. Through this expansion, severely injured pre-9/11 veterans and their families may now leverage the benefits from which, until now, only post–9/11 veterans have benefited. The Congressional Budget Office estimates this bill would expand access to services to approximately 70,000 caregivers of pre-9/11 veterans. I am pleased the committee passed my legislation, S. 851, the Caregivers Expansion and Improvement Act of 2013 earlier this year and am working to bring it before the full Senate for a vote.

All caregivers of our Nation's injured veterans deserve our full support. This is an issue of equity. As a long-standing advocate for veterans, I will continue to work to ensure caregivers have the resources they need. We have learned from experience and research that veterans are best served when they can live as independently as possible. I hope my fellow Members will help me honor the commitment this country has to all of its veterans by supporting S. 851 when it comes to the Floor.

ADDITIONAL STATEMENTS

TRIBUTE TO NICHOLAS GIACCONE

• Ms. AYOTTE. Mr. President, today I wish to recognize and congratulate Chief of Police Nicholas Giaccone of the Hanover, NH Police Department for his 40 years of dedicated service to the law enforcement profession, the Town of Hanover, and the State of New Hampshire.

Chief Giaccone began his law enforcement career in 1973 as a patrol officer with the Town of Hanover, home of Dartmouth College. Nicholas Giaccone was promoted to detective in 1977; detective sergeant in 1987; and assumed the role of acting chief of police, then chief of police in July of 1994. As a detective sergeant, Nicholas Giaccone helped lead the investigation into a double homicide of two graduate students, which culminated in the successful prosecution and conviction of Haile Selassie Girmay on March 2, 1993.

He was chief of police when two Dartmouth professors, Half and Susanne Zantop, were killed inside their Etna home in 2001, garnering national headlines for days. Chief Giaccone's diligence in ensuring the department properly handled the vital physical evidence at the scene, led to the successful convictions of Robert Tulloch and James Parker. They were sentenced on April 4, 2002.

During his long tenure as a police chief, Chief Giaccone has been a leader in promoting community oriented policing; in improving public safety within the State of New Hampshire; and in promoting sound public policies and practices, which have helped keep New Hampshire one of the safest States in the Nation. Chief Giaccone has worked tirelessly with community leaders, New Hampshire's Legislature, and other public officials, to better the administration of justice and promote public safety.

As Chief Nicholas Giaccone celebrates his retirement, I want to commend him on a job well done, and I ask my colleagues to join me in wishing him well in all future endeavors.•

TRIBUTE TO LIEUTENANT COLONEL CHARLES LANE, JR.

• Mr. JOHANNS. Mr. President, today I wish to recognize Lt. Col. Charles Lane, Jr., of Omaha, for his contributions to the United States of America through his military and public service. Mr. Lane passed away on November 8, 2013, at the age of 88. He lived a life dedicated to defending our country and helping others in the greater Omaha community.

Lieutenant Colonel Lane's military career began in 1943, when he entered

the Cadet Corps at the Tuskegee Institute in Tuskegee, AL. He soon became a fighter pilot and joined the Army Air Corps 99th Pursuit Squadron. In World War II, Lane flew 26 combat missions, flying P–51 Mustang fighter planes. Following the war, Lieutenant Colonel Lane continued his service in the U.S. Air Force for 27 years, until his retirement in 1970. His last station was at Strategic Air Command, Offutt Air Base, near Bellevue, NE. Following his service, Lane and his family remained in the area.

In 2007, Lane was awarded the Congressional Gold Medal by President George W. Bush in recognition of his bravery, courage and sacrifice during World War II. Along with his fellow Tuskegee Airmen, he bravely rose above the racial divisions of the time to serve our country with honor and valor. In addition to their courageous service, the Tuskegee Airman provided inspiration to our country, paving the way towards greater equality for all Americans.

As a civilian, Lieutenant Colonel Lane continued to serve his community. As Executive Director of the Greater Omaha Community Action Inc.—GOCA, he fought poverty on a number of fronts by addressing hunger, substance abuse, mental health and others. Spanning his tenure of more than two decades at the agency, he was known as being determined efforts to help the impoverished achieve self-sufficiency.

Demonstrating Lieutenant Colonel Lane's tireless passion for service, upon retirement he continued to volunteer his time, talent and resources to a number of important causes in the Omaha area. He founded the 99th Pursuit Cadet Squadron of the Nebraska Wing of the Civil Air Patrol, the official auxiliary of the United States Air Force. As the Squadron's first Commander and later its Commander Emeritus, he mentored countless youth and promoted aviation throughout Nebraska. He also served as a national representative of Tuskegee Airmen, Inc.

May Lieutenant Colonel Lane's lifelong commitment to our great Nation and serving others is truly commendable. I ask my colleagues and the citizens of the United States to join me in honoring his service on this day.●

NATIVE AMERICAN HERITAGE MONTH

● Mr. JOHNSON of South Dakota. Mr. President, each November we recognize National Native American Heritage Month to honor the tradition, culture, contributions, achievements, and sacrifices of those that originally inhabited this great Nation. With over 5 million individuals of Native American descent in the United States, it is important to celebrate the instrumental impact Native American culture has had on American history. National Native American Heritage Month is an opportunity to focus our attention on tribal sovereignty by ensuring trust responsibilities are upheld and government-to-government relationships with tribes across the Nation are strengthened.

This month has added significance to me, as I represent a state with nine treaty tribes. I would like to personally acknowledge and honor South Dakota's nine treaty tribes: the Cheyenne River Sioux, the Crow Creek Sioux, the Flandreau Santee Sioux, the Lower Brule Sioux, the Oglala Sioux, the Rosebud Sioux, the Sisseton-Wahpeton Oyate, the Standing Rock Sioux, and the Yankton Sioux. Each tribe brings rich cultures and histories that greatly benefit all South Dakotans, not just in November, but throughout the year.

American Indians across the United States have served and continue to serve in our Armed Forces at rates higher than any other ethnic group, and their dedication and commitment to the United States is unwavering. This month, the Cheyenne River Sioux Tribe, Crow Creek Sioux Tribe, Lower Brule Sioux Tribe, Oglala Sioux Tribe, Rosebud Sioux Tribe, Standing Rock Sioux Tribe, Sisseton-Wahpeton Oyate and Yankton Sioux Tribe were honored with Congressional Gold Medals for the contributions of their code talkers during World Wars I and II. The use of tribal languages equipped our Armed Forces with a system of communication that was not decoded. The valiant contributions of tribal code talkers to the United States are unparalleled and to be commended.

It is also important to reflect on the numerous contributions Native Americans across the country have made in our society this November. Countless dedicated individuals continue to work on the ground in Indian Country to improve tribal communities for future generations. However, the Federal government must also uphold its trust responsibility with tribes and continue to improve access to healthcare, education, and adequate housing. Thoughtful communication and collaboration between tribal and federal leaders on these issues is necessary to advance the quality of life for American Indians.

This November, I urge Americans to participate in the celebration of Native American Heritage Month by taking a moment to learn more about the heritage, culture, and various contributions Native Americans have made to the United States throughout our shared history. I would like to acknowledge and praise the more than 70,000 American Indians in South Dakota who enrich our communities on a daily basis. Education and awareness of tribal histories will enable us to move forward as a Nation which embraces the diversity of all.●

TRIBUTE TO CHARLIE E. WILLIAMS, JR.

● Mr. KAINE. Mr. President, today I recognize and pay tribute to Charlie E. Williams, Jr., who will retire as director of the Defense Contract Management Agency—DCMA—on November 25, 2013, after more than 30 years of service to our Nation.

Director Williams began his public service career in 1982 through the Air Force Logistics Command at Kelly Air Force Base in Texas. Over the following years, his career included a series of appointments with ever-increasing responsibility. He was the Deputy Assistant Secretary of the Air Force for Contracting, in the Office of the Assistant Secretary of the Air Force for Acquisition, a U.S. member of the North Atlantic Treaty Organization's Airborne Early Warning and Control Program Board of Directors, the team lead of Program Executive Officer and Designated Acquisition Commander programs, and finally, Director of DCMA.

Director Williams was stationed at Fort Lee, VA for his final mission. As Director of DCMA he oversees the delivery of all products and services, from water to weapons systems, to our troops around the world. He leads nearly 11,000 personnel, both civilian and military, who execute contracts worldwide, covering more than 19,900 contractors and more than $223 billion in obligations. Recently, Director Williams and DCMA oversaw more than 300 critical theater support contracts valued at more than $20 billion, delivering logistics, security, transportation, maintenance and critical life-support services to 230,000 International Security Assistance Force personnel at over 180 forward operating bases. Under Director Williams' leadership, DCMA professionals provided mentorship and guidance to more than 60,000 deployed contractor personnel throughout Afghanistan, executing more than 5,000 missions, despite significant danger. Their efforts ensured service of more than 240 million meals to coalition force personnel, production of more than 10 billion gallons of water, and delivery of 48 million bags of laundry and 900 million gallons of fuel.

I commend Director Williams' commitment to duty and cause, as well as his passion for public service. In every role in which he served, he contributed to the success of the mission, demonstrated high standards of conduct, and served with honesty, loyalty, and integrity. His long career of service will leave a lasting impact on our Nation. Director Williams is a devoted husband to his wife, Tujuanna, and dedicated father to his two daughters, Chloe and Charity.

I extend my gratitude and that of the entire Nation to Director Williams for his service to our country. The Commonwealth of Virginia and the United States are fortunate to have had Director Williams among our ranks. I wish him the best of luck in the months and years ahead.●

TRIBUTE TO ROBERT DEPOE III

• Mr. TESTER. Mr. President, today I wish to honor Robert DePoe III on recently becoming the new president of Salish Kootenai College in Pablo, MT. Robert was born in Polson, MT and was 2-years-old when Salish Kootenai College was founded in 1977. Robert spent his entire childhood on the Flathead Reservation in Montana's Mission Valley, graduating from high school in Ronan in 1993.

After attending North Idaho College, Robert returned home and worked at a local mill before going on a church mission that led him to Southern Utah University. At Southern Utah, Robert earned his bachelor's degree in criminal justice before becoming a social worker with the Paiute Tribe of Utah. At 27, Robert became education director and served as an advisor and chairman of the Coalition of Minorities to the Utah State Board of Education. From there, Robert's ascent continued, and he went on to earn his master's degree in professional communication.

Now, at 38, Robert is returning home again to lead Salish Kootenai College. Robert will take over a job recently vacated by Luana Ross. Prior to Luana, the position was held exclusively by the founding president of over 30 years, Joe McDonald. Joe is a legend in higher education. Under his leadership, Salish Kootenai College became one of the premier tribal colleges in the Nation.

During Joe's 38-year tenure, Salish Kootenai transformed from a campus extension for a local community college to educating over 1,000 Native students. While Robert has big shoes to fill, I know he is ready for the challenge. And he has a capable faculty and eager students to make his task a little easier.

I wish good luck to Robert and to Salish Kootenai College as they continue to honor the heritage of the Salish and Kootenai while preparing our future leaders of Montana.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 1:01 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1965. An act to streamline and ensure onshore energy permitting, provide for onshore leasing certainty, and give certainty to oil shale development for American energy security, economic development, and job creation, and for other purposes.

H.R. 2728. An act to recognize States' authority to regulate oil and gas operations and promote American energy security, development, and job creation.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1752. A bill to reform procedures for determinations to proceed to trial by court-martial for certain offenses under the Uniform Code of Military Justice, and for other purposes.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 1965. An act to streamline and ensure onshore energy permitting, provide for onshore leasing certainty, and give certainty to oil shale development for American energy security, economic development, and job creation, and for other purposes.

H.R. 2728. An act to recognize States' authority to regulate oil and gas operations and promote American energy security, development, and job creation.

S. 1774. A bill to reauthorize the Undetectable Firearms Act of 1988 for 1 year.

S. 1775. A bill to improve the sexual assault prevention and response programs and activities of the Department of Defense, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, November 21, 2013, she had presented to the President of the United States the following enrolled bills:

S. 252. An act to reduce preterm labor and delivery and the risk of pregnancy-related and complications due to pregnancy, and to reduce infant mortality caused by prematurity, and for other purposes.

S. 1545. An act to extend authorities related to global HIV/AIDS and to promote oversight of United States programs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3658. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled ''Fiscal Year 2012 Superfund Five-Year Review Report to Congress''; to the Committee on Environment and Public Works.

EC–3659. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Material Control and Accounting Regulations'' (RIN3150–AI61) received during adjournment of the Senate in the Office of the President of the Senate on November 8, 2013; to the Committee on Environment and Public Works.

EC–3660. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Species; Delisting of the Eastern District Population Segment of Steller Sea Lion Under the Endangered Species Act; Amendment to Special Protection Measures for Endangered Marine Mammals'' (RIN0648–BB41) received in the Office of the President of the Senate on November 14, 2013; to the Committee on Environment and Public Works.

EC–3661. A communication from the Chief of the Recovery and Delisting Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Removal of the Magazine Mountain Shagreen from the List of Endangered and Threatened Wildlife'' (RIN1018–AX59) received during adjournment of the Senate in the Office of the President of the Senate on November 15, 2013; to the Committee on Environment and Public Works.

EC–3662. A communication from the Chief of the Foreign Species Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Listing Five Foreign Bird Species in Colombia and Ecuador, South America, as Endangered Throughout Their Range'' (RIN1018–AV75) received during adjournment of the Senate in the Office of the President of the Senate on November 15, 2013; to the Committee on Environment and Public Works.

EC–3663. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Determination of Endangered Species Status for the Mount Charleston Blue Butterfly'' (RIN1018–AY52) received during adjournment of the Senate in the Office of the President of the Senate on November 15, 2013; to the Committee on Environment and Public Works.

EC–3664. A communication from the Chief of the Permits and Regulations Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''General Provisions; Revised List of Migratory Birds'' (RIN1018–AX48) received during adjournment of the Senate in the Office of the President of the Senate on November 15, 2013; and Environment and Public Works.

EC–3665. A communication from the Chief of the Permits and Regulations Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting; Application for Approval of Copper-Clad Iron Shot and Fluoropolymer Shot Coatings as Nontoxic for Waterfowl Hunting'' (RIN1018–AY61, RIN1018–AY66) received during adjournment of the Senate in the Office of the President of the Senate on November 15, 2013; to the Committee on Environment and Public Works.

EC–3666. A communication from the Chief of the Permits and Regulations Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Permits; Depredation Order for Migratory Birds in California'' (RIN1018–AY65) received during adjournment of the Senate in the Office of the President of the Senate on November 15, 2013; to the Committee on Environment and Public Works.

EC–3667. A communication from the Chief of the Permits and Regulations Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Permits; Definition of 'Hybrid' Migratory Bird'' (RIN1018–AX90) received during adjournment of the Senate in the Office of the President of the Senate on November 15, 2013; to the Committee on Environment and Public Works.

EC–3668. A communication from the Chief of the Border Securities Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Technical Corrections Relating to the Procedures for the Production or Disclosure of Information in State or Local Criminal Proceedings'' (CBP Dec. 13–18) received in the Office of the President of the Senate on November 18, 2013; to the Committee on Finance.

EC–3669. A communication from the Fiscal Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, the annual reports that appeared in the June 2013 Treasury Bulletin; to the Committee on Finance.

EC–3670. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 40(g)(2) of the Arms Export Control Act (DDTC 13–175); to the Committee on Foreign Relations.

EC–3671. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–075); to the Committee on Foreign Relations.

EC–3672. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–144); to the Committee on Foreign Relations.

EC–3673. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–126); to the Committee on Foreign Relations.

EC–3674. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–157); to the Committee on Foreign Relations.

EC–3675. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–153); to the Committee on Foreign Relations.

EC–3676. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–133); to the Committee on Foreign Relations.

EC–3677. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2013–0185–2013–0194); to the Committee on Foreign Relations.

EC–3678. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, (3) three reports relative to vacancies in the Department of Health and Human Services; to the Committee on Health, Education, Labor, and Pensions.

EC–3679. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Evaluation of the Cancer Prevention and Treatment Demonstration for Ethnic and Racial Minorities: Final Report to Congress''; to the Committee on Health, Education, Labor, and Pensions.

EC–3680. A communication from the Acting Assistant Secretary, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Final Priority—Rehabilitation Training: Rehabilitation Long-Term Training Program—Vocational Rehabilitation Counseling'' (CFDA No. 84.129B) received in the Office of the President of the Senate on November 14, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–3681. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Final Rules under the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008; Technical Amendment to External Review for Multi-State Plan Program'' (RIN0938–AP65) received in the Office of the President of the Senate on November 13, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–3682. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Final Rule under the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008; Technical Amendment to External Review for Multi-State Plan Program'' (RIN1210–AB30) received in the Office of the President of the Senate on November 12, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–3683. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Chief Financial Officer, Department of Homeland Security, received in the Office of the President of the Senate on November 14, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–3684. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Secretary of the Department of Homeland Security, received in the Office of the President of the Senate on November 14, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–3685. A communication from the General Counsel, Executive Office of the President, Office of Management and Budget, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Director for Management, Office of Management and Budget, received in the Office of the President of the Senate on November 4, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–3686. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Federal Employees Health Benefits Program and Federal Employees Dental and Vision Insurance Program; Expanding Coverage of Children; Federal Flexible Benefits Plan: Pre-Tax Payment of Health Benefits Premiums: Conforming Amendments'' (RIN3206–AM55) received in the Office of the President of the Senate on November 7, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–3687. A communication from the Chief Privacy Officer, Department of Homeland Security, transmitting, pursuant to law, a report entitled ''DHS Privacy Office 2013 Annual Report to Congress''; to the Committee on Homeland Security and Governmental Affairs.

EC–3688. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled ''Statistical Programs of the United States Government: Fiscal Year 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–3689. A communication from the Federal Co-Chair, Appalachian Regional Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–3690. A communication from the Chairman of the National Credit Union Administration, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–3691. A communication from the Register of Copyrights and Director, United States Copyright Office, Library of Congress, transmitting, pursuant to law, a report entitled ''Proposed Schedule and Analysis of Copyright Fees To Go into Effect on or about April 1, 2014''; to the Committee on the Judiciary.

EC–3692. A communication from the Chief Privacy and Civil Liberties Officer, Office of Privacy and Civil Liberties, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Freedom of Information, Privacy Act, and Government in the Sunshine Act Procedures'' (RIN0311–AA02) received in the Office of the President of the Senate on November 14, 2013; to the Committee on the Judiciary.

EC–3693. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Schedules of Controlled Substances: Temporary Placement of Three Synthetic Phenethylamines Into Schedule I'' (Docket No. DEA–382) received during adjournment of the Senate in the Office of the President of the Senate on November 15, 2013; to the Committee on the Judiciary.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. JOHNSON, of South Dakota, for the Committee on Banking, Housing, and Urban Affairs.

*Janet L. Yellen, of California, to be Chairman of the Board of Governors of the Federal Reserve System for a term of four years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second times by unanimous consent, and referred as indicated:

By Mrs. MURRAY (for herself, Ms. LANDRIEU, and Ms. BALDWIN):

S. 1754. A bill to amend the Higher Education Act of 1965 to improve the financial aid process for homeless children and youths and foster children and youth; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TOOMEY:

S. 1755. A bill to require the Secretary of Veterans Affairs to conduct a study on matters relating to the claiming and interring of unclaimed remains of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BLUNT (for himself and Mr. KING):

S. 1756. A bill to amend section 403 of the Federal Food, Drug and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants, similar retail food establishments, and vending machines; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 1757. A bill to provide for an equitable management of summer flounder based on geographic, scientific, and economic data and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. BALDWIN (for herself and Mr. THUNE):

S. 1758. A bill to amend title XVIII of the Social Security Act to increase access to Medicare data; to the Committee on Finance.

By Mr. SANDERS (for himself, Ms. CANTWELL, Mr. SCHUMER, Mr. CASEY, Mr. DURBIN, Mr. UDALL of New Mexico, and Mr. HEINRICH):

S. 1759. A bill to reauthorize the teaching health center program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BEGICH:

S. 1760. A bill to amend the statutory authorities of the Coast Guard to improve the quality of life for current and former Coast Guard personnel and their families, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BLUMENTHAL (for himself, Mr. BROWN, and Ms. WARREN):

S. 1761. A bill to permanently extend the Protecting Tenants at Foreclosure Act of 2009 and establish a private right of action to enforce compliance with such Act; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SANDERS:

S. 1762. A bill to eliminate certain subsidies for fossil-fuel production; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 1763. A bill to increase the effectiveness of child support enforcement and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. AYOTTE (for herself, Mr. BLUNT, Mr. CRAPO, Mrs. MCCASKILL, Mr. GRAHAM, Mr. ISAKSON, and Ms. BALDWIN):

S. 1764. A bill to limit the retirement of A–10 aircraft; to the Committee on Armed Services.

By Mr. CORKER:

S. 1765. A bill to ensure the compliance of Iran with agreements relating to Iran's nuclear program; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. AYOTTE:

S. 1766. A bill to provide for the equitable distribution of Universal Service funds to rural States; to the Committee on Commerce, Science, and Transportation.

By Mr. MARKEY (for himself and Mr. WHITEHOUSE):

S. 1767. A bill to amend title 49, United States Code, to require gas pipeline facilities to accelerate the repair, rehabilitation, and replacement of high-risk pipelines used in commerce, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MARKEY (for himself and Mr. WHITEHOUSE):

S. 1768. A bill to establish State revolving loan funds to repair or replace natural gas distribution pipelines; to the Committee on Commerce, Science, and Transportation.

By Mr. TOOMEY (for himself and Mr. CARPER):

S. 1769. A bill to limit the establishment of certain standards of care or duties of care owed by health care providers to patients in any medical malpractice or medical product liability action or claim; to the Committee on the Judiciary.

By Mr. FLAKE:

S. 1770. A bill to provide for Federal civil liability for trade secret misappropriation in certain circumstances; to the Committee on the Judiciary.

By Mr. MERKLEY (for himself and Mr. WYDEN):

S. 1771. A bill to amend the Wild and Scenic Rivers Act to adjust the Crooked River boundary, to provide water certainty for the City of Prineville, Oregon, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER (for himself, Mrs. GILLIBRAND, Mr. PRYOR, Mr. LEVIN, Mr. JOHNSON of South Dakota, and Ms. COLLINS):

S. 1772. A bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts for charitable purposes; to the Committee on Finance.

By Mr. SCHUMER:

S. 1773. A bill to amend the Truth in Lending Act to provide for the discharge of student loan obligations upon the death or disability of the student borrower, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. NELSON (for himself and Mr. SCHUMER):

S. 1774. A bill to reauthorize the Undetectable Firearms Act of 1988 for 1 year; read the first time.

By Mrs. MCCASKILL (for herself, Ms. AYOTTE, and Mrs. FISCHER):

S. 1775. A bill to improve the sexual assault prevention and response programs and activities of the Department of Defense, and for other purposes; read the first time.

By Ms. KLOBUCHAR (for herself and Mrs. FISCHER):

S. 1776. A bill to encourage spectrum licensees to make unused spectrum available for use by rural and smaller carriers in order to expand wireless coverage; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself and Mr. HOEVEN):

S. 1777. A bill to support innovation, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CARPER (for himself, Mr. BOOZMAN, Mr. GRASSLEY, Mrs. MURRAY, Mr. BLUMENTHAL, Mr. CASEY, Mr. WHITEHOUSE, Mr. COONS, and Mr. PRYOR):

S. Res. 309. A resolution expressing support for improvement in the collection, processing, and consumption of recyclable materials throughout the United States; to the Committee on Environment and Public Works.

By Mr. ISAKSON (for himself and Ms. BALDWIN):

S. Res. 310. A resolution designating December 3, 2013, as ''National Phenylketonuria Awareness Day''; to the Committee on the Judiciary.

By Mr. MERKLEY (for himself, Mrs. BOXER, Mrs. FEINSTEIN, and Mr. MURPHY):

S. Res. 311. A resolution calling on the International Olympic Committee (IOC) to strongly oppose Russia's discriminatory law against the freedom of expression for lesbian, gay, bisexual, and transgender (LGBT) persons and to obtain written assurance that host countries of the Olympic Games will uphold all international human rights and civil rights obligations for all persons observing or participating in the Games regardless of race, sex, sexual orientation, or gender identity, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BLUMENTHAL (for himself and Mr. MURPHY):

S. Con. Res. 26. A concurrent resolution recognizing the need to improve physical access to many federally funded facilities for all people of the United States, particularly people with disabilities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TOOMEY:

S. Con. Res. 27. A concurrent resolution expressing the sense of Congress that the United States should ensure that Israel is able to adequately address an existential Iranian nuclear threat and to support Israel's right to respond to the potential threat of a Syrian S–300 air defense system; to the Committee on Foreign Relations.

By Mr. REID:

S. Con. Res. 28. A concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives; considered and agreed to.

By Mr. HATCH (for himself, Mr. DURBIN, Mr. BAUCUS, Mr. PORTMAN, Mr. WYDEN, Mr. CORNYN, Mr. BLUMENTHAL, Mr. ENZI, and Mr. CRAPO):

S. Con. Res. 29. A concurrent resolution expressing the sense of the Congress that children trafficked in the United States be treated as victims of crime, and not as perpetrators; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 326

At the request of Mrs. BOXER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 326, a bill to reauthorize 21st century community learning centers, and for other purposes.

S. 635

At the request of Mr. BROWN, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 635, a bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual written privacy notice requirement.

S. 772

At the request of Mr. NELSON, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 772, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 851

At the request of Mr. SANDERS, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 851, a bill to amend title 38, United States Code, to extend to all veterans with a serious service-connected injury eligibility to participate in the family caregiver services program.

S. 862

At the request of Ms. AYOTTE, the names of the Senator from Utah (Mr. HATCH) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 862, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate.

S. 908

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 908, a bill to amend the Public Health Service Act to improve the diagnosis and treatment of hereditary hemorrhagic telangiectasia, and for other purposes.

S. 994

At the request of Mr. WARNER, the names of the Senator from Oklahoma (Mr. COBURN), the Senator from Arizona (Mr. MCCAIN), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Wyoming (Mr. ENZI) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 994, a bill to expand the Federal Funding Accountability and Transparency Act of 2006 to increase accountability and transparency in Federal spending, and for other purposes.

S. 1135

At the request of Mr. CASEY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1135, a bill to amend the Safe Drinking Water Act to repeal a certain exemption for hydraulic fracturing, and for other purposes.

S. 1149

At the request of Mr. NELSON, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1149, a bill to reauthorize the ban on undetectable firearms, and to extend the ban to undetectable firearm receivers and undetectable ammunition magazines.

S. 1188

At the request of Ms. COLLINS, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1188, a bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the individual mandate in the Patient Protection and Affordable Care Act.

S. 1251

At the request of Mr. REED, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1251, a bill to establish programs with respect to childhood, adolescent, and young adult cancer.

S. 1262

At the request of Mr. NELSON, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1262, a bill to require the Secretary of Veterans Affairs to establish a veterans conservation corps, and for other purposes.

S. 1349

At the request of Mr. MORAN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 1349, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1413

At the request of Mr. PRYOR, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 1413, a bill to exempt from sequestration certain fees of the Food and Drug Administration.

S. 1517

At the request of Mr. WHITEHOUSE, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1517, a bill to amend the Public Health Services Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes.

S. 1570

At the request of Ms. MURKOWSKI, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1570, a bill to amend the Indian Health Care Improvement Act to authorize advance appropriations for the Indian Health Service by providing 2-fiscal-year budget authority, and for other purposes.

S. 1654

At the request of Mr. REED, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 1654, a bill to amend the Internal Revenue Code of 1986 to deny tax deductions for corporate regulatory violations.

S. 1697

At the request of Mr. HARKIN, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 1697, a bill to support early learning.

S. 1712

At the request of Mr. HATCH, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 1712, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 1726

At the request of Mr. RUBIO, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of S. 1726, a bill to prevent a taxpayer bailout of health insurance issuers.

S. 1732

At the request of Mr. LEE, the name of the Senator from Utah (Mr. HATCH) was withdrawn as a cosponsor of S. 1732, a bill to require the conveyance of certain public land within the boundaries of Camp Williams, Utah, to support the training and readiness of the Utah National Guard.

S. 1735

At the request of Mr. ALEXANDER, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 1735, a bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to exclude from the definition of health insurance coverage certain medical stop-loss insurance obtained by certain plan sponsors of group health plans.

S. 1747

At the request of Mr. REED, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1747, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

S. 1750

At the request of Mr. FLAKE, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1750, a bill to authorize the Secretary of the Interior or the Secretary of Agriculture to enter into agreements with States and political subdivisions of States providing for the continued operation, in whole or in part, of public land, units of the National Park System, units of the National Wildlife Refuge System, and units of the National Forest System in the State during any period in which the Secretary of the Interior or the Secretary of Agriculture is unable to maintain normal level of operations at the units due to a lapse in appropriations, and for other purposes.

S. 1753

At the request of Mr. NELSON, the names of the Senator from New Mexico (Mr. UDALL), the Senator from Colorado (Mr. UDALL) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 1753, a bill to extend Government liability, subject to appropriation, for certain third-party claims arising from commercial space launches.

S.J. RES. 27

At the request of Mr. MCCONNELL, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S.J. Res. 27, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Internal Revenue Service of the Department of the Treasury relating to liability under section 5000A of the Internal Revenue Code of 1986 for the shared responsibility payment for not maintaining minimum essential coverage.

S. CON. RES. 12

At the request of Mr. ISAKSON, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. Con. Res. 12, a concurrent resolution expressing the sense of the Congress that our current tax incentives for retirement savings provide important benefits to Americans to help plan for a financially secure retirement.

S. RES. 26

At the request of Mr. MORAN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. Res. 26, a resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States.

S. RES. 301

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Res. 301, a resolution recognizing and supporting the goals and implementation of the National Alzheimer's Project Act and the National Plan to Address Alzheimer's Disease.

AMENDMENT NO. 2031

At the request of Mr. INHOFE, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Florida (Mr. NELSON) were added as cosponsors of amendment No. 2031 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2053

At the request of Mr. CRUZ, his name was added as a cosponsor of amendment No. 2053 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2055

At the request of Mr. COATS, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of amendment No. 2055 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2062

At the request of Mr. GRAHAM, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of amendment No. 2062 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2063

At the request of Ms. AYOTTE, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 2063 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2081

At the request of Mrs. BOXER, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of amendment No. 2081 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2118

At the request of Mr. RISCH, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of amendment No. 2118 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2122

At the request of Mrs. GILLIBRAND, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of amendment No. 2122 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2131

At the request of Mr. CARDIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 2131 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2141

At the request of Ms. MURKOWSKI, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 2141 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2143

At the request of Ms. MURKOWSKI, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 2143 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2155

At the request of Mr. COBURN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of amendment No. 2155 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2172

At the request of Mr. CASEY, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Texas (Mr. CORNYN) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of amendment No. 2172 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2185

At the request of Mr. WICKER, the names of the Senator from Florida (Mr.

RUBIO) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of amendment No. 2185 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2209

At the request of Ms. KLOBUCHAR, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of amendment No. 2209 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2210

At the request of Ms. KLOBUCHAR, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of amendment No. 2210 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2215

At the request of Mr. REID, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of amendment No. 2215 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2219

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of amendment No. 2219 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2223

At the request of Mr. PAUL, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 2223 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2249

At the request of Mr. TESTER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 2249 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2251

At the request of Mr. MANCHIN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of amendment No. 2251 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2252

At the request of Mr. MANCHIN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of amendment No. 2252 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2263

At the request of Mr. FLAKE, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of amendment No. 2263 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2265

At the request of Mrs. MURRAY, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of amendment No. 2265 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2269

At the request of Mr. HEINRICH, his name was added as a cosponsor of amendment No. 2269 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2331

At the request of Mr. MENENDEZ, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of amendment No. 2331 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2336

At the request of Mr. BEGICH, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of amendment No. 2336 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2338

At the request of Mr. HEINRICH, his name was added as a cosponsor of amendment No. 2338 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2339

At the request of Mr. HEINRICH, his name was added as a cosponsor of amendment No. 2339 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2340

At the request of Mr. SESSIONS, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of amendment No. 2340 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2343

At the request of Mr. MERKLEY, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Montana (Mr. TESTER), the Senator from Alaska (Mr. BEGICH) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of amendment No. 2343 intended to be proposed to S. 1197, an

original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2349

At the request of Mr. PRYOR, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of amendment No. 2349 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2352

At the request of Mr. VITTER, his name was added as a cosponsor of amendment No. 2352 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2353

At the request of Mr. VITTER, his name was added as a cosponsor of amendment No. 2353 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2354

At the request of Mr. VITTER, his name was added as a cosponsor of amendment No. 2354 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2355

At the request of Mr. VITTER, his name was added as a cosponsor of amendment No. 2355 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2365

At the request of Mr. MORAN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of amendment No. 2365 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2388

At the request of Mr. WYDEN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of amendment No. 2388 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2392

At the request of Mr. CORNYN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 2392 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2400

At the request of Mrs. FEINSTEIN, the names of the Senator from Maine (Ms. COLLINS), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from New Mexico (Mr. UDALL), the Senator from Wyoming (Mr. ENZI), the Senator from Illinois (Mr. KIRK), the Senator from Minnesota (Mr. FRANKEN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of amendment No. 2400 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2414

At the request of Mr. WARNER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 2414 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2419

At the request of Mr. UDALL of New Mexico, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of amendment No. 2419 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2424

At the request of Mr. KAINE, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of amendment No. 2424 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2429

At the request of Mr. WARNER, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of amendment No. 2429 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2432

At the request of Mr. BLUNT, the names of the Senator from Virginia (Mr. KAINE), the Senator from Michigan (Ms. STABENOW) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of amendment No. 2432 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2434

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 2434 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2436

At the request of Mr. BLUNT, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of amendment No. 2436 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2440

At the request of Mr. DONNELLY, the names of the Senator from Wisconsin

(Ms. BALDWIN) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of amendment No. 2440 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROCKEFELLER:

S. 1763. A bill to increase the effectiveness of child support enforcement and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. ROCKEFELLER. Mr. President, I am proud today to introduce the Child Support Enforcement Effectiveness Act of 2013. This legislation will set the stage for improving child support enforcement across our country, and will provide states with more funds to allow them to do so. Through these crucial investments in this important child welfare program, we can improve the lives of thousands of children across our country.

Child support enforcement is a State-Federal partnership that works. For every dollar agencies and departments spend on child support enforcement, states collect an average of $5.19 in child support due. For that reason alone, this is an extraordinary use of taxpayer dollars. In 2010, the child support enforcement program allowed States to collect more than $26 billion on behalf of the children and families to whom that money is owed. There is no question that these children benefit because they receive support from both their parents.

In addition to being an effective use of taxpayer dollars, child support enforcement is one of our most important investments in child welfare. Experts have repeatedly found that it is one of the most effective programs in reducing poverty rates among working families. For single parents below the poverty line, child support often represents as much as half of their family's income, and makes the difference between whether children's basic needs are met or not.

Because of the tremendous success of the child support enforcement program, we should work to improve it even further. One way we can improve it is by identifying best practices at the state level, so every state can maximize their return. West Virginia recovers about $4.99 for each dollar it spends on child support enforcement. Some states recover substantially more for each dollar they spend. By arming every State with information about what works and what doesn't, we can help States maximize the return on their investment and recover the largest possible amount on behalf of children.

This legislation would also permanently restore full funding for child support enforcement by reinstating the Federal match for incentive payments that States reinvest in their child support enforcement programs. By providing the resources for States to have robust child support enforcement programs, we can profoundly improve the lives of so many children across our Nation.

By Mr. MERKLEY (for himself and Mr. WYDEN):

S. 1771. A bill to amend the Wild and Scenic Rivers Act to adjust the Crooked River boundary, to provide water certainty for the City of Prineville, Oregon, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. MERKLEY. Mr. President, I rise today to talk about an issue that is extremely important to the Central Oregon economy. For over 40 years, an agreement has been out of reach in the Crooked River Basin in central Oregon on how to allocate water from the Prineville Reservoir to meet the diversity of needs. Over the last few years, Senator WYDEN and I have worked with a broad group of water users in the Basin and have come to a solution.

Today, Senator WYDEN and I are introducing the Crooked River Collaborative Water Security Act of 2013 that will provide a comprehensive framework for improving the management of water in the Crooked River, while creating opportunities for economic growth and new jobs in central Oregon. This is especially good news in central Oregon, a region that has been plagued with unemployment since the beginning of the Great Recession and is in need of new jobs.

This legislation is built on a broad coalition of stakeholder support. I want to thank those stakeholders who put aside preconceived notions, came to the negotiating table, and worked out a solution that could achieve such a broad range of support.

The key elements of the legislation include meeting the municipal water needs for the city of Prineville long into the future, so the city can continue to attract new businesses like the data centers of Facebook and Apple that have recently moved to the region; providing greater certainty for the agricultural community that depends on the Crooked River for irrigation and is the heart and soul of the Central Oregon economy; allowing water to be released from Bowman Dam to help maintain healthy steelhead, salmon and trout fisheries, which are cherished by local fisherman; allowing the Bowman Dam to be retrofitted to install a hydroelectric turbine and generate low-cost, clean power and create construction jobs; and creating a process to help better plan for dry years, including the impact on fish habitat and fishing, as well as boating and other recreational activities.

This bill is a comprehensive solution to a problem that has plagued the region for 40 years and it has the support of numerous groups in the Central Oregon region. The time is now for the Senate to quickly move on this bill and help the Central Oregon economy move forward.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1771

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Crooked River Collaborative Water Security Act of 2013''.

SEC. 2. WILD AND SCENIC RIVER; CROOKED, OREGON.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by striking paragraph (72) and inserting the following:

''(72) CROOKED, OREGON.—

''(A) IN GENERAL.—The 14.75-mile segment from the National Grassland boundary to Dry Creek, to be administered by the Secretary of the Interior in the following classes:

''(i) The 7-mile segment from the National Grassland boundary to River Mile 8 south of Opal Spring, as a recreational river.

''(ii) The 7.75-mile segment from a point ¼-mile downstream from the center crest of Bowman Dam, as a recreational river.

''(B) HYDROPOWER.—In any license application relating to hydropower development (including turbines and appurtenant facilities) at Bowman Dam, the applicant, in consultation with the Director of the Bureau of Land Management, shall—

''(i) analyze any impacts to the scenic, recreational, and fishery resource values of the Crooked River from the center crest of Bowman Dam to a point ¼-mile downstream that may be caused by the proposed hydropower development, including the future need to undertake routine and emergency repairs;

''(ii) propose measures to minimize and mitigate any impacts analyzed under clause (i); and

''(iii) propose designs and measures to ensure that any access facilities associated with hydropower development at Bowman Dam shall not impede the free-flowing nature of the Crooked River below Bowman Dam.''.

SEC. 3. CITY OF PRINEVILLE WATER SUPPLY.

Section 4 of the Act of August 6, 1956 (70 Stat. 1058; 73 Stat. 554; 78 Stat. 954) is amended—

(1) by striking ''during those months'' and all that follows through ''purpose of the project''; and

(2) by adding at the end the following: ''Without further action by the Secretary of the Interior, beginning on the date of enactment of the Crooked River Collaborative Water Security Act of 2013, 5,100 acre-feet of water shall be annually released from the project to serve as mitigation for City of Prineville groundwater pumping, pursuant to and in a manner consistent with Oregon State law, including any shaping of the release of the water. The City of Prineville shall make payments to the Secretary for the water, in accordance with applicable Bureau of Reclamation policies, directives, and standards. Consistent with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and other applicable

Federal laws, the Secretary may contract exclusively with the City of Prineville for additional quantities of water, at the request of the City of Prineville.''.

SEC. 4. ADDITIONAL PROVISIONS.

The Act entitled ''An Act to authorize construction by the Secretary of the Interior of the Crooked River Federal reclamation project, Oregon'', approved August 6, 1956 (70 Stat. 1058; chapter 980; 73 Stat. 554; 78 Stat. 954), is amended by adding at the end the following:

''SEC. 6. FIRST FILL STORAGE AND RELEASE.

''(a) IN GENERAL.—Other than the 10 cubic feet per second release provided for in section 4, and subject to compliance with the flood curve requirements of the Corps of Engineers, the Secretary shall, on a 'first fill' priority basis, store in and when called for in any year release from Prineville Reservoir, whether from carryover, infill, or a combination of both, the following:

''(1) 68,273 acre-feet of water annually to fulfill all 16 Bureau of Reclamation contracts existing as of January 1, 2011.

''(2) Not more than 2,740 acre-feet of water annually to supply the McKay Creek land, in accordance with section 5 of the Crooked River Collaborative Water Security Act of 2013.

''(3) 10,000 acre-feet of water annually, to be made available first to the North Unit Irrigation District, and subsequently to any other holders of Reclamation contracts existing as of January 1, 2011 (in that order) pursuant to Temporary Water Service Contracts, on the request of the North Unit Irrigation District or the contract holders, consistent with the same terms and conditions as prior such contracts between the Bureau of Reclamation and District or contract holders, as applicable.

''(4) 5,100 acre-feet of water annually to mitigate the City of Prineville groundwater pumping under section 4, with the release of this water to occur not based on an annual call, but instead pursuant to section 4 and the release schedule developed pursuant to section 7(c).

''(b) CARRYOVER.—Except for water that may be called for and released after the end of the irrigation season (either as City of Prineville groundwater pumping mitigation or as a voluntary release, in accordance with section 4 of this Act and section 6(c) of the Crooked River Collaborative Water Security Act of 2013, respectively), any water stored under this section that is not called for and released by the end of the irrigation season in a given year shall be—

''(1) carried over to the subsequent water year, which, for accounting purposes, shall be considered to be the 1-year period beginning October 1 and ending September 30, consistent with Oregon State law; and

''(2) accounted for as part of the 'first fill' storage quantities of the subsequent water year, but not to exceed the maximum 'first fill' storage quantities described in subsection (a).

''SEC. 7. STORAGE AND RELEASE OF REMAINING STORED WATER QUANTITIES.

''(a) AUTHORIZATION.—

''(1) IN GENERAL.—Other than the quantities provided for in section 4 and the 'first fill' quantities provided for in section 6, and subject to compliance with the flood curve requirements of the Corps of Engineers, the Secretary shall store in and release from Prineville Reservoir all remaining stored water quantities for the benefit of downstream fish and wildlife.

''(2) REQUIREMENT.—The Secretary shall release the remaining stored water quantities under paragraph (1) consistent with subsection (c).

''(b) APPLICABLE LAW.—If a consultation under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or an order of a court in a proceeding under that Act requires releases of stored water from Prineville Reservoir for fish and wildlife downstream of Bowman Dam, the Secretary shall use uncontracted stored water.

''(c) ANNUAL RELEASE SCHEDULE.—

''(1) IN GENERAL.—The Commissioner of Reclamation shall develop annual release schedules for the remaining stored water quantities in subsection (a) and the water serving as mitigation for City of Prineville groundwater pumping pursuant to section 4.

''(2) GUIDANCE.—To the maximum extent practicable and unless otherwise prohibited by law, the Commissioner of Reclamation shall develop and implement the annual release schedules consistent with the guidance provided by the Confederated Tribes of the Warm Springs Reservation of Oregon and the State of Oregon to maximize biological benefit for downstream fish and wildlife, after taking into consideration multiyear water needs of downstream fish and wildlife.

''(3) COMMENTS FROM FEDERAL FISH MANAGEMENT AGENCIES.—The National Marine Fisheries Service and the United States Fish and Wildlife Service shall have the opportunity to provide advice with respect to, and comment on, the annual release schedule developed by the Commissioner of Reclamation under this subsection.

''(d) REQUIRED COORDINATION.—The Commissioner of Reclamation shall perform traditional and routine activities in a manner that coordinates with the efforts of the Confederated Tribes of the Warm Springs Reservation of Oregon and the State of Oregon to monitor and request adjustments to releases for downstream fish and wildlife on an in-season basis as the Confederated Tribes of the Warm Springs Reservation of Oregon and the State of Oregon determine downstream fish and wildlife needs require.

''(e) CARRYOVER.—

''(1) IN GENERAL.—Any water stored under subsection (a) in 1 water year that is not released during the water year—

''(A) shall be carried over to the subsequent water year; and

''(B)(i) may be released for downstream fish and wildlife resources, consistent with subsections (c) and (d), until the reservoir reaches maximum capacity in the subsequent water year; and

''(ii) once the reservoir reaches maximum capacity under clause (i), shall be credited to the 'first fill' storage quantities, but not to exceed the maximum 'first fill' storage quantities described in section 6(a).

''(f) EFFECT.—Nothing in this section affects the authority of the Commissioner of Reclamation to perform all other traditional and routine activities of the Commissioner of Reclamation.

''SEC. 8. RESERVOIR LEVELS.

''The Commissioner of Reclamation shall—

''(1) project reservoir water levels over the course of the year; and

''(2) make the projections under paragraph (1) available to—

''(A) the public (including fisheries groups, recreation interests, and municipal and irrigation stakeholders);

''(B) the Director of the National Marine Fisheries Service; and

''(C) the Director of the United States Fish and Wildlife Service.

''SEC. 9. EFFECT.

''Except as otherwise provided in this Act, nothing in this Act—

''(1) modifies contractual rights that may exist between contractors and the United States under Reclamation contracts;

''(2) amends or reopens contracts referred to in paragraph (1); or

''(3) modifies any rights, obligations, or requirements that may be provided or governed by Federal or Oregon State law.''.

SEC. 5. OCHOCO IRRIGATION DISTRICT.

(a) EARLY REPAYMENT.—

(1) IN GENERAL.—Notwithstanding section 213 of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm), any landowner within Ochoco Irrigation District, Oregon (referred to in this section as the ''district''), may repay, at any time, the construction costs of the project facilities allocated to the land of the landowner within the district.

(2) EXEMPTION FROM LIMITATIONS.—Upon discharge, in full, of the obligation for repayment of the construction costs allocated to all land of the landowner in the district, the land shall not be subject to the ownership and full-cost pricing limitations of Federal reclamation law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.)).

(b) CERTIFICATION.—Upon the request of a landowner who has repaid, in full, the construction costs of the project facilities allocated to the land of the landowner within the district, the Secretary of the Interior shall provide the certification described in section 213(b)(1) of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm(b)(1)).

(c) CONTRACT AMENDMENT.—On approval of the district directors and notwithstanding project authorizing authority to the contrary, the Reclamation contracts of the district are modified, without further action by the Secretary of the Interior—

(1) to authorize the use of water for instream purposes, including fish or wildlife purposes, in order for the district to engage in, or take advantage of, conserved water projects and temporary instream leasing as authorized by Oregon State law;

(2) to include within the district boundary approximately 2,742 acres in the vicinity of McKay Creek, resulting in a total of approximately 44,937 acres within the district boundary;

(3) to classify as irrigable approximately 685 acres within the approximately 2,742 acres of included land in the vicinity of McKay Creek, with those approximately 685 acres authorized to receive irrigation water pursuant to water rights issued by the State of Oregon if the acres have in the past received water pursuant to State water rights; and

(4) to provide the district with stored water from Prineville Reservoir for purposes of supplying up to the approximately 685 acres of land added within the district boundary and classified as irrigable under paragraphs (2) and (3), with the stored water to be supplied on an acre-per-acre basis contingent on the transfer of existing appurtenant McKay Creek water rights to instream use and the issuance of water rights by the State of Oregon for the use of stored water.

(d) LIMITATION.—Except as otherwise provided in subsections (a) and (c), nothing in this section—

(1) modifies contractual rights that may exist between the district and the United States under the Reclamation contracts of the district;

(2) amends or reopens the contracts referred to in paragraph (1); or

(3) modifies any rights, obligations, or relationships that may exist between the district and any owner of land within the district, as may be provided or governed by Federal or Oregon State law.

SEC. 6. DRY-YEAR MANAGEMENT PLANNING AND VOLUNTARY RELEASES.

(a) PARTICIPATION IN DRY-YEAR MANAGEMENT PLANNING MEETINGS.—The Bureau of

Reclamation shall participate in dry-year management planning meetings with the State of Oregon, the Confederated Tribes of the Warm Springs Reservation of Oregon, municipal, agricultural, conservation, recreation, and other interested stakeholders to plan for dry-year conditions.

(b) DRY-YEAR MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Bureau of Reclamation shall develop a dry-year management plan in coordination with the participants referred to in subsection (a).

(2) REQUIREMENTS.—The plan developed under paragraph (1) shall only recommend strategies, measures, and actions that the irrigation districts and other Bureau of Reclamation contract holders voluntarily agree to implement.

(3) LIMITATIONS.—Nothing in the plan developed under paragraph (1) shall be mandatory or self-implementing.

(c) VOLUNTARY RELEASE.—In any year, if North Unit Irrigation District or other eligible Bureau of Reclamation contract holders have not initiated contracting with the Bureau of Reclamation for any quantity of the 10,000 acre feet of water described in subsection (a)(3) of section 6 of the Act of August 6, 1956 (70 Stat. 1058) (as added by section 4), by June 1 of any calendar year, with the voluntary agreement of North Unit Irrigation District and other Bureau of Reclamation contract holders referred to in that paragraph, the Secretary may release that quantity of water for the benefit of downstream fish and wildlife as described in section 7 of that Act.

SEC. 7. RELATION TO EXISTING LAWS AND STATUTORY OBLIGATIONS.

Nothing in this Act (or an amendment made by this Act)—

(1) provides to the Secretary the authority to store and release the ''first fill'' quantities provided for in section 6 of the Act of August 6, 1956 (70 Stat. 1058) (as added by section 4) for any purposes other than the purposes provided for in that section, except for—

(A) the potential instream use resulting from conserved water projects and temporary instream leasing as provided for in section 5(c)(1);

(B) the potential release of additional amounts that may result from voluntary actions agreed to through the dry-year management plan developed under section 6(b); and

(C) the potential release of the 10,000 acre feet for downstream fish and wildlife as provided for in section 6(c);

(2) alters any responsibilities under Oregon State law or Federal law, including section 7 of the Endangered Species Act (16 U.S.C. 1536); or

(3) alters the authorized purposes of the Crooked River Project provided in the first section of the Act of August 6, 1956 (70 Stat. 1058; 73 Stat. 554; 78 Stat. 954).

Mr. WYDEN. Mr. President, today I rise to join Senator MERKLEY and cosponsor a bill that strikes a balance between the competing demands for a scarce resource, Crooked River water. The Crooked River Collaborative Water Security Act of 2013 is the product of long and determined negotiations to find solutions that will benefit many interests in and around Prineville, Oregon. I was pleased to work to advance this bill last Congress, and I look forward to working with Senator MERKLEY, other colleagues, and all the supporters of the bill to achieve the many benefits of this bill for Central Oregon.

Oregon works best when Oregonians work together and this is an example of what can be done when faced with a very challenging set of issues. The City of Prineville needs water to grow economically. Irrigators along the Crooked River want certainty for future water supply. The local utility Portland General Electric would like to build a small hydroelectric plant on the Bureau of Reclamation's Bowman Dam. And the Warm Springs Tribes and conservation groups seek to ensure more water is available for in-stream flows to protect reintroduced salmon runs in the Crooked River.

Water in the West is often the heart of many contentious battles, but these parties and more worked tirelessly and in good faith to build a consensus to meet those many important needs. The bill allocates uncontracted water in Bowman Dam to give water to the City and for fish populations, while attaining certainty for the contracted water for irrigation. It also moves the Wild and Scenic River Act boundary to a place that makes sense and would enable hydroelectric generation. The bill more explicitly looks after the recreation interests enjoyed by flatwater users above the dam.

I express my gratitude for the many groups and individuals who have worked diligently to strike the balance on the Crooked River. I look forward to working with those groups, the Bureau of Reclamation, Congressman GREG WALDEN, and especially Senator MERKLEY, who has shown determined leadership in marshaling this bill, to move this bill through Congress and to the President's desk this Congress.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 309—EXPRESSING SUPPORT FOR IMPROVEMENT IN THE COLLECTION, PROCESSING, AND CONSUMPTION OF RECYCLABLE MATERIALS THROUGHOUT THE UNITED STATES

Mr. CARPER (for himself, Mr. BOOZMAN, Mr. GRASSLEY, Mrs. MURRAY, Mr. BLUMENTHAL, Mr. CASEY, Mr. WHITEHOUSE, Mr. COONS, and Mr. PRYOR) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 309

Whereas maximizing the recycling economy in the United States will create and sustain additional well-paying jobs in the United States, further stimulate the economy of the United States, save energy, and conserve valuable natural resources;

Whereas recycling is an important action that people in the United States can take to be environmental stewards;

Whereas municipal recycling rates in the United States steadily increased from 6.6 percent in 1970 to 28.6 percent in 2000, but since 2000, the rate of increase has slowed considerably;

Whereas recycling allows the United States to recover the critical materials necessary to sustain the recycling economy and protect national security interests in the United States;

Whereas recycling plays an integral role in the sustainable management of materials throughout the life-cycle of a product;

Whereas 46 States have laws promoting the recycling of materials that would otherwise be incinerated or sent to a landfill;

Whereas more than 10,000 communities in the United States have residential recycling and drop-off programs that collect a wide variety of recyclable materials, including paper, steel, aluminum, plastic, glass, and electronics;

Whereas in addition to residential recycling, the scrap recycling industry in the United States manufactures recyclable materials collected from businesses and individuals into commodity-grade materials;

Whereas those commodity-grade materials are used as feedstock to produce new basic materials and finished products in the United States and throughout the world;

Whereas recycling stimulates the economy and plays an integral role in sustaining manufacturing in the United States;

Whereas in 2010, the United States recycling industry collected, processed, and consumed over 130,000,000 metric tons of recyclable material, valued at $77,000,000,000;

Whereas many manufacturers use recycled commodities to make products, saving energy and reducing the need for raw materials, which are generally higher-priced;

Whereas the recycling industry in the United States helps balance the trade deficit and provides emerging economies with the raw materials needed to build countries and participate in the global economy;

Whereas in 2010, the scrap recycling industry in the United States sold more than 44,000,000 metric tons of commodity-grade materials, valued at almost $30,000,000,000, to more than 154 countries;

Whereas recycling saves energy by decreasing the amount of energy needed to manufacture the products that people build, buy, and use;

Whereas using recycled materials in place of raw materials can result in energy savings of 92 percent for aluminum cans, 87 percent for mixed plastics, 63 percent for steel cans, 45 percent for recycled newspaper, and 34 percent for recycled glass; and

Whereas a bipartisan Senate Recycling Caucus and a bipartisan House Recycling Caucus were established in 2006 to provide a permanent and long-term way for members of Congress to obtain in-depth knowledge about the recycling industry and to help promote the many benefits of recycling: Now, therefore, be it

Resolved, That the Senate—

(1) expresses support for improvement in the collection, processing, and consumption of recyclable material throughout the United States in order to create well-paying jobs, foster innovation and investment in the United States recycling infrastructure, and stimulate the economy of the United States;

(2) expresses support for strengthening the manufacturing base in the United States in order to rebuild the domestic economy, which will increase the supply, demand, and consumption of recyclable and recycled materials in the United States;

(3) expresses support for a competitive marketplace for recyclable materials;

(4) expresses support for the trade of recyclable commodities, which is an integral part of the domestic and global economy;

(5) expresses support for policies in the United States that promote recycling of materials, including paper, which is commonly recycled rather than thermally combusted or sent to a landfill;

(6) expresses support for policies in the United States that recognize and promote recyclable materials as essential economic commodities, rather than wastes;

(7) expresses support for policies in the United States that promote using recyclable materials as feedstock to produce new basic materials and finished products throughout the world;

(8) expresses support for research and development of new technologies to more efficiently and effectively recycle materials such as automobile shredder residue and cathode ray tubes;

(9) expresses support for research and development of new technologies to remove materials that are impediments to recycling, such as radioactive material, polychlorinated biphenyls, mercury-containing devices, and chlorofluorocarbons;

(10) expresses support for Design for Recycling, to improve the design and manufacture of goods to ensure that, at the end of a useful life, a good can, to the maximum extent practicable, be recycled safely and economically;

(11) recognizes that the scrap recycling industry in the United States is a manufacturing industry that is critical to the future of the United States;

(12) expresses support for policies in the United States that establish the equitable treatment of recycled materials; and

(13) expresses support for the participation of households, businesses, and governmental entities in the United States in recycling programs, where available.

SENATE RESOLUTION 310—DESIGNATING DECEMBER 3, 2013, AS ''NATIONAL PHENYLKETONURIA AWARENESS DAY''

Mr. ISAKSON (for himself and Ms. BALDWIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 310

Whereas phenylketonuria is a rare, inherited metabolic disorder that is characterized by the inability of the body to process the essential amino acid phenylalanine and causes mental retardation and other neurological problems, such as memory loss and mood disorders, when treatment is not started within the first few weeks of life;

Whereas newborn screening for phenylketonuria was initiated in the United States in 1963 and recommended for inclusion in State newborn screening programs under the Newborn Screening Saves Lives Act of 2007 (Public Law 110–204; 122 Stat. 705);

Whereas approximately 1 out of every 15,000 infants in the United States is born with phenylketonuria;

Whereas the Phenylketonuria Scientific Review Conference in 2012 affirmed the recommendation of lifelong dietary treatment for phenylketonuria made by the National Institutes of Health Consensus Development Conference Statement 2000;

Whereas women with phenylketonuria must maintain strict metabolic control before and during pregnancy to prevent fetal damage;

Whereas a child born from an untreated mother with phenylketonuria may have a condition known as ''maternal phenylketonuria syndrome'', which can cause a small brain, an intellectual disability, birth defects of the heart, and a low birth weight;

Whereas phenylketonuria is treated with medical food;

Whereas although there is no cure for phenylketonuria, treatment involving medical food and restricting phenylalanine intake can prevent progressive, irreversible brain damage;

Whereas maintaining a strict medical diet for phenylketonuria can be difficult to achieve, and poor metabolic control can result in a significant decline in mental and behavioral performance;

Whereas access to health insurance coverage for medical food varies across the United States;

Whereas the long-term costs associated with caring for untreated children and adults exceed the cost of providing medical food treatment;

Whereas scientists and researchers are hopeful that breakthroughs in phenylketonuria research will be forthcoming;

Whereas researchers across the United States are conducting important research projects involving phenylketonuria; and

Whereas the Senate is an institution that can raise awareness of phenylketonuria among the general public and the medical community: Now, therefore, be it

Resolved, That the Senate—

(1) designates December 3, 2013, as ''National Phenylketonuria Awareness Day'';

(2) encourages all people in the United States to become more informed about phenylketonuria; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the National PKU Alliance, a nonprofit organization dedicated to improving the lives of individuals with phenylketonuria.

SENATE RESOLUTION 311—CALLING ON THE INTERNATIONAL OLYMPIC COMMITTEE (IOC) TO STRONGLY OPPOSE RUSSIA'S DISCRIMINATORY LAW AGAINST THE FREEDOM OF EXPRESSION FOR LESBIAN, GAY, BISEXUAL, AND TRANSGENDER (LGBT) PERSONS AND TO OBTAIN WRITTEN ASSURANCE THAT HOST COUNTRIES OF THE OLYMPIC GAMES WILL UPHOLD ALL INTERNATIONAL HUMAN RIGHTS AND CIVIL RIGHTS OBLIGATIONS FOR ALL PERSONS OBSERVING OR PARTICIPATING IN THE GAMES REGARDLESS OF RACE, SEX, SEXUAL ORIENTATION, OR GENDER IDENTITY, AND FOR OTHER PURPOSES

Mr. MERKLEY (for himself, Mrs. BOXER, Mrs. FEINSTEIN, and Mr. MURPHY) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 311

Whereas the goal of the Olympic movement is to contribute to building a peaceful and better world by educating youth through sport practiced in accordance with Olympism and its values;

Whereas the role of the International Olympic Committee (IOC), according to the Olympic Charter, is to cooperate with the competent public or private organizations and authorities in the endeavor to place sport at the service of humanity and thereby promote peace;

Whereas, under the Olympic Charter, any form of discrimination against a person is deemed incompatible with belonging to the Olympic movement and the IOC is to act explicitly against any form of discrimination affecting the Olympic movement;

Whereas, in February 2014, the city of Sochi in the Krasnodar region of the Russian Federation will host the 22nd Winter Olympic Games;

Whereas, on June 30, 2013, President Vladimir Putin of Russian signed into law a bill that allows the Government of the Russian Federation to arrest gay or ''pro-gay'' foreigners prior to being deported from the country;

Whereas the Krasnodar region of Russia, where the city of Sochi is located, and 10 other regions have adopted similar laws banning ''homosexual propaganda'';

Whereas several media outlets recently reported of homophobic violence occurring in Russia resulting in the deaths of Russian citizens;

Whereas authorities in Russia have refused to register the nongovernmental organization that would set up a Pride House in Sochi, which would work to combat homophobia in sport and promote lesbian, gay, bisexual, and transgendered (LGBT) individuals' rights during the Olympic Games in Russia, as the Pride House did during the 2010 Winter Olympics in Vancouver;

Whereas the presence of a Pride House would be the expression of human rights and have the mission of celebrating diversity and inclusiveness through sport and raising awareness of LGBT discrimination and criminalization;

Whereas the IOC has said that they have received assurances from the highest levels of the Government of the Russian Federation that Olympic athletes and visitors will not be affected by Russia's discriminatory law, but the Minister of Sports in Russia has suggested that athletes will not be exempt;

Whereas the Department of State has a clear and consistent policy of championing the protection of human rights of LGBT individuals worldwide, including by opposing any legislation that singles out people for discriminatory treatment due to their sexual orientation and by encouraging countries to repeal or reform laws that punish or criminalize LGBT status;

Whereas Russia has obligated itself to respect and enforce the right to be free from discrimination and the right to freedom of assembly, association, and expression under the European Convention of Human Rights, the United Nations International Covenant on Civil and Political Rights, and the human dimension commitments of the Organization for Security and Cooperation in Europe; and

Whereas the IOC recently stated, ''The International Olympic Committee is clear that sport is a human right and should be available to all regardless of race, sex or sexual orientation. The Games themselves should be open to all, free of discrimination, and that applies to spectators, officials, media and of course athletes. We oppose in the strongest terms any move that would jeopardize this principle.'': Now, therefore, be it

Resolved, That the Senate—

(1) calls on the International Olympic Committee (IOC) to strongly oppose Russia's discriminatory law as inconsistent with Russia's international obligations and with the value of the Olympic movement;

(2) calls on the IOC to insist, as a condition of holding the planned Olympic Games in Sochi, that the Government of the Russian Federation provide unconditional assurance that no athlete, coach, official, spectator, or anyone otherwise involved or affiliated with the Olympic Games will be harassed, fined, detained, or otherwise have their human rights, including their right to free expression, violated due to their actual or perceived sexual orientation or gender identity or expression of support for LGBT human rights;

(3) urges the IOC to insist that venders and contractors have LGBT nondiscrimination policies in place for the 2014 Winter Olympics in Sochi and for all future Olympic Games or other Olympic events;

(4) urges the IOC to call on the Russian Federation to allow a Pride House that has the mission of celebrating diversity and inclusiveness through sport and raising awareness of LGBT discrimination and criminalization;

(5) urges the IOC to amend its charter to state that discrimination based on sexual orientation and gender identity is not compatible with the Olympic Games; and

(6) urges the congressionally chartered United States Olympic Committee to intervene and assist the IOC in establishing the objectives as laid out by this resolution.

SENATE CONCURRENT RESOLUTION 26—RECOGNIZING THE NEED TO IMPROVE PHYSICAL ACCESS TO MANY FEDERALLY FUNDED FACILITIES FOR ALL PEOPLE OF THE UNITED STATES, PARTICULARLY PEOPLE WITH DISABILITIES

Mr. BLUMENTHAL (for himself and Mr. MURPHY) submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. CON. RES. 26

Whereas, in 2012, 12 percent of the civilian population in the United States reported having a disability;

Whereas, in 2012, 16 percent of veterans, amounting to more than 3,500,000 people, received service-related disability benefits;

Whereas, in 2011, the percentage of working-age people in the United States who reported having a work limitation due to a disability was 7 percent, which is a 20-year high;

Whereas the Act entitled ''An Act to insure that certain buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped'', approved August 12, 1968 (42 U.S.C. 4151 et seq.) (referred to in this preamble as the ''Architectural Barriers Act of 1968''), was enacted to ensure that certain federally funded facilities are designed and constructed to be accessible to people with disabilities and requires that physically handicapped people have ready access to, and use of, post offices and other Federal facilities;

Whereas automatic doors, though not mandated by either the Architectural Barriers Act of 1968 or the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), provide a greater degree of self-sufficiency and dignity for people with disabilities and the elderly, who may have limited strength to open a manually operated door;

Whereas a report commissioned by the Architectural and Transportation Barriers Compliance Board (referred to in this preamble as the ''Access Board''), an independent Federal agency created to ensure access to federally funded facilities for people with disabilities, recommends that all new buildings for use by the public should have at least one automated door at an accessible entrance, except for small buildings where adding such doors may be a financial hardship for the owners of the buildings;

Whereas States and municipalities have begun to recognize the importance of automatic doors in improving accessibility;

Whereas the laws of the State of Connecticut require automatic doors in certain shopping malls and retail businesses, the laws of the State of Delaware require automatic doors or calling devices for newly constructed places of accommodation, and the laws of the District of Columbia have a similar requirement;

Whereas the Facilities Standards for the Public Buildings Service, published by the General Services Administration, requires automation of at least one exterior door for all newly constructed or renovated facilities managed by the General Services Administration, including post offices;

Whereas from 2006 to 2011, 71 percent of the complaints received by the Access Board regarding the Architectural Barriers Act of 1968 concerned a post office or other facility of the United States Postal Service;

Whereas the United States Postal Service employs approximately 522,000 people, making it the second-largest civilian employer in the United States;

Whereas approximately 3,200,000 people visit 1 of the 31,857 post offices in the United States each day; and

Whereas the United States was founded on principles of equality and freedom, and these principles require that all people, including people with disabilities, are able to engage as equal members of society: Now, therefore, be it

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

(1) recognizes the immense hardships that people with disabilities in the United States must overcome every day;

(2) reaffirms its support of the Act entitled ''An Act to insure that certain buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped'', approved August 12, 1968 (42 U.S.C. 4151 et seq.), commonly known as the ''Architectural Barriers Act of 1968'', and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and encourages full compliance with such Acts;

(3) recommends that the United States Postal Service and Federal agencies install power-assisted doors at post offices and other federally funded facilities, respectively, to ensure equal access for all people of the United States; and

(4) pledges to continue to work to identify and remove the barriers that prevent all people of the United States from having equal access to the services provided by the Federal Government.

SENATE CONCURRENT RESOLUTION 27—EXPRESSING THE SENSE OF CONGRESS THAT THE UNITED STATES SHOULD ENSURE THAT ISRAEL IS ABLE TO ADEQUATELY ADDRESS AN EXISTENTIAL IRANIAN NUCLEAR THREAT AND TO SUPPORT ISRAEL'S RIGHT TO RESPOND TO THE POTENTIAL THREAT OF A SYRIAN S-300 AIR DEFENSE SYSTEM

Mr. TOOMEY submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 27

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. SHORT TITLE.

This resolution may be cited as the ''Support of Israel Against Existential Threat Resolution of 2013''.

SEC. 2. SENSE OF CONGRESS ON SUPPORT TO ISRAEL TO ADDRESS IRANIAN AND SYRIAN THREATS.

It is the sense of Congress that—

(1) the United States should ensure that Israel, as a critical United States ally, is able to adequately address an existential Iranian nuclear threat, and the Secretary of Defense should seek related opportunities for defense cooperation and partnership on military capabilities where appropriate; and

(2) the delivery of the S-300 air defense system to Syria would pose a grave risk to Israel, and the United States supports Israel's right to respond to this grave threat as needed.

SENATE CONCURRENT RESOLUTION 28—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 28

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, November 21, 2013, through Friday, December 6, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, December 9, 2013, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 or section 3 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Thursday, November 21, 2013, through Tuesday, November 26, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, December 2, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

SEC. 3. After the House reassembles pursuant to the first section of this concurrent resolution, the Majority Leader of the Senate after consultation with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble whenever, in his opinion, the public interest shall warrant it.

SENATE CONCURRENT RESOLUTION 29—EXPRESSING THE SENSE OF THE CONGRESS THAT CHILDREN TRAFFICKED IN THE UNITED STATES BE TREATED AS VICTIMS OF CRIME, AND NOT AS PERPETRATORS

Mr. HATCH (for himself, Mr. DURBIN, Mr. BAUCUS, Mr. PORTMAN, Mr. WYDEN, Mr. CORNYN, Mr. BLUMENTHAL, Mr. ENZI, and Mr. CRAPO) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 29

Whereas, according to the Federal Bureau of Investigation, it is estimated that hundreds of thousands of American children are at risk for commercial sexual exploitation;

Whereas this risk is even greater for the up to 30,000 young people who are emancipated from foster care each year;

Whereas many of these children are girls previously or currently living in foster care or otherwise involved in the child welfare system;

Whereas flaws in the child welfare system in the United States, such as an over-reliance on group homes and barriers to youth engaging in age-appropriate activities, contribute to children's vulnerability to domestic sex trafficking;

Whereas the average age of entry into sex trafficking for girls is between just 12 and 14 years old;

Whereas many child sex trafficking victims have experienced previous physical and/or sexual abuse—vulnerabilities that traffickers exploit to lure them into a life of sexual slavery that exposes them to long-term abuse;

Whereas many child sex trafficking victims are the ''lost girls'', standing around bus stops, in the runaway and homeless youth shelters, advertised online—hidden in plain view; and

Whereas many child sex trafficking victims who have not yet attained the age of consent are arrested and detained for juvenile prostitution or status offenses directly related to their exploitation: Now, therefore, be it

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

(1) finds that law enforcement, judges, child welfare agencies, and the public should treat children being trafficked for sex as victims of child abuse;

(2) finds that every effort should be made to arrest and hold accountable both traffickers and buyers of children for sex, in accordance with Federal laws to protect victims of trafficking and State child protection laws against abuse, in order to take all necessary measures to protect our Nation's children from harm;

(3) supports survivors of domestic sex trafficking, including their efforts to raise awareness of this tragedy and the services they need to heal from the complex trauma of sexual violence and exploitation;

(4) recognizes that most girls who are bought and sold for sex in the United States have been involved in the child welfare system, which has a responsibility to protect them and requires reform to better prevent domestic child sex trafficking and aid the victims of this tragedy;

(5) believes that the child welfare system should identify, assess, and provide supportive services to children in its care who are victims of sex trafficking, or at risk of becoming such victims; and

(6) supports an end to demand for girls by declaring that our Nation's daughters are not for sale and that any person who purchases a child for sex should be appropriately held accountable with the full force of law.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2442. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 2443. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2444. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2445. Mr. BENNET (for himself, Mr. COBURN, Mr. CARPER, and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2446. Mr. CHAMBLISS (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2447. Mr. COATS (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2448. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2449. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2450. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2451. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2452. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2453. Mr. LEE (for himself, Mrs. FISCHER, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2454. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2455. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2456. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2457. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2458. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2459. Mr. BOOZMAN (for himself and Mr. DONNELLY) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2460. Mr. BOOZMAN (for himself, Mr. MANCHIN, and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2461. Mr. PORTMAN (for himself and Mr. DONNELLY) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2462. Mr. CARDIN (for himself, Mr. MCCAIN, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2463. Ms. MIKULSKI (for herself, Mr. COATS, Mr. WYDEN, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2464. Mr. KAINE (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2465. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2466. Mr. LEVIN (for himself, Mr. MCCAIN, Mr. ROCKEFELLER, and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2467. Mr. ROCKEFELLER (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2468. Mr. MARKEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2469. Mr. CASEY (for himself, Mr. TOOMEY, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2470. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2471. Mr. LEAHY (for himself, Ms. COLLINS, Mr. COONS, Mr. BLUMENTHAL, Ms. LANDRIEU, Mr. WHITEHOUSE, Mr. MERKLEY, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2472. Ms. LANDRIEU (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2473. Mr. UDALL of Colorado (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2474. Mr. TESTER (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2475. Mr. MCCAIN (for himself, Mr. LEVIN, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2476. Ms. WARREN (for herself and Mr. RUBIO) submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2477. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2478. Mr. REED (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2479. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2480. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2481. Mr. MANCHIN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2482. Mr. CARPER (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2483. Mr. MENENDEZ (for himself, Mr. CORKER, Mr. CARDIN, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2484. Ms. KLOBUCHAR (for herself, Mr. SCHUMER, Mr. COONS, and Mr. HOEVEN) submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2485. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2486. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2487. Mr. CARDIN (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2488. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2489. Mr. BAUCUS (for himself, Mr. ENZI, Mr. TESTER, Ms. HEITKAMP, Mr. HOEVEN, Mr. BARRASSO, Mrs. FISCHER, Mr. HATCH, and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2490. Ms. CANTWELL (for herself, Mr. BEGICH, Ms. MURKOWSKI, and Mrs. MURRAY) submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2491. Ms. CANTWELL (for herself and Mrs. MURRAY) submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2492. Ms. CANTWELL (for herself, Mr. HEINRICH, Mrs. MURRAY, and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2493. Mr. KAINE (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2494. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2495. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2496. Mr. MENENDEZ (for himself and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2497. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2498. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2499. Mr. MCCAIN (for himself, Mrs. FEINSTEIN, Mr. COCHRAN, Ms. CANTWELL, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2500. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2501. Mr. HELLER (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2502. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2503. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2504. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2505. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2506. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2507. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2508. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2509. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2510. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2511. Mr. CRUZ (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2512. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2513. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2514. Mr. KING (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2515. Mr. KING (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2516. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2517. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2518. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2519. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2520. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2521. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2522. Mr. MENENDEZ (for himself and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2523. Mr. MENENDEZ (for himself, Mr. SCHUMER, Mr. CARDIN, Mr. BLUMENTHAL, Mr. COONS, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2524. Mr. KING (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2525. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2526. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2527. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2528. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2529. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2530. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2531. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2532. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2533. Mr. CORNYN (for himself, Mr. CRUZ, Mr. BOOZMAN, Mr. PRYOR, Mr. HELLER, Mr. MORAN, Ms. COLLINS, and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2534. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2535. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2536. Mr. BURR (for himself, Mr. COBURN, Mr. CHAMBLISS, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2537. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2538. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2539. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2185 submitted by Mr. WICKER (for himself, Mr. LEE, Mrs. FISCHER, and Mr. CORNYN) and intended to be proposed to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2540. Mr. BAUCUS (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 2100 submitted by Mr. WYDEN (for himself and Mr. HEINRICH) and intended to be proposed to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2541. Mr. UDALL of Colorado (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2542. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2502 submitted by Ms. BALDWIN and intended to be proposed to the bill S. 1197, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2442. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1237. STRATEGY TO SUPPORT CONSOLIDATION OF SECURITY AND GOVERNANCE GAINS IN SOMALIA.

(a) REQUIREMENT FOR STRATEGY.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate committees of Congress a strategy to guide future United States action in support of the Government and people of Somalia to foster economic growth and opportunity, counter armed threats to stability, and develop credible, transparent, and representative government systems and institutions.

(b) CONTENT OF STRATEGY.—The strategy required under subsection (a) should include the following elements:

(1) A clearly stated policy toward Somalia on supporting the consolidation of political gains at the national level, while also encouraging and supporting complementary processes at the local and regional levels.

(2) Measures to support the development goals identified by the people and Government of Somalia.

(3) Plans for strengthening efforts by the Government of Somalia, the African Union, and regional governments to stabilize the security situation within Somalia and further degrade al-Shabaab's capabilities, in order to enable the eventual transfer of security operations to Somali security forces capable of—

(A) maintaining and expanding security within Somalia;

(B) confronting international security threats; and

(C) preventing human rights abuses.

(4) Plans for supporting the development and professionalization of regionally and ethnically representative Somali security forces, including the infrastructure and procedures required to ensure chain of custody and the safe storage of military equipment and an assessment of the benefits and risks of the provision of weaponry to the Somali security forces by the United States.

(5) A description of United States national security objectives addressed through military-to-military cooperation activities with Somali security forces.

(6) A description of security risks to United States personnel conducting security cooperation activities within Somalia and plans to assist the Somali security forces in preventing infiltration and insider attacks, including through the application of lessons learned in United States military training efforts in Afghanistan.

(7) A description of United States tools for monitoring and responding to violations of the United Nations Security Council arms embargo, charcoal ban, and other international agreements affecting the stability of Somalia.

(8) A description of mechanisms for coordinating United States military and non-military assistance with other international donors, regional governments, and relevant multilateral organizations.

(9) Plans to increase United States diplomatic engagement with Somalia, including through the future establishment of an embassy or other diplomatic posts in Mogadishu.

(10) Any other element the President determines appropriate.

(c) REPORTS.—Not later than 180 days from the submission of the strategy required under subsection (a), and annually thereafter for three years, the President shall submit to the appropriate committees of Congress an update on implementation of the strategy and progress made in Somalia in security, stability, development, and governance.

(d) FORM.—The strategy under this section shall be submitted in unclassified form, but may include a classified annex. The reports may take the form of a briefing, unclassified report, or unclassified report with a classified annex.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to authorize any use of military force in Somalia.

(f) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee Intelligence of the Senate; and

(2) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 2443. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1066. REPORT ON UNMANNED AIRCRAFT SYSTEMS.

(a) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services of the Senate;

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

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Armed Services of the House of Representatives;

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

(F) the Committee on Science, Space, and Technology of the House of Representatives; and

(G) the Committee on Appropriations of the House of Representatives.

(2) The term ''UAS Executive Committee'' means the Department of Defense-Federal Aviation Administration executive committee described in section 1036(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4596) established by the Secretary of Defense and the Administrator of the Federal Aviation Administration.

(b) REPORT ON COLLABORATION, DEMONSTRATION, AND USE CASES AND DATA SHARING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, the Secretary of Transportation, the Administrator of the Federal Aviation Administration, and the Administrator of the National Aeronautics and Space Administration, on behalf of the UAS Executive Committee, shall jointly submit a report to the appropriate congressional committees that describes the following:

(1) The collaboration, demonstrations, and initial fielding of unmanned aircraft systems at test sites within and outside of restricted airspace.

(2) The progress being made to develop public and civil sense-and-avoid and command-and-control technology, including the human factors and other technological challenges identified in the Integration of Civil Unmanned Aircraft Systems in the National Airspace System Roadmap, published by the Federal Aviation Administration on November 7, 2013 (referred to in this subsection as the ''NAS Roadmap''), and what role the test sites can play in overcoming those challenges.

(3) An assessment on the sharing of operational, programmatic, and research data relating to unmanned aircraft systems operations by the Federal Aviation Administration, the Department of Defense, and the National Aeronautics and Space Administration to help the Federal Aviation Administration establish civil unmanned aircraft systems certification standards, pilot certification and licensing, and air traffic control procedures, including identifying the locations selected to collect, analyze, and store the data.

(4) The strategy to improve the effectiveness of government-industry collaboration between UAS Executive Committee members and relevant stakeholders regarding National Airspace System integration, and how the test sites can be used to improve this collaboration.

(5) An evaluation of how best to overcome the national security challenges identified in the NAS Roadmap referred to in paragraph (2).

SA 2444. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

TITLE ____—CYBERSECURITY ACT OF 2013

SEC. ____01. SHORT TITLE.

This title may be cited as the ''Cybersecurity Act of 2013''.

SEC. ____02. DEFINITIONS.

In this title:

(1) CYBERSECURITY MISSION.—The term ''cybersecurity mission'' means activities that encompass the full range of threat reduction, vulnerability reduction, deterrence, international engagement, incident response, resiliency, and recovery policies and activities, including computer network operations, information assurance, law enforcement, diplomacy, military, and intelligence missions as such activities relate to the security and stability of cyberspace.

(2) INFORMATION INFRASTRUCTURE.—The term ''information infrastructure'' means the underlying framework that information

systems and assets rely on to process, transmit, receive, or store information electronically, including programmable electronic devices, communications networks, and industrial or supervisory control systems and any associated hardware, software, or data.

(3) INFORMATION SYSTEM.—The term ''information system'' has the meaning given that term in section 3502 of title 44, United States Code.

SEC. ___03. NO REGULATORY AUTHORITY.

Nothing in this title shall be construed to confer any regulatory authority on any Federal, State, tribal, or local department or agency.

Subtitle A—Public-private Collaboration on Cybersecurity

SEC. ___11. PUBLIC-PRIVATE COLLABORATION ON CYBERSECURITY.

(a) CYBERSECURITY.—Section 2(c) of the National Institute of Standards and Technology Act (15 U.S.C. 272(c)) is amended—

(1) by redesignating paragraphs (15) through (22) as paragraphs (16) through (23), respectively; and

(2) by inserting after paragraph (14) the following:

''(15) on an ongoing basis, facilitate and support the development of a voluntary, industry-led set of standards, guidelines, best practices, methodologies, procedures, and processes to reduce cyber risks to critical infrastructure (as defined under subsection (e));''.

(b) SCOPE AND LIMITATIONS.—Section 2 of the National Institute of Standards and Technology Act (15 U.S.C. 272) is amended by adding at the end the following:

''(e) CYBER RISKS.—

''(1) IN GENERAL.—In carrying out the activities under subsection (c)(15), the Director—

''(A) shall—

''(i) coordinate closely and continuously with relevant private sector personnel and entities, critical infrastructure owners and operators, sector coordinating councils, Information Sharing and Analysis Centers, and other relevant industry organizations, and incorporate industry expertise;

''(ii) consult with the heads of agencies with national security responsibilities, sector-specific agencies, State and local governments, the governments of other nations, and international organizations;

''(iii) identify a prioritized, flexible, repeatable, performance-based, and cost-effective approach, including information security measures and controls, that may be voluntarily adopted by owners and operators of critical infrastructure to help them identify, assess, and manage cyber risks;

''(iv) include methodologies—

''(I) to identify and mitigate impacts of the cybersecurity measures or controls on business confidentiality; and

''(II) to protect individual privacy and civil liberties;

''(v) incorporate voluntary consensus standards and industry best practices;

''(vi) align with voluntary international standards to the fullest extent possible;

''(vii) prevent duplication of regulatory processes and prevent conflict with or superseding of regulatory requirements, mandatory standards, and related processes; and

''(viii) include such other similar and consistent elements as the Director considers necessary; and

''(B) shall not prescribe or otherwise require—

''(i) the use of specific solutions;

''(ii) the use of specific information or communications technology products or services; or

''(iii) that information or communications technology products or services be designed, developed, or manufactured in a particular manner.

''(2) LIMITATION.—Information shared with or provided to the Institute for the purpose of the activities described under subsection (c)(15) shall not be used by any Federal, State, tribal, or local department or agency to regulate the activity of any entity.

''(3) DEFINITIONS.—In this subsection:

''(A) CRITICAL INFRASTRUCTURE.—The term 'critical infrastructure' has the meaning given the term in section 1016(e) of the USA PATRIOT Act of 2001 (42 U.S.C. 5195c(e)).

''(B) SECTOR-SPECIFIC AGENCY.—The term 'sector-specific agency' means the Federal department or agency responsible for providing institutional knowledge and specialized expertise as well as leading, facilitating, or supporting the security and resilience programs and associated activities of its designated critical infrastructure sector in the all-hazards environment.''.

(c) STUDY AND REPORT.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study that assesses—

(A) the progress made by the Director of the National Institute of Standards and Technology in facilitating the development of standards and procedures to reduce cyber risks to critical infrastructure in accordance with section 2(c)(15) of the National Institute of Standards and Technology Act, as added by this section;

(B) the extent to which the Director's facilitation efforts are consistent with the directive in such section that the development of such standards and procedures be voluntary and led by industry representatives;

(C) the extent to which sectors of critical infrastructure (as defined in section 1016(e) of the USA PATRIOT Act of 2001 (42 U.S.C. 5195c(e))) have adopted a voluntary, industry-led set of standards, guidelines, best practices, methodologies, procedures, and processes to reduce cyber risks to critical infrastructure in accordance with such section 2(c)(15);

(D) the reasons behind the decisions of sectors of critical infrastructure (as defined in subparagraph (C)) to adopt or to not adopt the voluntary standards described in subparagraph (C); and

(E) the extent to which such voluntary standards have proved successful in protecting critical infrastructure from cyber threats.

(2) REPORTS.—Not later than 1 year after the date of the enactment of this Act, and every 2 years thereafter for the following 6 years, the Comptroller General shall submit a report, which summarizes the findings of the study conducted under paragraph (1), to—

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

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

(C) the Committee on Science, Space, and Technology of the House of Representatives.

Subtitle B—Cybersecurity Research and Development

SEC. ___21. FEDERAL CYBERSECURITY RESEARCH AND DEVELOPMENT.

(a) FUNDAMENTAL CYBERSECURITY RESEARCH.—

(1) IN GENERAL.—The Director of the Office of Science and Technology Policy, in coordination with the head of any relevant Federal agency, shall build upon programs and plans in effect as of the date of enactment of this Act to develop a Federal cybersecurity research and development plan to meet objectives in cybersecurity, such as—

(A) how to design and build complex software-intensive systems that are secure and reliable when first deployed;

(B) how to test and verify that software and hardware, whether developed locally or obtained from a third party, is free of significant known security flaws;

(C) how to test and verify that software and hardware obtained from a third party correctly implements stated functionality, and only that functionality;

(D) how to guarantee the privacy of an individual, including that individual's identity, information, and lawful transactions when stored in distributed systems or transmitted over networks;

(E) how to build new protocols to enable the Internet to have robust security as one of the key capabilities of the Internet;

(F) how to determine the origin of a message transmitted over the Internet;

(G) how to support privacy in conjunction with improved security;

(H) how to address the growing problem of insider threats;

(I) how improved consumer education and digital literacy initiatives can address human factors that contribute to cybersecurity;

(J) how to protect information processed, transmitted, or stored using cloud computing or transmitted through wireless services; and

(K) any additional objectives the Director of the Office of Science and Technology Policy, in coordination with the head of any relevant Federal agency and with input from stakeholders, including appropriate national laboratories, industry, and academia, determines appropriate.

(2) REQUIREMENTS.—

(A) IN GENERAL.—The Federal cybersecurity research and development plan shall identify and prioritize near-term, mid-term, and long-term research in computer and information science and engineering to meet the objectives under paragraph (1), including research in the areas described in section 4(a)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7403(a)(1)).

(B) PRIVATE SECTOR EFFORTS.—In developing, implementing, and updating the Federal cybersecurity research and development plan, the Director of the Office of Science and Technology Policy shall work in close cooperation with industry, academia, and other interested stakeholders to ensure, to the extent possible, that Federal cybersecurity research and development is not duplicative of private sector efforts.

(3) TRIENNIAL UPDATES.—

(A) IN GENERAL.—The Federal cybersecurity research and development plan shall be updated triennially.

(B) REPORT TO CONGRESS.—The Director of the Office of Science and Technology Policy shall submit the plan, not later than 1 year after the date of enactment of this Act, and each updated plan under this section to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

(b) CYBERSECURITY PRACTICES RESEARCH.—The Director of the National Science Foundation shall support research that—

(1) develops, evaluates, disseminates, and integrates new cybersecurity practices and concepts into the core curriculum of computer science programs and of other programs where graduates of such programs have a substantial probability of developing software after graduation, including new practices and concepts relating to secure coding education and improvement programs; and

(2) develops new models for professional development of faculty in cybersecurity education, including secure coding development.

(c) CYBERSECURITY MODELING AND TEST BEDS.—

(1) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Director the National Science Foundation, in coordination with the Director of the Office of Science and Technology Policy, shall conduct a review of cybersecurity test beds in existence on the date of enactment of this Act to inform the grants under paragraph (2). The review shall include an assessment of whether a sufficient number of cybersecurity test beds are available to meet the research needs under the Federal cybersecurity research and development plan.

(2) ADDITIONAL CYBERSECURITY MODELING AND TEST BEDS.—

(A) IN GENERAL.—If the Director of the National Science Foundation, after the review under paragraph (1), determines that the research needs under the Federal cybersecurity research and development plan require the establishment of additional cybersecurity test beds, the Director of the National Science Foundation, in coordination with the Secretary of Commerce and the Secretary of Homeland Security, may award grants to institutions of higher education or research and development non-profit institutions to establish cybersecurity test beds.

(B) REQUIREMENT.—The cybersecurity test beds under subparagraph (A) shall be sufficiently large in order to model the scale and complexity of real-time cyber attacks and defenses on real world networks and environments.

(C) ASSESSMENT REQUIRED.—The Director of the National Science Foundation, in coordination with the Secretary of Commerce and the Secretary of Homeland Security, shall evaluate the effectiveness of any grants awarded under this subsection in meeting the objectives of the Federal cybersecurity research and development plan under subsection (a) no later than 2 years after the review under paragraph (1) of this subsection, and periodically thereafter.

(d) COORDINATION WITH OTHER RESEARCH INITIATIVES.—In accordance with the responsibilities under section 101 of the High-Performance Computing Act of 1991 (15 U.S.C. 5511), the Director the Office of Science and Technology Policy shall coordinate, to the extent practicable, Federal research and development activities under this section with other ongoing research and development security-related initiatives, including research being conducted by—

(1) the National Science Foundation;

(2) the National Institute of Standards and Technology;

(3) the Department of Homeland Security;

(4) other Federal agencies;

(5) other Federal and private research laboratories, research entities, and universities;

(6) institutions of higher education;

(7) relevant nonprofit organizations; and

(8) international partners of the United States.

(e) NATIONAL SCIENCE FOUNDATION COMPUTER AND NETWORK SECURITY RESEARCH GRANT AREAS.—Section 4(a)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7403(a)(1)) is amended—

(1) in subparagraph (H), by striking ''and'' at the end;

(2) in subparagraph (I), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(J) secure fundamental protocols that are integral to inter-network communications and data exchange;

''(K) secure software engineering and software assurance, including—

''(i) programming languages and systems that include fundamental security features;

''(ii) portable or reusable code that remains secure when deployed in various environments;

''(iii) verification and validation technologies to ensure that requirements and specifications have been implemented; and

''(iv) models for comparison and metrics to assure that required standards have been met;

''(L) holistic system security that—

''(i) addresses the building of secure systems from trusted and untrusted components;

''(ii) proactively reduces vulnerabilities;

''(iii) addresses insider threats; and

''(iv) supports privacy in conjunction with improved security;

''(M) monitoring and detection;

''(N) mitigation and rapid recovery methods;

''(O) security of wireless networks and mobile devices; and

''(P) security of cloud infrastructure and services.''.

(f) RESEARCH ON THE SCIENCE OF CYBERSECURITY.—The head of each agency and department identified under section 101(a)(3)(B) of the High-Performance Computing Act of 1991 (15 U.S.C. 5511(a)(3)(B)), through existing programs and activities, shall support research that will lead to the development of a scientific foundation for the field of cybersecurity, including research that increases understanding of the underlying principles of securing complex networked systems, enables repeatable experimentation, and creates quantifiable security metrics.

SEC. ____22. COMPUTER AND NETWORK SECURITY RESEARCH CENTERS.

Section 4(b) of the Cyber Security Research and Development Act (15 U.S.C. 7403(b)) is amended—

(1) in paragraph (3), by striking ''the research areas'' and inserting the following: ''improving the security and resiliency of information infrastructure, reducing cyber vulnerabilities, and anticipating and mitigating consequences of cyber attacks on critical infrastructure, by conducting research in the areas'';

(2) by striking ''the center'' in paragraph (4)(D) and inserting ''the Center''; and

(3) in paragraph (5)—

(A) by striking ''and'' at the end of subparagraph (C);

(B) by striking the period at the end of subparagraph (D) and inserting a semicolon; and

(C) by adding at the end the following:

''(E) the demonstrated capability of the applicant to conduct high performance computation integral to complex computer and network security research, through on-site or off-site computing;

''(F) the applicant's affiliation with private sector entities involved with industrial research described in subsection (a)(1);

''(G) the capability of the applicant to conduct research in a secure environment;

''(H) the applicant's affiliation with existing research programs of the Federal Government;

''(I) the applicant's experience managing public-private partnerships to transition new technologies into a commercial setting or the government user community;

''(J) the capability of the applicant to conduct interdisciplinary cybersecurity research, basic and applied, such as in law, economics, or behavioral sciences; and

''(K) the capability of the applicant to conduct research in areas such as systems security, wireless security, networking and protocols, formal methods and high-performance computing, nanotechnology, or industrial control systems.''.

Subtitle C—Education and Workforce Development

SEC. ____31. CYBERSECURITY COMPETITIONS AND CHALLENGES.

(a) IN GENERAL.—The Secretary of Commerce, Director of the National Science Foundation, and Secretary of Homeland Security, in consultation with the Director of the Office of Personnel Management, shall—

(1) support competitions and challenges under section 105 of the America COMPETES Reauthorization Act of 2010 (124 Stat. 3989) or any other provision of law, as appropriate—

(A) to identify, develop, and recruit talented individuals to perform duties relating to the security of information infrastructure in Federal, State, and local government agencies, and the private sector; or

(B) to stimulate innovation in basic and applied cybersecurity research, technology development, and prototype demonstration that has the potential for application to the information technology activities of the Federal Government; and

(2) ensure the effective operation of the competitions and challenges under this section.

(b) PARTICIPATION.—Participants in the competitions and challenges under subsection (a)(1) may include—

(1) students enrolled in grades 9 through 12;

(2) students enrolled in a postsecondary program of study leading to a baccalaureate degree at an institution of higher education;

(3) students enrolled in a post baccalaureate program of study at an institution of higher education;

(4) institutions of higher education and research institutions;

(5) veterans; and

(6) other groups or individuals that the Secretary of Commerce, Director of the National Science Foundation, and Secretary of Homeland Security determine appropriate.

(c) AFFILIATION AND COOPERATIVE AGREEMENTS.—Competitions and challenges under this section may be carried out through affiliation and cooperative agreements with—

(1) Federal agencies;

(2) regional, State, or school programs supporting the development of cyber professionals;

(3) State, local, and tribal governments; or

(4) other private sector organizations.

(d) AREAS OF SKILL.—Competitions and challenges under subsection (a)(1)(A) shall be designed to identify, develop, and recruit exceptional talent relating to—

(1) ethical hacking;

(2) penetration testing;

(3) vulnerability assessment;

(4) continuity of system operations;

(5) security in design;

(6) cyber forensics;

(7) offensive and defensive cyber operations; and

(8) other areas the Secretary of Commerce, Director of the National Science Foundation, and Secretary of Homeland Security consider necessary to fulfill the cybersecurity mission.

(e) TOPICS.—In selecting topics for competitions and challenges under subsection (a)(1), the Secretary of Commerce, Director of the National Science Foundation, and Secretary of Homeland Security—

(1) shall consult widely both within and outside the Federal Government; and

(2) may empanel advisory committees.

(f) INTERNSHIPS.—The Director of the Office of Personnel Management may support, as appropriate, internships or other work experience in the Federal Government to the winners of the competitions and challenges under this section.

SEC. ____32. FEDERAL CYBER SCHOLARSHIP-FOR-SERVICE PROGRAM.

(a) IN GENERAL.—The Director of the National Science Foundation, in coordination

with the Director of the Office of Personnel Management and Secretary of Homeland Security, shall continue a Federal Cyber Scholarship-for-Service program to recruit and train the next generation of information technology professionals, industrial control system security professionals, and security managers to meet the needs of the cybersecurity mission for Federal, State, local, and tribal governments.

(b) PROGRAM DESCRIPTION AND COMPONENTS.—The Federal Cyber Scholarship-for-Service program shall—

(1) provide scholarships to students who are enrolled in programs of study at institutions of higher education leading to degrees or specialized program certifications in the cybersecurity field;

(2) provide the scholarship recipients with summer internship opportunities or other meaningful temporary appointments in the Federal information technology workforce; and

(3) provide a procedure by which the National Science Foundation or a Federal agency, consistent with regulations of the Office of Personnel Management, may request and fund security clearances for scholarship recipients, including providing for clearances during internships or other temporary appointments and after receipt of their degrees.

(c) SCHOLARSHIP AMOUNTS.—Each scholarship under subsection (b) shall be in an amount that covers the student's tuition and fees at the institution under subsection (b)(1) and provides the student with an additional stipend.

(d) SCHOLARSHIP CONDITIONS.—Each scholarship recipient, as a condition of receiving a scholarship under the program, shall enter into an agreement under which the recipient agrees to work in the cybersecurity mission of a Federal, State, local, or tribal agency for a period equal to the length of the scholarship following receipt of the student's degree.

(e) HIRING AUTHORITY.—

(1) APPOINTMENT IN EXCEPTED SERVICE.—Notwithstanding any provision of chapter 33 of title 5, United States Code, governing appointments in the competitive service, an agency shall appoint in the excepted service an individual who has completed the academic program for which a scholarship was awarded.

(2) NONCOMPETITIVE CONVERSION.—Except as provided in paragraph (4), upon fulfillment of the service term, an employee appointed under paragraph (1) may be converted noncompetitively to term, career-conditional or career appointment.

(3) TIMING OF CONVERSION.—An agency may noncompetitively convert a term employee appointed under paragraph (2) to a career-conditional or career appointment before the term appointment expires.

(4) AUTHORITY TO DECLINE CONVERSION.—An agency may decline to make the noncompetitive conversion or appointment under paragraph (2) for cause.

(f) ELIGIBILITY.—To be eligible to receive a scholarship under this section, an individual shall—

(1) be a citizen or lawful permanent resident of the United States;

(2) demonstrate a commitment to a career in improving the security of information infrastructure; and

(3) have demonstrated a high level of proficiency in mathematics, engineering, or computer sciences.

(g) REPAYMENT.—If a scholarship recipient does not meet the terms of the program under this section, the recipient shall refund the scholarship payments in accordance with rules established by the Director of the National Science Foundation, in coordination with the Director of the Office of Personnel Management and Secretary of Homeland Security.

(h) EVALUATION AND REPORT.—The Director of the National Science Foundation shall evaluate and report periodically to Congress on the success of recruiting individuals for scholarships under this section and on hiring and retaining those individuals in the public sector workforce.

SEC. ___33. STUDY AND ANALYSIS OF EDUCATION, ACCREDITATION, TRAINING, AND CERTIFICATION OF INFORMATION INFRASTRUCTURE AND CYBERSECURITY PROFESSIONALS.

(a) STUDY.—The Director of the National Science Foundation, the Director of the Office of Personnel Management, and the Secretary of Homeland Security shall undertake to enter into appropriate arrangements with the National Academy of Sciences to conduct a comprehensive study of government, academic, and private-sector education, accreditation, training, and certification programs for the development of professionals in information infrastructure and cybersecurity. The agreement shall require the National Academy of Sciences to consult with sector coordinating councils and relevant governmental agencies, regulatory entities, and nongovernmental organizations in the course of the study.

(b) SCOPE.—The study shall include—

(1) an evaluation of the body of knowledge and various skills that specific categories of professionals in information infrastructure and cybersecurity should possess in order to secure information systems;

(2) an assessment of whether existing government, academic, and private-sector education, accreditation, training, and certification programs provide the body of knowledge and various skills described in paragraph (1);

(3) an evaluation of—

(A) the state of cybersecurity education at institutions of higher education in the United States;

(B) the extent of professional development opportunities for faculty in cybersecurity principles and practices;

(C) the extent of the partnerships and collaborative cybersecurity curriculum development activities that leverage industry and government needs, resources, and tools;

(D) the proposed metrics to assess progress toward improving cybersecurity education; and

(E) the descriptions of the content of cybersecurity courses in undergraduate computer science curriculum;

(4) an analysis of any barriers to the Federal Government recruiting and hiring cybersecurity talent, including barriers relating to compensation, the hiring process, job classification, and hiring flexibility; and

(5) an analysis of the sources and availability of cybersecurity talent, a comparison of the skills and expertise sought by the Federal Government and the private sector, an examination of the current and future capacity of United States institutions of higher education, including community colleges, to provide current and future cybersecurity professionals, through education and training activities, with those skills sought by the Federal Government, State and local entities, and the private sector.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the National Academy of Sciences shall submit to the President and Congress a report on the results of the study. The report shall include—

(1) findings regarding the state of information infrastructure and cybersecurity education, accreditation, training, and certification programs, including specific areas of deficiency and demonstrable progress; and

(2) recommendations for further research and the improvement of information infrastructure and cybersecurity education, accreditation, training, and certification programs.

Subtitle D—Cybersecurity Awareness and Preparedness

SEC. ___41. NATIONAL CYBERSECURITY AWARENESS AND PREPAREDNESS CAMPAIGN.

(a) NATIONAL CYBERSECURITY AWARENESS AND PREPAREDNESS CAMPAIGN.—The Director of the National Institute of Standards and Technology (referred to in this section as the ''Director''), in consultation with appropriate Federal agencies, shall continue to coordinate a national cybersecurity awareness and preparedness campaign, such as—

(1) a campaign to increase public awareness of cybersecurity, cyber safety, and cyber ethics, including the use of the Internet, social media, entertainment, and other media to reach the public;

(2) a campaign to increase the understanding of State and local governments, institutions of higher education, and private sector entities of—

(A) the benefits of ensuring effective risk management of the information infrastructure versus the costs of failure to do so; and

(B) the methods to mitigate and remediate vulnerabilities;

(3) support for formal cybersecurity education programs at all education levels to prepare skilled cybersecurity and computer science workers for the private sector and Federal, State, and local government; and

(4) initiatives to evaluate and forecast future cybersecurity workforce needs of the Federal government and develop strategies for recruitment, training, and retention.

(b) CONSIDERATIONS.—In carrying out the authority described in subsection (a), the Director, in consultation with appropriate Federal agencies, shall leverage existing programs designed to inform the public of safety and security of products or services, including self-certifications and independently verified assessments regarding the quantification and valuation of information security risk.

(c) STRATEGIC PLAN.—The Director, in cooperation with relevant Federal agencies and other stakeholders, shall build upon programs and plans in effect as of the date of enactment of this Act to develop and implement a strategic plan to guide Federal programs and activities in support of the national cybersecurity awareness and preparedness campaign under subsection (a).

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Director shall transmit the strategic plan under subsection (c) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

SA 2445. Mr. BENNET (for himself, Mr. COBURN, Mr. CARPER, and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 93, strike lines 17 through 19, and insert the following:

SEC. 334. FEDERAL DATA CENTER CONSOLIDATION.

(a) SHORT TITLE.—This section may be cited as the ''Data Center Consolidation Act of 2013''.

(b) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator for the Office of E-Government and Information Technology within the Office of Management and Budget.

(2) COVERED AGENCY.—The term ''covered agency'' means the following (including all associated components of the agency):

(A) Department of Agriculture;

(B) Department of Commerce;

(C) Department of Defense;

(D) Department of Education;

(E) Department of Energy;

(F) Department of Health and Human Services;

(G) Department of Homeland Security;

(H) Department of Housing and Urban Development;

(I) Department of the Interior;

(J) Department of Justice;

(K) Department of Labor;

(L) Department of State;

(M) Department of Transportation;

(N) Department of Treasury;

(O) Department of Veterans Affairs;

(P) Environmental Protection Agency;

(Q) General Services Administration;

(R) National Aeronautics and Space Administration;

(S) National Science Foundation;

(T) Nuclear Regulatory Commission;

(U) Office of Personnel Management;

(V) Small Business Administration;

(W) Social Security Administration; and

(X) United States Agency for International Development.

(3) FDCCI.—The term ''FDCCI'' means the Federal Data Center Consolidation Initiative described in the Office of Management and Budget Memorandum on the Federal Data Center Consolidation Initiative, dated February 26, 2010, or any successor thereto.

(4) GOVERNMENT-WIDE DATA CENTER CONSOLIDATION AND OPTIMIZATION METRICS.—The term ''Government-wide data center consolidation and optimization metrics'' means the metrics established by the Administrator under subsection (c)(2)(G).

(c) FEDERAL DATA CENTER CONSOLIDATION INVENTORIES AND STRATEGIES.—

(1) IN GENERAL.—

(A) ANNUAL REPORTING.—Except as provided in subparagraph (C), beginning in the first fiscal year after the date of enactment of this Act and each fiscal year thereafter, the head of each covered agency, assisted by the Chief Information Officer of the agency, shall submit to the Administrator—

(i) a comprehensive inventory of the data centers owned, operated, or maintained by or on behalf of the agency; and

(ii) a multi-year strategy to achieve the consolidation and optimization of the data centers inventoried under clause (i), that includes—

(I) performance metrics—

(aa) that are consistent with the Government-wide data center consolidation and optimization metrics; and

(bb) by which the quantitative and qualitative progress of the agency toward the goals of the FDCCI can be measured;

(II) a timeline for agency activities to be completed under the FDCCI, with an emphasis on benchmarks the agency can achieve by specific dates;

(III) year-by-year calculations of investment and cost savings for the period beginning on the date of enactment of this Act and ending on the date described in subsection (f), broken down by each year, including a description of any initial costs for data center consolidation and optimization and life cycle cost savings and other improvements, with an emphasis on—

(aa) meeting the Government-wide data center consolidation and optimization metrics; and

(bb) demonstrating the amount of agency-specific cost savings each fiscal year achieved through the FDCCI; and

(IV) any additional information required by the Administrator.

(B) USE OF OTHER REPORTING STRUCTURES.—The Administrator may require a covered agency to include the information required to be submitted under this subsection through reporting structures determined by the Administrator to be appropriate.

(C) DEPARTMENT OF DEFENSE REPORTING.—For any year that the Department of Defense is required to submit a performance plan for reduction of resources required for data servers and centers, as required under section 2867(b) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note), the Department of Defense—

(i) may submit to the Administrator, in lieu of the multi-year strategy required under subparagraph (A)(ii)—

(I) the defense-wide plan required under section 2867(b)(2) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note); and

(II) the report on cost savings required under section 2867(d) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note); and

(ii) shall submit the comprehensive inventory required under subparagraph (A)(i), unless the defense-wide plan required under section 2867(b)(2) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note)—

(I) contains a comparable comprehensive inventory; and

(II) is submitted under clause (i).

(D) STATEMENT.—Beginning in the first fiscal year after the date of enactment of this Act and each fiscal year thereafter, the head of each covered agency, acting through the Chief Information Officer of the agency, shall—

(i)(I) submit a statement to the Administrator stating whether the agency has complied with the requirements of this section; and

(II) make the statement submitted under subclause (I) publically available; and

(ii) if the agency has not complied with the requirements of this section, submit a statement to the Administrator explaining the reasons for not complying with such requirements.

(E) AGENCY IMPLEMENTATION OF STRATEGIES.—

(i) IN GENERAL.—Each covered agency, under the direction of the Chief Information Officer of the agency, shall—

(I) implement the strategy required under subparagraph (A)(ii); and

(II) provide updates to the Administrator, on a quarterly basis, of —

(aa) the completion of activities by the agency under the FDCCI;

(bb) any progress of the agency towards meeting the Government-wide data center consolidation and optimization metrics; and

(cc) the actual cost savings and other improvements realized through the implementation of the strategy of the agency.

(ii) DEPARTMENT OF DEFENSE.—For purposes of clause (i)(I), implementation of the defense-wide plan required under section 2867(b)(2) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note) by the Department of Defense shall be considered implementation of the strategy required under subparagraph (A)(ii).

(F) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the reporting of information by a covered agency to the Administrator, the Director of the Office of Management and Budget, or Congress.

(2) ADMINISTRATOR RESPONSIBILITIES.—The Administrator shall—

(A) establish the deadline, on an annual basis, for covered agencies to submit information under this section;

(B) establish a list of requirements that the covered agencies must meet to be considered in compliance with paragraph (1);

(C) ensure that information relating to agency progress towards meeting the Government-wide data center consolidation and optimization metrics is made available in a timely manner to the general public;

(D) review the inventories and strategies submitted under paragraph (1) to determine whether they are comprehensive and complete;

(E) monitor the implementation of the data center strategy of each covered agency that is required under paragraph (1)(A)(ii);

(F) update, on an annual basis, the cumulative cost savings realized through the implementation of the FDCCI; and

(G) establish metrics applicable to the consolidation and optimization of data centers Government-wide, including metrics with respect to—

(i) costs;

(ii) efficiencies, including at least server efficiency; and

(iii) any other metrics the Administrator establishes under this subparagraph.

(3) COST SAVING GOAL AND UPDATES FOR CONGRESS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop, and make publically available, a goal, broken down by year, for the amount of planned cost savings and optimization improvements achieved through the FDCCI during the period beginning on the date of enactment of this Act and ending on the date described in subsection (f).

(B) ANNUAL UPDATE.—

(i) IN GENERAL.—Not later than 1 year after the date on which the goal described in subparagraph (A) is made publically available, and each year thereafter, the Administrator shall aggregate the reported cost savings of each covered agency and optimization improvements achieved to date through the FDCCI and compare the savings to the projected cost savings and optimization improvements developed under subparagraph (A).

(ii) UPDATE FOR CONGRESS.—The goal required to be developed under subparagraph (A) shall be submitted to Congress and shall be accompanied by a statement describing—

(I) whether each covered agency has in fact submitted a comprehensive asset inventory, including an assessment broken down by agency, which shall include the specific numbers, utilization, and efficiency level of data centers; and

(II) whether each covered agency has submitted a comprehensive consolidation strategy with the key elements described in paragraph (1)(A)(ii).

(4) GAO REVIEW.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Comptroller General of the United States shall review and verify the quality and completeness of the asset inventory and strategy of each covered agency required under paragraph (1)(A).

(B) REPORT.—The Comptroller General of the United States shall, on an annual basis, publish a report on each review conducted under subparagraph (A).

(d) ENSURING CYBERSECURITY STANDARDS FOR DATA CENTER CONSOLIDATION AND CLOUD COMPUTING.—

(1) IN GENERAL.—In implementing a data center consolidation and optimization strategy under this section, a covered agency shall do so in a manner that is consistent with Federal guidelines on cloud computing security, including—

(A) applicable provisions found within the Federal Risk and Authorization Management Program (FedRAMP); and

(B) guidance published by the National Institute of Standards and Technology.

(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of the Director of the Office of Management and Budget to update or modify the Federal guidelines on cloud computing security.

(e) WAIVER OF DISCLOSURE REQUIREMENTS.—The Director of National Intelligence may waive the applicability to any element (or component of an element) of the intelligence community of any provision of this section if the Director of National Intelligence determines that such waiver is in the interest of national security. Not later than 30 days after making a waiver under this subsection, the Director of National Intelligence shall submit to the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate and the Committee on Oversight and Government Reform and the Permanent Select Committee on Intelligence of the House of Representatives a statement describing the waiver and the reasons for the waiver.

(f) SUNSET.—This section is repealed effective on October 1, 2018.

SEC. 335. MODIFICATION OF ANNUAL CORROSION CONTROL AND PREVENTION REPORTING REQUIREMENTS.

SA 2446. Mr. CHAMBLISS (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title V, add the following:

SEC. 529. SENSE OF SENATE ON FUNDING FOR THE UNITED STATES NAVAL SEA CADET CORPS.

(a) FINDINGS.—The Senate makes the following findings:

(1) The United States Naval Sea Cadet Corps, chartered by Congress in 1962, focuses on the development of youth ages 11 through 17, and has trained more than 150,000 young Americans since its creation.

(2) The United States Naval Sea Cadet Corps directly enhances the primary recruiting goal of the Navy of ensuring awareness of the Navy and its mission.

(3) The Navy has not increased funding for the United States Naval Sea Cadet Corps since fiscal year 2006.

(b) SENSE OF SENATE.—It is the sense of the Senate that, in the absence of sequestration, the Secretary of the Navy should fully fund the United States Naval Sea Cadet Corps during fiscal year 2014.

SA 2447. Mr. COATS (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title X, add the following:

SEC. 1025. TRANSFER OF NAVAL VESSELS TO CERTAIN FOREIGN RECIPIENTS.

(a) TRANSFERS BY GRANT.—The President is authorized to transfer vessels to foreign countries on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), as follows:

(1) MEXICO.—To the Government of Mexico, the OLIVER HAZARD PERRY class guided missile frigates USS CURTS (FFG–38) and USS MCCLUSKY (FFG–41).

(2) THAILAND.—To the Government of Thailand, the OLIVER HAZARD PERRY class guided missile frigates USS RENTZ (FFG–46) and USS VANDEGRIFT (FFG–48).

(b) TRANSFER BY SALE.—The President is authorized to transfer the OLIVER HAZARD PERRY class guided missile frigates USS TAYLOR (FFG–50), USS GARY (FFG–51), USS CARR (FFG–52), and USS ELROD (FFG–55) to the Taipei Economic and Cultural Representative Office of the United States (which is the Taiwan instrumentality designated pursuant to section 10(a) of the Taiwan Relations Act (22 U.S.C. 3309(a))) on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(c) ALTERNATIVE TRANSFER AUTHORITY.—Notwithstanding the authority provided in subsections (a) and (b) to transfer specific vessels to specific countries, the President is authorized, subject to the same conditions that would apply for such country under this Act, to transfer any vessel named in this Act to any country named in this Act such that the total number of vessels transferred to such country does not exceed the total number of vessels authorized for transfer to such country by this Act.

(d) GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.—The value of a vessel transferred to another country on a grant basis pursuant to authority provided by subsection (a) or (c) shall not be counted against the aggregate value of excess defense articles transferred in any fiscal year under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(e) COSTS OF TRANSFERS.—Any expense incurred by the United States in connection with a transfer authorized by this section shall be charged to the recipient notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)).

(f) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the recipient to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that recipient, performed at a shipyard located in the United States, including a United States Navy shipyard.

(g) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under this section shall expire at the end of the 3-year period beginning on the date of the enactment of this Act.

SA 2448. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title I, add the following:

SEC. 153. PROCUREMENT OF PERSONAL PROTECTIVE EQUIPMENT.

(a) PROHIBITION ON USE OF CERTAIN SOURCE SELECTION MECHANISMS FOR CERTAIN ITEMS.—The Department of Defense may not use a reverse auction or lowest price–technically acceptable (LPTA) source selection process or technique to procure an item of personal protective equipment (PPE) if the item was designed to or modified to meet a specific military requirement.

(b) INTERAGENCY PROCUREMENT.—The requirements of this section shall apply to any department or agency of the United States that procures clothing and individual equipment on behalf of the Department of Defense.

(c) DEFINITIONS.—In this section:

(1) The term ''personal protective equipment'' means the following:

(A) Body armor components.

(B) Combat helmets.

(C) Combat protective eyewear.

(D) Environmental and fire resistant clothing.

(E) Footwear.

(F) Organizational clothing and individual equipment.

(G) Such other items as the Secretary of Defense shall designate for purposes of this section.

(2) The term ''reverse auction'' means, with respect to procurement by the Department of Defense, a real-time auction on the Internet between a group of offerors who compete against each other by submitting bids for a contract or task or delivery order with the ability to submit revised bids throughout course of the auction, and the award being made to the offeror who submits the lowest bid.

SA 2449. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title I, add the following:

SEC. 153. PERSONAL PROTECTION EQUIPMENT PROCUREMENT.

(a) FUNDS AVAILABLE FOR PROCUREMENT.—Personal protection equipment may be procured using funds authorized to be appropriated by this Act only using the funds as follows:

(1) Amounts authorized to be appropriated by section 101 and available for procurement as specified in the funding table in section 4101.

(2) Amounts authorized to be appropriated by section 1502 and available for procurement for overseas contingency operations as specified in the funding table in section 4102.

(b) PROCUREMENT LINE ITEM.—In the budget materials submitted to the President by the Secretary of Defense in connection with the submittal to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for each fiscal year after fiscal

year 2014, the Secretary shall ensure that within each military department procurement account, a separate, dedicated procurement line item is designated for personal protection equipment.

(c) PERSONAL PROTECTION EQUIPMENT DEFINED.—In this section, the term ''personal protection equipment'' means the following:

(1) Body armor components.

(2) Combat helmets.

(3) Combat protective eyewear.

(4) Environmental and fire resistant clothing.

(5) Organizational clothing and individual equipment.

(6) Any other items designated by the Secretary for purposes of this paragraph.

SA 2450. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VIII, add the following:

SEC. 864. PERSONAL PROTECTION EQUIPMENT INDUSTRIAL BASE MATTERS.

(a) STUDY ON COMPETITION AND INNOVATION IN PERSONAL PROTECTION EQUIPMENT INDUSTRIAL BASE.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with a federally funded research and development center to conduct a study to identify and assess alternative and effective means for stimulating competition and innovation in the personal protection equipment industrial base.

(2) REPORT ON STUDY.—Not later than 180 days after the date of the enactment of this Act, the federally funded research and development center conducting the study pursuant to paragraph (1) shall submit to the Secretary the study, including any findings and recommendations.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the study conducted pursuant to subsection (a)(1).

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) The study, findings, and recommendations submitted to the Secretary pursuant to subsection (a)(2).

(B) An assessment of current and future technologies that could markedly improve body armor, including by decreasing weight, increasing survivability, and making other relevant improvements.

(C) An analysis of the capability of the personal protection equipment industrial base to leverage such technologies to produce the next generation body armor.

(D) An assessment of alternative body armor acquisition models, including different types of contracting and budgeting practices of the Department of Defense.

(c) PERSONAL PROTECTION EQUIPMENT DEFINED.—In this section, the term ''personal protection equipment'' includes body armor, protective eyewear, environmental and fire resistant clothing systems, and other individual personal protection equipment.

SA 2451. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1082. LIMITATION ON USE OF FUNDS TO CARRY OUT CERTAIN FOREIGN INTELLIGENCE SURVEILLANCE COURT ORDERS.

(a) IN GENERAL.—None of the funds made available by this Act may be used to carry out an order of the Foreign Intelligence Surveillance Court issued pursuant to section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) unless such order includes the following sentence: ''This Order limits the collection of any tangible things (including telephone numbers dialed, telephone numbers of incoming calls, and the duration of calls) authorized to be collected pursuant to this Order to those tangible things that pertain to a person who is the subject of an investigation described in section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861).''.

(b) FOREIGN INTELLIGENCE SURVEILLANCE COURT DEFINED.—In this section, the term ''Foreign Intelligence Surveillance Court'' means the court established under section 103(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803(a)).

SA 2452. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1082. PROTECTION OF CONSUMER PRIVACY.

Section 1027 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5517) is amended by adding at the end the following:

''(t) CONSUMER PRIVACY.—Notwithstanding any other provision of this Act, any provision of the enumerated consumer laws, or any other provision of Federal law, the Bureau may not investigate an individual transaction to which a consumer is a party without the written permission of the consumer.''.

SA 2453. Mr. LEE (for himself, Mrs. FISCHER, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1046. SENSE OF CONGRESS ON FURTHER NUCLEAR ARMS REDUCTIONS WITH THE RUSSIAN FEDERATION.

It is the sense of Congress that, if the United States seeks further nuclear arms reductions with the Russian Federation, below the levels of the New START Treaty, such reductions—

(1) should be pursued through mutual negotiated agreement with the Russian Federation;

(2) should be verifiable;

(3) should be made pursuant to the treaty-making power of the President as set forth in Article II, section 2, clause 2 of the Constitution of the United States; and

(4) should take into account the full range of nuclear weapons capabilities that threaten the United States, its forward-deployed forces, and its allies, including non-strategic nuclear weapons.

SA 2454. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1208. SENSE OF CONGRESS ON SUPPORT TO ISRAEL TO ADDRESS IRANIAN AND SYRIAN THREATS.

It is the sense of Congress that—

(1) the United States should ensure that Israel, as a critical United States ally, is able to adequately address an existential Iranian nuclear threat, and the Secretary of Defense should seek related opportunities for defense cooperation and partnership on military capabilities where appropriate; and

(2) the delivery of the S-300 air defense system to Syria would pose a grave risk to Israel, and the United States supports Israel's right to respond to this grave threat as needed.

SA 2455. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1082. DEPARTMENT OF VETERANS AFFAIRS STUDY ON MATTERS RELATING TO CLAIMING AND INTERRING UNCLAIMED REMAINS OF VETERANS.

(a) STUDY AND REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) complete a study on matters relating to the identification, claiming, and interring of unclaimed remains of veterans; and

(2) submit to Congress a report on the findings of the Secretary with respect to the study required under paragraph (1).

(b) MATTERS STUDIED.—The matters studied under subsection (a)(1) shall include the following:

(1) Determining the scope of issues relating to unclaimed remains of veterans, including an estimate of the number of unclaimed remains of veterans on the day before the date of the enactment of this Act.

(2) Assessing the effectiveness of the procedures of the Department of Veterans Affairs for claiming and interring unclaimed remains of veterans.

(3) Identifying and assessing State and local laws that affect the ability of the Secretary to identify, claim, and inter unclaimed remains of veterans.

(4) Developing recommendations for such legislative or administrative action as the Secretary considers appropriate

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SA 2456. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title IX, add the following:

SEC. 935. REPORT ON RAND CORPORATION STUDY OF THE NATIONAL SECURITY IMPLICATIONS OF CONTINUING TO USE FOREIGN COMPONENT AND PROPULSION SYSTEMS FOR THE LAUNCH VEHICLES UNDER THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

The Comptroller General of the United States shall submit to the congressional defense committees a report reviewing the report prepared by the Rand Corporation pursuant to section 916 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1878).

SA 2457. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. CHALLENGES TO GOVERNMENT SURVEILLANCE.

(a) CHALLENGES TO ORDERS TO PRODUCE CERTAIN BUSINESS RECORDS.—

(1) IN GENERAL.—Title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) is amended by adding at the end the following:

"SEC. 503. CHALLENGES TO ORDERS TO PRODUCE CERTAIN BUSINESS RECORDS.

''(a) APPEAL.—

''(1) IN GENERAL.—A person who is required to produce any tangible thing pursuant to an order issued under section 501 may appeal the order to a United States court of appeals on the basis that the order violates the Constitution of the United States.

''(2) VENUE.—An appeal filed pursuant to paragraph (1) may be filed—

''(A) in the United States court of appeals for a circuit embracing a judicial district in which venue would be proper for a civil action under section 1391 of title 28, United States Code; or

''(B) United States Court of Appeals for the District of Columbia.

''(b) SUPREME COURT REVIEW.—A person may seek a writ of certiorari from the Supreme Court of the United States for review of a decision of an appeal filed under subsection (a)(1).''.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978 is amended by adding after the item relating to section 502 the following:

''Sec. 503. Challenges to orders to produce certain business records.''.

(b) CHALLENGES TO GOVERNMENT SURVEILLANCE TARGETING OF CERTAIN PERSONS OUTSIDE THE UNITED STATES.—Section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a) is amended by adding at the end the following:

''(m) CHALLENGES TO GOVERNMENT SURVEILLANCE.—

''(1) INJURY IN FACT.—In any claim in a civil action brought in a court of the United States relating to surveillance conducted under this section, the person asserting the claim has suffered an injury in fact if the person—

''(A) has a reasonable basis to believe that the person's communications will be acquired under this section; and

''(B) has taken objectively reasonable steps to avoid surveillance under this section.

''(2) REASONABLE BASIS.—A person shall be presumed to have demonstrated a reasonable basis to believe that the communications of the person will be acquired under this section if the profession of the person requires the person regularly to communicate foreign intelligence information with persons who—

''(A) are not United States persons; and

''(B) are located outside the United States.

''(3) OBJECTIVE STEPS.—A person shall be presumed to have taken objectively reasonable steps to avoid surveillance under this section if the person demonstrates that the steps were taken in reasonable response to rules of professional conduct or analogous professional rules.

''(n) APPEALS.—

''(1) IN GENERAL.—A person who is subject to an order issued under this section may appeal the order to a United States court of appeals on the basis that the order violates the Constitution of the United States.

''(2) VENUE.—An appeal filed pursuant to paragraph (1) may be filed—

''(A) in the United States court of appeals for a circuit embracing a judicial district in which venue would be proper for a civil action under section 1391 of title 28, United States Code; or

''(B) United States Court of Appeals for the District of Columbia.

''(3) SUPREME COURT REVIEW.—A person may seek a writ of certiorari from the Supreme Court of the United States for review of a decision of an appeal filed under paragraph (1).''.

SA 2458. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 398, between lines 14 and 15, insert the following:

(C) by adding at the end the following new subsection:

''(i) SUNSET.—All applications for special immigrant status under this section shall be submitted on or before September 30, 2014.''; and

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SA 2459. Mr. BOOZMAN (for himself and Mr. DONNELLY) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1082. NATIONAL DESERT STORM AND DESERT SHIELD MEMORIAL.

(a) DEFINITIONS.—In this section:

(1) ASSOCIATION.—The term ''Association'' means the National Desert Storm Memorial Association, a corporation that is—

(A) organized under the laws of the State of Arkansas; and

(B)(i) described in section 501(c)(3) of the Internal Revenue Code of 1986; and

(ii) exempt from taxation under 501(a) of that Code.

(2) MEMORIAL.—The term ''memorial'' means the National Desert Storm and Desert Shield Memorial authorized to be established under subsection (b).

(b) AUTHORIZATION TO ESTABLISH COMMEMORATIVE WORK.—The Association may establish the National Desert Storm and Desert Shield Memorial as a commemorative work, on Federal land in the District of Columbia to commemorate and honor the members of the Armed Forces that served on active duty in support of Operation Desert Storm or Operation Desert Shield.

(c) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS ACT.—The establishment of the memorial under this section shall be in accordance with chapter 89 of title 40, United States Code (commonly known as the ''Commemorative Works Act'').

(d) USE OF FEDERAL FUNDS PROHIBITED.—

(1) IN GENERAL.—Federal funds may not be used to pay any expense of the establishment of the memorial under this section.

(2) RESPONSIBILITY OF ASSOCIATION.—The Association shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the memorial.

(e) DEPOSIT OF EXCESS FUNDS.—If, on payment of all expenses for the establishment of the memorial (including the maintenance and preservation amount required by section 8906(b)(1) of title 40, United States Code), or on expiration of the authority for the memorial under section 8903(e) of title 40, United States Code, there remains a balance of funds received for the establishment of the memorial, the Association shall transmit the amount of the balance to the Secretary of the Interior for deposit in the account provided for in section 8906(b)(3) of title 40, United States Code.

SA 2460. Mr. BOOZMAN (for himself, Mr. MANCHIN, and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 514. CONTENTS OF TRANSITION ASSISTANCE PROGRAM.

(a) IN GENERAL.—Section 1144 of title 10, United States Code, is amended—

(1) in subsection (b), by adding at the end the following new paragraph:

''(9) Provide information about disability-related employment and education protections.''.

(2) by redesignating subsections (c), (d), and (e), as subsections (d), (e), and (f), respectively; and

(3) by inserting after subsection (b) the following new subsection (c):

''(c) ADDITIONAL ELEMENTS OF PROGRAM.—The mandatory program carried out by this section shall include—

''(1) for any such member who plans to use the member's entitlement to educational assistance under title 38—

''(A) instruction providing an overview of the use of such entitlement; and

''(B) courses of post-secondary education appropriate for the member, courses of post-secondary education compatible with the member's education goals, and instruction on how to finance the member's post-secondary education; and

''(2) instruction in the benefits under laws administered by the Secretary of Veterans Affairs and in other subjects determined by the Secretary concerned.''.

(b) DEADLINE FOR IMPLEMENTATION.—The program carried out under section 1144 of title 10, United States Code, shall comply with the requirements of subsections (b)(9) and (c) of such section, as added by subsection (a), by not later than April 1, 2015.

(c) FEASIBILITY STUDY.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs and the Committee on Armed Services of the Senate and the Committee on Veterans' Affairs and the Committee on Armed Services of the House of Representatives the results of a study carried out by the Secretary to determine the feasibility of providing the instruction described in subsection (b) of section 1142 of title 10, United States Code, at all overseas locations where such instruction is provided by entering into a contract jointly with the Secretary of Labor for the provision of such instruction.

SA 2461. Mr. PORTMAN (for himself and Mr. DONNELLY) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. 237. BRIEFINGS ON STATUS OF IMPLEMENTATION OF CERTAIN MISSILE DEFENSE REQUIREMENTS.

Not later than 180 days after the completion of the site evaluation study required by subsection (a) of section 227 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1678), and one year thereafter, the Secretary of Defense shall provide to the congressional defense committees a detailed briefing on the current status of efforts and plans to implement the requirements of such section, including progress and plans toward preparation of the environmental impact statement required by subsection (b) of such section, and the development of the contingency plan for deployment of an additional homeland missile defense interceptor site in case the President determines to proceed with such an additional deployment as required by subsection (d) of such section.

SA 2462. Mr. CARDIN (for himself, Mr. MCCAIN, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1237. VIETNAM EDUCATION FOUNDATION.

(a) FINDINGS.—Congress makes the following findings:

(1) The Secretary of Defense has called for more high-level exchanges and enhanced defense cooperation between the United States and Vietnam.

(2) Vietnam plays a major role in the President's strategic priority to rebalance United States policies toward Asia (popularly known as the ''Asia pivot'').

(3) The Department of Defense is increasing its United States force posture in Asia to achieve more geographical distribution, operational resilience, and politically sustainability.

(4) The Secretary of Defense and the Minister of Defense of the Socialist Republic of Vietnam have agreed to develop cooperation in the following 5 areas:

(A) High-level dialogues.

(B) Maritime security.

(C) Search and rescue operations.

(D) Peacekeeping operations.

(E) Humanitarian assistance and disaster relief.

(5) The Secretary of Defense has emphasized that enhanced defense cooperation must be accompanied by reform and liberalization in other sectors.

(b) GRANTS AUTHORIZED.—

(1) ESTABLISHMENT OF HIGHER EDUCATION INSTITUTION IN VIETNAM.—In order to support Vietnam's socioeconomic transition and promote the values of intellectual freedom and open enquiry, the Secretary of State may award 1 or more grants to not-for-profit organizations engaged in promoting institutional innovation in Vietnamese higher education to establish an independent, not-for-profit, higher education institution in Vietnam.

(2) USE OF FUNDS.—Grant funds awarded under this subsection shall be used to support the establishment of an independent, not-for-profit academic institution to be built in Vietnam, which shall—

(A) achieve standards comparable to those required for accreditation in the United States;

(B) offer graduate and undergraduate level teaching and research programs in a broad range of fields, including public policy, management, and engineering; and

(C) establish a policy of academic freedom and prohibit the censorship of dissenting or critical views.

(3) APPLICATION.—Eligible not-for-profit organizations desiring a grant under this subsection shall submit an application to the Secretary of State at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(4) REPORT ON GRANTEE APPLICATION CRITERIA.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit the criteria established for grantee applications, including commitments to ensure academic freedom, to the appropriate congressional committees.

(5) FUNDING.—The Secretary of State may use amounts from the Vietnam Debt Repayment Fund made available under section 207(c) of the Vietnam Education Foundation Act of 2000 (22 U.S.C. 2452 note) for grants authorized under this subsection.

(6) ANNUAL REPORT.—The Secretary of State shall submit an annual report to the appropriate congressional committees on the activities carried out under this subsection during the most recent fiscal year that includes—

(A) a list of grantees and educational proposals;

(B) an assessment of the grantees' ability to meet comparable United States academic standards; and

(C) an assessment of the grantees' efforts and commitment to academic freedom in Vietnam.

(c) TRANSFER OF FUNCTIONS AND ASSETS.—All functions and assets of the Vietnam Education Foundation, as of the day before the date of the enactment of this Act, are transferred to the Bureau of Educational and Cultural Affairs of the Department of State.

(d) VIETNAM DEBT REPAYMENT FUND.—Section 207(c) of the Vietnam Education Foundation Act of 2000 (22 U.S.C. 2452 note) is amended to read as follows:

''(c) AVAILABILITY OF FUNDS.—

''(1) AMOUNTS TRANSFERRED TO THE FOUNDATION.—Except as provided in paragraph (2), for each of the fiscal years 2014 through 2018, $5,000,000 of the amounts deposited into the Fund (or accrued interest) shall be transferred to the Foundation to carry out the fellowship program described in section 206.

''(2) AMOUNTS ALLOTTED FOR GRANTS TO ESTABLISH AN INDEPENDENT, NOT-FOR-PROFIT, HIGHER EDUCATION INSTITUTION IN VIETNAM.—Notwithstanding paragraph (1), the Secretary of State may expend any amounts deposited into the Fund (or accrued interest) to carry out the grant program established under section 1237(b) of the National Defense Authorization Act for Fiscal Year 2014, to support the establishment of an independent, not-for-profit academic institution in Vietnam offering graduate and undergraduate level programs in a broad range of fields, including public policy, management, and engineering.

''(3) DISPOSITION OF EXCESS FUNDS.—For each of the fiscal years 2014 through 2018, the Secretary of the Treasury shall deposit all amounts in the Fund in excess of the amounts transferred or expended under paragraphs (1) and (2) for such year as miscellaneous receipts into the General Fund of the Treasury of the United States.''.

SA 2463. Ms. MIKULSKI (for herself, Mr. COATS, Mr. WYDEN, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1082. APPOINTMENT OF THE DIRECTOR OF THE NATIONAL SECURITY AGENCY.

(a) DIRECTOR OF THE NATIONAL SECURITY AGENCY.—Section 2 of the National Security Agency Act of 1959 (50 U.S.C. 3602) is amended—

(1) by inserting ''(b)'' before ''There''; and

(2) by inserting before subsection (b), as so designated by paragraph (1), the following:

''(a)(1) There is a Director of the National Security Agency.

''(2) The Director of the National Security Agency shall be appointed by the President, by and with the advice and consent of the Senate.

''(3) The Director of the National Security Agency shall be the head of the National Security Agency and shall discharge such functions and duties as are provided by this Act or otherwise by law or executive order.''.

(b) POSITION OF IMPORTANCE AND RESPONSIBILITY.—The President may designate the Director of the National Security Agency as a position of importance and responsibility under section 601 of title 10, United States Code.

(c) EFFECTIVE DATE AND APPLICABILITY.—

(1) IN GENERAL.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply upon the earlier of—

(A) the date of the nomination by the President of an individual to serve as the Director of the National Security Agency, except that the individual serving as such Director as of the date of the enactment of this Act may continue to perform such duties after such date of nomination and until the individual appointed as such Director, by and with the advice and consent of the Senate, assumes the duties of such Director; or

(B) the date of the cessation of the performance of the duties of such Director by the individual performing such duties as of the date of the enactment of this Act.

(2) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Subsection (b) shall take effect on the date of the enactment of this Act.

SEC. 1083. APPOINTMENT OF THE INSPECTOR GENERAL OF THE NATIONAL SECURITY AGENCY.

(a) IN GENERAL.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 8G(a)(2), by striking ''the National Security Agency,''; and

(2) in section 12—

(A) in paragraph (1), by striking ''or the Federal Cochairpersons of the Commissions established under section 15301 of title 40, United States Code'' and inserting ''the Federal Cochairpersons of the Commissions established under section 15301 of title 40, United States Code; or the Director of the National Security Agency''; and

(B) in paragraph (2), by striking ''or the Commissions established under section 15301 of title 40, United States Code'' and inserting ''the Commissions established under section 15301 of title 40, United States Code, or the National Security Agency''.

(b) EFFECTIVE DATE; INCUMBENT.—

(1) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date on which the first Director of the National Security Agency takes office on or after the date of the enactment of this Act.

(2) INCUMBENT.—The individual serving as Inspector General of the National Security Agency on the date of the enactment of this Act shall be eligible to be appointed by the President to a new term of service under section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), by and with the advice and consent of the Senate.

SEC. 1084. RESPONSIBILITY OF COMMITTEES IN ADVICE AND CONSENT OF SENATE TO INTELLIGENCE APPOINTMENTS.

(a) IN GENERAL.—Section 17 of Senate Resolution 400 agreed to May 19, 1976 (94th Congress) is amended to read as follows:

''SEC. 17. (a)(1) Except as provided in subsections (b) and (c), the Select Committee shall have jurisdiction to review, hold hearings, and report the nominations of civilian individuals for positions in the intelligence community for which appointments are made by the President, by and with the advice and consent of the Senate.

''(2) Except as provided in subsections (b) and (c), other committees with jurisdiction over the department or agency of the Executive Branch which contain a position referred to in paragraph (1) may hold hearings and interviews with individuals nominated for such position, but only the Select Committee shall report such nomination.

''(3) In this subsection, the term 'intelligence community' means an element of the intelligence community specified in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

''(b)(1) With respect to the confirmation of the Assistant Attorney General for National Security, or any successor position, the nomination of any individual by the President to serve in such position shall be referred to the Committee on the Judiciary and, if and when reported, to the Select Committee for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the Select Committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination.

''(2) If, upon the expiration of the period described in paragraph (1), the Select Committee has not reported the nomination, such nomination shall be automatically discharged from the Select Committee and placed on the Executive Calendar.

''(c)(1) With respect to the confirmation of appointment to the position of Director of the National Security Agency or Inspector General of the National Security Agency or any successor position to such a position, the nomination of any individual by the President to serve in such position, who at the time of the nomination is a member of the Armed Forces on active duty, shall be referred to the Committee on Armed Services and, if and when reported, to the Select Committee for not to exceed 30 calendar days, except that in cases when the 30-day period expires while the Senate is in recess, the Select Committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination.

''(2) With respect to the confirmation of appointment to the position of Director of the National Security Agency or Inspector General of the National Security Agency, or any successor to such a position, the nomination of any individual by the President to serve in such position, who at the time of the nomination is not a member of the Armed Forces on active duty, shall be referred to the Select Committee and, if and when reported, to the Committee on Armed Services for not to exceed 30 calendar days, except that in cases when the 30-day period expires while the Senate is in recess, the Committee on Armed Services shall have an additional 5 calendar days after the Senate reconvenes to report the nomination.

''(3) If, upon the expiration of the period of sequential referral described in paragraphs (1) and (2), the committee to which the nomination was sequentially referred has not reported the nomination, the nomination shall be automatically discharged from that committee and placed on the Executive Calendar.''.

(b) RULEMAKING AUTHORITY OF THE SENATE.—The amendment made by subsection (a) is enacted—

(1) as an exercise of the rulemaking power of the Senate; and

(2) with full recognition of the constitutional right of the Senate to change the rules of the Senate at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

SA 2464. Mr. KAINE (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1066. STUDY OF EFFECTS OF RELOCATION OF AIR FORCE OFFICE OF SCIENTIFIC RESEARCH.

(a) IN GENERAL.—The Secretary of the Air Force shall seek to enter into an arrangement with the National Research Council of the National Academies to conduct a study of the positive and negative effects of the potential relocation of the Air Force Office of Scientific Research from its location as of the date of the enactment of this Act to Wright-Patterson Air Force Base, Dayton, Ohio.

(b) ELEMENTS.—The study conducted under subsection (a) shall include, at a minimum, an assessment of the following:

(1) The rationale for the relocation.

(2) The effects of the relocation on employees of the Air Force Office of Scientific Research.

(3) The effects of the relocation on interactions with domestic and international scientific and technical academic communities.

(4) The costs of the relocation.

(5) The effects of the relocation on the execution of the basic research program of the Air Force.

(c) REPORT REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the National Research Council shall submit to the congressional defense committees a report on the study conducted under subsection (a).

SA 2465. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 1109. MODIFICATION TO DEFENSE ADVANCED RESEARCH PROJECTS AGENCY EXPERIMENTAL PERSONNEL MANAGEMENT PROGRAM FOR TECHNICAL PERSONNEL.

Section 1101(b)(1) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note) is amended, in the matter preceding subparagraph (A), by striking ''and uniformed services (as such terms are'' and inserting ''(as such term is''.

SA 2466. Mr. LEVIN (for himself, Mr. MCCAIN, Mr. ROCKEFELLER, and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for

other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1237. ACTIONS TO ADDRESS ECONOMIC OR INDUSTRIAL ESPIONAGE IN CYBERSPACE.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report on foreign economic and industrial espionage in cyberspace during the 12-month period preceding the submission of the report that—

(A) identifies—

(i) foreign countries that engage in economic or industrial espionage in cyberspace with respect to trade secrets or proprietary information owned by United States persons;

(ii) foreign countries identified under clause (i) that the President determines engage in the most egregious economic or industrial espionage in cyberspace with respect to such trade secrets or proprietary information (in this section referred to as ''priority foreign countries'');

(iii) technologies or proprietary information developed by United States persons that—

(I) are targeted for economic or industrial espionage in cyberspace; and

(II) to the extent practicable, have been appropriated through such espionage;

(iv) articles manufactured or otherwise produced using technologies or proprietary information described in clause (iii)(II); and

(v) services provided using such technologies or proprietary information;

(B) describes the economic or industrial espionage engaged in by the foreign countries identified under clauses (i) and (ii) of subparagraph (A); and

(C) describes—

(i) actions taken by the President to decrease the prevalence of economic or industrial espionage in cyberspace; and

(ii) the progress made in decreasing the prevalence of such espionage.

(2) DETERMINATION OF FOREIGN COUNTRIES ENGAGING IN ECONOMIC OR INDUSTRIAL ESPIONAGE IN CYBERSPACE.—For purposes of clauses (i) and (ii) of paragraph (1)(A), the President shall identify a foreign country as a foreign country that engages in economic or industrial espionage in cyberspace with respect to trade secrets or proprietary information owned by United States persons if the government of the foreign country—

(A) engages in economic or industrial espionage in cyberspace with respect to trade secrets or proprietary information owned by United States persons; or

(B) facilitates, supports, fails to prosecute, or otherwise permits such espionage by—

(i) individuals who are citizens or residents of the foreign country; or

(ii) entities that are organized under the laws of the foreign country or are otherwise subject to the jurisdiction of the government of the foreign country.

(3) FORM OF REPORT.—Each report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(b) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—The President may block and prohibit all transactions in all property and interests in property of each person described in paragraph (2) pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) PERSONS DESCRIBED.—A person described in this paragraph is a foreign person the President determines knowingly requests, engages in, supports, facilitates, or benefits from the significant appropriation, through economic or industrial espionage in cyberspace, of technologies or proprietary information developed by United States persons.

(3) EXCEPTION.—The authority to impose sanctions under paragraph (1) shall not include the authority to impose sanctions on the importation of goods.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Homeland Security and Governmental Affairs, the Committee on Finance, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Homeland Security, the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) CYBERSPACE.—The term ''cyberspace''—

(A) means the interdependent network of information technology infrastructures; and

(B) includes the Internet, telecommunications networks, computer systems, and embedded processors and controllers.

(3) ECONOMIC OR INDUSTRIAL ESPIONAGE.—The term ''economic or industrial espionage'' means—

(A) stealing a trade secret or proprietary information or appropriating, taking, carrying away, or concealing, or by fraud, artifice, or deception obtaining, a trade secret or proprietary information without the authorization of the owner of the trade secret or proprietary information;

(B) copying, duplicating, downloading, uploading, destroying, transmitting, delivering, sending, communicating, or conveying a trade secret or proprietary information without the authorization of the owner of the trade secret or proprietary information; or

(C) knowingly receiving, buying, or possessing a trade secret or proprietary information that has been stolen or appropriated, obtained, or converted without the authorization of the owner of the trade secret or proprietary information.

(4) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(5) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(6) OWN.—The term ''own'', with respect to a trade secret or proprietary information, means to hold rightful legal or equitable title to, or license in, the trade secret or proprietary information.

(7) PERSON.—The term ''person'' means an individual or entity.

(8) PROPRIETARY INFORMATION.—The term ''proprietary information'' means competitive bid preparations, negotiating strategies, executive emails, internal financial data, strategic business plans, technical designs, manufacturing processes, source code, data derived from research and development investments, and other commercially valuable information that a person has developed or obtained if—

(A) the person has taken reasonable measures to keep the information confidential; and

(B) the information is not generally known or readily ascertainable through proper means by the public.

(9) TECHNOLOGY.—The term ''technology'' has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415) (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(10) TRADE SECRET.—The term ''trade secret'' has the meaning given that term in section 1839 of title 18, United States Code.

(11) UNITED STATES PERSON.—The term ''United States person'' means—

(A) an individual who is a citizen or resident of the United States; or

(B) an entity organized under the laws of the United States or any jurisdiction within the United States.

SA 2467. Mr. ROCKEFELLER (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 514. PHYSICAL EXAMINATIONS AND MENTAL HEALTH SCREENINGS FOR CERTAIN MEMBERS UNDERGOING SEPARATION FROM THE ARMED FORCES WHO ARE NOT OTHERWISE ELIGIBLE FOR SUCH EXAMINATIONS.

(a) IN GENERAL.—The Secretary of the military department concerned shall provide a physical examination and a mental health screening to each member of the Armed Forces who, after a period of active duty of more than 180 days, is undergoing separation from the Armed Forces and is not otherwise provided such an examination or screening in connection with such separation from the Department of Defense or the Department of Veterans Affairs.

(b) NO RIGHT TO HEALTH CARE BENEFITS.—The provision of a physical examination or mental health screening to a member under subsection (a) shall not, by itself, entitle the member to any other health care benefits from the Department of Defense or the Department of Veterans Affairs.

(c) FUNDING.—Funds for the provision of physical examinations and mental health screenings under this section shall be derived from funds otherwise authorized to be appropriated for the military department concerned for the provision of health care to members of the Armed Forces.

SEC. 515. REPORT ON CAPACITY OF DEPARTMENT OF DEFENSE TO PROVIDE ELECTRONIC COPY OF MEMBER SERVICE TREATMENT RECORDS TO MEMBERS SEPARATING FROM THE ARMED FORCES.

(a) REPORT REQUIRED.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth an assessment of the capacity of the Department of Defense to provide each member of the Armed Forces who is undergoing separation from the Armed Forces an electronic copy of the member's service treatment record at the time of separation.

(b) MATTERS RELATING TO THE NATIONAL GUARD.—The assessment under subsection (a) with regards to members of the National

Guard shall include an assessment of the capacity of the Department to ensure that the electronic copy of a member's service treatment record includes health records maintained by each State or territory in which the member served.

SA 2468. Mr. MARKEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title I, add the following:

SEC. 126. UPDATE OF COST ESTIMATES FOR SSBN(X) SUBMARINE PROGRAM ALTERNATIVES.

(a) REPORT ON UPDATE REQUIRED.—

(1) IN GENERAL.—Not later than March 31, 2014, the Secretary of the Navy shall submit to the congressional defense committees a report setting forth an update of the cost estimates prepared under subsection (a)(1) section 242 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1343) for each option considered under subsection (b) of that section for purposes of the report under that section on the Ohio-class replacement ballistic missile submarine. The update shall specify how the cost updates account for differences in survivability, targeting responsiveness and flexibility, responsiveness to future threats, and such other matters as the Secretary considers important in comparing the options.

(2) FORM.—Each updated cost estimate in the report under paragraph (1) shall be submitted in an unclassified form that may be made available to the public. Other information from the update may be submitted in classified form.

(b) COMPTROLLER GENERAL REPORT.—Not later than 90 days after the date of the submittal under subsection (a) of the report required by that subsection, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth an assessment by the Comptroller General of the accuracy of the updated cost estimates in the report under subsection (a).

(c) SENSE OF CONGRESS ON NEED FOR SSBN(X).—

(1) FINDING.—Congress finds that the Chief of Naval Operations has assessed the SSBN(X) program as the highest priority of the Navy.

(2) SENSE OF CONGRESS.—It is the sense of Congress that continuing the SSBN(X) program is critical to modernizing the nuclear deterrent fleets of the United States and the United Kingdom.

SA 2469. Mr. CASEY (for himself, Mr. TOOMEY, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XV, add the following:

SEC. 1534. ELECTRICAL AND FIRE SAFETY ENHANCEMENT.

(a) REVIEW.—The Secretary of Defense shall conduct a review of electrical safety and fire prevention incidents in United States controlled and occupied non-permanent facilities in the United States Central Command area of responsibility since 2001 and use the resulting lessons learned to develop necessary policy, training, and doctrine for purposes of institutionalizing this knowledge for current and future combat operations.

(b) ELEMENTS.—The review required under subsection (a) shall include the following elements:

(1) An assessment of all known electrical or fire related deaths of members of the Armed Forces that have occurred in United States controlled and occupied non-permanent facilities in Afghanistan and Iraq.

(2) Recommendations for improving electrical and fire protection safety in United States controlled and occupied non-permanent facilities used in overseas military operations.

(c) REVISED GUIDELINES FOR UNIFORM FACILITIES CRITERIA.—Not later than 90 days after completion of the review required under subsection (a), the findings and recommendations of the review shall be incorporated, as appropriate, in revised guidelines in the Uniform Facilities Criteria, or other relevant policy, training, and doctrine publications, governing non-permanent facilities in support of military operations.

(d) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the review conducted under subsection (a).

SA 2470. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—FISA IMPROVEMENTS ACT OF 2013

SEC. ____01. SHORT TITLE.

This title may be cited as the ''FISA Improvements Act of 2013''.

SEC. ____02. SUPPLEMENTAL PROCEDURES FOR ACQUISITION OF CERTAIN BUSINESS RECORDS FOR COUNTERTERRORISM PURPOSES.

(a) SUPPLEMENTAL PROCEDURES FOR ACQUISITION OF CERTAIN BUSINESS RECORDS FOR INTERNATIONAL TERRORISM INVESTIGATIONS.—Section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) is amended by adding at the end the following:

''(i) GENERAL PROHIBITION ON BULK COLLECTION OF COMMUNICATION RECORDS.—No order issued pursuant to an application made under subsection (a) may authorize the acquisition in bulk of wire communication or electronic communication records from an entity that provides an electronic communication service to the public if such order does not name or otherwise identify either individuals or facilities, unless such order complies with the supplemental procedures under subsection (j).

''(j) AUTHORIZATION FOR BULK COLLECTION OF NON-CONTENT METADATA.—

''(1) SUPPLEMENTAL PROCEDURES.—Any order directed to the Government under subsection (a) that authorizes the acquisition in bulk of wire communication or electronic communication records, which shall not include the content of such communications, shall be subject to supplemental procedures, which are in addition to any other requirements or procedures imposed by this Act, as follows:

''(A) CONTENT PROHIBITION.—Such an order shall not authorize the acquisition of the content of any communication.

''(B) AUTHORIZATION AND RENEWAL PERIODS.—Such an order—

''(i) shall be effective for a period of not more than 90 days; and

''(ii) may be extended by the court on the same basis as an original order upon an application under this title for an extension and new findings by the court in accordance with subsection (c).

''(C) SECURITY PROCEDURES FOR ACQUIRED DATA.—Information acquired pursuant to such an order (other than information properly returned in response to a query under subparagraph (D)(iii)) shall be retained by the Government in accordance with security procedures approved by the court in a manner designed to ensure that only authorized personnel will have access to the information in the manner prescribed by this section and the court's order.

''(D) LIMITED ACCESS TO DATA.—Access to information retained in accordance with the procedures described in subparagraph (C) shall be prohibited, except for access—

''(i) to perform a query using a selector for which a recorded determination has been made that there is a reasonable articulable suspicion that the selector is associated with international terrorism or activities in preparation therefor;

''(ii) to return information as authorized under paragraph (3); or

''(iii) as may be necessary for technical assurance, data management or compliance purposes, or for the purpose of narrowing the results of queries, in which case no information produced pursuant to the order may be accessed, used, or disclosed for any other purpose, unless the information is responsive to a query authorized under paragraph (3).

''(2) RECORD REQUIREMENT.—

''(A) DETERMINATION.—For any determination made pursuant to paragraph (1)(D)(i), a record shall be retained of the selector, the identity of the individual who made the determination, the date and time of the determination, and the information indicating that, at the time of the determination, there was a reasonable articulable suspicion that the selector was associated with international terrorism or activities in preparation therefor.

''(B) QUERY.—For any query performed pursuant to paragraph (1)(D)(i), a record shall be retained of the identity of the individual who made the query, the date and time of the query, and the selector used to perform the query.

''(3) SCOPE OF PERMISSIBLE QUERY RETURN INFORMATION.—For any query performed pursuant to paragraph (1)(D)(i), the query only may return information concerning communications—

''(A) to or from the selector used to perform the query;

''(B) to or from a selector in communication with the selector used to perform the query; or

''(C) to or from any selector reasonably linked to the selector used to perform the query, in accordance with the court approved minimization procedures required under subsection (g).

''(4) LIMITS ON PERSONNEL AUTHORIZED TO MAKE DETERMINATIONS OR PERFORM QUERIES.—A court order issued pursuant to an application made under subsection (a), and

subject to the requirements of this subsection, shall impose strict, reasonable limits, consistent with operational needs, on the number of Government personnel authorized to make a determination or perform a query pursuant to paragraph (1)(D)(i). The Director of National Intelligence shall ensure that each such personnel receives comprehensive training on the applicable laws, policies, and procedures governing such determinations and queries prior to exercising such authority.

''(5) AUTOMATED REPORTING.—

''(A) REQUIREMENT FOR AUTOMATED REPORTING.—The Director of the National Intelligence, in consultation with the head of the agency responsible for acquisitions pursuant to orders subject to the requirements of this subsection, shall establish a technical procedure whereby the aggregate number of queries performed pursuant to this subsection in the previous quarter shall be recorded automatically, and subsequently reported to the appropriate committees of Congress.

''(B) AVAILABILITY UPON REQUEST.—The information reported under subparagraph (A) shall be available to each of the following upon request:

''(i) The Inspector General of the National Security Agency.

''(ii) The Inspector General of the Intelligence Community.

''(iii) The Inspector General of the Department Justice.

''(iv) Appropriate officials of the Department of Justice.

''(v) Appropriate officials of the National Security Agency.

''(vi) The Privacy and Civil Liberties Oversight Board.

''(6) COURT REVIEW OF RECORDS.—

''(A) REQUIREMENT TO PROVIDE RECORDS.—In accordance with minimization procedures required by subsection (g), and subject to subparagraph (B), a copy of each record for a determination prepared pursuant to paragraph (2)(A) shall be promptly provided to the court established under section 103(a).

''(B) RECORDS ASSOCIATED WITH UNITED STATES PERSONS.—In accordance with minimization procedures required by subsection (g), a copy of each record for a determination prepared pursuant to paragraph (2)(A) that is reasonably believed to be associated with a particular, known United States person shall be promptly provided the court established under section 103(a), but no more than 7 days after the determination.

''(C) REMEDY FOR IMPROPER DETERMINATIONS.—If the court finds that the record of the determination indicates the determination did not meet the requirements of this section or is otherwise unlawful, the court may order that production of records under the applicable order be terminated or modified, that the information returned in response to queries using the selector identified in the determination be destroyed, or another appropriate remedy.

''(7) RECORD RETENTION AND QUERY RESTRICTIONS.—

''(A) RECORD RETENTION.—All records and information produced pursuant to an order subject to this subsection, other than the results of queries as described in paragraph (3), shall be retained no longer than 5 years from the date of acquisition.

''(B) QUERY RESTRICTIONS.—The Government shall not query any data acquired under this subsection and retained in accordance with the procedures described in paragraph (1)(C) more than 3 years after such data was acquired unless the Attorney General determines that the query meets the standard set forth in paragraph (1)(D)(i).

''(8) CONGRESSIONAL OVERSIGHT.—A copy of each order issued pursuant to an application made under subsection (a), and subject to the requirements of this subsection, shall be provided to the appropriate committees of Congress.

''(9) DEFINITIONS.—In this subsection:

''(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(i) the Committee on the Judiciary and the Select Committee on Intelligence of the Senate; and

''(ii) the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives.

''(B) CONTENT.—The term 'content', with respect to a communication—

''(i) means any information concerning the substance, purport, or meaning of that communication; and

''(ii) does not include any dialing, routing, addressing, signaling information.

''(C) ELECTRONIC COMMUNICATION.—The term 'electronic communication' has the meaning given that term in section 2510 of title 18, United States Code.

''(D) ELECTRONIC COMMUNICATION SERVICE.—The term 'electronic communication service' has the meaning given that term in section 2510 of title 18, United States Code.

''(E) SELECTOR.—The term 'selector' means an identifier, such as a phone number or electronic account identifier, that is associated with a particular communicant or facility.

''(F) UNITED STATES PERSON.—The term 'United States person' has the meaning given that term in section 101 of this Act.

''(G) WIRE COMMUNICATION.—The term 'wire communication' has the meaning given that term in section 2510 of title 18, United States Code.''.

(b) ANNUAL UNCLASSIFIED REPORT.—Section 502(c)(1) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1862(c)(1)) is amended—

(1) in subparagraph (A), by striking ''and'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(C) for each order subject to the supplemental procedures under section 501(j)—

''(i) the number of unique selectors for which a recorded determination has been made under section 501(j)(1)(D)(i) that reasonable articulable suspicion exists that the selector is associated with international terrorism or activities in preparation therefor;

''(ii) the aggregate number of queries performed pursuant to such section;

''(iii) the aggregate number of investigative leads developed as a direct result of any query performed pursuant to subsection (j)(1)(D)(i); and

''(iv) the aggregate number of warrants or court orders, based upon a showing of probable cause, issued pursuant to title I or III of this Act or chapter 119, 121, or 205 of title 18, United States Code, in response to applications for such warrants or court orders containing information produced by such queries.''.

SEC. ____03. ENHANCED CRIMINAL PENALTIES FOR UNAUTHORIZED ACCESS TO COLLECTED DATA.

Section 1030 of title 18, United States Code, is amended as follows:

(1) Subsection (a) is amended—

(A) in paragraph (5)(C), by striking the period at the end and inserting a semicolon;

(B) in paragraph (7)(C), by adding ''or'' at the end; and

(C) by inserting after paragraph (7)(C) the following:

''(8) accesses a computer without authorization or exceeds authorized access and thereby obtains information from any department or agency of the United States knowing or having reason to know that such computer was operated by or on behalf of the United States and that such information was acquired by the United States pursuant to the Foreign Intelligence Surveillance Act (50 U.S.C. 1801 et seq.) pursuant to an order issued by a court established under section 103 of that Act (50 U.S.C. 1803).''.

(2) Subsection (c) is amended—

(A) in paragraph (4)(G)(ii), by striking the period at the end and inserting a semicolon and ''or''; and

(B) by adding at the end the following:

''(5) a fine under this title, imprisonment for not more than 10 years, or both, in the case of an offense under subsection (a)(8) of this section.''.

SEC. ____04. APPOINTMENT OF AMICUS CURIAE.

Section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803) is amended by adding at the end the following:

''(i) AMICUS CURIAE.—

''(1) AUTHORIZATION.—Notwithstanding any other provision of law, a court established under subsection (a) or (b) is authorized, consistent with the requirement of subsection (c) and any other statutory requirement that the court act expeditiously or within a stated time, to appoint amicus curiae to assist the court in the consideration of a covered application.

''(2) DEFINITIONS.—In this subsection:

''(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(i) the Committee on the Judiciary and the Select Committee on Intelligence of the Senate; and

''(ii) the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives.

''(B) COVERED APPLICATION.—The term 'covered application' means an application for an order or review made to a court established under subsection (a) or (b)—

''(i) that, in the opinion of such a court, presents a novel or significant interpretation of the law; and

''(ii) that is—

''(I) an application for an order under this title, title III, IV, or V of this Act, or section 703 or 704 of this Act;

''(II) a review of a certification or procedures under section 702 of this Act; or

''(III) a notice of non-compliance with any such order, certification, or procedures.

''(3) DESIGNATION.—The courts established by subsection (a) and (b) shall each designate 1 or more individuals who have been determined by appropriate executive branch officials to be eligible for access to classified national security information, including sensitive compartmented information, who may be appointed to serve as amicus curiae. In appointing an amicus curiae pursuant to paragraph (1), the court may choose from among those so designated.

''(4) EXPERTISE.—An individual appointed as an amicus curiae under paragraph (1) may be a special counsel or an expert on privacy and civil liberties, intelligence collection, telecommunications, or any other area that may lend legal or technical expertise to the court.

''(5) DUTIES.—An amicus curiae appointed under paragraph (1) to assist with the consideration of a covered application shall carry out the duties assigned by the appointing court. That court may authorize, to the extent consistent with the case or controversy requirements of Article III of the Constitution of the United States and the national security of the United States, the amicus curiae to review any application, certification, petition, motion, or other submission that the court determines is relevant to the duties assigned by the court.

''(6) NOTIFICATION.—A court established under subsection (a) or (b) shall notify the

Attorney General of each exercise of the authority to appoint an amicus curiae under paragraph (1).

''(7) ASSISTANCE.—A court established under subsection (a) or (b) may request and receive (including on a non-reimbursable basis) the assistance of the executive branch in the implementation of this subsection.

''(8) ADMINISTRATION.—A court established under subsection (a) or (b) may provide for the designation, appointment, removal, training, support, or other administration of an amicus curiae appointed under paragraph (1) in a manner that is not inconsistent with this subsection.

''(9) CONGRESSIONAL OVERSIGHT.—The Attorney General shall submit to the appropriate committees of Congress an annual report on the number of notices described in paragraph (6) received by Attorney General for the preceding 12-month period.''.

SEC. ___05. CONSOLIDATION OF CONGRESSIONAL OVERSIGHT PROVISIONS UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

(a) REPEAL OF CONGRESSIONAL OVERSIGHT PROVISIONS.—

(1) REPEAL.—The Foreign Intelligence Surveillance Act of 1978 is amended by striking sections 107, 108, 306, and 406 (50 U.S.C. 1807, 1808, 1826, and 1846).

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978 is amended by striking the items relating to sections 107, 108, 306, and 406.

(b) SEMIANNUAL REPORT OF THE ATTORNEY GENERAL.—Section 601 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1871) is amended to read as follows:

''SEC. 601. SEMIANNUAL REPORT OF THE ATTORNEY GENERAL.

''(a) IN GENERAL.—

''(1) INFORMATION.—On a semiannual basis, the Attorney General shall submit to the appropriate committees of Congress a report pursuant to paragraph (2) concerning all electronic surveillance, physical searches, and uses of pen registers and trap and trace devices conducted under this Act.

''(2) REPORT.—The report required by paragraph (1) shall include the following:

''(A) ELECTRONIC SURVEILLANCE.—The total number of—

''(i) applications made for orders approving electronic surveillance under this Act;

''(ii) such orders either granted, modified, or denied;

''(iii) proposed applications for orders for electronic surveillance submitted pursuant to Rule 9(a) of the Rules of Procedure for the Foreign Intelligence Surveillance Court, or any successor rule, that are not formally presented in the form of a final application under Rule 9(b) of the Rules of Procedure for the Foreign Intelligence Surveillance Court, or any successor rule;

''(iv) named United States person targets of electronic surveillance;

''(v) emergency authorizations of electronic surveillance granted under this Act and the total number of subsequent orders approving or denying such electronic surveillance; and

''(vi) new compliance incidents arising from electronic surveillance under this Act.

''(B) PHYSICAL SEARCHES.—The total number of—

''(i) applications made for orders approving physical search under this Act;

''(ii) such orders either granted, modified, or denied;

''(iii) proposed applications for orders for physical searches submitted pursuant to Rule 9(a) of the Rules of Procedure for the Foreign Intelligence Surveillance Court, or any successor rule, that are not formally presented in the form of a final application under Rule 9(b) of the Rules of Procedure for the Foreign Intelligence Surveillance Court, or any successor rule;

''(iv) named United States person targets of physical searches;

''(v) emergency authorizations of physical searches granted under this Act and the total number of subsequent orders approving or denying such physical searches; and

''(vi) new compliance incidents arising from physical searches under this Act.

''(C) PEN REGISTER AND TRAP AND TRACE DEVICES.—The total number of—

''(i) applications made for orders approving the use of pen registers or trap and trace devices under this Act;

''(ii) such orders either granted, modified, or denied;

''(iii) proposed applications for orders for pen registers or trap and trace devices submitted pursuant to Rule 9(a) of the Rules of Procedure for the Foreign Intelligence Surveillance Court, or any successor rule, that are not formally presented in the form of a final application under Rule 9(b) of the Rules of Procedure for the Foreign Intelligence Surveillance Court, or any successor rule;

''(iv) named United States person targets of pen registers or trap and trace devices;

''(v) emergency authorizations of the use of pen registers or trap and trace devices granted under this Act and the total number of subsequent orders approving or denying such use of pen registers or trap and trace devices; and

''(vi) new compliance incidents arising from the use of pen registers or trap and trace devices under this Act.

''(D) COMPLIANCE INCIDENTS.—A summary of each compliance incident reported under subparagraphs (A)(vi), (B)(vi), and (C)(vi).

''(E) SIGNIFICANT LEGAL INTERPRETATIONS.—A summary of significant legal interpretations of this Act involving matters before the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review, including interpretations presented in applications or pleadings filed with the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review.

''(b) SUBMISSIONS OF SIGNIFICANT DECISIONS, ORDERS, AND OPINIONS.—The Attorney General shall submit to the appropriate committees of Congress a copy of any decision, order, or opinion issued by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review that includes a significant construction or interpretation of any provision of this Act, and any pleadings, applications, or memoranda of law associated with such decision, order, or opinion, not later than 45 days after such decision, order, or opinion is issued.

''(c) PROTECTION OF NATIONAL SECURITY.—The Director of National Intelligence, in consultation with the Attorney General, may authorize redactions of materials described in subsection (b) that are provided to the appropriate committees of Congress if such redactions are necessary to protect properly classified information.

''(d) AVAILABILITY TO MEMBERS OF CONGRESS.—Consistent with the rules and practices of the Senate and the House of Representatives, each report submitted pursuant to subsection (a)(2) and each submission made pursuant to subsection (b) shall be made available to every member of Congress, subject to appropriate procedures for the storage and handling of classified information.

''(e) PUBLIC REPORT.—

''(1) IN GENERAL.—Subject to paragraph (2), the Attorney General, in consultation with the Director of National Intelligence, shall make available to the public an unclassified annual summary of the reports submitted under subsection (a) that, to the maximum extent practicable consistent with the protection of classified information, includes the information contained in the report submitted pursuant to subsection (a)(2).

''(2) MINIMUM REQUIREMENTS.—In each report made available to the public under paragraph (1), the Attorney General shall include, at a minimum, the information required under subparagraphs (A), (B), and (C) of subsection (a)(2), which may be presented as annual totals.

''(f) CONSTRUCTION.—Nothing in this title may be construed to limit the authority and responsibility of an appropriate committee of Congress to obtain any information required by such committee to carry out its functions and duties.

''(g) DEFINITIONS.—In this section:

''(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(A) the Select Committee on Intelligence and the Committee on the Judiciary of the Senate; and

''(B) the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives.

''(2) ELECTRONIC SURVEILLANCE.—The term 'electronic surveillance' has the meaning given that term in section 101 of this Act.

''(3) FOREIGN INTELLIGENCE SURVEILLANCE COURT.—The term 'Foreign Intelligence Surveillance Court' means the court established under section 103(a) of this Act.

''(4) FOREIGN INTELLIGENCE SURVEILLANCE COURT OF REVIEW.—The term 'Foreign Intelligence Surveillance Court of Review' means the court established under section 103(b) of this Act.

''(5) PEN REGISTER.—The term 'pen register' has the meaning given that term in section 401 of this Act.

''(6) PHYSICAL SEARCH.—The term 'physical search' has the meaning given that term in section 301 of this Act.

''(7) TRAP AND TRACE DEVICE.—The term 'trap and trace device' has the meaning given that term in section 401 of this Act.

''(8) UNITED STATES PERSON.—The term 'United States person' has the meaning given that term in section 101 of this Act.''.

(c) AVAILABILITY OR REPORTS AND SUBMISSIONS.—

(1) IN GENERAL.—Title VI of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1871) is amended by adding after section 601 the following:

''SEC. 602. AVAILABILITY OF REPORTS AND SUBMISSIONS.

''(a) AVAILABILITY TO MEMBERS OF CONGRESS.—Consistent with the rules and practices of the Senate and the House of Representatives, each submission to Congress made pursuant to section 502(b), 702(l)(1), or 707 shall be made available, to every member of Congress, subject to appropriate procedures for the storage and handling of classified information.

''(b) PUBLIC REPORT.—The Attorney General or the Director of National Intelligence, as appropriate, shall make available to the public unclassified reports that, to the maximum extent practicable consistent with the protection of classified information, include the information contained in each submission to Congress made pursuant to section 502(b), 702(l)(1), or 707.''.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978 is amended by inserting after the item relating to section 601 the following:

''Sec. 602. Availability of reports and submissions.''.

SEC. ___06. RESTRICTIONS ON QUERYING THE CONTENTS OF CERTAIN COMMUNICATIONS.

Section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a) is amended by adding at the end the following:

''(m) QUERIES.—

''(1) LIMITATION ON QUERY TERMS THAT IDENTIFY A UNITED STATES PERSON.—A query of the contents of communications acquired under this section with a selector known to be used by a United States person may be conducted by personnel of elements of the Intelligence Community only if the purpose of the query is to obtain foreign intelligence information or information necessary to understand foreign intelligence information or to assess its importance.

''(2) RECORD.—

''(A) IN GENERAL.—For any query performed pursuant to paragraph (1) a record shall be retained of the identity of the Government personnel who performed the query, the date and time of the query, and the information indicating that the purpose of the query was to obtain foreign intelligence information or information necessary to understand foreign intelligence information or to assess its importance.

''(B) AVAILABILITY.—Each record prepared pursuant to subparagraph (A) shall be made available to the Department of Justice, the Office of the Director of National Intelligence, appropriate Inspectors General, the Foreign Intelligence Surveillance Court, and the appropriate committees of Congress.

''(3) CONSTRUCTION.—Nothing in this subsection may be construed—

''(A) to prohibit access to data collected under this section as may be necessary for technical assurance, data management or compliance purposes, or for the purpose of narrowing the results of queries, in which case no information produced pursuant to the order may be accessed, used, or disclosed other than for such purposes;

''(B) to limit the authority of a law enforcement agency to conduct a query for law enforcement purposes of the contents of communications acquired under this section; or

''(C) to limit the authority of an agency to conduct a query for the purpose of preventing a threat to life or serious bodily harm to any person.

''(4) DEFINITIONS.—In this subsection:

''(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(i) the Select Committee on Intelligence and the Committee on the Judiciary of the Senate; and

''(ii) the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives.''.

''(B) CONTENT.—The term 'content', with respect to a communication—

''(i) means any information concerning the substance, purport, or meaning of that communication; and

''(ii) does not include any dialing, routing, addressing, or signaling information.

''(C) SELECTOR.—The term 'selector' means an identifier, such as a phone number or electronic account identifier, that is associated with a particular communicant or facility.''.

SEC. ___07. TEMPORARY TARGETING OF PERSONS OTHER THAN UNITED STATES PERSONS TRAVELING INTO THE UNITED STATES.

(a) IN GENERAL.—Section 105 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1805) is amended—

(1) by redesignating subsections (f), (g), (h), and (i) as subsections (g), (h), (i), and (j), respectively; and

(2) by inserting after subsection (e) the following:

''(f)(1) Notwithstanding any other provision of this Act, acquisition of foreign intelligence information by targeting a non-United States person reasonably believed to be located outside the United States that was lawfully initiated by an element of the intelligence community may continue for a transitional period not to exceed 72 hours from the time when it is recognized that the non-United States person is reasonably believed to be located inside the United States and that the acquisition is subject to this title or title III of this Act, provided that the head of the element determines that there exists an exigent circumstance and—

''(A) there is reason to believe that the target of the acquisition has communicated or received or will communicate or receive foreign intelligence information relevant to the exigent circumstance; and

''(B) it is determined that a request for emergency authorization from the Attorney General in accordance with the terms of this Act is impracticable in light of the exigent circumstance.

''(2) The Director of National Intelligence or the head of an element of the intelligence community shall promptly notify the Attorney General of the decision to exercise the authority under this section and shall request emergency authorization from the Attorney General pursuant to this Act as soon as practicable, to the extent such request is warranted by the facts and circumstances.

''(3) Subject to subparagraph (4), the authority under this section to continue acquisition of foreign intelligence information is limited to 72 hours. However, if the Attorney General authorizes an emergency acquisition pursuant to this Act, then acquisition of foreign intelligence information may continue for the period of time that the Attorney General's emergency authorization or any subsequent court order authorizing the acquisition remains in effect.

''(4) The authority to acquire foreign intelligence information under this subsection shall terminate upon any of the following, whichever occurs first—

''(A) 72 hours have elapsed since the commencement of the transitional period;

''(B) the Attorney General has directed that the acquisition be terminated; or

''(C) the exigent circumstance is no longer reasonably believed to exist.

''(5) If the Attorney General authorizes an emergency authorization during the transitional period, the acquisition of foreign intelligence shall continue during any transition to, and consistent with, the Attorney General emergency authorization or court order.

''(6) Any information of or concerning unconsenting United States persons acquired during the transitional period may only be disseminated during the transitional period if necessary to investigate, prevent, reduce, or eliminate the exigent circumstance or if it indicates a threat of death or serious bodily harm to any person.

''(7) In the event that during the transition period a request for an emergency authorization from the Attorney General pursuant to this Act for continued acquisition of foreign intelligence is not approved or an order from a court is not obtained to continue the acquisition, information obtained during the transitional period shall not be retained, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(8) The Attorney General shall assess compliance with the requirements of paragraph (7).''.

(b) NOTIFICATION OF EMERGENCY EMPLOYMENT OF ELECTRONIC SURVEILLANCE.—Section 106(j) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1806(j)) is amended by striking ''section 105(e)'' and inserting ''subsection (e) or (f) of section 105''.

SEC. ___08. CONFIRMATION OF APPOINTMENT OF THE DIRECTOR OF THE NATIONAL SECURITY AGENCY.

(a) DIRECTOR OF THE NATIONAL SECURITY AGENCY.—Section 2 of the National Security Agency Act of 1959 (50 U.S.C. 3602) is amended—

(1) by inserting ''(b)'' before ''There''; and

(2) by inserting before subsection (b), as so designated by paragraph (1), the following:

''(a)(1) There is a Director of the National Security Agency.

''(2) The Director of the National Security Agency shall be appointed by the President, by and with the advice and consent of the Senate.

''(3) The Director of the National Security Agency shall be the head of the National Security Agency and shall discharge such functions and duties as are provided by this Act or otherwise by law or executive order.''.

(b) POSITION OF IMPORTANCE AND RESPONSIBILITY.—The President may designate the Director of the National Security Agency as a position of importance and responsibility under section 601 of title 10, United States Code.

(c) EFFECTIVE DATE AND APPLICABILITY.—

(1) IN GENERAL.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply upon the earlier of—

(A) the date of the nomination by the President of an individual to serve as the Director of the National Security Agency, except that the individual serving as such Director as of the date of the enactment of this Act may continue to perform such duties after such date of nomination and until the individual appointed as such Director, by and with the advice and consent of the Senate, assumes the duties of such Director; or

(B) the date of the cessation of the performance of the duties of such Director by the individual performing such duties as of the date of the enactment of this Act.

(2) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Subsection (b) shall take effect on the date of the enactment of this Act.

SEC. ___09. PRESIDENTIAL APPOINTMENT AND SENATE CONFIRMATION OF THE INSPECTOR GENERAL OF THE NATIONAL SECURITY AGENCY.

(a) IN GENERAL.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 8G(a)(2), by striking ''the National Security Agency,''; and

(2) in section 12—

(A) in paragraph (1), by striking ''or the Federal Cochairpersons of the Commissions established under section 15301 of title 40, United States Code'' and inserting ''the Federal Cochairpersons of the Commissions established under section 15301 of title 40, United States Code; or the Director of the National Security Agency''; and

(B) in paragraph (2), by striking ''or the Commissions established under section 15301 of title 40, United States Code'' and inserting ''the Commissions established under section 15301 of title 40, United States Code, or the National Security Agency''.

(b) EFFECTIVE DATE; INCUMBENT.—

(1) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date on which the first Director of the National Security Agency takes office on or after the date of the enactment of this Act.

(2) INCUMBENT.—The individual serving as Inspector General of the National Security Agency on the date of the enactment of this Act shall be eligible to be appointed by the President to a new term of service under section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), by and with the advice and consent of the Senate.

SEC. ___10. ANNUAL REPORTS ON VIOLATIONS OF LAW OR EXECUTIVE ORDER.

(a) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by adding at the end the following:

"SEC. 509. ANNUAL REPORT ON VIOLATIONS OF LAW OR EXECUTIVE ORDER.

''(a) ANNUAL REPORTS REQUIRED.—Not later than April 1 of each year, the Director of National Intelligence shall submit to the congressional intelligence committees a report on violations of law or executive order by personnel of an element of the intelligence community that were identified during the previous calendar year.

''(b) ELEMENTS.—Each report required subsection (a) shall include a description of any violation of law or executive order (including Executive Order No. 12333 (50 U.S.C. 3001 note)) by personnel of an element of the intelligence community in the course of such employment that, during the previous calendar year, was determined by the director, head, general counsel, or inspector general of any element of the intelligence community to have occurred.''.

(b) CLERICAL AMENDMENT.—The table of sections in the first section of the National Security Act of 1947 is amended by adding after the section relating to section 508 the following:

''Sec. 509. Annual report on violations of law or executive order.''.

SEC. ___11. PERIODIC REVIEW OF INTELLIGENCE COMMUNITY PROCEDURES FOR THE ACQUISITION, RETENTION, AND DISSEMINATION OF INTELLIGENCE.

(a) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), as amended by section ___10, is further amended by adding at the end the following:

"SEC. 510. PERIODIC REVIEW OF INTELLIGENCE COMMUNITY PROCEDURES FOR THE ACQUISITION, RETENTION, AND DISSEMINATION OF INTELLIGENCE.

''(a) HEAD OF AN ELEMENT OF THE INTELLIGENCE COMMUNITY DEFINED.—In this section, the term 'head of an element of the intelligence community' means, as appropriate—

''(1) the head of an element of the intelligence community; or

''(2) the head of the department or agency containing such element.

''(b) REVIEW OF PROCEDURES APPROVED BY THE ATTORNEY GENERAL.—

''(1) REQUIREMENT FOR IMMEDIATE REVIEW.—Each head of an element of the intelligence community that has not obtained the approval of the Attorney General for the procedures, in their entirety, required by section 2.3 of Executive Order 12333 (50 U.S.C. 3001 note) within 5 years prior to the date of the enactment of the FISA Improvements Act of 2013, shall initiate, not later than 180 days after such date of enactment, a review of the procedures for such element, in accordance with paragraph (3).

''(2) REQUIREMENT FOR REVIEW.—Not less frequently than once every 5 years, each head of an element of the intelligence community shall conduct a review of the procedures approved by the Attorney General for such element that are required by section 2.3 of Executive Order 12333 (50 U.S.C. 3001 note), or any successor order, in accordance with paragraph (3).

''(3) REQUIREMENTS FOR REVIEWS.—In coordination with the Director of National Intelligence and the Attorney General, the head of an element of the intelligence community required to perform a review under paragraphs (1) or (2) shall—

''(A) review existing procedures for such element that are required by section 2.3 of Executive Order 12333 (50 U.S.C. 3001 note), or any successor order, to assess whether—

''(i) advances in communications or other technologies since the time the procedures were most recently approved by the Attorney General have affected the privacy protections that the procedures afford to United States persons, to include the protections afforded to United States persons whose nonpublic communications are incidentally acquired by an element of the intelligence community; or

''(ii) aspects of the existing procedures impair the acquisition, retention, or dissemination of timely, accurate, and insightful information about the activities, capabilities, plans, and intentions of foreign powers, organization, and persons, and their agents; and

''(B) propose any modifications to existing procedures for such element in order to—

''(i) clarify the guidance such procedures afford to officials responsible for the acquisition, retention, and dissemination of intelligence;

''(ii) eliminate unnecessary impediments to the acquisition, retention, and dissemination of intelligence; or

''(iii) ensure appropriate protections for the privacy of United States persons and persons located inside the United States.

''(4) NOTICE.—The Director of National Intelligence and the Attorney General shall notify the congressional intelligence committees following the completion of each review required under this section.

''(5) REQUIREMENT TO PROVIDE PROCEDURES.—Upon the implementation of any modifications to procedures required by section 2.3 of Executive Order 12333 (50 U.S.C. 3001 note), or any successor order, the head of the element of the intelligence community to which the modified procedures apply shall promptly provide a copy of the modified procedures to the congressional intelligence committees.''.

(b) CLERICAL AMENDMENT.—The table of sections in the first section of the National Security Act of 1947, as amended by section ___10, is further amended by adding after the section relating to section 509 the following:

''Sec. 510. Periodic review of intelligence community procedures for the acquisition, retention, and dissemination of intelligence.''.

SEC. ___12. PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD ENHANCEMENTS RELATING TO THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE OFFICIAL.—The term ''appropriate official'' means the appropriate official of an agency or department of the United States who is responsible for preparing or submitting a covered application.

(2) BOARD.—The term ''Board'' means the Privacy and Civil Liberties Oversight Board established in section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee).

(3) COVERED APPLICATION.—The term ''covered application'' means a submission to a FISA Court—

(A) that—

(i) presents a novel or significant interpretation of the law; and

(ii) relates to efforts to protect the United States from terrorism; and

(B) that is—

(i) a final application for an order under title I, III, IV, or V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) or section 703 or 704 of that Act (50 U.S.C. 1881b and 1881c);

(ii) a review of a certification or procedure under section 702 of that Act (50 U.S.C. 1881a); or

(iii) a notice of non-compliance with such an order, certification, or procedures.

(4) FISA COURT.—The term ''FISA Court'' means a court established under subsection (a) or (b) of section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803).

(b) NOTICE OF SUBMISSIONS AND ORDERS.—

(1) SUBMISSION TO FISA COURT.—Notwithstanding any provision of section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803), if a covered application is filed with a FISA Court, the appropriate official shall provide such covered application to the Board not later than the date of such filing, provided the provision of such covered application does not delay any filing with a FISA Court.

(2) FISA COURT ORDERS.—Notwithstanding any provision of section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803), the appropriate official shall provide to the Board each order of a FISA Court related to a covered application.

(c) DISCRETIONARY ASSESSMENT OF THE BOARD.—

(1) NOTICE OF DECISION TO CONDUCT ASSESSMENT.—Upon receipt of a covered application under subsection (b)(1), the Board shall—

(A) elect whether to conduct the assessment described in paragraph (3); and

(B) submit to the appropriate official a notice of the Board's election under subparagraph (A).

(2) TIMELY SUBMISSION.—The Board shall in a timely manner prepare and submit to the appropriate official—

(A) the notice described in paragraph (1)(B); and

(B) the associated assessment, if the Board elects to conduct such an assessment.

(3) CONTENT.—An assessment of a covered application prepared by the Board shall address whether the covered application is balanced with the need to protect privacy and civil liberties, including adequate supervision and guidelines to ensure protection of privacy and civil liberties.

(d) ANNUAL REVIEW.—The Board shall conduct an annual review of the activities of the National Security Agency related to information collection under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

(e) PROVISION OF COMMUNICATIONS SERVICES AND OFFICE SPACE TO CERTAIN MEMBERS OF PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.—Section 1061(g) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(g)) is amended by adding at the end the following:

''(5) PROVISION OF COMMUNICATIONS SERVICES AND OFFICE SPACE.—The Director of National Intelligence shall provide to each member of the Board who resides more than 100 miles from the District of Columbia such communications services and office space as may be necessary for the member to access and use classified information. Such services and office space shall be located at an existing secure government or contractor facility located within the vicinity of such member's place of residence.''.

SA 2471. Mr. LEAHY (for himself, Ms. COLLINS, Mr. COONS, Mr. BLUMENTHAL, Ms. LANDRIEU, Mr. WHITEHOUSE, Mr. MERKLEY, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1082. BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM REAUTHORIZATION.

(a) SHORT TITLE.—This section may be cited as the ''Bulletproof Vest Partnership Grant Program Reauthorization Act of 2013''.

(b) FINDINGS.—Congress finds that—

(1) according to a report published by the Government Accountability Office—

(A) since 1987, body armor has saved the lives of more than 3,000 law enforcement officers, and continues to serve as a critical safety measure for law enforcement officers; and

(B) law enforcement officers who do not wear body armor are 3.4 times more likely to sustain a fatal injury from a gunshot to the torso than officers who do;

(2) during the tragic shooting at the Washington Navy Yard Naval Sea Systems Command on September 16, 2013, a Washington, D.C. law enforcement officer was shot twice in the torso and was saved by his protective vest;

(3) in 2012, protective vests were directly responsible for saving the lives of at least 33 law enforcement officers;

(4) body armor is an effective tool in helping to protect law enforcement officers; and

(5) since 1999, the Bulletproof Vest Partnership has helped State and local law enforcement agencies purchase more than 1,000,000 protective vests.

(c) EXTENSION OF AUTHORIZATION OF APPROPRIATIONS FOR BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM.—Section 1001(a)(23) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(23)) is amended by striking ''part Y,'' and all that follows and inserting the following: ''part Y—

''(A) $15,000,000 for each of fiscal years 2014 and 2015; and

''(B) $30,000,000 for each of fiscal years 2016, 2017, and 2018.''.

(d) EXPIRATION OF PREVIOUSLY APPROPRIATED FUNDS.—Section 2501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll) is amended by adding at the end the following:

''(h) EXPIRATION OF PREVIOUSLY APPROPRIATED FUNDS.—

''(1) DEFINITION.—In this subsection, the term 'previously appropriated funds' means any amounts that—

''(A) were appropriated for any of fiscal years 1999 through 2012 to carry out this part; and

''(B) on the date of enactment of the Bulletproof Vest Partnership Grant Program Reauthorization Act of 2013, are available to be expended and have not been expended, including funds that were previously obligated but undisbursed.

''(2) EXPIRATION.—All previously appropriated funds that are not expended by September 30, 2015 shall be transferred to the General Fund of the Treasury not later than January 15, 2016.''.

(e) SENSE OF CONGRESS ON 2-YEAR LIMITATION ON FUNDS.—It is the sense of Congress that amounts made available to carry out part Y of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll et seq.) should be made available through the end of the first fiscal year following the fiscal year for which the amounts are appropriated and should not be made available until expended.

(f) MATCHING FUNDS LIMITATION.—Section 2501(f) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll(f)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

''(3) LIMITATION ON STATE MATCHING FUNDS.—A State, unit of local government, or Indian tribe may not use funding received under any other Federal grant program to pay or defer the cost, in whole or in part, of the matching requirement under paragraph (1).''.

(g) APPLICATION OF BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM REQUIREMENTS TO ANY ARMOR VEST OR BODY ARMOR PURCHASED WITH FEDERAL GRANT FUNDS.—Section 521 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3766a) is amended by adding at the end the following:

''(c)(1) Notwithstanding any other provision of law, a grantee that uses funds made available under this part to purchase an armor vest or body armor shall—

''(A) comply with any requirements established for the use of grants made under part Y;

''(B) have a written policy requiring uniformed patrol officers to wear an armor vest or body armor; and

''(C) use the funds to purchase armor vests or body armor that meet any performance standards established by the Director of the Bureau of Justice Assistance.

''(2) In this subsection, the terms 'armor vest' and 'body armor' have the same meanings given the terms in section 2503.''.

(h) UNIQUELY FITTED ARMOR VESTS.—Section 2501(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll(c)) is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3), by striking ''; or'' and inserting ''; and'';

(3) by redesignating paragraph (4) as paragraph (5); and

(4) by inserting after paragraph (3) the following:

''(4) provides armor vests to law enforcement officers that are uniquely fitted for such officers, including vests uniquely fitted to individual female law enforcement officers; or''.

SA 2472. Ms. LANDRIEU (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 509 and insert the following:

SEC. 509. NATIONAL GUARD YOUTH CHALLENGE PROGRAM.

Section 509 of title 32, United States Code, is amended—

(1) in subsection (a), by striking ''Secretary of Defense may use'' and inserting ''Chief of the National Guard Bureau shall use'';

(2) in subsection (b)—

(A) by striking ''Secretary of Defense'' each place it appears and inserting ''Chief of the National Guard Bureau'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''Secretary'' and inserting ''Chief of the National Guard Bureau''; and

(ii) in subparagraph (A), by striking '', except that'' and all that follows through ''$62,500,000''; and

(C) in paragraph (4), by striking ''Secretary may use'' and inserting ''Chief of the National Guard Bureau shall use'';

(3) in subsection (c)(2), by striking ''Secretary'' and inserting ''Chief of the National Guard Bureau'';

(4) in subsection (d)(1), by striking ''Secretary of Defense'' and inserting ''Chief of the National Guard Bureau'';

(5) in subsection (e), by striking ''Secretary of Defense'' and inserting ''Chief of the National Guard Bureau'';

(6) in subsection (f)(1), by striking ''Secretary of Defense'' and inserting ''Chief of the National Guard Bureau'';

(7) in subsection (k)—

(A) by striking ''Secretary of Defense'' and inserting ''Chief of the National Guard Bureau''; and

(B) by striking ''Secretary'' and inserting ''Chief of the National Guard Bureau''; and

(8) in subsection (m), by striking ''Secretary of Defense'' and inserting ''Chief of the National Guard Bureau''.

SA 2473. Mr. UDALL of Colorado (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1066. REPORT ON HEALTH AND SAFETY RISKS ASSOCIATED WITH EJECTION SEATS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report setting forth an assessment of the risks to the health and safety of members of the Armed Forces of the ejection seats currently in operational use by the Air Force.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An assessment whether aircrew members wearing advanced helmets, night vision systems, helmet-mounted cueing systems, or other helmet-mounted devices or attachments are at increased risk of serious injury or death during a high-speed ejection sequence.

(2) An analysis of how ejection seats currently in operational use provide protection against head, neck, and spinal cord injuries during an ejection sequence.

(3) An analysis of initiatives currently underway within the Air Force to decrease the risk of death or serious injury in an ejection sequence.

(4) An analysis of programs or initiatives not currently underway within the Air Force that could decrease the risk of death or serious injury in an ejection sequence.

(5) The status of any testing or qualifications on upgraded ejection seats that may reduce the risk of death or serious injury in an ejection sequence.

SA 2474. Mr. TESTER (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 1109. DUE PROCESS FOR FEDERAL EMPLOYEES SERVING IN SENSITIVE POSITIONS.

(a) AMENDMENTS.—Section 7701 of title 5, United States Code, is amended—

(1) by redesignating subsection (k) as subsection (l); and

(2) by inserting after subsection (j) the following:

''(k)(1) The Board has authority to review on the merits an appeal by an employee or applicant for employment of an action arising from a determination that the employee or applicant for employment is ineligibility for a sensitive position if—

''(A) the sensitive position does not require a security clearance or access to classified information; and

''(B) such action is otherwise appealable.

''(2) In this subsection, the term 'sensitive position' means a position designated as a sensitive position under Executive Order 10450 (5 U.S.C. 7311 note), or any successor thereto.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to any appeal that is pending on, or commenced on or after, the date of enactment of this Act.

SA 2475. Mr. MCCAIN (for himself, Mr. LEVIN, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1208. ASSISTANCE TO FOSTER NEGOTIATED SETTLEMENT TO SYRIA CONFLICT.

(a) STATEMENT OF POLICY.—It is the policy of the United States to change the military momentum on the battlefield in Syria so as to create favorable conditions for a negotiated settlement that ends the conflict and leads to a democratic government in Syria.

(b) AUTHORITY TO PROVIDE ASSISTANCE.—Subject to the requirements in subsections (d) and (e), the Secretary of Defense may, with the concurrence of the Secretary of State, provide equipment, supplies, and training to vetted units of the Free Syrian Army, the Supreme Military Council, and other Syrian forces opposed to the government of Bashar al-Assad and the Islamic State of Iraq and Syria (ISIS) for the purpose of conducting military operations inside Syria, with funds made available for foreign assistance.

(c) FUNDING.—Not more than $100,000,000 of the amounts authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2014 may be used to implement the authority provided under subsection (b).

(d) CERTIFICATION REQUIREMENT.—Not later than 15 days before obligating or providing the assistance as authorized in subsection (b), the Secretary shall certify to the appropriate congressional committees that—

(1) based on the information available to the United States Government, the unit or units, including the senior leaders of such unit or units, to whom assistance is being provided, or is planned to be provided, is—

(A) not an organization or person that has been designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) or a ''Specifically Designated Global Terrorist'' pursuant to Executive Order 13224 (66 Fed. Reg. 49079);

(B) committed to rejecting terrorism, and cooperating with international counterterrorism and nonproliferation efforts;

(C) opposed to sectarian violence and revenge killings;

(D) committed to establishing a peaceful, pluralistic, and democratic Syria that respects the human rights and fundamental freedoms of all its citizens; and

(E) committed to civilian rule, including subordinating the military to civilian authority, and the rule of law for Syria;

(2) assistance shall be provided in a manner that promotes observance of and respect for human rights and fundamental freedoms, military professionalism, respect for rule of law and the importance of civilian control of the military, rejection of terrorism and extremism, and safeguarding the distribution of humanitarian aid; and

(3) assistance provided under this section to any specific individual or entity shall immediately be terminated if the United States Government receives credible information that demonstrates that such individual or entity is not in compliance with the terms defined in this subsection.

(e) RESTRICTION ON ANTI-AIRCRAFT DEFENSIVE SYSTEMS.—In addition to the requirements provided in subsection (d), anti-aircraft defensive systems may only be transferred as part of the assistance authorized under subsection (b) if the Secretary certifies to the appropriate congressional committees not later than 15 days before providing such systems that—

(1) the provision of such systems is in the national security interest of the United States;

(2) the individual to whom anti-aircraft defensive systems are planned to be provided and the unit or entity of which such individual is a member, including the senior leaders of that unit or entity, have no operational ties and no ongoing operational coordination with an organization or person that has been designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189);

(3) all necessary steps have been taken to mitigate the risks to United States national security and the national security of United States partners and allies associated with the transfer of such systems, and to ensure effective end use monitoring, including appropriate disposition of systems; and

(4) the United States has consulted with regional partners and allies regarding the systems provided.

(f) REPORTING REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a classified report on—

(1) vetting procedures to satisfy the certification requirement in subsection (d)(1);

(2) an assessment of the current military capacity of opposition forces that are or would be receiving assistance;

(3) an assessment of the ability of opposition groups to conduct effective military operations and establish effective military control over Syria;

(4) a description of the financial and material resources currently available to opposition forces;

(5) an assessment of the extent to which the program is making progress in achieving the stated policy in subsection (a), and furthering the interests of the United States; and

(6) an outline of the plan to provide assistance to vetted armed opposition that complies with the vetting procedures outlined in paragraph (1).

(g) DONATIONS.—The Secretary of Defense may accept donations from foreign states to conduct activities pursuant to subsection (a).

(h) THIRD COUNTRY ASSISTANCE.—The Secretary of Defense may provide assistance to a third country to conduct training under subsection (a).

(i) SUNSET PROVISION.—Unless specifically renewed, the authority described in subsection (a) shall terminate on December 31, 2015.

(j) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 2476. Ms. WARREN (for herself and Mr. RUBIO) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1083. PROTECTION OF INDIVIDUALS ELIGIBLE FOR INCREASED PENSION UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS ON BASIS OF NEED FOR REGULAR AID AND ATTENDANCE.

(a) DEVELOPMENT AND IMPLEMENTATION OF STANDARDS.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall work with the heads of Federal agencies, States, and such experts as the Secretary considers appropriate to develop and implement Federal and State standards that protect individuals from dishonest, predatory, or otherwise unlawful practices relating to increased pension available to such individuals under chapter 15 of title 38, United States Code, on the basis of need for regular aid and attendance.

(2) SUBMITTAL TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives the standards developed under paragraph (1).

(b) CONDITIONAL RECOMMENDATION BY COMPTROLLER GENERAL.—If the Secretary does not, on or before the date that is 180 days after the date of the enactment of this Act, submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives standards that are developed under subsection (a)(1), the Comptroller General of the United States shall, not later than the date that is 1 year after the date of the enactment of this Act, submit to such committees a report containing standards that the Comptroller General determines are standards that would be effective in protecting individuals as described in such subsection.

(c) STUDY BY COMPTROLLER GENERAL.—Not later than 540 days after the date of the enactment of this Act, the Comptroller General of the United States shall complete a study on standards implemented under this section to protect individuals as described in subsection (a)(1) and submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report containing the

findings of the Comptroller General with respect to such study.

SA 2477. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1237. REPORT ON TEAR GAS AND OTHER RIOT CONTROL ITEMS TRANSFERRED OR SOLD BY THE DEPARTMENT OF DEFENSE TO FOREIGN GOVERNMENTS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the tear gas and other riot control items transferred or sold by the Department of Defense to foreign governments during the five-year period ending on the date of the report.

SA 2478. Mr. REED (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XXVIII, add the following:

SEC. 2842. FOX POINT HURRICANE BARRIER, PROVIDENCE, RHODE ISLAND.

Section 2866(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2499) is amended by striking ''operation and maintenance of the Fox Point Hurricane Barrier in Providence, Rhode Island.'' and inserting ''operation and maintenance of the Fox Point Hurricane Barrier in Providence, Rhode Island, including operation and maintenance in support of public events requiring specific river elevations in the City of Providence, Rhode Island, except that the City of Providence shall be responsible for paying to the New England District the costs incurred by the District for carrying out operation and maintenance activities required for such public events.''.

SA 2479. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXXV, add the following:

SEC. 3502. REPORT ON THE READY RESERVE FORCE OF THE MARITIME ADMINISTRATION.

(a) FINDINGS.—Congress finds the following:

(1) It is in the interest of United States national security that the United States merchant marine, both ships and mariners, serve as a naval auxiliary in times of war or national emergency.

(2) It is important to augment the readiness of the United States merchant fleet with a Government-owned reserve fleet comprised of ships with national defense features that may not be available immediately in sufficient numbers or types in the active United States-owned, United States-flagged, and United States-crewed commercial industry.

(3) The Ready Reserve Force of the Maritime Administration, a component of the National Defense Reserve Fleet, plays an important role in United States national security by providing necessary readiness and efficiency in the form of a Government-owned sealift fleet.

(4) A successful dual-use vessel program could provide—

(A) private sector benefits for the domestic shipbuilding and maritime freight industries; and

(B) an opportunity to outfit vessels with natural gas engines, lowering long-term fuel costs and emissions.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should maintain a shipbuilding base to meet United States national security requirements;

(2) the Ready Reserve Force of the Maritime Administration should remain capable, modern, and efficient in order to best serve the national security needs of the United States in times of war or national emergency;

(3) Federal agencies should consider investment options for replacing aging vessels within the Ready Reserve Force to meet future operational commitments; and

(4) investment in recapitalizing the Ready Reserve Force should include—

(A) construction of dual-use vessels, based on need, for use in the America's Marine Highway Program of the Department of Transportation, as a recent study performed under a cooperative agreement between the Maritime Administration and the Navy demonstrated that dual-use vessels transporting domestic freight between United States ports could be called upon to supplement sealift capacity;

(B) construction of tanker vessels to meet military transport needs; and

(C) construction of vessels for use in transporting potential new energy exports.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation and the Secretary of the Navy, jointly, shall submit to the congressional defense committees and the Committee on Commerce, Science, and Transportation of the Senate a report on the cost-effectiveness of the recapitalizing methods for the Ready Reserve Force described under subsection (b)(4) that includes an assessment of the risks involved with Federal financing of dual-use vessels.

SA 2480. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVI—MILITARY VOTING

SEC. 1601. SHORT TITLE.

This title may be cited as the ''Protect Military and Overseas Voters Act''.

Subtitle A—Absent Uniformed Services Voters and Overseas Voters

SEC. 1611. SHORT TITLE.

This subtitle may be cited as the ''Absent Uniformed Services Voters and Overseas Voters Act''.

SEC. 1612. EXTENDING GUARANTEE OF RESIDENCY FOR VOTING PURPOSES TO FAMILY MEMBERS OF ABSENT MILITARY PERSONNEL.

(a) IN GENERAL.—Subsection (b) of section 705 of the Servicemembers Civil Relief Act (50 U.S.C. App. 595) is amended—

(1) by striking ''a person who is absent from a State because the person is accompanying the persons's spouse who is absent from that same State in compliance with military or naval orders shall not, solely by reason of that absence'' and inserting ''a dependent of a person who is absent from a State in compliance with military orders shall not, solely by reason of absence, whether or not accompanying that person''; and

(2) in the heading by striking ''SPOUSES'' and inserting ''DEPENDENTS''.

(b) CONFORMING AMENDMENT.—The heading of section 705 of such Act (50 U.S.C. App 595) is amended by striking ''**SPOUSES**'' and inserting ''**DEPENDENTS**''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to absences from States described in section 705(b) of the Servicemembers Civil Relief Act (50 U.S.C. App. 595(b)), as amended by subsection (a), after the date of the enactment of this Act, regardless of the date of the military orders concerned.

SEC. 1613. PRE-ELECTION REPORTS ON AVAILABILITY AND TRANSMISSION OF ABSENTEE BALLOTS.

Section 102(c) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1(c)) is amended to read as follows:

''(c) REPORTS ON TRANSMISSION AND RECEIPT OF ABSENTEE BALLOTS.—

''(1) IN GENERAL.—Not later than 90 days after the date of each regularly scheduled general election for Federal office, each State and unit of local government which administered the election shall (through the State, in the case of a unit of local government) submit a report to the Attorney General, the Commission, and the Presidential Designee with respect to the transmission to, and receipt of absentee ballots from, uniformed services voters and overseas voters for such election, and shall make such report available to the general public that same day.

''(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following information:

''(A) The combined number of absentee ballots transmitted to absent uniformed services voters and overseas voters for the election and the combined number of such ballots which were returned by such voters and cast in the election.

''(B) Whether the State failed to transmit any absentee ballots to such voters before the date that is 46 days before the election, and the reason for any such failure.''.

SEC. 1614. ENFORCEMENT.

(a) AVAILABILITY OF CIVIL PENALTIES AND PRIVATE RIGHTS OF ACTION.—Section 105 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff—4) is amended to read as follows:

''SEC. 105. ENFORCEMENT.

''(a) ACTION BY ATTORNEY GENERAL.—

''(1) IN GENERAL.—The Attorney General may bring civil action in an appropriate district court for such declaratory or injunctive

relief as may be necessary to carry out this title.

''(2) PENALTY.—In a civil action brought under paragraph (1), if the court finds that the State violated any provision of this title, it may, to vindicate the public interest, assess a civil penalty against the State—

''(A) in an amount not to exceed $30,000 for each such violation, in the case of a first violation; or

''(B) in an amount not to exceed $60,000 for each such violation, for any subsequent violation.

''(3) REPORT TO CONGRESS.—Not later than December 31 of each year, the Attorney General shall submit to Congress an annual report on any civil action brought under paragraph (1) during the preceding year.

''(b) STATE AS ONLY NECESSARY DEFENDANT.—In any action brought under this section, the only necessary party defendant is the State, and it shall not be a defense to any such action that a local election official or a unit of local government is not named as a defendant, notwithstanding that a State has exercised the authority described in section 576 of the Military and Overseas Voter Empowerment Act to delegate to another jurisdiction in the State any duty or responsibility which is the subject of an action brought under this section.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations alleged to have occurred on or after the date of the enactment of this Act.

SEC. 1615. REVISIONS TO 45-DAY ABSENTEE BALLOT TRANSMISSION RULE.

(a) MODIFICATION OF TIME-PERIOD TO AVOID WEEKEND DEADLINES.—Section 102(a)(8) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff—1(a)(8)(A)) is amended by striking ''45 days'' each place it appears and inserting ''46 days''.

(b) REQUIRING USE OF EXPRESS DELIVERY IN CASE OF FAILURE TO MEET REQUIREMENT.—Section 102 of such Act (42 U.S.C. 1973ff—1) is amended by adding at the end the following new subsection:

''(j) REQUIRING USE OF EXPRESS DELIVERY IN CASE OF FAILURE TO TRANSMIT BALLOTS WITHIN DEADLINES.—

''(1) TRANSMISSION OF BALLOT BY EXPRESS DELIVERY.—If a State fails to meet the requirement of subsection (a)(8)(A) to transmit a validly requested absentee ballot to an absent uniformed services voter or overseas voter not later than 46 days before the election (in the case in which the request is received at least 46 days before the election) and no waiver is granted under subsection (g)—

''(A) the State shall transmit the ballot to the voter by express delivery; or

''(B) in the case of a voter who has designated that absentee ballots be transmitted electronically in accordance with subsection (f)(1), the State shall transmit the ballot to the voter electronically.

''(2) SPECIAL RULE FOR TRANSMISSION FEWER THAN 40 DAYS BEFORE THE ELECTION.—If, in carrying out paragraph (1), a State transmits an absentee ballot to an absent uniformed services voter or overseas voter fewer than 40 days before the election and no waiver is granted under subsection (g), the State shall enable the ballot to be returned by the voter by express delivery, except that in the case of an absentee ballot of an absent uniformed services voter for a regularly scheduled general election for Federal office, the State may satisfy the requirement of this paragraph by notifying the voter of the procedures for the collection and delivery of such ballots under section 103A.''.

SEC. 1616. USE OF SINGLE ABSENTEE BALLOT APPLICATION FOR SUBSEQUENT ELECTIONS.

(a) IN GENERAL.—Section 104 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-3) is amended to read as follows:

''SEC. 104. USE OF SINGLE APPLICATION FOR SUBSEQUENT ELECTIONS.

''(a) IN GENERAL.—If a State accepts and processes a request for an absentee ballot by an absent uniformed services voter or overseas voter and the voter requests that the application be considered an application for an absentee ballot for each subsequent election for Federal office held in the State through the next regularly scheduled general election for Federal office (including any runoff elections which may occur as a result of the outcome of such general election), the State shall provide an absentee ballot to the voter for each such subsequent election.

''(b) EXCEPTION FOR VOTERS CHANGING REGISTRATION.—Subsection (a) shall not apply with respect to a voter registered to vote in a State for any election held after the voter notifies the State that the voter no longer wishes to be registered to vote in the State or after the State determines that the voter has registered to vote in another State or is otherwise no longer eligible to vote in the State.

''(c) PROHIBITION OF REFUSAL OF APPLICATION ON GROUNDS OF EARLY SUBMISSION.—A State may not refuse to accept or to process, with respect to any election for Federal office, any otherwise valid voter registration application or absentee ballot application (including the postcard form prescribed under section 101) submitted by an absent uniformed services voter or overseas voter on the grounds that the voter submitted the application before the first date on which the State otherwise accepts or processes such applications for that election which are submitted by absentee voters who are not members of the uniformed services or overseas citizens.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to voter registration and absentee ballot applications which are submitted to a State or local election official on or after the date of the enactment of this Act.

SEC. 1617. APPLICABILITY TO COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

Paragraph (6) and (8) of section 107 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–6(6)) are each amended by striking ''and American Samoa'' and inserting ''American Samoa, and the Commonwealth of the Northern Mariana Islands''.

SEC. 1618. EFFECTIVE DATE.

Except as otherwise provided in this subtitle, the amendments made by this subtitle shall apply with respect to elections occurring on or after January 1, 2014.

Subtitle B—Voter Registration Modernization

SEC. 1621. SHORT TITLE.

This subtitle may be cited as the ''Voter Registration Modernization Act''.

SEC. 1622. REQUIRING AVAILABILITY OF INTERNET FOR VOTER REGISTRATION.

(a) REQUIRING AVAILABILITY OF INTERNET FOR REGISTRATION.—The National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.) is amended by inserting after section 6 the following new section:

''SEC. 6A. INTERNET REGISTRATION.

''(a) REQUIRING AVAILABILITY OF INTERNET FOR ONLINE REGISTRATION.—

''(1) AVAILABILITY OF ONLINE REGISTRATION.—Each State, acting through the chief State election official, shall ensure that the following services are available to the public at any time on the official public websites of the appropriate State and local election officials in the State, in the same manner and subject to the same terms and conditions as the services provided by voter registration agencies under section 7(a):

''(A) Online application for voter registration.

''(B) Online assistance to applicants in applying to register to vote.

''(C) Online completion and submission by applicants of the mail voter registration application form prescribed by the Election Assistance Commission pursuant to section 9(a)(2), including assistance with providing a signature in electronic form as required under subsection (c).

''(D) Online receipt of completed voter registration applications.

''(b) ACCEPTANCE OF COMPLETED APPLICATIONS.—A State shall accept an online voter registration application provided by an individual under this section, and ensure that the individual is registered to vote in the State, if—

''(1) the individual meets the same voter registration requirements applicable to individuals who register to vote by mail in accordance with section 6(a)(1) using the mail voter registration application form prescribed by the Election Assistance Commission pursuant to section 9(a)(2); and

''(2) the individual provides a signature in electronic form in accordance with subsection (c) (but only in the case of applications submitted during or after the second year in which this section is in effect in the State).

''(c) SIGNATURES IN ELECTRONIC FORM.—For purposes of this section, an individual provides a signature in electronic form by—

''(1) electronically signing the document in the manner required by the State for purposes of submitting online applications for voter registration before the date of the enactment of this section;

''(2) executing a computerized mark in the signature field on an online voter registration application; or

''(3) submitting with the application an electronic copy of the individual's handwritten signature through electronic means.

''(d) PROVISION OF SERVICES IN NONPARTISAN MANNER.—The services made available under subsection (a) shall be provided in a manner that ensures that, consistent with section 7(a)(5)—

''(1) the online application does not seek to influence an applicant's political preference or party registration; and

''(2) there is no display on the website promoting any political preference or party allegiance, except that nothing in this paragraph may be construed to prohibit an applicant from registering to vote as a member of a political party.

''(e) PROTECTION OF SECURITY OF INFORMATION.—In meeting the requirements of this section, the State shall establish appropriate technological security measures to prevent to the greatest extent practicable any unauthorized access to information provided by individuals using the services made available under subsection (a).

''(f) USE OF ADDITIONAL TELEPHONE-BASED SYSTEM.—A State shall make the services made available online under subsection (a) available through the use of an automated telephone-based system, subject to the same terms and conditions applicable under this section to the services made available online, in addition to making the services available online in accordance with the requirements of this section.

''(g) NONDISCRIMINATION AMONG REGISTERED VOTERS USING MAIL AND ONLINE REGISTRATION.—In carrying out this Act, the Help America Vote Act of 2002, or any other Federal, State, or local law governing the treatment of registered voters in the State or the administration of elections for public office in the State, a State shall treat a registered voter who registered to vote online in

accordance with this section in the same manner as the State treats a registered voter who registered to vote by mail.''.

(b) TREATMENT AS INDIVIDUALS REGISTERING TO VOTE BY MAIL FOR PURPOSES OF FIRST-TIME VOTER IDENTIFICATION REQUIREMENTS.—Section 303(b)(1)(A) of the Help America Vote Act of 2002 (42 U.S.C. 15483(b)(1)(A)) is amended by striking ''by mail'' and inserting ''by mail or online under section 6A of the National Voter Registration Act of 1993''.

(c) CONFORMING AMENDMENTS.—

(1) TIMING OF REGISTRATION.—Section 8(a)(1) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6(a)(1)) is amended—

(A) by striking ''and'' at the end of subparagraph (C);

(B) by redesignating subparagraph (D) as subparagraph (E); and

(C) by inserting after subparagraph (C) the following new subparagraph:

''(D) in the case of online registration through the official public website of an election official under section 6A, if the valid voter registration application is submitted online not later than the lesser of 30 days, or the period provided by State law, before the date of the election (as determined by treating the date on which the application is sent electronically as the date on which it is submitted); and''.

(2) INFORMING APPLICANTS OF ELIGIBILITY REQUIREMENTS AND PENALTIES.—Section 8(a)(5) of such Act (42 U.S.C. 1973gg–6(a)(5)) is amended by striking ''and 7'' and inserting ''6A, and 7''.

SEC. 1623. USE OF INTERNET TO UPDATE REGISTRATION INFORMATION.

(a) IN GENERAL.—

(1) UPDATES TO INFORMATION CONTAINED ON COMPUTERIZED STATEWIDE VOTER REGISTRATION LIST.—Section 303(a) of the Help America Vote Act of 2002 (42 U.S.C. 15483(a)) is amended by adding at the end the following new paragraph:

''(6) USE OF INTERNET BY REGISTERED VOTERS TO UPDATE INFORMATION.—

''(A) IN GENERAL.—The appropriate State or local election official shall ensure that any registered voter on the computerized list may at any time update the voter's registration information, including the voter's address and electronic mail address, online through the official public website of the election official responsible for the maintenance of the list, so long as the voter attests to the contents of the update by providing a signature in electronic form in the same manner required under section 6A(c) of the National Voter Registration Act of 1993.

''(B) PROCESSING OF UPDATED INFORMATION BY ELECTION OFFICIALS.—If a registered voter updates registration information under subparagraph (A), the appropriate State or local election official shall—

''(i) revise any information on the computerized list to reflect the update made by the voter; and

''(ii) if the updated registration information affects the voter's eligibility to vote in an election for Federal office, ensure that the information is processed with respect to the election if the voter updates the information not later than the lesser of 30 days, or the period provided by State law, before the date of the election.''.

(2) CONFORMING AMENDMENT RELATING TO EFFECTIVE DATE.—Section 303(d)(1)(A) of such Act (42 U.S.C. 15483(d)(1)(A)) is amended by striking ''subparagraph (B)'' and inserting ''subparagraph (B) and subsection (a)(6)''.

(b) ABILITY OF REGISTRANT TO USE ONLINE UPDATE TO PROVIDE INFORMATION ON RESIDENCE.—Section 8(d)(2)(A) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6(d)(2)(A)) is amended—

(1) in the first sentence, by inserting after ''return the card'' the following: ''or update the registrant's information on the computerized Statewide voter registration list using the online method provided under section 303(a)(6) of the Help America Vote Act of 2002''; and

(2) in the second sentence, by striking ''returned,'' and inserting the following: ''returned or if the registrant does not update the registrant's information on the computerized Statewide voter registration list using such online method,''.

SEC. 1624. STUDY ON BEST PRACTICES FOR INTERNET REGISTRATION.

(a) IN GENERAL.—The Director of the National Institute of Standards and Technology shall conduct an ongoing study on best practices for implementing the requirements for Internet registration under section 6A of the National Voter Registration Act of 1993 (as added by section 1622) and the requirement to permit voters to update voter registration information online under section 303(a)(6) of the Help America Vote Act of 2002 (as added by section 1623).

(b) REPORT.—

(1) IN GENERAL.—Not later than 4 months after the date of the enactment of this Act, the Director of the National Institute of Standards and Technology shall make publicly available a report on the study conducted under subsection (a).

(2) QUADRENNIAL UPDATE.—The Director of the National Institute of Standards and Technology shall review and update the report made under paragraph (1).

(c) USE OF BEST PRACTICES IN EAC VOLUNTARY GUIDANCE.—Subsection (a) of section 311 of the Help America Vote Act of 2002 (42 U.S.C. 15501(a)) is amended by adding at the end the following new sentence: ''Such voluntary guidance shall utilize the best practices developed by the Director of the National Institute of Standards and Technology under section 1624 of the Voter Registration Modernization Act for the use of the Internet in voter registration.''.

SEC. 1625. PROVISION OF ELECTION INFORMATION BY ELECTRONIC MAIL TO INDIVIDUALS REGISTERED TO VOTE.

(a) INCLUDING OPTION ON VOTER REGISTRATION APPLICATION TO PROVIDE E-MAIL ADDRESS AND RECEIVE INFORMATION.—

(1) IN GENERAL.—Section 9(b) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–7(b)) is amended—

(A) by striking ''and'' at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting ''; and''; and

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

''(5) shall include a space for the applicant to provide (at the applicant's option) an electronic mail address, together with a statement that, if the applicant so requests, instead of using regular mail the appropriate State and local election officials shall provide to the applicant, through electronic mail sent to that address, the same voting information (as defined in section 302(b)(2) of the Help America Vote Act of 2002) which the officials would provide to the applicant through regular mail.''.

(2) PROHIBITING USE FOR PURPOSES UNRELATED TO OFFICIAL DUTIES OF ELECTION OFFICIALS.—Section 9 of such Act (42 U.S.C. 1973gg–7) is amended by adding at the end the following new subsection:

''(c) PROHIBITING USE OF ELECTRONIC MAIL ADDRESSES FOR OTHER THAN OFFICIAL PURPOSES.—The chief State election official shall ensure that any electronic mail address provided by an applicant under subsection (b)(5) is used only for purposes of carrying out official duties of election officials and is not transmitted by any State or local election official (or any agent of such an official, including a contractor) to any person who does not require the address to carry out such official duties and who is not under the direct supervision and control of a State or local election official.''.

(b) REQUIRING PROVISION OF INFORMATION BY ELECTION OFFICIALS.—Section 302(b) of the Help America Vote Act of 2002 (42 U.S.C. 15482(b)) is amended by adding at the end the following new paragraph:

''(3) PROVISION OF OTHER INFORMATION BY ELECTRONIC MAIL.—If an individual who is a registered voter has provided the State or local election official with an electronic mail address for the purpose of receiving voting information (as described in section 9(b)(5) of the National Voter Registration Act of 1993), the appropriate State or local election official, through electronic mail transmitted not later than 30 days before the date of the election involved, shall provide the individual with information on how to obtain the following information by electronic means:

''(A) The name and address of the polling place at which the individual is assigned to vote in the election.

''(B) The hours of operation for the polling place.

''(C) A description of any identification or other information the individual may be required to present at the polling place.''.

SEC. 1626. CLARIFICATION OF REQUIREMENT REGARDING NECESSARY INFORMATION TO SHOW ELIGIBILITY TO VOTE.

Section 8 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6) is amended—

(1) by redesignating subsection (j) as subsection (k); and

(2) by inserting after subsection (i) the following new subsection:

''(j) REQUIREMENT FOR STATE TO REGISTER APPLICANTS PROVIDING NECESSARY INFORMATION TO SHOW ELIGIBILITY TO VOTE.—For purposes meeting the requirement of subsection (a)(1) that an eligible applicant is registered to vote in an election for Federal office within the deadlines required under such subsection, the State shall consider an applicant to have provided a 'valid voter registration form' if—

''(1) the applicant has accurately completed the application form and attested to the statement required by section 9(b)(2); and

''(2) in the case of an applicant who registers to vote online in accordance with section 6A, the applicant provides a signature in accordance with subsection (c) of such section.''.

SEC. 1627. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this subtitle (other than the amendments made by section 1625) shall take effect January 1, 2016.

(b) WAIVER.—Subject to the approval of the Election Assistance Commission, if a State certifies to the Election Assistance Commission that the State will not meet the deadline referred to in subsection (a) because of extraordinary circumstances and includes in the certification the reasons for the failure to meet the deadline, subsection (a) shall apply to the State as if the reference in such subsection to ''January 1, 2016'' were a reference to ''January 1, 2018''.

SA 2481. Mr. MANCHIN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and

for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 573. NOTICE TO COMMANDING OFFICERS ON CHILD ABUSE COMMITTED BY MEMBERS OF THE ARMED FORCES.

Upon notification of a reportable incident of child abuse committed by a member of the Armed Forces, notice on such incident shall be submitted to an officer in grade O–6 in the chain of command of the member committing such abuse.

SA 2482. Mr. CARPER (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1082. CYBERSECURITY RECRUITMENT AND RETENTION.

(a) IN GENERAL.—At the end of subtitle C of title II of the Homeland Security Act of 2002 (6 U.S.C. 141 et seq.), add the following:

"SEC. 226. CYBERSECURITY RECRUITMENT AND RETENTION.

''(a) DEFINITIONS.—In this section:

''(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' 'means the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives.'

''(2) COLLECTIVE BARGAINING AGREEMENT.—The term 'collective bargaining agreement' has the meaning given that term in section 7103(a)(8) of title 5, United States Code.

''(3) EXCEPTED SERVICE.—The term 'excepted service' has the meaning given that term in section 2103 of title 5, United States Code.

''(4) PREFERENCE ELIGIBLE.—The term 'preference eligible' has the meaning given that term in section 2108 of title 5, United States Code.

''(5) QUALIFIED POSITION.—The term 'qualified position' means a position, designated by the Secretary for the purpose of this section, in which the incumbent performs, manages, or supervises functions that execute the responsibilities of the Department relating to cybersecurity.

''(6) SENIOR EXECUTIVE SERVICE.—The term 'Senior Executive Service' has the meaning given that term in section 2101a of title 5, United States Code.

''(b) GENERAL AUTHORITY.—

''(1) ESTABLISH POSITIONS, APPOINT PERSONNEL, AND FIX RATES OF PAY.—

''(A) GENERAL AUTHORITY.—The Secretary may—

''(i) establish, as positions in the excepted service, such qualified positions in the Department as the Secretary determines necessary to carry out the responsibilities of the Department relating to cybersecurity, including—

''(I) senior level positions designated under section 5376 of title 5, United States Code; and

''(II) positions in the Senior Executive Service;

''(ii) appoint an individual to a qualified position (after taking into consideration the availability of preference eligibles for appointment to the position); and

''(iii) subject to the requirements of paragraphs (2) and (3), fix the compensation of an individual for service in a qualified position.

''(B) CONSTRUCTION WITH OTHER LAWS.—The authority of the Secretary under subsection (a) applies without regard to the provisions of any other law relating to the appointment, number, classification, or compensation of employees.

''(2) BASIC PAY.—

''(A) AUTHORITY TO FIX RATES OF BASIC PAY.—In accordance with this section, the Secretary shall fix the rates of basic pay for any qualified position established under paragraph (1) in relation to the rates of pay provided for employees in comparable positions in the Department of Defense and subject to the same limitations on maximum rates of pay established for such employees by law or regulation.

''(B) PREVAILING RATE SYSTEMS.—The Secretary may, consistent with section 5341 of title 5, United States Code, adopt such provisions of that title as provide for prevailing rate systems of basic pay and may apply those provisions to qualified positions for employees in or under which the Department may employ individuals described by section 5342(a)(2)(A) of that title.

''(3) ADDITIONAL COMPENSATION, INCENTIVES, AND ALLOWANCES.—

''(A) ADDITIONAL COMPENSATION BASED ON TITLE 5 AUTHORITIES.—The Secretary may provide employees in qualified positions compensation (in addition to basic pay), including benefits, incentives, and allowances, consistent with, and not in excess of the level authorized for, comparable positions authorized by title 5, United States Code.

''(B) ALLOWANCES BASED ON LIVING COSTS AND ENVIRONMENT.—

''(i) IN GENERAL.—In addition to basic pay, employees in qualified positions who are citizens or nationals of the United States and are stationed outside the continental United States or in Alaska may be paid an allowance, in accordance with regulations prescribed by the Secretary, while they are so stationed.

''(ii) DUTY STATIONS COVERED.—An allowance under this subparagraph shall be limited to duty stations where—

''(I) living costs are substantially higher than in the District of Columbia; or

''(II) conditions of environment—

''(aa) differ substantially from conditions of environment in the continental United States, and

''(bb) warrant an allowance as a recruitment incentive.

''(iii) LIMITATION.—An allowance under this subparagraph may not exceed the allowance authorized to be paid under section 5941(a) of title 5, United States Code, for employees whose rates of basic pay are fixed by statute.

''(4) PLAN FOR EXECUTION OF AUTHORITIES.—Not later than 120 days after the date of enactment of this section, the Secretary shall submit a report to the appropriate committees of Congress with a plan for the use of the authorities provided under this subsection.

''(5) COLLECTIVE BARGAINING AGREEMENTS.—Nothing in paragraph (1) may be construed to impair the continued effectiveness of a collective bargaining agreement with respect to an office, component, subcomponent, or equivalent of the Department that is a successor to an office, component, subcomponent, or equivalent of the Department covered by the agreement before the succession.

''(6) REQUIRED REGULATIONS.—The Secretary, in coordination with the Director of the Office of Personnel Management, shall prescribe regulations for the administration of this section.

''(c) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this section, and every year thereafter for 4 years, the Secretary shall submit to the appropriate committees of Congress a detailed report that—

''(1) discusses the process used by the Secretary in accepting applications, assessing candidates, ensuring adherence to veterans' preference, and selecting applicants for vacancies to be filled by an individual for a qualified position;

''(2) describes—

''(A) how the Secretary plans to fulfill the critical need of the Department to recruit and retain employees in qualified positions;

''(B) the measures that will be used to measure progress; and

''(C) any actions taken during the reporting period to fulfill such critical need;

''(3) discusses how the planning and actions taken under paragraph (2) are integrated into the strategic workforce planning of the Department;

''(4) provides metrics on actions occurring during the reporting period, including—

''(A) the number of employees in qualified positions hired by occupation and grade and level or pay band;

''(B) the placement of employees in qualified positions by directorate and office within the Department;

''(C) the total number of veterans hired;

''(D) the number of separations of employees in qualified positions by occupation and grade and level or pay band;

''(E) the number of retirements of employees in qualified positions by occupation and grade and level or pay band; and

''(F) the number and amounts of recruitment, relocation, and retention incentives paid to employees in qualified positions by occupation and grade and level or pay band; and

''(5) describes the training provided to supervisors of employees in qualified positions at the Department on the use of the new authorities.

''(d) THREE-YEAR PROBATIONARY PERIOD.—The probationary period for all employees hired under the authority established in this section shall be not less than 3 years.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by inserting after the item relating to section 225 the following:

''Sec. 226. Cybersecurity recruitment and retention.''.

SA 2483. Mr. MENENDEZ (for himself, Mr. CORKER, Mr. CARDIN, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1208. ASSISTANCE FOR THE GOVERNMENT OF BURMA.

(a) LIMITATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), no funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be made available for

the Government of Burma unless the Secretary of Defense, in concurrence with the Secretary of State, certifies to the appropriate congressional committees that—

(A) the Government of Burma is taking concrete steps toward—

(i) establishing appropriate civilian oversight of the armed forces;

(ii) implementing human rights reform in the Burmese military; and

(iii) terminating military relations with North Korea;

(B) the Government of Burma is taking concrete steps to establish a fair, transparent and inclusive process to amend the Constitution of Burma, towards including the full participation of the political opposition and ethnic minority groups; and

(C) the Burmese military is demonstrating a genuine interest in reform, as reflected by progress towards and adherence to ceasefire agreements, and increased transparency and accountability through activities including establishing or updating a code of conduct, a uniformed code of military justice, an inspector general's office, an ombudsman office, and guidelines for civilian-military relations.

(2) EXCEPTION.—The restriction in paragraph (1) does not apply to—

(A) consultation, education, and training on human rights, the law of armed conflict, civilian control of the military, rule of law, and other legal training;

(B) English-language or medical medicine education;

(C) courses or workshops on regional norms of security cooperation, defense institution reform, and transnational issues such as human trafficking and international crime;

(D) observation of bilateral or multilateral military exercises;

(E) the development of Burmese military capability for humanitarian assistance and disaster relief; and

(F) aid or support for the Government of Burma in the event of a humanitarian crisis or natural disaster.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in concurrence with the Secretary of State, shall submit to the appropriate congressional committees a report, in both classified and unclassified form, on the strategy and plans for military-to-military engagement between the United States Armed Forces and the Burmese military.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A description and assessment of the Government of Burma's strategy for security sector reform.

(B) The United States strategy for the military-military relationship between the United States and Burma.

(C) An assessment of the progress of the Burmese military towards implementing human rights reforms, including cooperation with civilian authorities to investigate and resolve cases of human rights violations, including steps taken to demonstrate respect for laws of war and human rights provisions and a description of the elements of the military-to-military engagement between the United States and Burma that promote such implementation.

(D) A list of ongoing military-to-military activities conducted by the United States Government, including a description of each such activity.

(E) An update on activities that were listed in previous reporting.

(F) A list of activities that are planned to occur over the upcoming year, with a description of each.

(G) An assessment of progress on the peaceful settlement of armed conflicts between the Government of Burma and ethnic minority groups, including reducing the military's footprint in conflict areas and a withdrawal to key bases, and shifting internal security duties to the police and other law enforcement entities, and an assessment of Burma's military.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the congressional defense committees and the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

SA 2484. Ms. KLOBUCHAR (for herself, Mr. SCHUMER, Mr. COONS, and Mr. HOEVEN) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division C, add the following:

TITLE XXXVI—THEFT OF METAL

SEC. 3601. SHORT TITLE.

This title may be cited as the ''Metal Theft Prevention Act of 2013''.

SEC. 3602. DEFINITIONS.

In this title—

(1) the term ''critical infrastructure'' has the meaning given the term in section 1016(e) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (42 U.S.C. 5195c(e));

(2) the term ''specified metal'' means metal that—

(A)(i) is marked with the name, logo, or initials of a city, county, State, or Federal government entity, a railroad, an electric, gas, or water company, a telephone company, a cable company, a retail establishment, a beer supplier or distributor, or a public utility; or

(ii) has been altered for the purpose of removing, concealing, or obliterating a name, logo, or initials described in clause (i) through burning or cutting of wire sheathing or other means; or

(B) is part of—

(i) a street light pole or street light fixture;

(ii) a road or bridge guard rail;

(iii) a highway or street sign;

(iv) a water meter cover;

(v) a storm water grate;

(vi) unused or undamaged building construction or utility material;

(vii) a historical marker;

(viii) a grave marker or cemetery urn;

(ix) a utility access cover; or

(x) a container used to transport or store beer with a capacity of 5 gallons or more;

(C) is a wire or cable commonly used by communications and electrical utilities; or

(D) is copper, aluminum, and other metal (including any metal combined with other materials) that is valuable for recycling or reuse as raw metal, except for—

(i) aluminum cans; and

(ii) motor vehicles, the purchases of which are reported to the National Motor Vehicle Title Information System (established under section 30502 of title 49); and

(3) the term ''recycling agent'' means any person engaged in the business of purchasing specified metal for reuse or recycling, without regard to whether that person is engaged in the business of recycling or otherwise processing the purchased specified metal for reuse.

SEC. 3603. THEFT OF SPECIFIED METAL.

(a) OFFENSE.—It shall be unlawful to knowingly steal specified metal—

(1) being used in or affecting interstate or foreign commerce; and

(2) the theft of which is from and harms critical infrastructure.

(b) PENALTY.—Any person who commits an offense described in subsection (a) shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both.

SEC. 3604. DOCUMENTATION OF OWNERSHIP OR AUTHORITY TO SELL.

(a) OFFENSES.—

(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful for a recycling agent to purchase specified metal described in subparagraph (A) or (B) of section 3602(2), unless—

(A) the seller, at the time of the transaction, provides documentation of ownership of, or other proof of the authority of the seller to sell, the specified metal; and

(B) there is a reasonable basis to believe that the documentation or other proof of authority provided under subparagraph (A) is valid.

(2) EXCEPTION.—Paragraph (1) shall not apply to a recycling agent that is subject to a State or local law that sets forth a requirement on recycling agents to obtain documentation of ownership or proof of authority to sell specified metal before purchasing specified metal.

(3) RESPONSIBILITY OF RECYCLING AGENT.—A recycling agent is not required to independently verify the validity of the documentation or other proof of authority described in paragraph (1).

(4) PURCHASE OF STOLEN METAL.—It shall be unlawful for a recycling agent to purchase any specified metal that the recycling agent—

(A) knows to be stolen; or

(B) should know or believe, based upon commercial experience and practice, to be stolen.

(b) CIVIL PENALTY.—A person who knowingly violates subsection (a) shall be subject to a civil penalty of not more than $10,000 for each violation.

SEC. 3605. TRANSACTION REQUIREMENTS.

(a) RECORDING REQUIREMENTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), a recycling agent shall maintain a written or electronic record of each purchase of specified metal.

(2) EXCEPTION.—Paragraph (1) shall not apply to a recycling agent that is subject to a State or local law that sets forth recording requirements that are substantially similar to the requirements described in paragraph (3) for the purchase of specified metal.

(3) CONTENTS.—A record under paragraph (1) shall include—

(A) the name and address of the recycling agent; and

(B) for each purchase of specified metal—

(i) the date of the transaction;

(ii) a description of the specified metal purchased using widely used and accepted industry terminology;

(iii) the amount paid by the recycling agent;

(iv) the name and address of the person to which the payment was made;

(v) the name of the person delivering the specified metal to the recycling agent, including a distinctive number from a Federal

or State government-issued photo identification card and a description of the type of the identification; and

(vi) the license plate number and State-of-issue, make, and model, if available, of the vehicle used to deliver the specified metal to the recycling agent.

(4) REPEAT SELLERS.—A recycling agent may comply with the requirements of this subsection with respect to a purchase of specified metal from a person from which the recycling agent has previously purchased specified metal by—

(A) reference to the existing record relating to the seller; and

(B) recording any information for the transaction that is different from the record relating to the previous purchase from that person.

(5) RECORD RETENTION PERIOD.—A recycling agent shall maintain any record required under this subsection for not less than 2 years after the date of the transaction to which the record relates.

(6) CONFIDENTIALITY.—Any information collected or retained under this section may be disclosed to any Federal, State, or local law enforcement authority or as otherwise directed by a court of law.

(b) PURCHASES IN EXCESS OF $100.—

(1) IN GENERAL.—Except as provided in paragraph (2), a recycling agent may not pay cash for a single purchase of specified metal of more than $100. For purposes of this paragraph, more than 1 purchase in any 48-hour period from the same seller shall be considered to be a single purchase.

(2) EXCEPTION.—Paragraph (1) shall not apply to a recycling agent that is subject to a State or local law that sets forth a maximum amount for cash payments for the purchase of specified metal.

(3) PAYMENT METHOD.—

(A) OCCASIONAL SELLERS.—Except as provided in subparagraph (B), for any purchase of specified metal of more than $100 a recycling agent shall make payment by check that—

(i) is payable to the seller; and

(ii) includes the name and address of the seller.

(B) ESTABLISHED COMMERCIAL TRANSACTIONS.—A recycling agent may make payments for a purchase of specified metal of more than $100 from a governmental or commercial supplier of specified metal with which the recycling agent has an established commercial relationship by electronic funds transfer or other established commercial transaction payment method through a commercial bank if the recycling agent maintains a written record of the payment that identifies the seller, the amount paid, and the date of the purchase.

(c) CIVIL PENALTY.—A person who knowingly violates subsection (a) or (b) shall be subject to a civil penalty of not more than $5,000 for each violation, except that a person who commits a minor violation shall be subject to a penalty of not more than $1,000.

SEC. 3606. ENFORCEMENT BY ATTORNEY GENERAL.

The Attorney General may bring an enforcement action in an appropriate United States district court against any person that engages in conduct that violates this title.

SEC. 3607. ENFORCEMENT BY STATE ATTORNEYS GENERAL.

(a) IN GENERAL.—An attorney general or equivalent regulator of a State may bring a civil action in the name of the State, as parens patriae on behalf of natural persons residing in the State, in any district court of the United States or other competent court having jurisdiction over the defendant, to secure monetary or equitable relief for a violation of this title.

(b) NOTICE REQUIRED.—Not later than 30 days before the date on which an action under subsection (a) is filed, the attorney general or equivalent regulator of the State involved shall provide to the Attorney General—

(1) written notice of the action; and

(2) a copy of the complaint for the action.

(c) ATTORNEY GENERAL ACTION.—Upon receiving notice under subsection (b), the Attorney General shall have the right—

(1) to intervene in the action;

(2) upon so intervening, to be heard on all matters arising therein;

(3) to remove the action to an appropriate district court of the United States; and

(4) to file petitions for appeal.

(d) PENDING FEDERAL PROCEEDINGS.—If a civil action has been instituted by the Attorney General for a violation of this title, no State may, during the pendency of the action instituted by the Attorney General, institute a civil action under this title against any defendant named in the complaint in the civil action for any violation alleged in the complaint.

(e) CONSTRUCTION.—For purposes of bringing a civil action under subsection (a), nothing in this section regarding notification shall be construed to prevent the attorney general or equivalent regulator of the State from exercising any powers conferred under the laws of that State to—

(1) conduct investigations;

(2) administer oaths or affirmations; or

(3) compel the attendance of witnesses or the production of documentary and other evidence.

SEC. 3608. DIRECTIVE TO SENTENCING COMMISSION.

(a) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission, shall review and, if appropriate, amend the Federal Sentencing Guidelines and policy statements applicable to a person convicted of a criminal violation of section 3603 or any other Federal criminal law based on the theft of specified metal by such person.

(b) CONSIDERATIONS.—In carrying out this section, the Sentencing Commission shall—

(1) ensure that the sentencing guidelines and policy statements reflect the—

(A) serious nature of the theft of specified metal; and

(B) need for an effective deterrent and appropriate punishment to prevent such theft;

(2) consider the extent to which the guidelines and policy statements appropriately account for—

(A) the potential and actual harm to the public from the offense, including any damage to critical infrastructure;

(B) the amount of loss, or the costs associated with replacement or repair, attributable to the offense;

(C) the level of sophistication and planning involved in the offense; and

(D) whether the offense was intended to or had the effect of creating a threat to public health or safety, injury to another person, or death;

(3) account for any additional aggravating or mitigating circumstances that may justify exceptions to the generally applicable sentencing ranges;

(4) assure reasonable consistency with other relevant directives and with other sentencing guidelines and policy statements; and

(5) assure that the sentencing guidelines and policy statements adequately meet the purposes of sentencing as set forth in section 3553(a)(2) of title 18, United States Code.

SEC. 3609. STATE AND LOCAL LAW NOT PREEMPTED.

Nothing in this title shall be construed to preempt any State or local law regulating the sale or purchase of specified metal, the reporting of such transactions, or any other aspect of the metal recycling industry.

SEC. 3610. EFFECTIVE DATE.

This title shall take effect 180 days after the date of the enactment of this Act.

SA 2485. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title V, add the following:

SEC. 529. DISESTABLISHMENT OF ARMY SENIOR RESERVE OFFICERS' TRAINING CORPS UNITS FOR LACK OF EFFECTIVE MANAGEMENT.

(a) CONFORMITY WITH APPLICABLE REGULATIONS REQUIRED.—The Secretary of the Army may not disestablish a unit of the Senior Reserve Officers' Training Corp (SROTC) of the Army for lack of effective management except in strict accordance with the provisions of section 2–12 of section III of chapter 2 of Army Regulation 145–1.

(b) NOTICE TO CONGRESS ON MODIFICATION OF REGULATIONS.—The Secretary shall submit to the congressional defense committees written notice of any modification of section 2–12 of the Regulation referred to in subsection (a) that occurs after the date of the enactment of this Act.

SA 2486. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1066. REPORT ON TRANSITION OF AIR FORCE RESERVE AND AIR NATIONAL GUARD UNITS FROM FLYING MISSIONS TO NON-FLYING MISSIONS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall, in consultation with the Chief of the National Guard Bureau and the Chief of the Air Force Reserve, submit to the congressional defense committees a report on the transition of units in the Air Force Reserve and the Air National Guard from flying missions to non-flying missions.

(b) ELEMENTS.—The report required by subsection (a) shall set forth, for each Air Force Reserve unit or Air National Guard unit that is transitioning from a flying mission to a non-flying mission, the following:

(1) The plan of the Air Force for—

(A) providing any new equipment, facilities, or other support to enable the unit to conduct the non-flying mission; and

(B) training the unit to execute the non-flying mission.

(2) An identification of any gaps in conducting an orderly transition from the flying mission to the non-flying mission.

(3) A description of the actions required to mitigate the gaps, if any, identified pursuant to paragraph (2).

(4) A description and assessment of the national security implications of the gaps, if any, identified pursuant to paragraph (2).

(c) GAP DEFINED.—In this section, the term ''gap'', with respect to a unit transitioning from a flying mission to a non-flying mission, means any time between—

(1) the date that is 37 months after the beginning of the transition; and

(2) the date the unit reaches initial operating capability in its non-flying mission.

SA 2487. Mr. CARDIN (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. RESOLVING MARITIME DISPUTES IN THE ASIA-PACIFIC REGION.

(a) FINDINGS.—Congress makes the following findings:

(1) Relevant parties in the Asia-Pacific maritime region should be encouraged to explore cooperative arrangements for the responsible exploitation of energy and fishery resources in order to promote peaceful coexistence and economic growth. Such arrangements should not impinge upon sovereignty claims and should be negotiated in a mutually agreeable manner.

(2) Congress welcomes formal consultations between the Association of Southeast Asian Nations (ASEAN) and the People's Republic of China on the Code of Conduct for the South China Sea, welcomes ASEAN's leadership, and strongly supports the 23rd ASEAN Summit's chairman's October 9, 2013 statement, more than 10 years after the Declaration on the Conduct of Parties in the South China Sea, which—

(A) ''reaffirmed the importance of maintaining peace, stability, and maritime security in the region. . .''; and

(B) calls for ''intensifying official consultations with China on the development of the Code of Conduct in the South China Sea (COC) with a view to its early conclusion.''.

(b) STATEMENT OF UNITED STATES POLICY.—Congress declares that the United States—

(1) has a national interest in—

(A) the freedom of navigation and overflight in the Asia-Pacific maritime domains;

(B) supporting the peaceful resolution of territorial, sovereignty, and jurisdictional disputes in the Asia-Pacific maritime domains in accordance with international law, including through international arbitration;

(C) condemning the use of coercion, threats, or force in the South China Sea, the East China Sea, or other maritime areas in the Asia-Pacific region to assert disputed maritime or territorial claims or alter the status quo;

(D) urging all parties to maritime and territorial disputes in the Asia-Pacific region to exercise self-restraint in the conduct of activities that would undermine stability or complicate or escalate disputes;

(E) continuing to develop partnerships with other countries for maritime domain awareness and capacity building in the Asia-Pacific region; and

(F) continuing the operations of the United States Armed Forces in the Asia-Pacific region, including in partnership with the armed forces of other countries to promote peace, stability, and unimpeded lawful commerce in the Asia-Pacific region;

(2) declares that the United States does not take a position on competing territorial claims over land features and has no territorial ambitions in the South China Sea; and

(3) strongly supports the ASEAN member states and the Government of the People's Republic of China as they seek to develop a code of conduct of parties in the South China Sea.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall submit a classified report on the United States strategy to ensure maritime security in the Asia-Pacific region to—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Armed Services of the House of Representatives.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) a description of the security situation in the maritime domains of Asia-Pacific;

(B) a description of the initiatives and efforts by the Department of State, the Department of Defense, and other relevant agencies to implement the United States strategy, including—

(i) maritime domain awareness and capacity building efforts;

(ii) support for United States Armed Forces operations in the region;

(iii) efforts to support ASEAN and all claimants in concluding a Code of Conduct with the People's Republic of China;

(iv) efforts to support collaborative diplomatic processes by all claimants in the South China Sea; and

(v) an assessment of the impact of those initiatives and efforts; and

(C) a description of projected efforts planned to continue the implementation of the strategy.

SA 2488. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1237. MODIFICATION OF PROHIBITION ON PROCUREMENTS FROM CHINESE COMPANIES.

Section 1211 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 10 U.S.C. 2302 note) is amended—

(1) in subsection (b), by inserting ''or in the 600 series of the Commerce Control List of the Export Administration Regulations'' after ''International Trafficking in Arms Regulations''; and

(2) in subsection (e)(2)—

(A) by inserting ''or in the 600 series of the Commerce Control List of the Export Administration Regulations'' after ''International Trafficking in Arms Regulations''; and

(B) by adding before the period at the end the following: ''and the 600 series of the Commerce Control List contained in Supplement No. 1 to part 774 of subtitle B of title 15 of the Code of Federal Regulations''.

SA 2489. Mr. BAUCUS (for himself, Mr. ENZI, Mr. TESTER, Ms. HEITKAMP, Mr. HOEVEN, Mr. BARRASSO, Mrs. FISCHER, Mr. HATCH, and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1046. LIMITATION ON USE OF FUNDS FOR ENVIRONMENTAL ASSESSMENTS WITH RESPECT TO MINUTEMAN III SILOS.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended for any environmental assessment carried out pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a Minuteman III silo that contains a missile as of the date of the enactment of this Act until the Secretary of Defense submits to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives the plan required by section 1042(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1575).

SA 2490. Ms. CANTWELL (for herself, Mr. BEGICH, Ms. MURKOWSKI, and Mrs. MURRAY) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title I, add the following:

SEC. 126. MULTIYEAR PROCUREMENT AUTHORITY FOR POLAR ICEBREAKERS.

(a) MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy shall enter into multiyear contracts, beginning with the fiscal year 2014 program year, for the procurement of up to four heavy duty polar icebreakers and any systems and equipment associated with those vessels.

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary may enter into one or more contracts, beginning in fiscal year 2014, for advance procurement associated with the vessels, systems, and equipment for which authorization to enter into a multiyear contract is provided under subsection (a).

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2014 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(d) MEMORANDUM OF AGREEMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy and the Secretary of the Department in which the Coast Guard is operating shall enter into a memorandum of agreement establishing a process by which the Navy, in concurrence with the Coast Guard, shall—

(1) identify the vessel specifications, capabilities, systems, equipment, and other details required for the design of heavy polar icebreakers capable of fulfilling Navy and Coast Guard mission requirements;

(2) oversee the construction of heavy polar icebreakers authorized to be procured under this section; and

(3) to the extent not adequately addressed in the 1965 Revised Memorandum of Agreement between the Department of the Navy and the Department of the Treasury on the Operation of Icebreakers, transfer heavy polar icebreakers procured through contracts authorized under this section from the Navy to the Coast Guard to be maintained and operated by the Coast Guard.

SA 2491. Ms. CANTWELL (for herself and Mrs. MURRAY) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXXI, add the following:

Subtitle E—Other Matters

SEC. 3141. CONVEYANCE OF LAND AT THE HANFORD SITE, RICHLAND, WASHINGTON.

(a) CONVEYANCE REQUIRED.—

(1) IN GENERAL.—The Secretary of Energy shall convey, for consideration at the estimated fair market value or, in accordance with paragraph (2), below such value, to the Community Reuse Organization of the Hanford Site, Richland, Washington (in this section referred to as the ''Organization'') all right, title, and interest of the United States in and to the real property, including any improvements thereon, described in paragraph (3).

(2) CONSIDERATION.—The Secretary may convey real property pursuant to paragraph (1) for consideration below the estimated fair market value of the real property, or without consideration, only if the Organization—

(A) agrees that the net proceeds from any sale or lease of the real property (or any portion of the real property) received by the Organization during at least the seven-year period beginning on the date of the conveyance will be used to support economic redevelopment of, or related to, the Hanford Site; and

(B) executes the agreement for the conveyance and accepts control of the real property within a reasonable time.

(3) REAL PROPERTY DESCRIBED.—The real property described in this paragraph is the real property consisting of two parcels of land of approximately 1,341 acres and 300 acres, respectively, of the Hanford Site, as requested by the Organization on May 31, 2011, and October 13, 2011, and as depicted within the proposed boundaries on the map titled ''Attachment 2—Revised Map'' included in the letter sent by the Organization to the Department of Energy on October 13, 2011.

(4) ALTERNATIVE REAL PROPERTY.—At the discretion of the Secretary, the real property described in paragraph (3) may be exchanged for equivalent parcels of land that are mutually agreed upon by the Secretary and the Organization.

(5) REAL PROPERTY EXCLUDED.—Any real property or associated subsurface right that is deemed to be not suitable for conveyance by the Secretary shall not be conveyed.

(6) TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance described in paragraph (1) as the Secretary considers appropriate to protect the interests of the United States.

(b) COMPLIANCE WITH EXISTING LAW.—The Secretary shall carry out the conveyance described in subsection (a) in accordance with all applicable Federal laws, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(c) DEADLINE FOR COMPLETION.—It is the intent of Congress that the conveyance described in subsection (a) shall be completed not later than one year after the date of the enactment of this Act.

(d) INDEMNIFICATION.—It is the intent of Congress that the Secretary of Energy should, as authorized by law, hold harmless and indemnify the Organization against any claim for injury to person or property that results from the release or threatened release of a hazardous substance, pollutant, or contaminant as a result of activities of the Department of Energy at the Hanford Site.

(e) NOTICE TO CONGRESS.—The enactment of this section shall satisfy any notice to Congress otherwise required for the conveyance described in subsection (a).

SA 2492. Ms. CANTWELL (for herself, Mr. HEINRICH, Mrs. MURRAY, and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXXI, add the following:

Subtitle E—Other Matters

SEC. 3141. MANHATTAN PROJECT NATIONAL HISTORICAL PARK.

(a) FINDINGS.—Congress finds that—

(1) the Manhattan Project was an unprecedented top-secret program implemented during World War II to produce an atomic bomb before Nazi Germany;

(2) a panel of experts convened by the President's Advisory Council on Historic Preservation in 2001—

(A) stated that ''the development and use of the atomic bomb during World War II has been called 'the single most significant event of the 20th century' ''; and

(B) recommended that nationally significant sites associated with the Manhattan Project be formally established as a collective unit and be administered for preservation, commemoration, and public interpretation in cooperation with the National Park Service;

(3) the Manhattan Project National Historical Park Study Act (Public Law 108–340; 118 Stat. 1362) directed the Secretary of the Interior, in consultation with the Secretary of Energy, to conduct a special resource study of the historically significant sites associated with the Manhattan Project to assess the national significance, suitability, and feasibility of designating 1 or more sites as a unit of the National Park System;

(4) after significant public input, the National Park Service study found that ''including Manhattan Project-related sites in the national park system will expand and enhance the protection and preservation of such resources and provide for comprehensive interpretation and public understanding of this nationally significant story in the 20th century American history'';

(5) the Department of the Interior, with the concurrence of the Department of Energy, recommended the establishment of a Manhattan Project National Historical Park comprised of resources at—

(A) Oak Ridge, Tennessee;

(B) Los Alamos, New Mexico; and

(C) Hanford, in the Tri-Cities area, Washington;

(6) designation of a Manhattan Project National Historical Park as a unit of the National Park System would improve the preservation of, interpretation of, and access to the nationally significant historic resources associated with the Manhattan Project for present and future generations to gain a better understanding of the Manhattan Project, including the significant, far-reaching, and complex legacy of the Manhattan Project; and

(7) the permanent historical preservation of the B Reactor at Hanford as part of the Manhattan National Historical Park would provide significant savings to the Federal Government relative to placing the reactor into interim safe storage and subsequently dismantling the reactor—

(A) as determined as part of the Record of Decision entitled ''Decommissioning of Eight Surplus Production 3 Reactors at the Hanford Site, Richland, WA''; and

(B) as included within milestone M–093–00 of the Hanford Federal Facility Agreement and Consent Order.

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

(1) to preserve and protect for the benefit and education of present and future generations the nationally significant historic resources associated with the Manhattan Project;

(2) to improve public understanding of the Manhattan Project and the legacy of the Manhattan Project through interpretation of the historic resources associated with the Manhattan Project;

(3) to enhance public access to the Historical Park, consistent with protection of public safety, national security, and other aspects of the mission of the Department of Energy; and

(4) to assist the Department of Energy, Historical Park communities, historical societies, and other interested organizations and individuals in efforts to preserve and protect the historically significant resources associated with the Manhattan Project.

(c) DEFINITIONS.—In this section:

(1) HISTORICAL PARK.—The term ''Historical Park'' means the Manhattan Project National Historical Park established under subsection (d).

(2) MANHATTAN PROJECT.—The term ''Manhattan Project'' means the Federal program to develop an atomic bomb ending on December 31, 1946.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(d) ESTABLISHMENT OF MANHATTAN PROJECT NATIONAL HISTORICAL PARK.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—Subject to subparagraph (B), there is established in the States of Washington, New Mexico, and Tennessee a unit of the National Park System to be known as the ''Manhattan Project National Historical Park''.

(B) DETERMINATION BY SECRETARY REQUIRED.—The Historical Park shall not be established until the date on which the Secretary determines that—

(i) sufficient land or interests in land have been acquired from among the sites described in paragraph (2) to constitute a manageable park unit; or

(ii) the Secretary has entered into an agreement with the Secretary of Energy in accordance with subsection (e).

(2) ELIGIBLE AREAS.—The Historical Park may be comprised of 1 or more of the following areas or portions of the areas, as generally depicted on the map entitled ''Manhattan Project National Historical Park Sites'', numbered 540/108,834–C (4 pages), and dated September 2012:

(A) OAK RIDGE, TENNESSEE.—Facilities, land, or interests in land that are—

(i) at Buildings 9204–3 and 9731 at the Y–12 National Security Complex;

(ii) at the X–10 Graphite Reactor at the Oak Ridge National Laboratory;

(iii) at the K–25 Building site at the East Tennessee Technology Park;

(iv) at the former Guest House located at 210 East Madison Road; and

(v) at other sites within the boundary of the city of Oak Ridge, Tennessee, that are not depicted on the map described in this paragraph, but are determined by the Secretary to be suitable and appropriate for inclusion, except that sites owned or managed by the Secretary of Energy may be included only with the concurrence of the Secretary of Energy.

(B) LOS ALAMOS, NEW MEXICO.—Facilities, land, or interests in land that are—

(i) in the Los Alamos Scientific Laboratory National Historic Landmark District or any addition to the Landmark District proposed in the National Historic Landmark Nomination—Los Alamos Scientific Laboratory (LASL) NHL District (Working Draft of NHL Revision), Los Alamos National Laboratory document LA–UR 12–00387 (January 26, 2012);

(ii) at the former East Cafeteria located at 1670 Nectar Street; and

(iii) at the former dormitory located at 1725 17th Street.

(C) HANFORD, WASHINGTON.—Facilities, land, or interests in land that are—

(i) in the B Reactor National Historic Landmark;

(ii) at the Hanford High School in the town of Hanford and Hanford Construction Camp Historic District;

(iii) at the White Bluffs Bank building in the White Bluffs Historic District;

(iv) at the warehouse in the Bruggemann's Agricultural Complex;

(v) at the Hanford Irrigation District Pump House; and

(vi) at the T Plant (221–T Process Building).

(3) AVAILABILITY OF MAP.—The map described in paragraph (2) shall be kept on file and available for public inspection in the appropriate offices of the National Park Service and the Department of Energy.

(e) AGREEMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary and the Secretary of Energy (acting through the Oak Ridge, Richland, and Los Alamos site offices) shall enter into an agreement governing the respective roles of the Secretary and the Secretary of Energy in administering the facilities, land, or interests in land under the administrative jurisdiction of the Department of Energy that is to be included in the Historical Park, including provisions for public access, management, interpretation, and historic preservation.

(2) RESPONSIBILITIES OF THE SECRETARY.—Any agreement under paragraph (1) shall provide that the Secretary shall—

(A) have decisionmaking authority for the content of historic interpretation of the Manhattan Project for purposes of administering the Historical Park; and

(B) ensure that the agreement provides an appropriate role for the National Park Service in preserving the historic resources covered by the agreement.

(3) RESPONSIBILITIES OF THE SECRETARY OF ENERGY.—Any agreement under paragraph (1) shall provide that the Secretary of Energy—

(A) shall ensure that the agreement appropriately protects public safety, national security, and other aspects of the ongoing mission of the Department of Energy at the Los Alamos National Laboratory, Hanford Site, and Oak Ridge Reservation;

(B) may consult with and provide historical information to the Secretary concerning the Manhattan Project; and

(C) shall retain responsibility, in accordance with applicable law, for any environmental remediation and structural safety that may be necessary in or around the facilities, land, or interests in land governed by the agreement.

(4) AMENDMENTS.—The agreement under paragraph (1) may be amended, including to add to the Historical Park facilities, land, or interests in land described in subsection (d)(2) that are under the jurisdiction of the Secretary of Energy.

(f) PUBLIC PARTICIPATION.—

(1) IN GENERAL.—The Secretary shall consult with interested State, county, and local officials, organizations, and interested members of the public—

(A) before executing any agreement under subsection (e); and

(B) in the development of the general management plan under subsection (g)(2).

(2) NOTICE OF DETERMINATION.—Not later than 30 days after the date on which an agreement under subsection (e) is executed, the Secretary shall publish in the Federal Register notice of the establishment of the Historical Park, including an official boundary map.

(3) AVAILABILITY OF MAP.—The official boundary map published under paragraph (2) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(4) ADDITIONS.—Any land, interest in land, or facility within the eligible areas described in subsection (d)(2) that is acquired by the Secretary or included in an amendment to the agreement under subsection (e)(2) shall be added to the Historical Park.

(g) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the Historical Park in accordance with—

(A) this section; and

(B) the laws generally applicable to units of the National Park System, including—

(i) the National Park System Organic Act (16 U.S.C. 1 et seq.); and

(ii) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(2) GENERAL MANAGEMENT PLAN.—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary, in consultation with the Secretary of Energy, shall complete a general management plan for the Historical Park in accordance with—

(A) section 12(b) of Public Law 91–383 (commonly known as the ''National Park Service General Authorities Act'') (16 U.S.C. 1a–7(b)); and

(B) the agreement established under subsection (e).

(3) INTERPRETIVE TOURS.—The Secretary may, subject to applicable law, provide interpretive tours of historically significant Manhattan Project sites and resources in the States of Tennessee, New Mexico, and Washington that are located outside the boundary of the Historical Park.

(4) LAND ACQUISITION.—

(A) IN GENERAL.—The Secretary may only acquire land and interests in land within the eligible areas described in subsection (d)(2) by—

(i) transfer of administrative jurisdiction from the Department of Energy by agreement between the Secretary and the Secretary of Energy; or

(ii) purchase from willing sellers, donation, or exchange.

(B) FACILITIES.—The Secretary may acquire land or interests in land in the vicinity of Historical Park for visitor and administrative facilities.

(5) DONATIONS; COOPERATIVE AGREEMENTS.—

(A) FEDERAL FACILITIES.—

(i) IN GENERAL.—The Secretary may enter into 1 or more agreements with the head of a Federal agency to provide public access to, and management, interpretation, and historic preservation of, historically significant Manhattan Project resources under the jurisdiction or control of the Federal agency.

(ii) DONATIONS; COOPERATIVE AGREEMENTS.—The Secretary may accept donations from, and enter into cooperative agreements with, State governments, units of local government, tribal governments, organizations, or individuals to further the purpose of an interagency agreement entered into under clause (i).

(B) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance to State, local, or tribal governments, organizations, or individuals for the management, interpretation, and historic preservation of historically significant Manhattan Project resources not included within the Historical Park.

(C) DONATIONS TO DEPARTMENT OF ENERGY.—For the purposes of this section, or for the purpose of preserving or providing access to historically significant resources relating to the Manhattan Project, the Secretary of Energy may accept, hold, administer, and use gifts, bequests, and devises (including labor and services).

SA 2493. Mr. KAINE (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1082. PETERSBURG NATIONAL BATTLEFIELD BOUNDARY MODIFICATION.

(a) IN GENERAL.—The boundary of the Petersburg National Battlefield is modified to include the land and interests in land as generally depicted on the map titled ''Petersburg National Battlefield Boundary Expansion'', numbered 325/80,080, and dated June 2007. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(b) ACQUISITION OF PROPERTIES.—The Secretary of the Interior (referred to in this section as the ''Secretary'') is authorized to acquire the land and interests in land, described in subsection (a), from willing sellers only, by donation, purchase with donated or appropriated funds, exchange, or transfer.

(c) ADMINISTRATION.—The Secretary shall administer any land or interests in land acquired under subsection (b) as part of the Petersburg National Battlefield in accordance with applicable laws and regulations.

(d) ADMINISTRATIVE JURISDICTION TRANSFER.—

(1) IN GENERAL.—There is transferred—

(A) from the Secretary to the Secretary of the Army administrative jurisdiction over the approximately 1.170-acre parcel of land depicted as ''Area to be transferred to Fort Lee Military Reservation'' on the map described in paragraph (2); and

(B) from the Secretary of the Army to the Secretary administrative jurisdiction over the approximately 1.171-acre parcel of land depicted as ''Area to be transferred to Petersburg National Battlefield'' on the map described in paragraph (2).

(2) MAP.—The land transferred is depicted on the map titled ''Petersburg National Battlefield Proposed Transfer of Administrative Jurisdiction'', numbered 325/80,801A, dated May 2011. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) CONDITIONS OF TRANSFER.—The transfer of administrative jurisdiction under paragraph (1) is subject to the following conditions:

(A) NO REIMBURSEMENT OR CONSIDERATION.—The transfer is without reimbursement or consideration.

(B) MANAGEMENT.—The land transferred to the Secretary under paragraph (1) shall be included within the boundary of the Petersburg National Battlefield and shall be administered as part of that park in accordance with applicable laws and regulations.

SA 2494. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 573. SUPPORT FOR EFFORTS TO IMPROVE ACADEMIC ACHIEVEMENT AND TRANSITION OF MILITARY DEPENDENT STUDENTS.

The Secretary of Defense may make grants to nonprofit organizations that provide services to improve the academic achievement of military dependent students, including those nonprofit organizations whose programs focus on improving the civic responsibility of military dependent students and their understanding of the Federal Government through direct exposure to the operations of the Federal Government.

SA 2495. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 217. IMPROVED TURBINE ENGINE PROGRAM.

(a) INCREASE.—The amount authorized to be appropriated for fiscal year 2014 by section 201 and available for Research, Development, Test, and Evaluation, Army for Aviation Advanced Technology (PE 06003A) as specified in the funding table in section 4201 is hereby increased by $1,000,000, with the amount of the increase to be available for the Improved Turbine Engine Program.

(b) OFFSET.—The amount authorized to be appropriated for fiscal year 2014 by section 201 and available for Research, Development, Test, and Evaluation, Army as specified in the funding table in section 4201 is hereby decreased by $1,000,000, with the amount of the decrease to be applied to amounts so available for programs, projects, and activities other than the Improved Turbine Engine Program.

SA 2496. Mr. MENENDEZ (for himself and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVI—EMBASSY SECURITY AND OTHER MATTERS

SEC. 1601. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) FACILITIES.—The term ''facilities'' encompasses embassies, consulates, expeditionary diplomatic facilities, and any other diplomatic facilities, not in the United States, including those that are intended for temporary use.

Subtitle A—Embassy Security

SEC. 1611. SHORT TITLE.

This subtitle may be cited as the ''Chris Stevens, Sean Smith, Tyrone Woods, and Glen Doherty Embassy Security, Threat Mitigation, and Personnel Protection Act of 2013''.

PART I—FUNDING AUTHORIZATION AND TRANSFER AUTHORITY

SEC. 1621. CAPITAL SECURITY COST SHARING PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2014 for the Department of State $1,383,000,000, to be available until expended, for the Capital Security Cost Sharing Program, authorized by section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113; 113 Stat. 1501A–453; 22 U.S.C. 4865 note).

(b) SENSE OF CONGRESS ON THE CAPITAL SECURITY COST SHARING PROGRAM.—It is the sense of Congress that—

(1) the Capital Security Cost Sharing Program should prioritize the construction of new facilities and the maintenance of existing facilities in high threat, high risk areas in addition to addressing immediate threat mitigation as set forth in section 1612, and should take into consideration the priorities of other government agencies that are contributing to the Capital Security Cost Sharing Program when replacing or upgrading diplomatic facilities; and

(2) all United States Government agencies are required to pay into the Capital Security Cost Sharing Program a percentage of total costs determined by interagency agreements, in order to address immediate threat mitigation needs and increase funds for the Capital Security Cost Sharing Program for fiscal year 2014, including to address inflation and increased construction costs.

(c) RESTRICTION ON CONSTRUCTION OF OFFICE SPACE.—Section 604(e)(2) of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113; 113 Stat. 1501A–453; 22 U.S.C. 4865 note) is amended by adding at the end the following: ''A project to construct a diplomatic facility of the United States may not include office space or other accommodations for an employee of a Federal agency or department if the Secretary of State determines that such department or agency has not provided to the Department of State the full amount of funding required by paragraph (1), except that such project may include office space or other accommodations for members of the United States Marine Corps.''.

SEC. 1622. IMMEDIATE THREAT MITIGATION.

(a) ALLOCATION OF AUTHORIZED APPROPRIATIONS.—In addition to any funds otherwise made available for such purposes, the Department of State shall, notwithstanding any other provision of law except as provided in subsection (d), use $300,000,000 of the funding provided in section 1621 for immediate threat mitigation projects, with priority given to facilities determined to be ''high threat, high risk'' pursuant to section 1652.

(b) ALLOCATION OF FUNDING.—In allocating funding for threat mitigation projects, the Secretary of State shall prioritize funding for—

(1) the construction of safeguards that provide immediate security benefits;

(2) the purchasing of additional security equipment, including additional defensive weaponry;

(3) the paying of expenses of additional security forces, with an emphasis on funding United States security forces where practicable; and

(4) any other purposes necessary to mitigate immediate threats to United States personnel serving overseas.

(c) TRANSFER.—The Secretary may transfer and merge funds authorized under subsection (a) to any appropriation account of the Department of State for the purpose of carrying out the threat mitigation projects described in subsection (b).

(d) USE OF FUNDS FOR OTHER PURPOSES.—Notwithstanding the allocation requirement under subsection (a), funds subject to such requirement may be used for other authorized purposes of the Capital Security Cost Sharing Program if, not later than 15 days prior to such use, the Secretary certifies in writing to the appropriate congressional committees that—

(1) high threat, high risk facilities are being secured to the best of the United States Government's ability; and

(2) the Secretary of State will make funds available from the Capital Security Cost Sharing Program or other sources to address any changed security threats or risks, or new or emergent security needs, including immediate threat mitigation.

SEC. 1623. LANGUAGE TRAINING.

(a) IN GENERAL.—Title IV of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4851 et seq.) is amended by adding at the end the following new section:

''SEC. 416. LANGUAGE REQUIREMENTS FOR DIPLOMATIC SECURITY PERSONNEL ASSIGNED TO HIGH THREAT, HIGH RISK POSTS.

''(a) IN GENERAL.—Diplomatic security personnel assigned permanently to, or who are serving in, long-term temporary duty status

as designated by the Secretary of State at a high threat, high risk post should receive language training described in subsection (b) in order to prepare such personnel for duty requirements at such post.

''(b) LANGUAGE TRAINING DESCRIBED.—Language training referred to in subsection (a) should prepare personnel described in such subsection—

''(1) to speak the language at issue with sufficient structural accuracy and vocabulary to participate effectively in most formal and informal conversations on subjects germane to security; and

''(2) to read within an adequate range of speed and with almost complete comprehension on subjects germane to security.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 annually for fiscal years 2014 and 2015 to carry out this section.

(c) INSPECTOR GENERAL REVIEW.—The Inspector General of the Department of State and Broadcasting Board of Governors shall, at the end of fiscal years 2014 and 2015, review the language training conducted pursuant to this section and make the results of such reviews available to the Secretary of State and the appropriate congressional committees.

SEC. 1624. FOREIGN AFFAIRS SECURITY TRAINING.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Department of State employees and their families deserve improved and efficient programs and facilities for high threat training and training on risk management decision processes;

(2) improved and efficient high threat, high risk training is consistent with the Benghazi Accountability Review Board (ARB) recommendation number 17;

(3) improved and efficient security training should take advantage of training synergies that already exist, like training with, or in close proximity to, Fleet Antiterrorism Security Teams (FAST), special operations forces, or other appropriate military and security assets; and

(4) the Secretary of State should undertake temporary measures, including leveraging the availability of existing government and private sector training facilities, to the extent appropriate to meet the critical security training requirements of the Department of State.

(b) AUTHORIZATION OF APPROPRIATIONS FOR IMMEDIATE SECURITY TRAINING FOR HIGH THREAT, HIGH RISK ENVIRONMENTS.—There is authorized to be appropriated for the Department of State $100,000,000 for improved immediate security training for high threat, high risk security environments, including through the utilization of government or private sector facilities to meet critical security training requirements.

(c) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS FOR LONG-TERM SECURITY TRAINING FOR HIGH THREAT, HIGH RISK ENVIRONMENTS.—

(1) IN GENERAL.—There is authorized to be appropriated $350,000,000 for the acquisition, construction, and operation of a new Foreign Affairs Security Training Center or expanding existing government training facilities, subject to the certification requirement in paragraph (2).

(2) REQUIRED CERTIFICATION.—Not later than 15 days prior to the obligation or expenditure of any funds authorized to be appropriated pursuant to paragraph (1), the President shall certify to the appropriate congressional committees that the acquisition, construction, and operation of a new Foreign Affairs Security Training Center, or the expansion of existing government training facilities, is necessary to meet long-term security training requirements for high threat, high risk environments.

(3) EFFECT OF CERTIFICATION.—If the certification in paragraph (2) is made—

(A) up to $100,000,000 of the funds authorized to be appropriated under subsection (b) shall also be authorized for the purposes set forth in paragraph (1); or

(B) up to $100,000,000 of funds available for the acquisition, construction, or operation of Department of State facilities may be transferred and used for the purposes set forth in paragraph (1).

(d) USE OF FUNDS APPROPRIATED UNDER THE AMERICAN REINVESTMENT AND RECOVERY ACT OF 2009.—Of the funds appropriated to the Department of State under title XI of the American Reinvestment and Recovery Act of 2009 (Public Law 111–5), $54,545,177 is to remain available until September 30, 2016, for activities consistent with subsections (b) and (c).

SEC. 1625. TRANSFER AUTHORITY.

Section 4 of the Foreign Service Buildings Act of 1926 (22 U.S.C. 295) is amended by adding at the end the following new subsections:

''(j)(1) In addition to exercising any other transfer authority available to the Secretary of State, and subject to subsection (k), the Secretary may transfer to, and merge with, any appropriation for embassy security, construction, and maintenance such amounts appropriated for any other purpose related to diplomatic and consular programs on or after October 1, 2013, as the Secretary determines are necessary to provide for the security of sites and buildings in foreign countries under the jurisdiction and control of the Secretary.

''(2) Any funds transferred under the authority provided in paragraph (1) shall be merged with funds in the heading to which transferred, and shall be available subject to the same terms and conditions as the funds with which merged.

''(k) Not later than 15 days before any transfer of funds under subsection (j), the Secretary shall notify the Committees on Foreign Relations and Appropriations of the Senate and the Committees on Foreign Affairs and Appropriations of the House of Representatives.''.

PART II—CONTRACTING AND OTHER MATTERS

SEC. 1631. LOCAL GUARD CONTRACTS ABROAD UNDER DIPLOMATIC SECURITY PROGRAM.

(a) IN GENERAL.—Section 136(c)(3) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864(c)(3)) is amended to read as follows:

''(3) in evaluating proposals for such contracts, award contracts to technically acceptable firms offering the lowest evaluated price, except that—

''(A) the Secretary may award contracts on the basis of best value (as determined by a cost-technical tradeoff analysis); and

''(B) proposals received from United States persons and qualified United States joint venture persons shall be evaluated by reducing the bid price by 10 percent;''.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report that includes—

(1) an explanation of the implementation of paragraph (3) of section 136(c) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, as amended by subsection (a); and

(2) for each instance in which an award is made pursuant to subparagraph (A) of such paragraph, as so amended, a written justification and approval, providing the basis for such award and an explanation of the inability to satisfy the needs of the Department of State by technically acceptable, lowest price evaluation award.

SEC. 1632. DISCIPLINARY ACTION RESULTING FROM UNSATISFACTORY LEADERSHIP IN RELATION TO A SECURITY INCIDENT.

Section 304(c) of the Diplomatic Security Act (22 U.S.C. 4834 (c)) is amended—

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the right;

(2) by striking ''RECOMMENDATIONS'' and inserting the following: ''RECOMMENDATIONS.—

''(1) IN GENERAL.—Whenever''; and

(3) by inserting at the end the following new paragraph:

''(2) CERTAIN SECURITY INCIDENTS.—Unsatisfactory leadership by a senior official with respect to a security incident involving loss of life, serious injury, or significant destruction of property at or related to a United States Government mission abroad may be grounds for disciplinary action. If a Board finds reasonable cause to believe that a senior official provided such unsatisfactory leadership, the Board may recommend disciplinary action subject to the procedures in paragraph (1).''.

SEC. 1633. MANAGEMENT AND STAFF ACCOUNTABILITY.

(a) AUTHORITY OF SECRETARY OF STATE.—Nothing in this subtitle or any other provision of law shall be construed to prevent the Secretary of State from using all authorities invested in the office of Secretary to take personnel action against any employee or official of the Department of State that the Secretary determines has breached the duty of that individual or has engaged in misconduct or unsatisfactorily performed the duties of employment of that individual, and such misconduct or unsatisfactory performance has significantly contributed to the serious injury, loss of life, or significant destruction of property, or a serious breach of security, even if such action is the subject of an Accountability Review Board's examination under section 304(a) of the Diplomatic Security Act (22 U.S.C. 4834(a)).

(b) ACCOUNTABILITY.—Section 304 of the Diplomatic Security Act (22 U.S.C. 4834) is amended—

(1) in subsection (c), by inserting after ''breached the duty of that individual'' the following: ''or has engaged in misconduct or unsatisfactorily performed the duties of employment of that individual, and such misconduct or unsatisfactory performance has significantly contributed to the serious injury, loss of life, or significant destruction of property, or the serious breach of security that is the subject of the Board's examination as described in subsection (a),'';

(2) by redesignating subsection (d) as subsection (e); and

(3) by inserting after subsection (c) the following new subsection:

''(d) MANAGEMENT ACCOUNTABILITY.—Whenever a Board determines that an individual has engaged in any conduct addressed in subsection (c), the Board shall evaluate the level and effectiveness of management and oversight conducted by employees or officials in the management chain of such individual.''.

SEC. 1634. SECURITY ENHANCEMENTS FOR SOFT TARGETS.

Section 29 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2701) is amended in the third sentence by inserting ''physical security enhancements and'' after ''Such assistance may include''.

SEC. 1635. REEMPLOYMENT OF ANNUITANTS.

Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) is amended—

(1) in paragraph (1)(B), by striking ''to facilitate the'' and all that follows through ''Afghanistan, if'' and inserting ''to facilitate the assignment of persons to high threat, high risk posts or to posts vacated by members of the Service assigned to high threat, high risk posts, if'';

(2) by amending paragraph (2) to read as follows:

''(2) The Secretary shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the incurred costs over the prior fiscal year of the total compensation and benefit payments to annuitants reemployed by the Department pursuant to this section.''; and

(3) by adding after paragraph (3) the following paragraphs:

''(4) In the event that an annuitant qualified for compensation or payments pursuant to this subsection subsequently transfers to a position for which the annuitant would not qualify for a waiver under this subsection, the Secretary may no longer waive the application of subsections (a) through (d) with respect to such annuitant.

''(5) The authority of the Secretary to waive the application of subsections (a) through (d) for an annuitant pursuant to this subsection shall terminate on October 1, 2019.''.

PART III—EXPANSION OF THE MARINE CORPS SECURITY GUARD DETACHMENT PROGRAM

SEC. 1641. MARINE CORPS SECURITY GUARD PROGRAM.

(a) IN GENERAL.—Pursuant to the responsibility of the Secretary of State for diplomatic security under section 103 of the Diplomatic Security Act (22 U.S.C. 4802), the Secretary of State, in coordination with the Secretary of Defense, shall—

(1) develop and implement a plan to incorporate the additional Marine Corps Security Guard personnel authorized pursuant to section 404 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 5983 note) at United States embassies, consulates, and other facilities; and

(2) conduct an annual review of the Marine Corps Security Guard Program, including—

(A) an evaluation of whether the size and composition of the Marine Corps Security Guard Program is adequate to meet global diplomatic security requirements;

(B) an assessment of whether Marine Corps security guards are appropriately deployed among facilities to respond to evolving security developments and potential threats to United States interests abroad; and

(C) an assessment of the mission objectives of the Marine Corps Security Guard Program and the procedural rules of engagement to protect diplomatic personnel under the Program.

(b) REPORTING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for three years, the Secretary of State, in coordination with the Secretary of Defense, shall submit to the appropriate congressional committees an unclassified report, with a classified annex as necessary, that addresses the requirements set forth in subsection (a)(2).

PART IV—REPORTING ON THE IMPLEMENTATION OF THE ACCOUNTABILITY REVIEW BOARD RECOMMENDATIONS

SEC. 1651. DEPARTMENT OF STATE IMPLEMENTATION OF THE RECOMMENDATIONS PROVIDED BY THE ACCOUNTABILITY REVIEW BOARD CONVENED AFTER THE SEPTEMBER 11–12, 2012, ATTACKS ON UNITED STATES GOVERNMENT PERSONNEL IN BENGHAZI, LIBYA.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees an unclassified report, with a classified annex, on the implementation by the Department of State of the recommendations of the Accountability Review Board convened pursuant to title III of the Omnibus Diplomatic and Antiterrorism Act of 1986 (22 U.S.C. 4831 et seq.) to examine the facts and circumstances surrounding the September 11–12, 2012, killings of four United States Government personnel in Benghazi, Libya.

(b) CONTENT.—The report required under subsection (a) shall include the following elements:

(1) An assessment of the overall state of the Department of State's diplomatic security to respond to the evolving global threat environment, and the broader steps the Department of State is taking to improve the security of United States diplomatic personnel in the aftermath of the Accountability Review Board Report.

(2) A description of the specific steps taken by the Department of State to address each of the 29 recommendations contained in the Accountability Review Board Report, including—

(A) an assessment of whether implementation of each recommendation is ''complete'' or is still ''in progress''; and

(B) if the Secretary of State determines not to fully implement any of the 29 recommendations in the Accountability Review Board Report, a thorough explanation as to why such a decision was made.

(3) An enumeration and assessment of any significant challenges that have slowed or interfered with the Department of State's implementation of the Accountability Review Board recommendations, including—

(A) a lack of funding or resources made available to the Department of State;

(B) restrictions imposed by current law that in the Secretary of State's judgment should be amended; and

(C) difficulties caused by a lack of coordination between the Department of State and other United States Government agencies.

SEC. 1652. DESIGNATION AND REPORTING FOR HIGH THREAT, HIGH RISK FACILITIES.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the Director of National Intelligence and the Secretary of Defense, shall submit to the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on Armed Services of the Senate and the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Armed Services of the House of Representatives a classified report, with an unclassified summary, evaluating Department of State facilities that the Secretary of State determines to be ''high threat, high risk'' in accordance with subsection (c).

(b) CONTENT.—For each facility determined to be ''high threat, high risk'' pursuant to subsection (a), the report submitted under such subsection shall also include—

(1) a narrative assessment describing the security threats and risks facing posts overseas and the overall threat level to United States personnel under chief of mission authority;

(2) the number of diplomatic security personnel, Marine Corps security guards, and other Department of State personnel dedicated to providing security for United States personnel, information, and facilities;

(3) an assessment of host nation willingness and capability to provide protection in the event of a security threat or incident, pursuant to the obligations of the United States under the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, and the 1961 Vienna Convention on Diplomatic Relations, done at Vienna April 18, 1961;

(4) an assessment of the quality and experience level of the team of United States senior security personnel assigned to the facility, considering collectively the assignment durations and lengths of government experience;

(5) the number of Foreign Service Officers who have received Foreign Affairs Counter Threat training;

(6) a summary of the requests made during the previous calendar year for additional resources, equipment, or personnel related to the security of the facility and the status of such requests;

(7) an assessment of the ability of United States personnel to respond to and survive a fire attack, including—

(A) whether the facility has adequate fire safety and security equipment for safehavens and safe areas; and

(B) whether the employees working at the facility have been adequately trained on the equipment available;

(8) for each new facility that is opened, a detailed description of the steps taken to provide security for the new facility, including whether a dedicated support cell was established in the Department of State to ensure proper and timely resourcing of security; and

(9) a listing of any ''high-threat, high-risk'' facilities where the Department of State and other government agencies' facilities are not collocated including—

(A) a rationale for the lack of collocation; and

(B) a description of what steps, if any, are being taken to mitigate potential security vulnerabilities associated with the lack of collocation.

(c) DETERMINATION OF HIGH THREAT, HIGH RISK FACILITY.—In determining what facilities constitute ''high threat, high risk facilities'' under this section, the Secretary shall take into account with respect to each facility whether there are—

(1) high to critical levels of political violence or terrorism;

(2) national or local governments with inadequate capacity or political will to provide appropriate protection; and

(3) in locations where there are high to critical levels of political violence or terrorism or national or local governments lack the capacity or political will to provide appropriate protection—

(A) mission physical security platforms that fall well below the Department of State's established standards; or

(B) security personnel levels that are insufficient for the circumstances.

(d) INSPECTOR GENERAL REVIEW AND REPORT.—The Inspector General for the Department of State and the Broadcasting Board of Governors shall, on an annual basis—

(1) review the determinations of the Department of State with respect to high threat, high risk facilities, including the basis for making such determinations;

(2) review contingency planning for high threat, high risk facilities and evaluate the measures in place to respond to attacks on such facilities;

(3) review the risk mitigation measures in place at high threat, high risk facilities to determine how the Department of State evaluates risk and whether the measures put in place sufficiently address the relevant risks;

(4) review early warning systems in place at high threat, high risk facilities and evaluate the measures being taken to preempt and disrupt threats to such facilities; and

(5) provide to the appropriate congressional committees an assessment of the determinations of the Department of State with respect to high threat, high risk facilities, including recommendations for additions or changes to the list of such facilities, and a report regarding the reviews and evaluations undertaken pursuant to paragraphs (1) through (4) and this paragraph.

SEC. 1653. DESIGNATION AND REPORTING FOR HIGH-RISK COUNTERINTELLIGENCE THREAT POSTS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in conjunction with appropriate officials in the intelligence community and the Secretary of Defense, shall submit to the appropriate committees of Congress a report assessing the counterintelligence threat to United States diplomatic facilities in Priority 1 Counterintelligence Threat Nations, including—

(1) an assessment of the use of locally employed staff and guard forces and a listing of diplomatic facilities in Priority 1 Counterintelligence Threat Nations without controlled access areas; and

(2) recommendations for mitigating any counterintelligence threats and for any necessary facility upgrades, including costs assessment of any recommended mitigation or upgrades so recommended.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations, the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(2) PRIORITY 1 COUNTERINTELLIGENCE THREAT NATION.—The term ''Priority 1 Counterintelligence Threat Nation'' means a country designated as such by the October 2012 National Intelligence Priorities Framework (NIPF).

SEC. 1654. COMPTROLLER GENERAL REPORT ON IMPLEMENTATION OF BENGHAZI ACCOUNTABILITY REVIEW BOARD RECOMMENDATIONS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on the progress of the Department of State in implementing the recommendations of the Benghazi Accountability Review Board.

(b) CONTENT.—The report required under subsection (a) shall include—

(1) an assessment of the progress the Department of State has made in implementing each specific recommendation of the Accountability Review Board; and

(2) a description of any impediments to recommended reforms, such as budget constraints, bureaucratic obstacles within the Department or in the broader interagency community, or limitations under current law.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form but may contain a classified annex.

SEC. 1655. SECURITY ENVIRONMENT THREAT LIST BRIEFINGS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and upon each subsequent update of the Security Environment Threat List (SETL), the Bureau of Diplomatic Security shall provide classified briefings to the appropriate congressional committees on the SETL.

(b) CONTENT.—The briefings required under subsection (a) shall include—

(1) an overview of the SETL; and

(2) a summary assessment of the security posture of those facilities where the SETL assesses the threat environment to be most acute, including factors that informed such assessment.

PART V—ACCOUNTABILITY REVIEW BOARDS

SEC. 1661. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the Accountability Review Board mechanism as outlined in section 302 of the Omnibus Diplomatic Security and Antiterrorism Act (22 U.S.C. 4832) is an effective tool to collect information about and evaluate adverse incidents that occur in a world that is increasingly complex and dangerous for United States diplomatic personnel; and

(2) the Accountability Review Board should provide information and analysis that will assist the Secretary, the President, and Congress in determining what contributed to an adverse incident as well as what new measures are necessary in order to prevent the recurrence of such incidents.

SEC. 1662. PROVISION OF COPIES OF ACCOUNTABILITY REVIEW BOARD REPORTS TO CONGRESS.

Not later than 2 days after an Accountability Review Board provides its report to the Secretary of State in accordance with title III of the Omnibus Diplomatic and Antiterrorism Act of 1986 (22 U.S.C. 4831 et seq.), the Secretary shall provide copies of the report to the appropriate congressional committees for retention and review by those committees.

SEC. 1663. CHANGES TO EXISTING LAW.

(a) MEMBERSHIP.—Section 302(a) of the Omnibus Diplomatic Security and Antiterrorism Act (22 U.S.C. 4832(a)) is amended by inserting ''one of which shall be a former Senate-confirmed Inspector General of a Federal department or agency,'' after ''4 appointed by the Secretary of State,''.

(b) STAFF.—Section 302(b)(2) of the Omnibus Diplomatic Security and Antiterrorism Act (22 U.S.C. 4832(b)(2)) is amended by adding at the end the following: ''Such persons shall be drawn from bureaus or other agency sub-units that are not impacted by the incident that is the subject of the Board's review.''.

PART VI—OTHER MATTERS

SEC. 1671. ENHANCED QUALIFICATIONS FOR DEPUTY ASSISTANT SECRETARY OF STATE FOR HIGH THREAT, HIGH RISK POSTS.

The Omnibus Diplomatic Security and Antiterrorism Act of 1986 is amended by inserting after section 206 (22 U.S.C. 4824) the following new section:

''SEC. 207. DEPUTY ASSISTANT SECRETARY OF STATE FOR HIGH THREAT, HIGH RISK POSTS.

''The individual serving as Deputy Assistant Secretary of State for High Threat, High Risk Posts shall have one or more of the following qualifications:

''(1) Service during the last six years at one or more posts designated as High Threat, High Risk by the Department of State at the time of service.

''(2) Previous service as the office director or deputy director of one or more of the following Department of State offices or successor entities carrying out substantively equivalent functions:

''(A) The Office of Mobile Security Deployments.

''(B) The Office of Special Programs and Coordination.

''(C) The Office of Overseas Protective Operations.

''(D) The Office of Physical Security Programs.

''(E) The Office of Intelligence and Threat Analysis.

''(3) Previous service as the Regional Security Officer at two or more overseas posts.

''(4) Other government or private sector experience substantially equivalent to service in the positions listed in paragraphs (1) through (3).''.

Subtitle B—Naval Vessel Transfers and Security Enhancement

SEC. 1681. SHORT TITLE.

This subtitle may be cited as the ''Naval Vessel Transfer and Security Enhancement Act of 2013''.

SEC. 1682. TRANSFER OF NAVAL VESSELS TO CERTAIN FOREIGN RECIPIENTS.

(a) TRANSFERS BY GRANT.—

(1) AUTHORITY.—The President is authorized to transfer vessels to foreign countries on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), subject to paragraph (2), as follows:

(A) MEXICO.—To the Government of Mexico, the OLIVER HAZARD PERRY class guided missile frigates USS CURTS (FFG–38) and USS MCCLUSKY (FFG–41).

(B) THAILAND.—To the Government of Thailand, the OLIVER HAZARD PERRY class guided missile frigates USS RENTZ (FFG–46) and USS VANDEGRIFT (FFG–48).

(b) TRANSFER BY SALE TO THE TAIPEI ECONOMIC AND CULTURAL REPRESENTATIVE OFFICE IN THE UNITED STATES.—The President is authorized to transfer the OLIVER HAZARD PERRY class guided missile frigates USS TAYLOR (FFG–50), USS GARY (FFG–51), USS CARR (FFG–52), and USS ELROD (FFG–55) to the Taipei Economic and Cultural Representative Office in the United States (which is the Taiwan instrumentality designated pursuant to section 10(a) of the Taiwan Relations Act (22 U.S.C. 3309(a))) on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(c) TRANSFER TO PAKISTAN BY GRANT UPON CERTIFICATIONS.—

(1) AUTHORITY.—The President is authorized in each of fiscal years 2014 through 2016 to transfer to the Government of Pakistan one of the OLIVER HAZARD PERRY class guided missile frigates USS KLAKRING (FFG–42), USS DE WERT (FFG–45), and USS ROBERT G. BRADLEY (FFG–49) on a grant basis under section 516 of the Foreign Assistance Act (22 U.S.C. 2321j), 15 days after certifying to the appropriate congressional committees that the Government of Pakistan is—

(A) cooperating with the United States Government in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, al Qaeda, and other domestic and foreign terrorist organizations, including taking concrete and measurable steps to—

(i) end Government of Pakistan support for such groups;

(ii) prevent such groups from basing and operating in Pakistan; and

(iii) prevent such groups from carrying out cross-border attacks into neighboring countries;

(B) not supporting terrorist activities against United States or coalition forces or United States citizens in Afghanistan or elsewhere, or any organizations planning, conducting, or advocating such activities;

(C) taking concrete and measurable steps to dismantle improvised explosive device (IED) networks and interdict precursor chemicals used in the manufacture of IEDs;

(D) not engaging in, and taking concrete and measurable steps to prevent the proliferation of nuclear-related material, equipment, technology, and expertise;

(E) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts, assistance programs, and Department of State operations in Pakistan;

(F) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict;

(G) taking steps towards releasing Dr. Shakil Afridi from prison and clearing him of all charges; and

(H) ensuring that the military and intelligence agencies of the Government of Pakistan are not intervening into political and judicial processes in Pakistan.

(2) WAIVER.—

(A) IN GENERAL.—The President may waive the certification requirements under paragraph (1) in any of fiscal years 2014 through 2016 if the President determines, and notifies the appropriate congressional committees, that it is in the national security interests of the United States to waive such requirement.

(B) EFFECTIVE DATE OF WAIVER.—The waiver shall become effective 45 days after the President provides to the appropriate congressional committees a report detailing the reasons for making the determination and an analysis of the degree to which the actions of the Government of Pakistan do or do not satisfy the criteria in subparagraphs (A)–(H) of paragraph (1).

(d) ALTERNATIVE TRANSFER AUTHORITY.—Notwithstanding the authority provided in subsections (a), (b), and (c) to transfer specific vessels to specific countries, the President is authorized to transfer any vessel named in this title to any country named in this section, subject to the same conditions that would apply for such country under this section, such that the total number of vessels transferred to such country does not exceed the total number of vessels authorized for transfer to such country by this section.

(e) GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.—The value of a vessel transferred to another country on a grant basis pursuant to authority provided by subsection (a) or (c) shall not be counted against the aggregate value of excess defense articles transferred in any fiscal year under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(f) COSTS OF TRANSFERS.—Any expense incurred by the United States in connection with a transfer authorized by this section shall be charged to the recipient notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)).

(g) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the recipient to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that recipient, performed at a shipyard located in the United States.

(h) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under this section shall expire at the end of the 3-year period beginning on the date of the enactment of this Act.

SEC. 1683. ENHANCED CONGRESSIONAL OVERSIGHT OF FOREIGN MILITARY SALES.

Section 36 of the Arms Export Control Act (22 U.S.C. 2776) is amended by adding at the end the following new subsection:

''(i) PRIOR NOTIFICATION OF SHIPMENT OF ARMS.—At least 30 days prior to a shipment of defense articles subject to the requirements of subsection (b) to countries other than a member country of the North Atlantic Treaty Organization (NATO) or Australia, Japan, Israel, the Republic of Korea, or New Zealand at the joint request of the Chairman and Ranking Member of the Committee on Foreign Relations of the Senate or the Committee on Foreign Affairs of the House of Representatives, the Secretary of State shall provide notification of such pending shipment, in unclassified form, with a classified annex as necessary, to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.''.

SEC. 1684. INCREASE IN ANNUAL LIMITATION ON TRANSFER OF EXCESS DEFENSE ARTICLES.

Section 516(g)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(g)(1)) is amended by striking ''$425,000,000'' and inserting ''$500,000,000''.

SEC. 1685. INTEGRATED AIR AND MISSILE DEFENSE PROGRAMS AT TRAINING LOCATIONS IN SOUTHWEST ASIA.

(a) AUTHORITY.—Notwithstanding section 544(c)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2347(c)(1)), for fiscal years 2014 through 2016, the President is authorized to enter into cooperative arrangements providing for the participation of foreign and United States military and civilian defense personnel for integrated air and missile defense programs in Southwest Asia without charge to participating countries and, notwithstanding section 632(d) of such Act (22 U.S.C. 2392(d)), without charge to the fund available to carry out chapter II of part II of the Foreign Assistance Act (22 U.S.C. 2311 et seq.).

(b) REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter until a final summary report is submitted after the end of fiscal year 2016, the President shall submit to the Committees on Armed Services of the Senate and the House of Representatives and the appropriate congressional committees a report on the implementation of the authority provided under subsection (a), including a description of the numbers of such participating foreign personnel, the cost of such non-reimbursable arrangements, and prospects for equitable contributions from such countries in the future.

SA 2497. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 301, between lines 16 and 17 insert the following:

SECTION 945. MAJOR CYBER INCIDENTS INVOLVING NETWORKS OF THE DEPARTMENT OF DEFENSE.

(a) REPORTS REQUIRED.—Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to Congress a report on major cyber incidents involving networks of the Department of Defense.

(b) ELEMENTS.—Each report required under subsection (a) shall include the following:

(1) A summary of major cyber incidents against networks of the Department of Defense and the military departments.

(2) Aggregate statistics on the number of breaches against networks of the Department of Defense and the military departments, the volume of data exfiltrated, and the estimated cost of remedying the breaches.

(3) A discussion of the risk of cyber sabotage against the networks of the Department of Defense and the military departments.

(c) FORM.—Each report submitted under this section shall be submitted in unclassified form, but may include a classified annex.

SA 2498. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1237. CONTROL OF ARMS EXPORTS OF SUBSTANTIAL MILITARY OR INTELLIGENCE UTILITY.

Section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)) is amended by inserting after ''for the purposes of this section'' the following: ''and which are in the President's judgment of substantial military utility or capability such that they warrant special controls to ensure that the export of such items do not provide a substantial military or intelligence capability to foreign countries or to foreign persons to the detriment of the national security of friends and allies of the United States or the achievement of the foreign policy and national security objectives of the United States,''.

SA 2499. Mr. MCCAIN (for himself, Mrs. FEINSTEIN, Mr. COCHRAN, Ms. CANTWELL, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1082. TRANSFER OF AIRCRAFT TO OTHER DEPARTMENTS FOR WILDFIRE SUPPRESSION PURPOSES.

(a) TRANSFER OF HC–130H AIRCRAFT.—

(1) TRANSFER BY DEPARTMENT OF HOMELAND SECURITY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Secretary of Agriculture, shall transfer, without reimbursement—

(A) 7 HC–130H aircraft to the Secretary of the Air Force; and

(B) initial spares and necessary ground support equipment for HC–130H aircraft to the Secretary of Agriculture for use by the Forest Service Director of Aviation and Fire Management as large air tanker wildfire suppression aircraft.

(2) AIR FORCE ACTIONS.—Subject to the availability of funds provided by the Undersecretary of Defense, Comptroller, to the Secretary of the Air Force for HC–130H modifications, the Secretary of the Air Force shall—

(A) accept the HC–130H aircraft transferred by the Secretary of Homeland Security under paragraph (1);

(B) at the first available opportunity, promptly schedule and serially synchronize with the Secretary of Homeland Security and the Secretary of Agriculture the induction of HC–130H aircraft to minimize maintenance induction on-ramp wait time of HC–

130H aircraft, while also affording the Secretary of Homeland Security reasonable access to operational aircraft prior to the aircraft's induction into maintenance functions described in subparagraph (C);

(C) perform center and outer wingbox replacement modifications, progressive fuselage structural inspections, and configuration modifications necessary to convert each HC–130H aircraft as large air tanker wildfire suppression aircraft; and

(D) after modifications described in subparagraph (C) are completed for each HC–130H aircraft, the Secretary of the Air Force shall transfer each aircraft without reimbursement to the Secretary of Agriculture for use by the Forest Service Director of Aviation and Fire Management as large air tanker wildfire suppression aircraft.

(3) REIMBURSEMENT.—The Undersecretary of Defense, Comptroller, shall promptly reimburse the Secretary of the Air Force for all fiscal resources utilized by the Department of the Air Force to perform the HC–130H modifications described under paragraph (2).

(b) TRANSFER OF C–23B+ SHERPA AIRCRAFT.—The Secretary of the Army shall transfer, without reimbursement—

(1) up to 15 C–23B+ Sherpa aircraft in fiscal year 2014 to the Secretary of Agriculture, subject to the quantity of C–23B+ Sherpa aircraft that the Forest Service Director of Aviation and Fire Management determines are required to meet fire-fighting requirements; and

(2) initial spares and necessary ground support equipment for operation of C–23B+ Sherpa aircraft to the Secretary of Agriculture for use by the Forest Service Director of Aviation and Fire Management.

(c) CONDITIONS OF CERTAIN TRANSFERS.—Aircraft transferred to the Secretary of Agriculture under this section—

(1) may be used only for wildfire suppression purposes;

(2) may not be flown outside of, or otherwise removed from, the United States unless dispatched by the National Interagency Fire Center in support of an international agreement to assist in wildfire suppression efforts or for other purposes approved by the Secretary of Agriculture in writing in advance; and

(3) may not be sold by the Secretary of Agriculture after transfer.

(d) COSTS AFTER TRANSFER.—Any costs of operation, maintenance, sustainment, and disposal of excess aircraft, initial spares, and ground support equipment transferred to the Secretary of Agriculture under this section that are incurred after the date of transfer shall be borne by the Secretary of Agriculture.

(e) TRANSFER OF C–27J AIRCRAFT.—Immediately following the certification requirement under subsection (f), the Secretary of Defense shall transfer, without reimbursement—

(A) 14 C–27J aircraft to the Secretary of Homeland Security; and (B) initial spares and necessary ground support equipment for 14C–27J aircraft to the Secretary of Homeland Security for use by the Commandant of the Coast Guard as maritime patrol aircraft.

(f) CERTIFICATION REQUIREMENT.—Notwithstanding any other provision of law, the Secretary of Defense shall not transfer any aircraft to either the Secretary of Agriculture or the Secretary of Homeland Security until the Secretary of Defense and the Director of the Office of Management and Budget certify to the congressional defense committees that adequate funding has been transferred to the Secretary of the Air Force for the purpose of modifying all 7 HC–130H aircraft identified in subsection (a) aircraft as large air tanker wildfire suppression aircraft.

SA 2500. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1082. REQUIREMENT FOR PROMPT RESPONSES FROM SECRETARY OF DEFENSE WHEN SECRETARY OF VETERANS AFFAIRS REQUESTS INFORMATION NECESSARY TO ADJUDICATE BENEFITS CLAIMS.

(a) DEADLINE FOR PROMPT RESPONSE.—Whenever the Secretary of Veterans Affairs submits a request to the Secretary of Defense for information that the Secretary of Veterans Affairs determines is necessary to adjudicate a claim for a benefit under a law administered by the Secretary of Veterans Affairs, the Secretary of Defense shall attempt to furnish such information to the Secretary of Veterans Affairs by not later than 45 days after receiving the request from the Secretary of Veterans Affairs.

(b) EXTENSION OF DEADLINE.—In a case in which the Secretary of Defense is unable to furnish the Secretary of Veterans Affairs with information requested under subsection (a) within the 45-day period set forth in such subsection, the Secretary of Defense shall furnish the Secretary of Veterans Affairs with the information requested by not later than 15 days after the end of the 45-day period set forth in such subsection.

SA 2501. Mr. HELLER (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. _____. DETERMINATION OF CERTAIN SERVICE IN PHILIPPINES DURING WORLD WAR II.

(a) IN GENERAL.—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense and such military historians as the Secretary of Defense recommends, shall review the process used to determine whether a covered individual served as described in subsection (a) or (b) of section 107 of title 38, United States Code, for purposes of determining whether such covered individual is eligible for benefits described in such subsections.

(b) COVERED INDIVIDUALS.—For purposes of this section, a covered individual is any individual who—

(1) claims service described in subsection (a) or (b) of section 107 of title 38, United States Code; and

(2) is not included in the Approved Revised Reconstructed Guerilla Roster of 1948, known as the ''Missouri List''.

(c) PROHIBITION ON BENEFITS FOR DISQUALIFYING CONDUCT UNDER NEW PROCESS.—If pursuant to the review conducted under subsection (a) the Secretary of Veterans Affairs determines to establish a new process for determining whether a covered individual is eligible for benefits described in subsection (a) or (b) of section 107 of such title, such process shall include a mechanism to ensure that a covered individual is not treated as an individual eligible for a benefit described in subsection (a) or (b) of section 107 of such title if such covered individual engaged in any disqualifying conduct during service described in such subsections, including collaboration with the enemy or criminal conduct.

SA 2502. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XXVIII, add the following:

SEC. 2842. RESPONSIBILITY FOR ENVIRONMENTAL REMEDIATION AT BADGER ARMY AMMUNITION PLANT, BARABOO, WISCONSIN.

(a) DEFINITIONS.—In this section:

(1) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(2) PLANT.—The term ''plant'' means the Badger Army Ammunition Plant near Baraboo, Wisconsin.

(3) PROPERTY.—The term ''property'' includes—

(A) the plant;

(B) any land located in Sauk County, Wisconsin, and managed by the Federal Government relating to the plant; and

(C) any structure on the land described in subparagraph (B).

(b) RETENTION OF ENVIRONMENTAL LIABILITY.—

(1) IN GENERAL.—Subject to paragraph (2), if administrative jurisdiction over the property is transferred to another Federal agency to be held in trust, the Department of Defense shall retain sole and exclusive Federal responsibility and liability to fund and implement any action required under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), or any other applicable Federal or State law.

(2) LIMITATION.—The liability described in paragraph (1) is limited to the remediation of environmental contamination caused by the activities of the Department of Defense that existed before the date on which the property is transferred.

(c) EFFECT.—Except as otherwise provided in this section, nothing in this section—

(1) relieves the Secretary of Defense, the Administrator of the Environmental Protection Agency, the Secretary of the Interior, or any other person from any obligation or liability under any Federal or State law with respect to the plant;

(2) affects or limits the application of, or any obligation to comply with, any environmental law, including—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(B) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.); or

(3) prevents the United States from bringing a cost recovery, contribution, or any other action that would otherwise be available under any Federal or State law.

SA 2503. Ms. MURKOWSKI submitted an amendment intended to be proposed

by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1082. FORT WAINWRIGHT, ALASKA.

Notwithstanding any other provision of law, the Secretary of the Army shall, on a nonreimbursable basis—

(1) continue to provide, maintain, and sustain the Bureau of Land Management Alaska Fire Service facilities at Fort Wainwright, Alaska, as the facilities existed on May 1, 2013; and

(2) provide the Alaska Fire Service any access to any facilities and services at Fort Wainwright, Alaska, that the Alaska Fire Service may require for the fulfillment of the mission of the Alaska Fire Service.

SA 2504. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1237. ANNUAL REPORT ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.

(a) IN GENERAL.—Not later than March 1, 2014, and annually thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on allied contributions to the common defense.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A comparison of the fair and equitable shares of the mutual defense burdens of alliances with NATO member nations and other allied nations that should be borne by the United States, by other member nations of NATO, and by other allied nations, based upon economic strength and other relevant factors, and the actual defense efforts of each nation together with an explanation of disparities that currently exist and their impact on mutual defense efforts.

(2) A description of efforts by the United States and the efforts of other members of the alliances to eliminate any existing disparities.

(3) Projected estimates of the real growth in defense spending for the fiscal year in which the report is submitted for each NATO member nation and other allied nations.

(4) A description of the defense-related initiatives undertaken by each NATO member nation and other allied nations within the real growth in defense spending of such nation in the fiscal year immediately preceding the fiscal year in which the report is submitted.

(5) An explanation of those instances in which the commitments to real growth in defense spending have not been realized and a description of efforts being made by the United States to ensure fulfillment of these important NATO and other alliance commitments.

(6) A description of the activities of each NATO member and other allied nations to enhance the security an stability of the Southwest Asia region and to assume additional missions for their own defense as the United States allocates additional resources to the mission of protecting Western interests in world areas not covered by existing alliances.

(7) A description of what additional actions the President plans to take should the efforts by the United States referred to in paragraphs (2) and (5) fail, and, in those instances where such additional actions do not include consideration of the repositioning of the United States Armed Forces, a detailed explanation as to why such repositioning is not being so considered.

(8) A description of the United States military forces assigned to permanent duty ashore in European member nations of NATO and an analysis of the cost of providing and maintaining such forces in such assignment primarily for support of NATO roles and missions.

(9) A description of the United States military forces assigned to permanent duty ashore in European member nations of NATO primarily in support of other United States interests in other regions of the world and an analysis of the cost of providing and maintaining such forces in such assignment primarily for that purpose.

(10) A specific enumeration and description of the offsets to United States costs of providing and maintaining United States military forces in Europe that the United States received from other NATO member nations in the fiscal year covered by the report, set out by country and by type of assistance, including both in-kind assistance and direct cash reimbursement, and the projected offsets for the five fiscal years following the fiscal year covered by the report.

(c) FORM.—The report required under this section shall be submitted in unclassified form, but may include a classified annex as necessary.

(d) OTHER ALLIED NATIONS DEFINED.—In this section, the term ''other allied nations'' means the member nations of—

(1) the Australia, New Zealand, and United States Security Treaty;

(2) the Treaty of Mutual Cooperation and Security between the United States and Japan;

(3) the Mutual Defense Treaty Between the United States and the Republic of Korea; and

(4) the Cooperation Council for the Arab States of the Gulf.

SA 2505. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1220. REPORT ON RELOCATION PLAN FOR RESIDENTS OF CAMP LIBERTY, IRAQ.

(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State, the Secretary of Homeland Security, and the Attorney General shall jointly submit to the specified congressional committees a report on the current situation at Camp Liberty, Iraq, and provide a strategy on the relocation of camp residents to other countries.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) Information on how many residents are still located at Camp Liberty.

(2) A description of the United Nations High Commissioner on Refugees (UNHCR) refugee process, the degree of resident cooperation with the process, and when the process is expected to be completed.

(3) Information on how many residents have been given refugee status.

(4) Information on how many residents have been relocated, and to which countries.

(5) A detailed description of the current living conditions, including the security situation, disposition of security resources, and decisions by camp residents on how to use those resources.

(6) Information on those countries that would be willing and able to take residents.

(7) A relocation plan, including a detailed outline of the steps that would need to be taken by the recipient countries, the UNHCR, and the camp residents to relocate the residents to other countries.

(c) SPECIFIED CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''specified congressional committees'' means—

(1) the Committees on Foreign Relations, Armed Services, Homeland Security and Governmental Affairs, and Judiciary of the Senate; and

(2) the Committees on Foreign Affairs, Armed Services, Homeland Security, and Judiciary of the House of Representatives.

SA 2506. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title I, add the following:

SEC. 126. LIMITATION ON AVAILABILITY OF FUNDS FOR LITTORAL COMBAT SHIP.

The Secretary of the Navy may not obligate or expend funds for construction or advanced procurement of materials for the Littoral Combat Ships (LCS) designated as LCS 25 or LCS 26 until the Secretary submits to Congress each of the following:

(1) The report required by section 125(a).

(2) A coordinated determination by the Director of Operational Test and Evaluation and the Under Secretary of Defense for Acquisition, Technology, and Logistics that successful completion of the test evaluation master plan for both seaframes and each mission module will demonstrate operational effectiveness and operational suitability.

(3) A certification that the Joint Requirements Oversight Council—

(A) has reviewed the capabilities of the legacy systems that the Littoral Combat Ship is planned to replace and has compared these capabilities to those to be provided by the Littoral Combat Ship;

(B) has assessed the adequacy of the current Capabilities Development Document (CDD) for the Littoral Combat Ship to meet combatant command requirements and to address future threats as reflected in the latest assessment by the defense intelligence community; and

(C) has either validated the current Capabilities Development Document or directed the Secretary to update the current Capabilities Development Document based on the performance of the Littoral Combat Ship and mission modules to date.

(4) A report on the expected performance of each seaframe variant and mission module against the current or updated Capabilities Development Document.

(6) Certification that a Capability Production Document will be completed for each mission module before operational testing.

SA 2507. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1237. PROHIBITION ON PROVISION OF ASSISTANCE TO GOVERNMENT OF SYRIA DURING DESTRUCTION OF SYRIAN CHEMICAL WEAPONS PROGRAM.

During fiscal years 2014 and 2015, the United States Government—

(1) may not provide any equipment to the Government of Syria that will not be used exclusively for the purposes of the destruction of the Syrian chemical weapons program, or that will remain in Syria after all the chemical weapons, facilities, and materials are either removed from Syria or destroyed in Syria; and

(2) shall take appropriate steps to ensure that any United States Government equipment provided to any other nation or entity for the purposes of the destruction of the Syrian chemical weapons program shall not remain in Syria after all the chemical weapons, facilities, and materials are either removed from Syria or destroyed in Syria.

SA 2508. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XIV, add the following:

Subtitle C—National Rare Earth Refinery Cooperative

SEC. 1431. SHORT TITLE.

This subtitle may be cited as the ''National Rare Earth Cooperative Act of 2013''.

SEC. 1432. FINDINGS; STATEMENT OF POLICY.

(a) FINDINGS.—Congress makes the following findings:

(1) Heavy rare earth elements are critical for the national defense of the United States, advanced energy technologies, and other desirable commercial and industrial applications.

(2) The Government Accountability Office has confirmed that the monopoly control of the People's Republic of China over the rare earth value chain has resulted in vulnerabilities in the procurement of multiple United States weapons systems.

(3) China has leveraged its monopoly control over the rare earth value chain to force United States, European, Japanese, and Korean corporations to transfer manufacturing facilities, technology, and jobs to China in exchange for secure supply contracts.

(4) China's increasingly aggressive mercantile behavior has resulted in involuntary transfers of technology, manufacturing, and jobs resulting in onerous trade imbalances with the United States and trading partners of the United States.

(5) Direct links exist between heavy rare earth mineralogy and thorium.

(6) Thorium is a mildly radioactive element commonly associated with the lanthanide elements in the most heavy rare earth deposits that are located in the United States and elsewhere.

(7) Regulations regarding thorium represent a barrier to the development of a heavy rare earth industry that is based in the United States.

(8) Balancing the strategic national interest objectives of the United States against economic and environmental risks are best met through the creation of a rare earth cooperative.

(9) A rare earth cooperative could—

(A) greatly increase rare earth production;

(B) ensure environmental safety; and

(C) lower the cost of the production and financial risks faced by rare earth producers in the United States.

(10) Historically, agricultural and electric cooperatives have stood as one of the greatest success stories of the United States.

(b) STATEMENT OF POLICY.—It is the policy of the United States to advance domestic refining of heavy rare earth materials and the safe storage of thorium in anticipation of the potential future industrial uses of thorium, including energy, as—

(1) thorium has a mineralogical association with valuable heavy rare earth elements;

(2) there is a great need to develop domestic refining capacity to process domestic heavy rare earth deposits; and

(3) the economy of the United States would benefit from the rapid development and control of intellectual property relating to the commercial development of technology utilizing thorium.

SEC. 1433. DEFINITIONS.

In this subtitle:

(1) ACTINIDE.—The term ''actinide'' means a natural element associated with any of the 15 rare earth minerals with atomic number 43 and atomic numbers 84 through 93 on the periodic table.

(2) CONSUMER MEMBER.—

(A) IN GENERAL.—The term ''consumer member'' means a member of the Cooperative that is—

(i) an entity that is part of, or has a role in, the value chain for rare earth materials or rare earth products, including from the refined oxide stage to the stage in which the rare earth elements are finished in any physical or chemical form (including oxides, metals, alloys, catalysts, or components); or

(ii) a consumer of rare earth products.

(B) INCLUSIONS.—The term ''consumer member'' includes—

(i) a producer of or other entity that is part of the value chain for rare earth materials, including original equipment manufacturer producers, whose place of business is located in or outside the United States;

(ii) a defense contractor in the United States; and

(iii) any agency in the United States or outside the United States that invests in the Cooperative.

(3) COOPERATIVE.—The term ''Cooperative'' means the Thorium-Bearing Rare Earth Refinery Cooperative established by section 1434(a)(1).

(4) COOPERATIVE BOARD.—The term ''Cooperative Board'' means the Board of Directors of the Cooperative established under section 1434(b)(2).

(5) CORPORATION.—The term ''Corporation'' means the Thorium Storage, Energy, and Industrial Products Corporation established under section 1435(a)(1).

(6) CORPORATION BOARD.—The term ''Corporation Board'' means the Board of Directors of the Corporation established under section 1435(b)(1).

(7) EXECUTIVE COMMITTEE.—The term ''Executive Committee'' means the executive committee established under section 1435(b)(2).

(8) INITIAL BOARD OF DIRECTORS.—The term ''Initial Board of Directors'' means the initial Board of Directors for the Cooperative established under section 1434(b)(1)(A).

(9) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given that term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(10) NATIONAL LABORATORY.—The term ''national laboratory'' has the meaning given that term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(11) SECRETARY.—The term ''Secretary'' means the Secretary of Defense.

(12) SUPPLIER MEMBER.—The term ''supplier member'' means a rare earth producer that enters into a contract to supply the Cooperative with rare earth concentrates.

(13) TOLLING.—The term ''tolling'' means a fee-for-services contract between the Cooperative and a primary rare earth producer under which—

(A) the producer retains ownership and control of the finished product; and

(B) pays to the Cooperative a fee for services rendered by the Cooperative.

SEC. 1434. THORIUM-BEARING RARE EARTH REFINERY COOPERATIVE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established a Cooperative, to be known as the ''Thorium-Bearing Rare Earth Refinery Cooperative'', to provide for the domestic processing of thorium-bearing rare earth concentrates.

(2) FEDERAL CHARTER; OWNERSHIP.—The Cooperative shall operate under a Federal charter.

(3) MEMBERSHIP.—

(A) COMPOSITION.—The Cooperative shall be comprised of—

(i) supplier members; and

(ii) consumer members.

(B) SUPPLIER MEMBERS.—

(i) IN GENERAL.—As a condition of entering into a contract to supply the Cooperative with rare earth concentrates, supplier members shall provide rare earth concentrates to the Cooperative at market price.

(ii) CAPITAL CONTRIBUTIONS.—Any supplier member that makes significant capital contributions to the Cooperative, as determined by the Cooperative Board, may become a consumer member for purposes of the distribution of profits of the Cooperative under subparagraph (D).

(C) CONSUMER MEMBER.—A consumer member—

(i) shall make capital contributions to the Cooperative in exchange for entering into negotiated supply agreements; and

(ii) in accordance with the agreements entered into under clause (i), may acquire finished rare earth products from the Cooperative at market price.

(D) DISTRIBUTION OF PROFITS.—Any profits of the Cooperative shall be distributed between supplier members and consumer members in accordance with a formula established by the Cooperative Board.

(b) MANAGEMENT.—

(1) INITIAL BOARD OF DIRECTORS.—

(A) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Secretary shall appoint the Initial Board of Directors for the Cooperative, comprised of 5 members, of whom—

(i) 1 member shall represent the Defense Logistics Agency Strategic Materials program of the Department of Defense;

(ii) 1 member shall represent the Assistant Secretary of Defense for Research and Engineering;

(iii) 1 member shall represent United States advocacy groups for rare earth producers and original equipment manufacturing interests;

(iv) 1 member shall represent the United States Geological Survey; and

(v) 1 member who shall—

(I) not be affiliated with a Federal agency; and

(II) be recommended for appointment by a majority vote of the other members of the Initial Board of Directors appointed under clauses (i) through (iv).

(B) DUTIES.—The Initial Board of Directors shall—

(i) establish a charter, bylaws, and rules of governance for the Cooperative;

(ii) make formative business decisions on behalf of the Cooperative; and

(iii) assist in the formation of, and the provision of tasks and assignments to, the Corporation.

(C) STANDING MEMBER.—The member appointed under subparagraph (A)(v) shall remain on the Cooperative Board and Corporation Board, until such time as—

(i) the member voluntarily resigns; or

(ii) a majority of the members of the Cooperative Board and a majority of the members of the Corporation Board vote to remove the member from the Cooperative Board and the Corporation Board.

(D) TERMINATION.—The Initial Board of Directors shall terminate on the date on which the initial members of the Cooperative Board are appointed under paragraph (2).

(2) BOARD OF DIRECTORS.—

(A) IN GENERAL.—The Board of Directors of the Cooperative shall be comprised of 9 members, to be selected in accordance with the bylaws of the Cooperative established under paragraph (1)(B)(i), of whom—

(i) 5 members shall be consumer members;

(ii) 2 members shall be supplier members;

(iii) 1 member shall represent an advocacy group for defense contractors, other rare earth consumers, and suppliers who are not represented by the Board or through direct ownership in the Cooperative; and

(iv) 1 member shall be the member of the Initial Board of Directors appointed under paragraph (1)(A)(v).

(B) POWERS.—The Cooperative Board may—

(i) prescribe the manner in which business shall be conducted by the Cooperative;

(ii) determine pay-out ratio formulas for consumer members and supplier members, based on—

(I) the capital stock ratios of consumer members; and

(II) the value of supply member contracts, as determined based on the volume, term, and distributions of rare earth concentrates relative to processing costs; and

(iii) evaluate technologies and processes for the efficient extraction and refining of rare earth materials from various source materials.

(C) REFINERY AND OFFICE LOCATIONS.—The Cooperative Board shall establish the refinery and offices for the Cooperative at any locations determined to be appropriate by the Cooperative Board.

(c) POWERS; DUTIES.—

(1) INVESTMENT PARTNERSHIPS.—The Cooperative shall seek to enter into domestic and international investment partnerships for the development of the refinery.

(2) AGREEMENTS; DIRECT SALES.—The Cooperative may—

(A) enter into equity, financial, and supply-based agreements or arrangements with value-added intermediaries, equipment manufacturers, consumers of rare earth products, and Federal, State, or local agencies to provide economic incentives, leases, or public financing; and

(B) engage in direct market sales of rare earth products.

(3) SUPPLY CONTRACTS AND TOLLING SERVICES.—

(A) IN GENERAL.—The Cooperative may—

(i) directly purchase rare earth materials obtained from any byproduct producers of rare earths;

(ii) offer supplier members short-term or direct purchase contracts; and

(iii) allow primary rare earth producers to be tolling customers of the Cooperative.

(B) REQUIREMENTS.—A tolling customer under subparagraph (A)(iii) shall—

(i) retain control of the rare earth products during the processing, refining, or value adding of the rare earth products by the Cooperative; and

(ii) take possession of the rare earth products after—

(I) tolling services are rendered by the Cooperative; and

(II) the Cooperative has received payment in full for the tolling services rendered.

(C) FEE.—The Cooperative may charge tolling customers under subparagraph (A)(iii) a tolling fee not to exceed the sum of—

(i) the amount equal to 110 percent of the total cost for tolling services rendered by the Cooperative on behalf of the tolling customer; and

(ii) the amount equal to 5 percent of the market value of the finished product provided to the tolling customer by the Cooperative.

(D) APPLICABLE LAW.—Any contract among consumer members, supplier members, tolling customers, and direct purchase suppliers entered into under subparagraph (A)(iii) shall be protected as provided in subsection 552(b)(4) of title 5, United States Code.

(E) LIMITATIONS.—A direct purchase consumer under subparagraph (A)(ii) or a tolling customer under subparagraph (A)(iii)—

(i) shall not be considered to be a supplier member or otherwise be considered a member of the Cooperative for purposes of this subtitle; and

(ii) shall not participate in Cooperative profits or have voting rights with respect to the Cooperative.

(d) AUDITS.—

(1) IN GENERAL.—The Cooperative shall retain an independent auditor to evaluate the extent to which Federal funds, if any, made available to the Cooperative for research and development activities have been expended in a manner that is consistent with the purposes of this subtitle and the charter, bylaws, and rules of the Cooperative.

(2) REPORTS.—The auditor retained under paragraph (1) shall submit to the Secretary of Defense, the Cooperative, and the Comptroller General of the United States an annual report containing the findings and determinations of the auditor.

(3) REVIEW BY COMPTROLLER GENERAL.—The Comptroller General of the United States shall—

(A) review each annual report submitted to the Comptroller General by the auditor under paragraph (2); and

(B) submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report containing the comments of the Comptroller General on the accuracy and completeness of the report and any other matters relating to the report that the Comptroller General considers appropriate.

(e) REIMBURSEMENT OF FEDERAL GOVERNMENT.—Not later than 7 years of the date of the enactment of this Act, the Cooperative shall reimburse the Federal Government for administrative costs associated with the establishment of its charter.

SEC. 1435. THORIUM STORAGE, ENERGY, AND INDUSTRIAL PRODUCTS CORPORATION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Cooperative Board, in consultation with the Secretary of Defense, shall establish the Thorium Storage, Energy, and Industrial Products Corporation to develop uses and markets for thorium, including energy.

(2) FEDERAL CHARTER.—The Corporation shall operate under a Federal charter.

(b) MANAGEMENT.—

(1) BOARD OF DIRECTORS.—

(A) IN GENERAL.—The Board of Directors of the Corporation shall be composed of 5 members.

(B) INITIAL MEMBERS.—The initial members of the Corporation Board shall consist of the following members, to be appointed by the Secretary of Defense:

(i) 1 member, who shall represent the Assistant Secretary of Defense for Research and Engineering.

(ii) 1 member, who shall represent the Advanced Energy Program of the Defense Advanced Research Project Agency.

(iii) 1 member, who shall represent United States advocacy groups for commercial development of thorium in nuclear energy systems.

(iv) 1 member, who shall represent a national laboratory.

(v) 1 member, who is the member of the Initial Board of Directors appointed under section 1434(b)(1)(A)(v).

(C) SUBSEQUENT MEMBERS.—Subject to subparagraphs (A) and (D), subsequent members of the Corporation Board and Executive Committee shall be appointed in accordance with the bylaws of the Corporation established under paragraph (2)(B)(i).

(D) STANDING MEMBERS.—The initial members appointed under clauses (iv) and (v) of subparagraph (B) shall remain on the Corporation Board and the Executive Committee, until such time as—

(i) the members voluntarily resign;

(ii) in the case of a member appointed under subparagraph (B)(iv), a majority of the members of the Corporation Board vote to remove the member from the Corporation Board; or

(iii) in the case of a member appointed under subparagraph (B)(v), a majority of the members of the Corporation Board and a majority of the members of the Cooperative Board vote to remove the member from the Corporation Board and the Cooperative Board.

(2) EXECUTIVE COMMITTEE.—

(A) IN GENERAL.—The Executive Committee for the Corporation shall be composed of the initial members of the Corporation Board appointed under clauses (iv) and (v) of paragraph (1)(B).

(B) DUTIES.—The Executive Committee shall—

(i) establish the charter, rules of governance, bylaws, and corporate structure for the Corporation; and

(ii) make formative business decisions with respect to the Corporation.

(c) POWERS.—

(1) ESTABLISHMENT OF SUBSEQUENT ENTITIES.—

(A) IN GENERAL.—The Corporation may establish 1 or more entities, to be known as an ''Industrial Products Corporation'', for the certification, licensing, insuring, and commercial development of all non-energy uses

for thorium (including thorium isotopes and thorium daughter elements), including—

(i) alloys;

(ii) catalysts;

(iii) medical isotopes; and

(iv) other products.

(B) AUTHORITY OF ENTITIES.—The entities described in subparagraph (A) may—

(i) develop standards, procedures, and protocols for the approval of commercial and industrial applications for thorium;

(ii) carry out directly the production and sale of thorium-related non-energy products; and

(iii) sell or license any production or sales rights to third parties.

(C) SALE OR DISTRIBUTION OF INDUSTRIAL PRODUCTS CORPORATION; CREATION OF BUSINESSES AND PARTNERSHIPS.—To develop and commercialize non-energy uses for thorium, the Corporation Board may—

(i) create, sell, or distribute the equity of an entity described in subparagraph (A); and

(ii) establish partnerships with Federal agencies, foreign governments, and private entities relating to businesses and activities of the entity.

(2) SALE OR DISTRIBUTION OF CORPORATION EQUITY; CREATION OF PARTNERSHIPS.—To develop and commercialize thorium energy, the Corporation may sell or distribute equity and establish partnerships with the United States and foreign governments and private entities—

(A) to create capital;

(B) to develop intellectual property;

(C) to acquire technology;

(D) to establish business partnerships and raw material supply chains;

(E) to commercially develop thorium energy systems;

(F) to commercially develop systems for the reduction of spent fuel;

(G) to develop hardened energy systems for the United States military; and

(H) to develop process heat technologies systems for coal-to-liquid fuel separation, desalinization, chemical synthesis, and other applications.

(d) DUTIES.—

(1) OWNERSHIP OF THORIUM AND RELATED ACTINIDES.—The Corporation shall—

(A) on a preprocessing basis, assume liability for and ownership of all thorium and mineralogically associated or related actinides and decay products contained within the monazite and other rare earth concentrates in the possession of the Cooperative;

(B) after the Cooperative has separated the thorium from the rare earth concentrates, take physical possession and safely store all thorium-containing actinide byproducts, with the costs of the storage to be paid by the Corporation from fees charged or revenue from sales of other valuable actinides;

(C) develop new markets and uses for thorium;

(D) develop energy systems from thorium; and

(E) develop, manage, and control national and international energy leasing and distribution platforms related to thorium energy systems.

(2) SAFE, LONG-TERM STORAGE; DEVELOPMENT OF USES AND MARKETS.—The Corporation shall—

(A) in consultation with the Administrator of the Environmental Protection Agency and the Secretary of Energy, be responsible for the safe, long-term storage for all thorium byproducts generated through the Cooperative, consistent with part 192 of title 40, Code of Federal Regulations (as in effect on the date of the enactment of this Act), while taking into account the low relative risks relating to thorium; and

(B) develop uses and markets for thorium, including energy, including by coordinating and structuring domestic and international investment partnerships for the development of commercial and industrial uses for thorium.

(e) AUDITS.—

(1) IN GENERAL.—The Corporation shall retain an independent auditor to evaluate the extent to which Federal funds, if any, made available to the Corporation for research and development activities have been expended in a manner that is consistent with the purposes of this subtitle and the charter, bylaws, and rules of the Corporation.

(2) REPORTS.—The auditor retained under paragraph (1) shall submit to the Secretary of Defense, the Corporation, and the Comptroller General of the United States an annual report containing the findings and determinations of the auditor.

(3) REVIEW BY COMPTROLLER GENERAL.—The Comptroller General of the United States shall—

(A) review each annual report submitted to the Comptroller General by the auditor under paragraph (2); and

(B) submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report containing the comments of the Comptroller General on the accuracy and completeness of the report and any other matters relating to the report that the Comptroller General considers appropriate.

(f) REIMBURSEMENT OF FEDERAL GOVERNMENT.—Not later than 7 years of the date of the enactment of this Act, the Corporation shall reimburse the Federal Government for administrative costs associated with the establishment of its charter.

SEC. 1436. DUTIES OF SECRETARY OF DEFENSE.

(a) ADVANCEMENT OF RARE EARTH INITIATIVES.—The Secretary shall coordinate with other Federal agencies to advance and protect—

(1) domestic rare earth mining;

(2) the refining of rare earth elements;

(3) basic rare earth metals production; and

(4) the development and commercialization of thorium, including—

(A) energy technologies and products; and

(B) products containing thorium.

(b) ANNUAL REPORTS.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report that, for the period covered by the report—

(1) contains a description of the progress in the development of—

(A) a domestic rare earth refining capacity;

(B) commercial uses and energy-related uses for thorium; and

(2) takes into account each report submitted to the Secretary by the Cooperative and the Corporation.

(c) FEDERAL AGENCIES; NATIONAL LABORATORIES.—Each Federal agency (including the Nuclear Regulatory Commission and the Defense Advanced Research Projects Agency), each national laboratory, and each facility funded by the Federal Government shall provide assistance to the Cooperative and the Corporation under this subtitle.

(d) INSTITUTIONS OF HIGHER EDUCATION.—Each institution of higher education is encouraged—

(1) to develop training and national expertise in the field of thorium development; and

(2) to promote—

(A) the marketing of thorium;

(B) the advancement of the strategic uses of thorium; and

(C) salt chemistry science and radio chemists.

SEC. 1437. AUTHORIZATION OF DEPARTMENT OF DEFENSE TO ESTABLISH EQUITY STAKE IN COOPERATIVE.

The Secretary may acquire and maintain a 10 percent equity stake in the Cooperative in accordance with the provisions of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.) for the purpose of accessing strategic rare earth materials and eliminating the need to acquire such materials under that Act.

SA 2509. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XXVIII, add the following:

SEC. 2833. TRANSFER OF ADMINISTRATIVE JURISDICTION, CAMP GRUBER, OKLAHOMA.

(a) TRANSFER AUTHORIZED.—Upon a determination by the Secretary of the Army that the parcel of property at Camp Gruber, Oklahoma, conveyed by the war asset deed dated June 29, 1949, between the United States of America and the State of Oklahoma, or any portion thereof, is needed for national defense purposes, including military training, and the Secretary determines that the transfer of the parcel is in the best interest of the Department of the Army, the Administrator of General Services shall execute the reversionary clause in the deed and immediately transfer administrative jurisdiction to the Department of the Army.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of any real property to be transferred under subsection (a) may be determined by a survey satisfactory to the Secretary of the Army.

(c) ADDITIONAL TERM AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with a transfer under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SA 2510. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1082. COMPLIANCE AUTHORITY FOR CERTAIN REPORTING REQUIREMENTS.

(a) COMPLIANCE WITH REPORTING REQUIREMENTS ON MONETARY INSTRUMENT TRANSACTIONS.—Section 5318(a) of title 31, United States Code, is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following:

''(6) rely on examinations conducted by a State supervisory agency of a category of financial institution, if the Secretary determines that, under the laws of the State—

''(A) the category of financial institution is required to comply with this subchapter

and regulations prescribed under this subchapter; or

''(B) the State supervisory agency is authorized to ensure that the category of financial institution complies with this subchapter and regulations prescribed under this subchapter; and''.

(b) COMPLIANCE WITH REPORTING REQUIREMENTS OF OTHER FINANCIAL INSTITUTIONS.—Section 128 of Public Law 91–508 (12 U.S.C. 1958) is amended—

(1) by striking ''this title'' and inserting ''this chapter and section 21 of the Federal Deposit Insurance Act (12 U.S.C. 1829b)''; and

(2) by inserting at the end the following: ''The Secretary may rely on examinations conducted by a State supervisory agency of a category of financial institution, if the Secretary determines that under the laws of the State, the category of financial institution is required to comply with this chapter and section 21 of the Federal Deposit Insurance Act (and regulations prescribed under this chapter and section 21 of the Federal Deposit Insurance Act), or the State supervisory agency is authorized to ensure that the category of financial institution complies with this chapter and section 21 of the Federal Deposit Insurance Act (and regulations prescribed under this chapter and section 21 of the Federal Deposit Insurance Act).''.

(c) CONSULTATION WITH STATE AGENCIES.—In issuing rules to carry out section 5318(a)(6) of title 31, United States Code, and section 128 of Public Law 91–508 (12 U.S.C. 1958), the Secretary of the Treasury shall consult with State supervisory agencies.

SA 2511. Mr. CRUZ (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1035. REWARDS AUTHORIZED.

In accordance with the Rewards for Justice program authorized under section 36(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708), the Secretary of State is authorized to pay a reward of not more than $10,000,000 to any individual who furnishes information leading to the arrest of any individual who committed, conspired to commit, attempted to commit, or aided or abetted the commission of the September 11-12, 2012 terrorist attack on the Special Mission Compound and Annex in Benghazi, Libya.

SA 2512. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1237. IRAN NUCLEAR COMPLIANCE.

(a) EFFECTIVE ENFORCEMENT OF INTERIM AGREEMENT.—

(1) IN GENERAL.—During the 240-day period beginning on the date of the enactment of this Act, the President may not, in connection with the ongoing nuclear negotiations with Iran, exercise a waiver of, suspend, or otherwise reduce any sanctions imposed in relation to Iran, whether imposed directly by statute or through an executive order, unless, not later than 15 days before the waiver, suspension, or other reduction takes effect, the President submits to the appropriate congressional committees the certification described in paragraph (2).

(2) CERTIFICATION DESCRIBED.—The certification described in this paragraph is a certification with respect to the waiver, suspension, or other reduction of sanctions under paragraph (1) that—

(A) it is in the vital national security interests of the United States to waive, suspend, or otherwise reduce those sanctions; and

(B) Iran is in full compliance with the terms of any interim agreement between the United States, the United Kingdom, France, Russia, China, Germany, and Iran relating to Iran's nuclear program.

(3) EXPIRATION OF INTERIM RELIEF AND REINSTATEMENT OF SANCTIONS.—Any sanctions imposed in relation to Iran that have been waived, suspended, or otherwise reduced in connection with the ongoing nuclear negotiations with Iran, regardless whether the waiver, suspension, or other reduction of those sanctions took effect before or after the date of the enactment of this Act, shall be immediately reinstated on the date that is 240 days after such date of enactment.

(b) EFFECTIVE ENFORCEMENT OF FINAL AGREEMENT AND LIMITATIONS.—

(1) IN GENERAL.—On and after the date that is 240 days after the date of the enactment of this Act, the President may not, in connection with the ongoing nuclear negotiations with Iran, exercise a waiver of, suspend, or otherwise reduce any sanctions imposed in relation to Iran, whether imposed directly by statute or through an executive order, unless, not later than 15 days before the waiver, suspension, or other reduction takes effect, the President submits to the appropriate congressional committees the certification described in paragraph (2).

(2) CERTIFICATION.—The certification described in this paragraph is a certification that—

(A) the conditions for a temporary waiver, suspension, or other reduction of sanctions pursuant to subsection (a) continue to be met;

(B) Iran is in full compliance with the terms of all agreements between the United States, the United Kingdom, France, Russia, China, Germany, and Iran relating to Iran's nuclear program;

(C) Iran is in full compliance with terms of United Nations Security Council Resolutions 1696 (2006), 1737 (2006), 1747 (2007), 1803 (2008), 1835 (2008), and 1929 (2010); and

(D) Iran has provided a full accounting of all of its nuclear weaponization and related activities, has committed, in writing, to suspend all such activities, and is making substantial efforts to do so.

(c) REINSTATEMENT OF SANCTIONS UPON NONCOMPLIANCE.—If the President receives information from any person, including the International Atomic Energy Agency, the Secretary of Defense, the Secretary of State, the Secretary of Energy, or the Director of National Intelligence, that Iran has failed to comply with the terms of any agreement between the United States, the United Kingdom, France, Russia, China, Germany, and Iran with respect to Iran's nuclear program or has refused to cooperate in any way with appropriate requests of the International Atomic Energy Agency, the President shall—

(1) not later than 10 days after receiving that information, determine whether the information is credible and accurate;

(2) notify the appropriate congressional committees of that determination; and

(3) if the President determines that the information is credible and accurate, not later than 5 days after making that determination, reinstate all sanctions imposed in relation to Iran that have been waived, suspended, or otherwise reduced in connection with the ongoing nuclear negotiations with Iran, without regard to whether the waiver, suspension, or other reduction of those sanctions took effect before or after the date of the enactment of this Act.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

SA 2513. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1220. DEVELOPMENT OF A COMPREHENSIVE ANTI-CORRUPTION STRATEGY IN AFGHANISTAN.

(a) FINDINGS.—Congress makes the following findings:

(1) According to the Special Inspector General for Afghanistan Reconstruction (SIGAR), as of September 30, 2013, the United States had appropriated approximately $96,600,000,000 for relief and reconstruction assistance in Afghanistan since 2002. The SIGAR report actually finds, ''Since 2002, the United States has appropriated over $96 billion for reconstruction assistance in Afghanistan and, as part of that assistance, has designated numerous programs or activities to directly or indirectly help strengthen the ability of Afghan government institutions to combat corruption.'' It also finds, ''U.S. anti-corruption activities in Afghanistan are not guided by a comprehensive U.S. strategy or related guidance that defines clear goals and objectives for U.S. efforts to strengthen the Afghan government's capability to combat corruption and increase accountability.''

(2) To improve the capability to achieve a long-term secure, stable, and successful Afghanistan, the Government of Afghanistan, in coordination with the Department of State and the Department of Defense, must improve its capacity to combat corruption.

(b) COMPREHENSIVE STRATEGY AND PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense and in consultation with the Government of Afghanistan, shall submit to the appropriate congressional committees a report on anti-corruption activities and plans in Afghanistan.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) an assessment of the sectors of the Government of Afghanistan that are most susceptible to corruption;

(B) a description of the goals and measurable outcomes for reducing corruption in the most vulnerable sectors of the government identified in subparagraph (A);

(C) plan for the implementation of the anti-corruption goals that identifies objectives, benchmarks, and timelines; and

(D) a resourcing plan that includes personnel and funding requirements.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 2514. Mr. KING (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1082. HUBZONES.

(a) IN GENERAL.—Section 3(p)(5)(A)(i)(I) of the Small Business Act (15 U.S.C. 632(p)(5)(A)(i)(I)) is amended—

(1) in item (aa), by striking ''or'' at the end;

(2) by redesignating item (bb) as item (cc); and

(3) by inserting after item (aa) the following:

''(bb) pursuant to subparagraph (A), (B), (C), (D), or (E) of paragraph (3), that its principal office is located in a HUBZone described in paragraph (1)(E) (relating to base closure areas) (in this item referred to as the 'base closure HUBZone'), and that not fewer than 35 percent of its employees reside in—

''(AA) a HUBZone;

''(BB) the census tract in which the base closure HUBZone is wholly contained;

''(CC) a census tract the boundaries of which intersect the boundaries of the base closure HUBZone; or

''(DD) a census tract the boundaries of which are contiguous to a census tract described in subitem (BB) or (CC); or''.

(b) PERIOD FOR BASE CLOSURE AREAS.—

(1) AMENDMENT.—Section 152(a)(2) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note) is amended by striking ''for a period of 5 years'' and inserting ''during the 5-year period beginning on the date of the final deed transfer''.

(2) EFFECTIVE DATE; APPLICABILITY.—The amendment made by paragraph (1) shall—

(A) take effect on the date of enactment of this Act; and

(B) apply to—

(i) a base closure area (as defined in section 3(p)(4)(D) of the Small Business Act (15 U.S.C. 632(p)(4)(D))) that, on the day before the date of enactment of this Act, is treated as a HUBZone described in section 3(p)(1)(E) of the Small Business Act (15 U.S.C. 632(p)(1)(E)) under—

(I) section 152(a)(2) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note); or

(II) section 1698(b)(2) of National Defense Authorization Act for Fiscal Year 2013 (15 U.S.C. 632 note); and

(ii) a base closure area relating to the closure of a military instillation under the authority described in clauses (i) through (iv) of section 3(p)(4)(D) of the Small Business Act (15 U.S.C. 632(p)(4)(D)) that occurs on or after the date of enactment of this Act.

SA 2515. Mr. KING (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1082. HUBZONES.

(a) IN GENERAL.—Section 3(p)(5)(A)(i)(I) of the Small Business Act (15 U.S.C. 632(p)(5)(A)(i)(I)) is amended—

(1) in item (aa), by striking ''or'' at the end;

(2) by redesignating item (bb) as item (cc); and

(3) by inserting after item (aa) the following:

''(bb) pursuant to subparagraph (A), (B), (C), (D), or (E) of paragraph (3), that its principal office is located in a HUBZone described in paragraph (1)(E) (relating to base closure areas) (in this item referred to as the 'base closure HUBZone'), and that not fewer than 35 percent of its employees reside in—

''(AA) a HUBZone;

''(BB) the census tract in which the base closure HUBZone is wholly contained;

''(CC) a census tract the boundaries of which intersect the boundaries of the base closure HUBZone; or

''(DD) a census tract the boundaries of which are contiguous to a census tract described in subitem (BB) or (CC); or''.

(b) PERIOD FOR BASE CLOSURE AREAS.—

(1) AMENDMENTS.—

(A) IN GENERAL.—Section 152(a)(2) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note) is amended by striking ''5 years'' and inserting ''8 years''.

(B) CONFORMING AMENDMENT.—Section 1698(b)(2) of National Defense Authorization Act for Fiscal Year 2013 (15 U.S.C. 632 note) is amended by striking ''5 years'' and inserting ''8 years''.

(2) EFFECTIVE DATE; APPLICABILITY.—The amendments made by paragraph (1) shall—

(A) take effect on the date of enactment of this Act; and

(B) apply to—

(i) a base closure area (as defined in section 3(p)(4)(D) of the Small Business Act (15 U.S.C. 632(p)(4)(D))) that, on the day before the date of enactment of this Act, is treated as a HUBZone described in section 3(p)(1)(E) of the Small Business Act (15 U.S.C. 632(p)(1)(E)) under—

(I) section 152(a)(2) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note); or

(II) section 1698(b)(2) of National Defense Authorization Act for Fiscal Year 2013 (15 U.S.C. 632 note); and

(ii) a base closure area relating to the closure of a military instillation under the authority described in clauses (i) through (iv) of section 3(p)(4)(D) of the Small Business Act (15 U.S.C. 632(p)(4)(D)) that occurs on or after the date of enactment of this Act.

SA 2516. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—NUCLEAR TERRORISM CONVENTIONS IMPLEMENTATION AND SAFETY OF MARITIME NAVIGATION ACT

SECTION 5001. SHORT TITLE.

This division may be cited as the ''Nuclear Terrorism Conventions Implementation and Safety of Maritime Navigation Act of 2013''.

TITLE L—SAFETY OF MARITIME NAVIGATION

SEC. 5101. AMENDMENT TO SECTION 2280 OF TITLE 18, UNITED STATES CODE.

Section 2280 of title 18, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A)(i), by striking ''a ship flying the flag of the United States'' and inserting ''a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46)'';

(B) in paragraph (1)(A)(ii), by inserting '', including the territorial seas'' after ''in the United States''; and

(C) in paragraph (1)(A)(iii), by inserting '', by a United States corporation or legal entity,'' after ''by a national of the United States'';

(2) in subsection (c), by striking ''section 2(c)'' and inserting ''section 13(c)'';

(3) by striking subsection (d);

(4) by striking subsection (e) and inserting after subsection (c):

''(d) DEFINITIONS.—As used in this section, section 2280a, section 2281, and section 2281a, the term—

''(1) 'applicable treaty' means—

''(A) the Convention for the Suppression of Unlawful Seizure of Aircraft, done at The Hague on 16 December 1970;

''(B) the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23 September 1971;

''(C) the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973;

''(D) International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979;

''(E) the Convention on the Physical Protection of Nuclear Material, done at Vienna on 26 October 1979;

''(F) the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 24 February 1988;

''(G) the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done at Rome on 10 March 1988;

''(H) International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997; and

''(I) International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 December 1999;

''(2) 'armed conflict' does not include internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature;

''(3) 'biological weapon' means—

''(A) microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that

have no justification for prophylactic, protective, or other peaceful purposes; or

''(B) weapons, equipment, or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict;

''(4) 'chemical weapon' means, together or separately—

''(A) toxic chemicals and their precursors, except where intended for—

''(i) industrial, agricultural, research, medical, pharmaceutical, or other peaceful purposes;

''(ii) protective purposes, namely those purposes directly related to protection against toxic chemicals and to protection against chemical weapons;

''(iii) military purposes not connected with the use of chemical weapons and not dependent on the use of the toxic properties of chemicals as a method of warfare; or

''(iv) law enforcement including domestic riot control purposes,

as long as the types and quantities are consistent with such purposes;

''(B) munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals specified in subparagraph (A), which would be released as a result of the employment of such munitions and devices; and

''(C) any equipment specifically designed for use directly in connection with the employment of munitions and devices specified in subparagraph (B);

''(5) 'covered ship' means a ship that is navigating or is scheduled to navigate into, through or from waters beyond the outer limit of the territorial sea of a single country or a lateral limit of that country's territorial sea with an adjacent country;

''(6) 'explosive material' has the meaning given the term in section 841(c) and includes explosive as defined in section 844(j) of this title;

''(7) 'infrastructure facility' has the meaning given the term in section 2332f(e)(5) of this title;

''(8) 'international organization' has the meaning given the term in section 831(f)(3) of this title;

''(9) 'military forces of a state' means the armed forces of a state which are organized, trained, and equipped under its internal law for the primary purpose of national defense or security, and persons acting in support of those armed forces who are under their formal command, control, and responsibility;

''(10) 'national of the United States' has the meaning stated in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22));

''(11) 'Non-Proliferation Treaty' means the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow on 1 July 1968;

''(12) 'Non-Proliferation Treaty State Party' means any State Party to the Non-Proliferation Treaty, to include Taiwan, which shall be considered to have the obligations under the Non-Proliferation Treaty of a party to that treaty other than a Nuclear Weapon State Party to the Non-Proliferation Treaty;

''(13) 'Nuclear Weapon State Party to the Non-Proliferation Treaty' means a State Party to the Non-Proliferation Treaty that is a nuclear-weapon State, as that term is defined in Article IX(3) of the Non-Proliferation Treaty;

''(14) 'place of public use' has the meaning given the term in section 2332f(e)(6) of this title;

''(15) 'precursor' has the meaning given the term in section 229F(6)(A) of this title;

''(16) 'public transport system' has the meaning given the term in section 2332f(e)(7) of this title;

''(17) 'serious injury or damage' means—

''(A) serious bodily injury,

''(B) extensive destruction of a place of public use, State or government facility, infrastructure facility, or public transportation system, resulting in major economic loss, or

''(C) substantial damage to the environment, including air, soil, water, fauna, or flora;

''(18) 'ship' means a vessel of any type whatsoever not permanently attached to the sea-bed, including dynamically supported craft, submersibles, or any other floating craft, but does not include a warship, a ship owned or operated by a government when being used as a naval auxiliary or for customs or police purposes, or a ship which has been withdrawn from navigation or laid up;

''(19) 'source material' has the meaning given that term in the International Atomic Energy Agency Statute, done at New York on 26 October 1956;

''(20) 'special fissionable material' has the meaning given that term in the International Atomic Energy Agency Statute, done at New York on 26 October 1956;

''(21) 'territorial sea of the United States' means all waters extending seaward to 12 nautical miles from the baselines of the United States determined in accordance with international law;

''(22) 'toxic chemical' has the meaning given the term in section 229F(8)(A) of this title;

''(23) 'transport' means to initiate, arrange or exercise effective control, including decisionmaking authority, over the movement of a person or item; and

''(24) 'United States', when used in a geographical sense, includes the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and all territories and possessions of the United States.''; and

(5) by inserting after subsection (d) (as added by paragraph (4) of this section) the following:

''(e) EXCEPTIONS.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(f) DELIVERY OF SUSPECTED OFFENDER.—The master of a covered ship flying the flag of the United States who has reasonable grounds to believe that there is on board that ship any person who has committed an offense under section 2280 or section 2280a may deliver such person to the authorities of a country that is a party to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation. Before delivering such person to the authorities of another country, the master shall notify in an appropriate manner the Attorney General of the United States of the alleged offense and await instructions from the Attorney General as to what action to take. When delivering the person to a country which is a state party to the Convention, the master shall, whenever practicable, and if possible before entering the territorial sea of such country, notify the authorities of such country of the master's intention to deliver such person and the reasons therefor. If the master delivers such person, the master shall furnish to the authorities of such country the evidence in the master's possession that pertains to the alleged offense.

''(g)(1) CIVIL FORFEITURE.—Any real or personal property used or intended to be used to commit or to facilitate the commission of a violation of this section, the gross proceeds of such violation, and any real or personal property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this section shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security, the Attorney General, or the Secretary of Defense.''.

SEC. 5102. NEW SECTION 2280[A] OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Chapter 111 of title 18, United States Code, is amended by adding after section 2280 the following new section:

''§ 2280a. Violence against maritime navigation and maritime transport involving weapons of mass destruction

''(a) OFFENSES.—

''(1) IN GENERAL.—Subject to the exceptions in subsection (c), a person who unlawfully and intentionally—

''(A) when the purpose of the act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act—

''(i) uses against or on a ship or discharges from a ship any explosive or radioactive material, biological, chemical, or nuclear weapon or other nuclear explosive device in a manner that causes or is likely to cause death to any person or serious injury or damage;

''(ii) discharges from a ship oil, liquefied natural gas, or another hazardous or noxious substance that is not covered by clause (i), in such quantity or concentration that causes or is likely to cause death to any person or serious injury or damage; or

''(iii) uses a ship in a manner that causes death to any person or serious injury or damage;

''(B) transports on board a ship—

''(i) any explosive or radioactive material, knowing that it is intended to be used to cause, or in a threat to cause, death to any person or serious injury or damage for the purpose of intimidating a population, or compelling a government or an international organization to do or to abstain from doing any act;

''(ii) any biological, chemical, or nuclear weapon or other nuclear explosive device, knowing it to be a biological, chemical, or nuclear weapon or other nuclear explosive device;

''(iii) any source material, special fissionable material, or equipment or material especially designed or prepared for the processing, use, or production of special fissionable material, knowing that it is intended to be used in a nuclear explosive activity or in any other nuclear activity not under safeguards pursuant to an International Atomic Energy Agency comprehensive safeguards agreement, except where—

''(I) such item is transported to or from the territory of, or otherwise under the control of, a Non-Proliferation Treaty State Party; and

''(II) the resulting transfer or receipt (including internal to a country) is not contrary to the obligations under the Non-Proliferation Treaty of the Non-Proliferation Treaty State Party from which, to the territory of which, or otherwise under the control of which such item is transferred;

''(iv) any equipment, materials, or software or related technology that significantly contributes to the design or manufacture of a nuclear weapon or other nuclear explosive device, with the intention that it will be used for such purpose, except where—

''(I) the country to the territory of which or under the control of which such item is

transferred is a Nuclear Weapon State Party to the Non-Proliferation Treaty; and

''(II) the resulting transfer or receipt (including internal to a country) is not contrary to the obligations under the Non-Proliferation Treaty of a Non-Proliferation Treaty State Party from which, to the territory of which, or otherwise under the control of which such item is transferred;

''(v) any equipment, materials, or software or related technology that significantly contributes to the delivery of a nuclear weapon or other nuclear explosive device, with the intention that it will be used for such purpose, except where—

''(I) such item is transported to or from the territory of, or otherwise under the control of, a Non-Proliferation Treaty State Party; and

''(II) such item is intended for the delivery system of a nuclear weapon or other nuclear explosive device of a Nuclear Weapon State Party to the Non-Proliferation Treaty; or

''(vi) any equipment, materials, or software or related technology that significantly contributes to the design, manufacture, or delivery of a biological or chemical weapon, with the intention that it will be used for such purpose;

''(C) transports another person on board a ship knowing that the person has committed an act that constitutes an offense under section 2280 or subparagraph (A), (B), (D), or (E) of this section or an offense set forth in an applicable treaty, as specified in section 2280(d)(1), and intending to assist that person to evade criminal prosecution;

''(D) injures or kills any person in connection with the commission or the attempted commission of any of the offenses set forth in subparagraphs (A) through (C), or subsection (a)(2), to the extent that the subsection (a)(2) offense pertains to subparagraph (A); or

''(E) attempts to do any act prohibited under subparagraph (A), (B) or (D), or conspires to do any act prohibited by subparagraphs (A) through (E) or subsection (a)(2),

shall be fined under this title, imprisoned not more than 20 years, or both; and if the death of any person results from conduct prohibited by this paragraph, shall be imprisoned for any term of years or for life.

''(2) THREATS.—A person who threatens, with apparent determination and will to carry the threat into execution, to do any act prohibited under paragraph (1)(A) shall be fined under this title, imprisoned not more than 5 years, or both.

''(b) JURISDICTION.—There is jurisdiction over the activity prohibited in subsection (a)—

''(1) in the case of a covered ship, if—

''(A) such activity is committed—

''(i) against or on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) at the time the prohibited activity is committed;

''(ii) in the United States, including the territorial seas; or

''(iii) by a national of the United States, by a United States corporation or legal entity, or by a stateless person whose habitual residence is in the United States;

''(B) during the commission of such activity, a national of the United States is seized, threatened, injured, or killed; or

''(C) the offender is later found in the United States after such activity is committed;

''(2) in the case of a ship navigating or scheduled to navigate solely within the territorial sea or internal waters of a country other than the United States, if the offender is later found in the United States after such activity is committed; or

''(3) in the case of any vessel, if such activity is committed in an attempt to compel the United States to do or abstain from doing any act.

''(c) EXCEPTIONS.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(d)(1) CIVIL FORFEITURE.—Any real or personal property used or intended to be used to commit or to facilitate the commission of a violation of this section, the gross proceeds of such violation, and any real or personal property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this section shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security, the Attorney General, or the Secretary of Defense.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 111 of title 18, United States Code, is amended by adding after the item relating to section 2280 the following new item:

''2280a. Violence against maritime navigation and maritime transport involving weapons of mass destruction.''.

SEC. 5103. AMENDMENTS TO SECTION 2281 OF TITLE 18, UNITED STATES CODE.

Section 2281 of title 18, United States Code, is amended—

(1) in subsection (c), by striking ''section 2(c)'' and inserting ''section 13(c)'';

(2) in subsection (d), by striking the definitions of ''national of the United States,'' ''territorial sea of the United States,'' and ''United States''; and

(3) by inserting after subsection (d) the following:

''(e) EXCEPTIONS.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.''.

SEC. 5104. NEW SECTION 2281A OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Chapter 111 of title 18, United States Code, is amended by adding after section 2281 the following new section:

''§ 2281a. Additional offenses against maritime fixed platforms

''(a) OFFENSES.—

''(1) IN GENERAL.—A person who unlawfully and intentionally—

''(A) when the purpose of the act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act—

''(i) uses against or on a fixed platform or discharges from a fixed platform any explosive or radioactive material, biological, chemical, or nuclear weapon in a manner that causes or is likely to cause death or serious injury or damage; or

''(ii) discharges from a fixed platform oil, liquefied natural gas, or another hazardous or noxious substance that is not covered by clause (i), in such quantity or concentration that causes or is likely to cause death or serious injury or damage;

''(B) injures or kills any person in connection with the commission or the attempted commission of any of the offenses set forth in subparagraph (A); or

''(C) attempts or conspires to do anything prohibited under subparagraph (A) or (B),

shall be fined under this title, imprisoned not more than 20 years, or both; and if death results to any person from conduct prohibited by this paragraph, shall be imprisoned for any term of years or for life.

''(2) THREAT TO SAFETY.—A person who threatens, with apparent determination and will to carry the threat into execution, to do any act prohibited under paragraph (1)(A), shall be fined under this title, imprisoned not more than 5 years, or both.

''(b) JURISDICTION.—There is jurisdiction over the activity prohibited in subsection (a) if—

''(1) such activity is committed against or on board a fixed platform—

''(A) that is located on the continental shelf of the United States;

''(B) that is located on the continental shelf of another country, by a national of the United States or by a stateless person whose habitual residence is in the United States; or

''(C) in an attempt to compel the United States to do or abstain from doing any act;

''(2) during the commission of such activity against or on board a fixed platform located on a continental shelf, a national of the United States is seized, threatened, injured, or killed; or

''(3) such activity is committed against or on board a fixed platform located outside the United States and beyond the continental shelf of the United States and the offender is later found in the United States.

''(c) EXCEPTIONS.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(d) DEFINITIONS.—In this section—

''(1) 'continental shelf' means the sea-bed and subsoil of the submarine areas that extend beyond a country's territorial sea to the limits provided by customary international law as reflected in Article 76 of the 1982 Convention on the Law of the Sea; and

''(2) 'fixed platform' means an artificial island, installation, or structure permanently attached to the sea-bed for the purpose of exploration or exploitation of resources or for other economic purposes.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 111 of title 18, United States Code, is amended by adding after the item relating to section 2281 the following new item:

''2281a. Additional offenses against maritime fixed platforms.''.

SEC. 5105. ANCILLARY MEASURE.

Section 2332b(g)(5)(B) of title 18, United States Code, is amended by inserting ''2280a (relating to maritime safety),'' before ''2281'', and by striking ''2281'' and inserting ''2281 through 2281a''.

TITLE LI—PREVENTION OF NUCLEAR TERRORISM

SEC. 5201. NEW SECTION 2332[I] OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by adding after section 2332h the following:

''§ 2332i. Acts of nuclear terrorism

''(a) OFFENSES.—

''(1) IN GENERAL.—Whoever knowingly and unlawfully—

''(A) possesses radioactive material or makes or possesses a device—

''(i) with the intent to cause death or serious bodily injury; or

''(ii) with the intent to cause substantial damage to property or the environment; or

''(B) uses in any way radioactive material or a device, or uses or damages or interferes with the operation of a nuclear facility in a manner that causes the release of or increases the risk of the release of radioactive material, or causes radioactive contamination or exposure to radiation—

''(i) with the intent to cause death or serious bodily injury or with the knowledge that such act is likely to cause death or serious bodily injury;

''(ii) with the intent to cause substantial damage to property or the environment or with the knowledge that such act is likely to cause substantial damage to property or the environment; or

''(iii) with the intent to compel a person, an international organization or a country to do or refrain from doing an act,

shall be punished as prescribed in subsection (c).

''(2) THREATS.—Whoever, under circumstances in which the threat may reasonably be believed, threatens to commit an offense under paragraph (1) shall be punished as prescribed in subsection (c). Whoever demands possession of or access to radioactive material, a device or a nuclear facility by threat or by use of force shall be punished as prescribed in subsection (c).

''(3) ATTEMPTS AND CONSPIRACIES.—Whoever attempts to commit an offense under paragraph (1) or conspires to commit an offense under paragraph (1) or (2) shall be punished as prescribed in subsection (c).

''(b) JURISDICTION.—Conduct prohibited by subsection (a) is within the jurisdiction of the United States if—

''(1) the prohibited conduct takes place in the United States or the special aircraft jurisdiction of the United States;

''(2) the prohibited conduct takes place outside of the United States and—

''(A) is committed by a national of the United States, a United States corporation or legal entity or a stateless person whose habitual residence is in the United States;

''(B) is committed on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) or on board an aircraft that is registered under United States law, at the time the offense is committed; or

''(C) is committed in an attempt to compel the United States to do or abstain from doing any act, or constitutes a threat directed at the United States;

''(3) the prohibited conduct takes place outside of the United States and a victim or an intended victim is a national of the United States or a United States corporation or legal entity, or the offense is committed against any state or government facility of the United States; or

''(4) a perpetrator of the prohibited conduct is found in the United States.

''(c) PENALTIES.—Whoever violates this section shall be fined not more than $2,000,000 and shall be imprisoned for any term of years or for life.

''(d) NONAPPLICABILITY.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(e) DEFINITIONS.—As used in this section, the term—

''(1) 'armed conflict' has the meaning given that term in section 2332f(e)(11) of this title;

''(2) 'device' means:

''(A) any nuclear explosive device; or

''(B) any radioactive material dispersal or radiation-emitting device that may, owing to its radiological properties, cause death, serious bodily injury or substantial damage to property or the environment;

''(3) 'international organization' has the meaning given that term in section 831(f)(3) of this title;

''(4) 'military forces of a state' means the armed forces of a country that are organized, trained and equipped under its internal law for the primary purpose of national defense or security and persons acting in support of those armed forces who are under their formal command, control and responsibility;

''(5) 'national of the United States' has the meaning given that term in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22));

''(6) 'nuclear facility' means:

''(A) any nuclear reactor, including reactors on vessels, vehicles, aircraft or space objects for use as an energy source in order to propel such vessels, vehicles, aircraft or space objects or for any other purpose;

''(B) any plant or conveyance being used for the production, storage, processing or transport of radioactive material; or

''(C) a facility (including associated buildings and equipment) in which nuclear material is produced, processed, used, handled, stored or disposed of, if damage to or interference with such facility could lead to the release of significant amounts of radiation or radioactive material;

''(7) 'nuclear material' has the meaning given that term in section 831(f)(1) of this title;

''(8) 'radioactive material' means nuclear material and other radioactive substances that contain nuclides that undergo spontaneous disintegration (a process accompanied by emission of one or more types of ionizing radiation, such as alpha-, beta-, neutron particles and gamma rays) and that may, owing to their radiological or fissile properties, cause death, serious bodily injury or substantial damage to property or to the environment;

''(9) 'serious bodily injury' has the meaning given that term in section 831(f)(4) of this title;

''(10) 'state' has the same meaning as that term has under international law, and includes all political subdivisions thereof;

''(11) 'state or government facility' has the meaning given that term in section 2332f(e)(3) of this title;

''(12) 'United States corporation or legal entity' means any corporation or other entity organized under the laws of the United States or any State, Commonwealth, territory, possession or district of the United States;

''(13) 'vessel' has the meaning given that term in section 1502(19) of title 33; and

''(14) 'vessel of the United States' has the meaning given that term in section 70502 of title 46.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 113B of title 18, United States Code, is amended by inserting after section 2332h the following:

''2332i. Acts of nuclear terrorism.''.

(c) DISCLAIMER.—Nothing contained in this section is intended to affect the applicability of any other Federal or State law that might pertain to the underlying conduct.

(d) INCLUSION IN DEFINITION OF FEDERAL CRIMES OF TERRORISM.—Section 2332b(g)(5)(B) of title 18, United States Code, is amended by inserting ''2332i (relating to acts of nuclear terrorism),'' before ''2339 (relating to harboring terrorists)''.

SEC. 5202. AMENDMENT TO SECTION 831 OF TITLE 18 OF THE UNITED STATES CODE.

Section 831 of title 18, United States Code, is amended—

(a) in subsection (a)—

(1) by redesignating paragraphs (3) through (8) as (4) through (9);

(2) by inserting after paragraph (2) the following:

''(3) without lawful authority, intentionally carries, sends or moves nuclear material into or out of a country;'';

(3) in paragraph (8), as redesignated, by striking ''an offense under paragraph (1), (2), (3), or (4)'' and inserting ''any act prohibited under paragraphs (1) through (5)''; and

(4) in paragraph (9), as redesignated, by striking ''an offense under paragraph (1), (2), (3), or (4)'' and inserting ''any act prohibited under paragraphs (1) through (7)'';

(b) in subsection (b)—

(1) in paragraph (1), by striking ''(7)'' and inserting ''(8)''; and

(2) in paragraph (2), by striking ''(8)'' and inserting ''(9)'';

(c) in subsection (c)—

(1) in subparagraph (2)(A), by adding after ''United States'' the following: ''or a stateless person whose habitual residence is in the United States'';

(2) by striking paragraph (5);

(3) in paragraph (4), by striking ''or'' at the end; and

(4) by inserting after paragraph (4), the following:

''(5) the offense is committed on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) or on board an aircraft that is registered under United States law, at the time the offense is committed;

''(6) the offense is committed outside the United States and against any state or government facility of the United States; or

''(7) the offense is committed in an attempt to compel the United States to do or abstain from doing any act, or constitutes a threat directed at the United States.'';

(d) by redesignating subsections (d) through (f) as (e) through (g), respectively;

(e) by inserting after subsection (c):

''(d) NONAPPLICABILITY.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.''; and

(f) in subsection (g), as redesignated—

(1) in paragraph (6), by striking ''and'' at the end;

(2) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(3) by inserting after paragraph (7), the following:

''(8) the term 'armed conflict' has the meaning given that term in section 2332f(e)(11) of this title;

''(9) the term 'military forces of a state' means the armed forces of a country that are organized, trained and equipped under its internal law for the primary purpose of national defense or security and persons acting in support of those armed forces who are under their formal command, control and responsibility;

''(10) the term 'state' has the same meaning as that term has under international law, and includes all political subdivisions thereof;

''(11) the term 'state or government facility' has the meaning given that term in section 2332f(e)(3) of this title; and

''(12) the term 'vessel of the United States' has the meaning given that term in section 70502 of title 46.''.

SA 2517. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title III, add the following:

SEC. 353. CODIFICATION OF NATIONAL GUARD STATE PARTNERSHIP PROGRAM.

(a) STATE PARTNERSHIP PROGRAM.—

(1) IN GENERAL.—Chapter 1 of title 32, United States Code, is amended by adding at the end the following new section:

''§ 116. State Partnership Program

''(a) AVAILABILITY OF APPROPRIATED FUNDS.—(1) Funds appropriated to the Department of Defense, including for the Air and Army National Guard, shall be available for the payment of costs to conduct activities under the State Partnership Program, whether inside the United States or outside the United States, for purposes as follows:

''(A) To support the objectives of the commander of the combatant command for the theater of operations in which such activities are conducted.

''(B) To support the objectives of the United States chief of mission of the partner nation with which such activities are conducted.

''(C) To build international partnerships and defense and security capacity.

''(D) To strengthen cooperation between the departments and agencies of the United States Government and agencies of foreign governments to support building of defense and security capacity.

''(E) To facilitate intergovernmental collaboration between the United States Government and foreign governments in the areas of defense and security.

''(F) To facilitate and enhance the exchange of information between the United States Government and foreign governments on matters relating to defense and security.

''(2) Costs under paragraph (1) may include costs as follows:

''(A) Costs of pay and allowances of members of the National Guard.

''(B) Travel and necessary expenses of United States personnel outside of the Department of Defense in the State Partnership Program.

''(C) Travel and necessary expenses of foreign participants directly supporting activities under the State Partnership Program.

''(b) LIMITATIONS.—(1) Funds shall not be available under subsection (a) for activities described in that subsection that are conducted in a foreign country unless jointly approved by the commander of the combatant command concerned and the chief of mission concerned.

''(2) Funds shall not be available under subsection (a) for the participation of a member of the National Guard in activities described in that subsection in a foreign country unless the member is on active duty in the armed forces at the time of such participation.

''(3) Funds shall not be available under subsection (a) for interagency activities involving United States civilian personnel or foreign civilian personnel unless the participation of such personnel in such activities—

''(A) contributes to responsible management of defense resources;

''(B) fosters greater respect for and understanding of the principle of civilian control of the military;

''(C) contributes to cooperation between United States military and civilian governmental agencies and foreign military and civilian government agencies; or

''(D) improves international partnerships and capacity on matters relating to defense and security.

''(c) REIMBURSEMENT.—In the event of the participation of United States Government participants (other than personnel of the Department of Defense) in activities for which payment is made under subsection (a), the head of the department or agency concerned shall reimburse the Secretary of Defense for the costs associated with the participation of such personnel in such contacts and activities. Amounts reimbursed the Department of Defense under this subsection shall be deposited in the appropriation or account from which amounts for the payment concerned were derived. Any amounts so deposited shall be merged with amounts in such appropriation or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such appropriation or account.

''(d) DEFINITIONS.—In this section:

''(1) The term 'State Partnership Program' means a program that establishes a defense and security relationship between the National Guard of a State or territory and the military and security forces, and related disaster management, emergency response, and security ministries, of a foreign country.

''(2) The term 'activities', for purposes of the State Partnership Program, means any military-to-military activities or interagency activities for a purpose set forth in subsection (a)(1).

''(3) The term 'interagency activities' means the following:

''(A) Contacts between members of the National Guard and foreign civilian personnel outside the ministry of defense of the foreign country concerned on matters within the core competencies of the National Guard.

''(B) Contacts between United States civilian personnel and members of the Armed Forces of a foreign country on matters within such core competencies.

''(4) The term 'matter within the core competencies of the National Guard' means matters with respect to the following:

''(A) Disaster response and mitigation.

''(B) Defense support to civil authorities.

''(C) Consequence management and installation protection.

''(D) Response to a chemical, biological, radiological, nuclear, or explosives (CBRNE) event.

''(E) Border and port security and cooperation with civilian law enforcement.

''(F) Search and rescue.

''(G) Medicine.

''(H) Counterdrug and counternarcotics activities.

''(I) Public affairs.

''(J) Employer support and family support for reserve forces.

''(5) The term 'United States civilian personnel' means the following:

''(A) Personnel of the United States Government (including personnel of departments and agencies of the United States Government other than the Department of Defense) and personnel of State and local governments of the United States.

''(B) Members and employees of the legislative branch of the United States Government.

''(C) Nongovernmental individuals.

''(6) The term 'foreign civilian personnel' means the following:

''(A) Civilian personnel of a foreign government at any level (including personnel of ministries other than ministries of defense).

''(B) Nongovernmental individuals of a foreign country.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of such title is amended by adding at the end the following new item:

''116. State Partnership Program.''.

(b) REPEAL OF SUPERSEDED AUTHORITY.—Section 1210 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2517; 32 U.S.C. 107 note) is repealed.

SA 2518. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 157, between the matter preceding line 1 and line 1, insert the following:

(e) DUTIES ON RETALIATION AND RETRIBUTION FOR REPORTING OF SEXUAL ASSAULT.—

(1) TRAINING.—Individuals serving as Special Victims' Counsels shall be provided training on retaliation and retribution against victims for reporting crimes.

(2) ADDITIONAL DUTIES.—In addition to the duties specified in subsection (a)(3), the duties of a Special Victims' Counsel shall include the provision of legal advice and assistance regarding acts of retaliation and retribution resulting from reporting a sexual assault.

SA 2519. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle E of title V, add the following:

SEC. 547. DISSEMINATION AND TRACKING OF COMMAND CLIMATE SURVEYS AND UNIT CLIMATE ASSESSMENTS.

(a) DISSEMINATION OF RESULTS.—The results of each command climate survey or unit climate assessment required to be performed pursuant to regulations of the military department having jurisdiction over the command or unit concerned shall be provided to the following:

(1) In the case of a command or unit under the command of a commanding officer in grade O–6 or above, to the commander in the next higher level in the chain of command of such commanding officer.

(2) In the case of a command or unit under the command of a commanding officer in grade O–5 or below, to the commanders in the next two higher levels in the chain of command of such commanding officer.

(b) TRACKING OF UNIT PROGRESS.—The results of surveys and assessments described in subsection (a) shall be maintained for each command or unit concerned in order to permit an ongoing evaluation of the climate of such command or unit and an assessment of the progress made by such command or unit on matters covered by the surveys and assessments.

(c) AVAILABILITY OF RESULTS FOR PROMOTION SELECTION BOARDS.—Under regulations prescribed by the Secretary of Defense, the results of surveys and assessments described in subsection (a) regarding the command or unit of an officer being considered for selection for promotion or selection for command shall be made available to the promotion selection board or command selection board, as applicable, for consideration for selection in such manner as the Secretary shall provide in such regulations.

SA 2520. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REPORT ON PLANS FOR THE DISPOSITION OF C–27A AIRCRAFT ACQUIRED FOR THE AFGHAN NATIONAL SECURITY FORCES.

Not later than 180 days after the enactment of this act. The Secretary of Defense shall submit to the Congressional Defense Committees a report on the plans of the Department of Defense for the final disposition of the C–27A aircraft acquired to build the capabilities of the Afghan National Security Forces.

SA 2521. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle D—Syria Transition Support

SEC. 1241. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this subtitle, except as specifically provided in part III of this subtitle, the term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1242. PURPOSES OF ASSISTANCE.

The purposes of assistance authorized by this subtitle are—

(1) to support transition from the current regime to a just and democratic state that is inclusive and protects the rights of all Syrians regardless of religion, ethnicity, or gender;

(2) to assist the people of Syria, especially internally displaced persons and refugees, in meeting basic needs including access to food, health care, shelter, and clean drinking water;

(3) to provide political and economic support to those neighboring countries who are hosting refugees fleeing Syria and to international organizations that are providing assistance and coordinating humanitarian relief efforts;

(4) to oppose the unlawful use of violence against civilians by all parties to the conflict in Syria;

(5) to use a broad array of instruments of national power to expedite a negotiated solution to the conflict in Syria, including the departure of Bashar al-Assad;

(6) to recognize the National Coalition for Syrian Revolutionary and Opposition Forces (in this subtitle referred to as the ''Syrian Opposition Coalition'') as a legitimate representative of the Syrian people;

(7) to engage with opposition groups that reflect United States interests and values, most notably the Syrian Opposition Coalition, any legitimate successor groups, including appropriate subgroups within the opposition that are representative of the Syrian people, as well as the broader international community, that are committed to facilitating an orderly transition to a more stable democratic political order, including—

(A) protecting human rights, expanding political participation, and providing religious freedom to all Syrians, irrespective of religion, ethnicity, or gender;

(B) supporting the rule of law;

(C) rejecting terrorism and extremist ideologies;

(D) subordinating the military to civilian authority;

(E) protecting the Syrian population against sectarian violence and reprisals;

(F) cooperating with international counterterrorism and nonproliferation efforts;

(G) supporting regional stability and avoiding interference in the affairs of neighboring countries; and

(H) establishing a strong justice system and ensuring accountability for conflict-related crimes;

(8) to promote the territorial integrity of Syria and continuity of the Syrian state by supporting a post-Assad government that is capable of providing security, services, and political and religious rights to its people;

(9) to support efforts to identify and document the activities of those individuals who target or lead units or organizations that target civilian populations and vulnerable populations, including women and children, or have engaged in otherwise unlawful acts, and to ensure that they are held accountable for their actions; and

(10) to ensure a stable and appropriate political transition in Syria and limit the threats posed by extremist groups, weapons proliferation, sectarian and ethnic violence, and refugee flows in the aftermath of the current conflict.

SEC. 1243. NO AUTHORIZATION FOR THE USE OF MILITARY FORCE.

Nothing in this subtitle shall be construed as providing authorization for the use of military force by the United States Armed Forces.

PART I—UNITED STATES STRATEGY AND CONGRESSIONAL OVERSIGHT

SEC. 1251. REPORT ON UNITED STATES STRATEGY ON SYRIA.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees an unclassified report, with an classified annex, as necessary, on an integrated United States Government strategy to achieve the purposes set forth in section 1242.

(b) METRICS.—The strategy referenced in subsection (a) should include specific proposed actions to be taken by each relevant government agency, a timeframe for beginning and completing such actions, and metrics for evaluating the success of each proposed action relative to the purpose of such action.

(c) INTERNATIONAL ENGAGEMENT STRATEGY.—The strategy referenced in subsection (a) should specifically include sections describing specific United States Government programs and efforts—

(1) to establish international consensus on the transition and post-transition period and government in Syria;

(2) to work with the Government of Russia on the situation in Syria and the transition and post-transition period and government in Syria, including how such programs can leverage the shared interests of the United States and Russia in avoiding the expansion of extremist ideologies and terrorist groups in Syria and the region;

(3) to work with the Friends of Syria group to ensure that extremist and terrorist groups in Syria are isolated and that the core of the opposition can be brought to the negotiating table; and

(4) to build an international consensus to limit and, to the greatest extent possible eliminate, support from the Government of Iran for the Syrian regime, including a potential ban on all commercial flights between Iran and Syria.

(d) CONGRESSIONAL CONSULTATION.—The President shall actively consult with the appropriate congressional committees prior to the submission of the report required under subsection (a).

SEC. 1252. CONGRESSIONAL OVERSIGHT OF UNITED STATES GOVERNMENT ACTIVITIES IN SYRIA.

(a) IN GENERAL.—The President shall keep Congress, through the appropriate congressional committees, fully and currently informed of all United States Government activities with respect to Syria, including activities and programs conducted or funded pursuant to this subtitle.

(b) REPORTING.—The President shall provide a classified briefing not less than on a quarterly basis to the appropriate congressional committees detailing all United States Government activities with respect to Syria, including activities and programs conducted or funded pursuant to this subtitle.

PART II—HUMANITARIAN ASSISTANCE

SEC. 1261. HUMANITARIAN ASSISTANCE TO THE PEOPLE OF SYRIA.

(a) AUTHORITY.—Notwithstanding any other provision of law that restricts the provision of United States economic or other non-military assistance in Syria, the President is authorized to provide economic and other non-military assistance to meet humanitarian needs to the people of Syria, either directly or through appropriate groups and organizations pursuant to the provisions of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) or the Migration and Refugee Assistance Act (22 U.S.C. 2601 et seq.).

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to authorize new or additional funding for humanitarian needs.

SEC. 1262. SENSE OF CONGRESS.

Consistent with the policy objectives described in section 1242, it is the sense of Congress that—

(1) the United States should continue to coordinate with other donor nations, the United Nations, other multilateral agencies, and nongovernmental organizations to enhance the effectiveness of humanitarian assistance to the people suffering as a result of the crisis in Syria;

(2) countries hosting Syrian refugees should be commended for their efforts and should be encouraged to maintain an open border policy for fleeing Syrians;

(3) the United States Government should continue to work with these partners to help their national systems accommodate the population influx and also maintain delivery of basic services to their own citizens; and

(4) the United States Government should seek to identify humanitarian assistance as

originating from the American people wherever possible and to the fullest extent practicable, while maintaining consideration for the health and safety of the implementers and recipients of that assistance and the achievement of United States policy goals and the purposes set forth in section 1242.

SEC. 1263. REPORT ON STRATEGY TO COMMUNICATE TO THE SYRIAN PEOPLE ABOUT ASSISTANCE PROVIDED BY THE UNITED STATES GOVERNMENT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees an unclassified report with a classified annex, as necessary, on an integrated United States Government strategy to ensure that the people of Syria people are made aware to the maximum extent possible of the assistance that the United States Government provides to Syrians both inside Syria and those seeking refuge in neighboring countries.

(b) CONTENT.—The report should include the following elements:

(1) A discussion of how the United States balances three imperatives of—

(A) maximizing the efficacy of aid provided to the people of Syria;

(B) ensuring that there is awareness among the people of Syria on the amount and nature of this aid; and

(C) leveraging this aid to improve the credibility of the Syrian Opposition Coalition amongst the people of Syria.

(2) Methods by which the United States Government and its partners plan to communicate to the people of Syria what assistance the United States has provided.

(3) A plan, with specific action, timelines, and evaluation metrics for promoting awareness of the United States Government's assistance to the maximum extent possible while taking into consideration and ensuring the safety of its implementing partners and personnel providing that assistance and the achievement of the United States policy goals and the purposes set forth in section 1242.

(4) An assessment of the Syrian Opposition Coalition's Assistance Coordination Unit (ACU)'s, or any appropriate successor entity's, capacity to participate in the distribution of assistance, and a description of steps the United States Government is taking to increase their profile so as to help build their credibility among Syrians.

PART III—SYRIA SANCTIONS

SEC. 1271. DEFINITIONS.

In this part:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Finance, and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Ways and Means, and the Committee on Financial Services of the House of Representatives.

(2) DEFENSE ARTICLE; DEFENSE SERVICE.—The terms ''defense article'' and ''defense service'' have the meanings given those terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(3) PERSON.—The term ''person'' means an individual or entity.

(4) PETROLEUM.—The term ''petroleum'' includes crude oil and any mixture of hydrocarbons that exists in liquid phase in natural underground reservoirs and remains liquid at atmospheric pressure after passing through surface separating facilities.

(5) PETROLEUM PRODUCTS.—The term ''petroleum products'' includes unfinished oils, liquefied petroleum gases, pentanes plus, aviation gasoline, motor gasoline, napthatype jet fuel, kerosene-type jet fuel, kerosene, distillate fuel oil, residual fuel oil, petrochemical feedstocks, special naphthas, lubricants, waxes, petroleum coke, asphalt, road oil, still gas, miscellaneous products obtained from the processing of crude oil (including lease condensate), natural gas, and other hydrocarbon compounds.

(6) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a natural person who is a citizen or resident of the United States or a national of the United States (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))); and

(B) an entity that is organized under the laws of the United States or a jurisdiction within the United States.

SEC. 1272. IMPOSITION OF SANCTIONS WITH RESPECT TO SELLING, TRANSFERRING, OR TRANSPORTING DEFENSE ARTICLES, DEFENSE SERVICES, OR MILITARY TRAINING TO THE ASSAD REGIME OF SYRIA.

On or after the date that is 30 days after the date of the enactment of this Act, the President may impose sanctions from among the sanctions described in section 1274 with respect to any person that the President determines has, on or after such date of enactment, knowingly participated in or facilitated a significant transaction related to the sale, transfer, or transportation of defense articles, defense services, or military training to the Assad regime of Syria or any successor regime in Syria that the President determines is not a legitimate transitional or replacement government.

SEC. 1273. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS PROVIDING PETROLEUM OR PETROLEUM PRODUCTS TO THE ASSAD REGIME OF SYRIA.

On or after the date that is 30 days after the date of the enactment of this Act, the President shall impose the sanction described in paragraph (5) of section 1274 and 2 or more of the other sanctions described in that section with respect to each person that the President determines has, on or after such date of enactment, knowingly participated in or facilitated a significant transaction related to the sale or transfer of petroleum or petroleum products to the Assad regime of Syria or any successor regime in Syria that the President determines is not a legitimate transitional or replacement government.

SEC. 1274. SANCTIONS DESCRIBED.

The sanctions the President may impose with respect to a person under sections 1272 and 1273 are the following:

(1) EXPORT-IMPORT BANK ASSISTANCE.—The President may direct the Export-Import Bank of the United States not to give approval to the issuance of any guarantee, insurance, extension of credit, or participation in the extension of credit in connection with the export of any goods or services to the person.

(2) PROCUREMENT SANCTION.—The President may prohibit the United States Government from procuring, or entering into any contract for the procurement of, any goods or services from the person.

(3) ARMS EXPORT PROHIBITION.—The President may prohibit United States Government sales to the person of any item on the United States Munitions List under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)) and require termination of sales to the person of any defense articles, defense services, or design and construction services under that Act (22 U.S.C. 2751 et seq.).

(4) DUAL-USE EXPORT PROHIBITION.—The President may deny licenses and suspend existing licenses for the transfer to the person of items the export of which is controlled under the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.) (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)) or the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations.

(5) BLOCKING OF ASSETS.—The President may, pursuant to such regulations as the President may prescribe, block and prohibit all transactions in all property and interests in property of the person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(6) VISA INELIGIBILITY.—In the case of a person that is an alien, the President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, the person, subject to regulatory exceptions to permit the United States to comply with the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed June 26, 1947, and entered into force November 21, 1947, and other applicable international obligations.

SEC. 1275. WAIVERS.

(a) GENERAL WAIVER AUTHORITY.—The President may waive the application of section 1272 or 1273 to a person or category of persons for a period of 180 days, and may renew the waiver for additional periods of 180 days, if the President determines and reports to the appropriate congressional committees every 180 days that the waiver is in the vital national security interests of the United States.

(b) WAIVER FOR HUMANITARIAN NEEDS.—The President may waive the application of section 1273 to a person for a period of 180 days, and may renew the waiver for additional periods of 180 days, if the President determines and reports to the appropriate congressional committees every 180 days that the waiver is to necessary to permit the person to conduct or facilitate a transaction that is necessary to meet humanitarian needs of the people of Syria.

(c) FORM.—Each report submitted under subsection (a) or (b) shall be submitted in unclassified form but may include a classified annex.

SEC. 1276. SENSE OF CONGRESS ON SANCTIONS.

It is the sense of Congress that the President should work closely with allies of the United States to obtain broad multilateral support for countries to impose sanctions that are equivalent to the sanctions set forth in this part under the laws of those countries.

SA 2522. Mr. MENENDEZ (for himself and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle D—Egypt Assistance Reform

SEC. 1241. SHORT TITLE.

This subtitle may be referred to as the ''Egypt Assistance Reform Act of 2013''.

PART I—PROHIBITION ON ASSISTANCE TO GOVERNMENTS FOLLOWING COUP D'ÉTATS

SEC. 1251. PROHIBITION ON ASSISTANCE TO GOVERNMENTS FOLLOWING COUPS D'ÉTAT.

Chapter 1 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2301 et seq.) is amended by adding at the end the following new section:

"SEC. 502C. PROHIBITION ON ASSISTANCE FOLLOWING COUPS D'ÉTAT.

''(a) IN GENERAL.—After the date of enactment of this Act. Except as provided under subsection (b), no foreign assistance authorized pursuant to this Act or the Arms Export Control Act (22 U.S.C. 2751 et seq.) may be provided to the government of a foreign country, and none of the funds appropriated for such assistance shall be obligated or expended to finance directly any such assistance for such government, whose democratically elected head of government is deposed by coup d'état or decree in which the security services of that country play a decisive role.

''(b) EXCEPTIONS.—The prohibition in subsection (a) shall not apply to humanitarian assistance or assistance to promote democratic elections or public participation in democratic processes.

''(c) DETERMINATION AND PUBLICATION.—

''(1) IN GENERAL.—After the date of enactment of this Act. Not later than 30 days of receiving credible information that the democratically elected head of a national government may have been deposed by coup d'état or decree in which the security services of that country played a decisive role, the Secretary of State shall determine whether the democratically elected head of government was deposed by coup d'état or decree in which the security forces of that country played a decisive role.

''(2) TRANSMISSION OF DETERMINATION.—A determination made under paragraph (1) shall be submitted to the appropriate congressional committees on the day that such determination is made.

''(d) TERMINATION OF RESTRICTION.—The restriction in subsection (a) shall terminate 15 days after the Secretary of State notifies the appropriate congressional committees that a democratically elected government has taken office in such country pursuant to elections determined to be free and fair.

''(e) WAIVER.—

''(1) IN GENERAL.—The President may waive the restrictions in subsection (a) for a 180-day period if, not later than 5 days before the waiver takes effect, the President—

''(A) certifies to the appropriate congressional committees that providing such assistance is in the vital national security interests of the United States, including for the purpose of combatting terrorism; and

''(B) such foreign government is committed to restoring democratic governance and due process of law, and is taking demonstrable steps toward holding free and fair elections in a reasonable timeframe.

''(2) CONSULTATION.—Not later than 30 days prior to the submission of the certification required by subparagraph (A) of paragraph (1), the Secretary of State shall consult with the appropriate congressional committees regarding the use of the waiver authority provided under such paragraph and provide such committees a full briefing on the need for such waiver.

''(3) EXTENSION OF WAIVER.—The Secretary of State may extend the effective period of a waiver under paragraph (1) for an additional 180-day period if, not later than 5 days before the extension takes effect, the Secretary of State submits to the appropriate congressional committees an updated certification meeting the requirements of subparagraphs (A) and (B) of paragraph (1).

''(f) REPORTING REQUIREMENT.—Any certification submitted pursuant to subsection (e) shall be accompanied by a report describing the types and amounts of assistance to be provided pursuant to the waiver and the justification for the waiver, including a description and analysis of the foreign government's commitment to restoring democratic governance and due process of law and the demonstrable steps being taken by such foreign government toward holding free and fair elections.

''(g) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term 'appropriate congressional committees' means the Committees on Foreign Relations and Appropriations of the Senate and the Committees on Foreign Affairs and Appropriations of the House of Representatives.''.

PART II—UNITED STATES ASSISTANCE FOR EGYPT

SEC. 1261. SUSPENSION AND REFORM OF ARMS SALES.

(a) IN GENERAL.—The United States Government may not license, approve, facilitate, or otherwise allow the sale, lease, transfer, retransfer, or delivery of defense articles or defense services to Egypt under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)) until 15 days after the President submits the strategy required under subsection (d) and submits to the appropriate congressional committees a certification that—

(1) providing such assistance is in the national security interests of the United States; and

(2) the Government of Egypt—

(A) continues to implement the Peace Treaty between the State of Israel and the Arab Republic of Egypt, signed at Washington, March 26, 1979;

(B) is taking necessary and appropriate measures to counter terrorism, including measures to counter smuggling into the Gaza Strip by, among other measures, detecting and destroying tunnels between Egypt and the Gaza Strip and securing the Sinai peninsula;

(C) is allowing the United States Armed Forces to transit the territory of Egypt, including through the airspace and territorial waters of Egypt;

(D) is supporting a transition to an inclusive civilian government by demonstrating a commitment to, and making consistent progress toward, holding regular, credible elections that are free, fair, and consistent with internationally accepted standards;

(E) is respecting and protecting the political and economic freedoms of all residents of Egypt, including taking measures to address violence against women and religious minorities; and

(F) is respecting freedom of expression and due process of law, including respecting the rights of women and religious minorities.

(b) EXCEPTION.—The limitation under subsection (a) shall not apply to defense articles and defense services to be used primarily for supporting or enabling counterterrorism, border and maritime security, or special operations capabilities or operations.

(c) WAIVER.—

(1) IN GENERAL.—The President may waive the restrictions in subsection (a) for a 180-day period if, not later than 15 days before the waiver takes effect, the President—

(A) certifies to the appropriate congressional committees that providing such assistance is in the vital national security interests of the United States;

(B) transmits the strategy required under subsection (d) to such committees;

(C) provides to such committees a report detailing the reasons for making the determination that such assistance is in the vital national security interests of the United States; and

(D) submits to such committees an analysis of the degree to which providing such assistance is in the national security interests of the United States and the actions of the Government of Egypt do or do not satisfy each of the criteria contained in subparagraphs (A) through (F) of paragraph (2).

(2) EXTENSION OF WAIVER.—The President may extend the effective period of a waiver under paragraph (1) for an additional 180-day period if, not later than 15 days before the extension takes effect, the President submits to the appropriate congressional committees an updated certification, report, and analysis that meet the requirements of subparagraph (A), (C), and (D), respectively, of paragraph (1).

(d) STRATEGY TO REFORM UNITED STATES MILITARY ASSISTANCE TO EGYPT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress a comprehensive strategy for modernizing and improving United States security cooperation with, and assistance for Egypt. The strategy shall seek to—

(A) enhance the ability of the Government of Egypt to detect, disrupt, dismantle, and defeat al Qaeda, its affiliated groups, and other terrorist organizations operating in Egypt, and to counter terrorist ideology and radicalization in Egypt;

(B) improve the capacity of the Government of Egypt to prevent human trafficking and the illicit movement of terrorists, criminals, weapons, and other dangerous material across Egypt's borders or administrative boundaries, especially through illicit points of entry into the Gaza Strip;

(C) improve the Government of Egypt's operational capabilities in counterinsurgency, counterterrorism, and border and maritime security;

(D) enhance the capacity of the Government of Egypt to gather, integrate, analyze, and share intelligence, especially with respect to the threat posed by terrorism and other illicit activity, while also ensuring a proper protection for the civil liberties of Egypt's citizens; and

(E) increase transparency, accountability to civilian authority, respect for human rights, and the rule of law within the armed forces of Egypt.

(2) ELEMENTS.—The strategy required under paragraph (1) shall include the following elements:

(A) A detailed assessment of the mechanism by which military assistance is provided to Egypt and whether such mechanism should be modified.

(B) A detailed summary of the current balance between the levels of economic and military support provided to Egypt, including an assessment of whether funding for economic development and political assistance programs should be increased as a percentage of overall United States foreign assistance to Egypt, and an assessment of whether there should be an increased percentage of foreign military assistance focused on counterinsurgency, counterterrorism, border and maritime security and related training.

(C) A process to assess whether current levels of economic and military support provided to Egypt are achieving United States national security objectives and supporting Egypt's transition to democracy.

(D) An estimated schedule for completing the baseline conventional modernization of the armed forces of Egypt with United States-origin equipment.

(E) An assessment of the extent to which the Government of Egypt is—

(i) implementing the 1979 Egypt-Israel Peace Treaty;

(ii) taking effective steps to combat terrorism on the Sinai Peninsula; and

(iii) taking effective steps to eliminate smuggling networks and to detect and destroy tunnels between Egypt and the Gaza Strip.

(3) CONSULTATION REQUIREMENT.—In developing the strategy required under paragraph (1), the Secretary of State shall consult with, among other relevant parties, the appropriate congressional committees and the Government of Egypt.

(4) REPORT ON CONTRACTS.—The Secretary of State shall submit with the strategy required under paragraph (1) a report containing—

(A) a summary of all contracts with the Government of Egypt funded through United States assistance over the prior 10 years and a projection of such contracts over the next 5 years; and

(B) information on any contracts or purchases made by the Government of Egypt using interest earned from amounts in an interest-bearing account for Egypt related to funds made available under section 23 of the Arms Export Control Act (22 U.S.C. 2763) and whether the use of this interest has furthered the goals described in this section.

SEC. 1262. SUSPENSION AND REFORM OF UNITED STATES ECONOMIC SUPPORT TO EGYPT.

(a) IN GENERAL.—No bilateral economic assistance may be made available to the Government of Egypt pursuant to chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the Economic Support Fund) until 15 days after the Secretary of State submits the strategy required under subsection (c) and certifies to the appropriate congressional committees that—

(1) providing such assistance is in the national security interest of the United States; and

(2) the Government of Egypt—

(A) continues to implement the Peace Treaty between the State of Israel and the Arab Republic of Egypt, signed at Washington, March 26, 1979;

(B) is supporting the transition to an inclusive civilian government by demonstrating a commitment to hold regular, credible elections that are free, fair, and consistent with internationally accepted standards;

(C) is respecting and protecting the political, economic, and religious freedoms of all residents of Egypt, including taking measures to address violence against women and religious minorities;

(D) is permitting nongovernmental organizations and civil society groups in Egypt to operate freely and consistent with internationally recognized standards; and

(E) is demonstrating a commitment to implementing economic reforms, including reforms necessary to reduce the deficit and ensure economic stability and growth.

(b) WAIVER.—

(1) IN GENERAL.—The President may waive the limitation under subsection (a) for a 180-day period if, not later than 15 days before the waiver takes effect, the President—

(A) certifies to the appropriate congressional committees that providing such assistance is in the vital national security interests of the United States;

(B) submits to such committees the strategy required under subsection (c);

(C) submits to such committees a report detailing the reasons for making the determination that such assistance is in the vital national security interests of the United States notwithstanding the fact that the certification required by subsection (a) cannot be made; and

(D) an analysis of the degree to which such assistance is in the national security interests of the United States and the actions of the Government of Egypt do, or do not, satisfy the criteria in subsection (a)(2).

(2) EXTENSION OF WAIVER.—The President may extend the effective period of a waiver under paragraph (1) for an additional 180-day period if, not later than 15 days before the extension takes effect, the President submits to the appropriate congressional committees an updated certification, report, and analysis that meet the requirements of subparagraphs (A), (C), and (D), respectively, of paragraph (1).

(c) STRATEGY.—

(1) IN GENERAL.—The Secretary of State shall separately provide to Congress a comprehensive foreign assistance strategy for Egypt that—

(A) addresses how United States foreign assistance can most effectively—

(i) respond to the political and economic development concerns and aspirations of the people of Egypt, and seek to advance the United States' strategic objective of a secure, democratic, civilian-led, and prosperous Egypt that is a partner of the United States and advances peace and security in the region;

(ii) support regional stability and cooperation by strengthening the political and economic relationships between Egypt and her neighbors;

(iii) encourage and support efforts by the Government and people of Egypt to foster democratic norms and institutions, including rule of law, transparent and accountable governance, an independent legislature and judiciary, regular conduct of free and fair elections, an inclusive political process, and effective, law-abiding public security forces;

(iv) support economic reforms by the Government of Egypt to encourage private sector-led growth and job creation, create a favorable climate for business and investment, fight corruption, and expand international trade;

(v) seek to foster a vibrant civil society in Egypt, including the unencumbered operation of nongovernmental organizations, a free and independent media, respect for women, and protections for the political, economic, and religious freedoms and rights of all citizens and residents of Egypt; and

(vi) seek to support security sector reform, particularly regarding civilian police forces;

(B) includes an assessment of what actions the Government of Egypt has taken, in law and practice, that advance or inhibit the interests, principles, and goals described within this strategy, including the ability of Egyptian and international nongovernmental organizations to operate inside Egypt, especially for the purposes of promoting political, economic, and religious freedoms and rights, democracy, and education, and what actions the Secretary of State has taken to further the same interests, principles, and goals in Egypt;

(C) is based on the best principles and practices of effective international development, the provision of matching funds by the host government, leveraging assistance for greater impact together with the private sector, and the goal of graduation from assistance; and

(D) includes a detailed assessment of resources and amounts that will be necessary to achieve the set forth in this subsection over the next five fiscal years.

(2) CONSIDERATION OF CERTAIN ELEMENTS.—The strategy required by paragraph (1) shall include consideration of—

(A) measures to promote and protect foreign direct investment in the economy of Egypt;

(B) programs to assist regional economic engagement by the Government of Egypt and job creation in that country through, among other things, assisting in the establishment of free trade zones in Egypt along the Suez Canal Zone;

(C) efforts to improve the business climate in Egypt, including by promoting United States trade with Egypt and investment in that country; and

(D) efforts to promote market-based economic reforms and to identify barriers to entry in the economy of Egypt that prevent the efficient flow of capital, goods, and services.

(3) CONSULTATION REQUIREMENT.—In developing the strategy required by paragraph (1), the Secretary of State shall consult with, among other relevant parties, the appropriate congressional committees, the Government of Egypt, political opposition groups in Egypt, private sector leaders, nongovernmental organizations, religious and secular groups, women's organizations, and civil society groups, as well as relevant international nongovernmental organizations.

(d) FUNDING FOR DEMOCRACY AND GOVERNANCE PROGRAMS.—

(1) IN GENERAL.—If, in any fiscal year, bilateral economic assistance is provided to Egypt pursuant to chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the Economic Support Fund), not less than $50,000,000 of that assistance shall be provided through the Department of State and the National Endowment for Democracy for democracy and governance programs in Egypt.

(2) ADDITIONAL FUNDING IF WAIVER AUTHORITY INVOKED.—If, in any fiscal year, the President exercises the waiver authority under subsection (b) and bilateral economic assistance is provided to Egypt pursuant to chapter 4 of part II of the Foreign Assistance Act of 1961, not less than $25,000,000 of that assistance (in addition to the amount provided for under paragraph (1)) shall be provided through the Department of State and the National Endowment for Democracy for democracy and governance programs in Egypt.

SEC. 1263. TERMINATION.

The limitations under section 1261 and 1262 shall terminate 15 days after the President certifies to the appropriate congressional committees that a democratically elected government has taken office in Egypt pursuant to elections determined by the President to be free and fair.

SEC. 1264. ADDITIONAL OVERSIGHT OF ONGOING EGYPT FUNDING.

Section 7041(a) of the Consolidated Appropriations Act, 2012 (Public Law 112–74; 125 Stat. 1222) is amended by striking ''Committees on Appropriations'' each place it appears and inserting ''Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives''.

SEC. 1265. SUNSET OF EXISTING AUTHORITY.

Section 7008 of the Consolidated Appropriations Act, 2012 (Public Law 112–74; 125 Stat. 1195) and similar provision in effect upon the date of enactment this Act is hereby repealed.

SEC. 1266. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this subtitle, the term ''appropriate congressional committees'' means the Committees on Foreign Relations and Appropriations of the Senate and the Committees on Foreign Affairs and Appropriations of the House of Representatives.

SA 2523. Mr. MENENDEZ (for himself, Mr. SCHUMER, Mr. CARDIN, Mr. BLUMENTHAL, Mr. COONS, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle D—Iran Sanctions

SEC. 1241. SHORT TITLE.

This subtitle may be cited as the ''Nuclear Free Iran Act of 2013''.

PART I—EXPANSION AND IMPOSITION OF SANCTIONS

SEC. 1251. APPLICABILITY OF SANCTIONS WITH RESPECT TO PETROLEUM TRANSACTIONS.

(a) IN GENERAL.—Section 1245(d)(4)(D)(i) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(D)(i)) is amended—

(1) in subclause (I), by striking ''reduced reduced its volume of crude oil purchases from Iran'' and inserting ''reduced the volume of its purchases of petroleum from Iran or of Iranian origin''; and

(2) in subclause (II), by striking ''crude oil purchases from Iran'' and inserting ''purchases of petroleum from Iran or of Iranian origin''.

(b) DEFINITIONS.—Section 1245(h) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(h)) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (5) and (6), respectively; and

(2) by inserting after paragraph (2) the following:

''(3) IRANIAN ORIGIN.—The term 'Iranian origin', with respect to petroleum, means extracted, produced, or refined in Iran.

''(4) PETROLEUM.—The term 'petroleum' includes crude oil, lease condensates, fuel oils, and other unfinished oils.''.

(c) CONFORMING AMENDMENTS.—Section 102(b) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8712(b)) is amended—

(1) in paragraph (3)—

(A) by striking ''crude oil purchases from Iran'' and inserting ''purchases of petroleum from Iran or of Iranian origin''; and

(B) by striking ''as amended by section 504,''; and

(2) in paragraph (4), by striking ''crude oil purchases'' and inserting ''purchases of petroleum from Iran or of Iranian origin''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to determinations under section 1245(d)(4)(D)(i) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(D)(i)) on or after the date that is 90 days after the date of the enactment of this Act.

SEC. 1252. INELIGIBILITY FOR EXCEPTION TO CERTAIN SANCTIONS FOR COUNTRIES THAT DO NOT REDUCE PURCHASES OF PETROLEUM FROM IRAN OR OF IRANIAN ORIGIN TO A DE MINIMIS LEVEL.

(a) STATEMENT OF POLICY.—It is the policy of the United States to seek to ensure that all countries reduce their purchases of crude oil, lease condensates, fuel oils, and other unfinished oils from Iran or of Iranian origin to a de minimis level by the end of the 1-year period beginning on the date of the enactment of this Act.

(b) INELIGIBILITY FOR EXCEPTIONS TO SANCTIONS.—Section 1245(d)(4)(D) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(D)) is amended by adding at the end the following:

''(iii) INELIGIBILITY FOR EXCEPTION.—

''(I) IN GENERAL.—A country that purchased petroleum from Iran or of Iranian origin during the one-year period preceding the date of the enactment of the Nuclear Free Iran Act of 2013 may continue to receive an exception under clause (i) on or after the date that is one year after such date of enactment only—

''(aa) if the country reduces its purchases of petroleum from Iran or of Iranian origin to a de minimis level by the end of the one-year period beginning on such date of enactment; or

''(bb) as provided in subclause (II) or (III).

''(II) COUNTRIES THAT DRAMATICALLY REDUCE PURCHASES.—

''(aa) IN GENERAL.—A country that would otherwise be ineligible pursuant to subclause (I)(aa) to receive an exception under clause (i) may continue to receive such an exception during the one-year period beginning on the date that is one year after the date of the enactment of the Nuclear Free Iran Act of 2013 if the country—

''(AA) dramatically reduced by at least 30 percent its purchases of petroleum from Iran or of Iranian origin during the one-year period beginning on such date of enactment; and

''(BB) is expected to reduce its purchases of petroleum from Iran or of Iranian origin to a de minimis level within a defined period of time that is not later than 2 years after such date of enactment.

''(bb) TERMINATION OF EXCEPTION.—If a country that continues to receive an exception under clause (i) pursuant to item (aa) does not reduce its purchases of petroleum from Iran or of Iranian origin to a de minimis level by the end of the one-year period beginning on the date that is one year after the date of the enactment of the Nuclear Free Iran Act of 2013, that country shall not be eligible for such an exception on or after the date that is 2 years after such date of enactment.

''(III) REINSTATEMENT OF ELIGIBILITY FOR EXCEPTION.—A country that becomes ineligible for an exception under clause (i) pursuant to subclause (I) or (II) shall be eligible for such an exception in accordance with the provisions of clause (i) on and after the date on which the President determines the country has reduced its purchases of petroleum from Iran or of Iranian origin to a de minimis level.''.

(c) CONFORMING AMENDMENT.—Section 1245(d)(4)(D)(i) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(D)(i)) is amended in the matter preceding subclause (I) by striking ''Sanctions imposed'' and inserting ''Except as provided in clause (iii), sanctions imposed''.

SEC. 1253. IMPOSITION OF SANCTIONS WITH RESPECT TO PORTS, SPECIAL ECONOMIC ZONES, AND STRATEGIC SECTORS OF IRAN.

(a) FINDINGS.—Section 1244(a)(1) of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8803(a)(1)) is amended by striking ''and shipbuilding'' and inserting ''shipbuilding, construction, engineering, and mining''.

(b) EXPANSION OF DESIGNATION OF ENTITIES OF PROLIFERATION CONCERN.—Section 1244(b) of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8803(b)) is amended by striking ''in Iran and entities in the energy, shipping, and shipbuilding sectors'' and inserting '', special economic zones, or free economic zones in Iran, and entities in strategic sectors''.

(c) EXPANSION OF ENTITIES SUBJECT TO ASSET FREEZE.—Section 1244(c) of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8803(c)) is amended—

(1) in paragraph (1)(A), by striking ''the date that is 180 days after the date of the enactment of this Act'' and inserting ''the date that is 90 days after the date of the enactment of the Nuclear Free Iran Act of 2013''; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''the date that is 180 days after the date of the enactment of this Act'' and inserting the ''the date that is 90 days after the date of the enactment of the Nuclear Free Iran Act of 2013'';

(B) by striking ''the energy, shipping, or shipbuilding sectors'' each place it appears and inserting ''a strategic sector''; and

(C) by inserting '', special economic zone, or free economic zone'' after ''port'' each place it appears; and

(3) by adding at the end the following:

''(4) STRATEGIC SECTOR DEFINED.—

''(A) IN GENERAL.—In this section, the term 'strategic sector' means—

''(i) the energy, shipping, shipbuilding, and mining sectors of Iran;

''(ii) except as provided in subparagraph (B), the construction and engineering sectors of Iran; and

''(iii) any other sector the President designates as of strategic importance to Iran.

''(B) EXCEPTION FOR CONSTRUCTION AND ENGINEERING OF SCHOOLS, HOSPITALS, AND SIMILAR FACILITIES.—For purposes of this section, a person engaged in the construction or engineering of schools, hospitals, or similar facilities (as determined by the President) shall not be considered part of a strategic sector of Iran.

''(C) NOTIFICATION OF STRATEGIC SECTOR DESIGNATION.—The President shall submit to Congress a notification of the designation of a sector as a strategic sector of Iran for purposes of subparagraph (A)(iii) not later than 5 days after the date on which the President makes the designation.''.

(d) ADDITIONAL SANCTIONS WITH RESPECT TO STRATEGIC SECTORS.—Section 1244(d) of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8803(d)) is amended—

(1) in paragraph (1)(A), by striking ''the date that is 180 days after the date of the enactment of this Act'' and inserting ''the date that is 90 days after the date of the enactment of the Nuclear Free Iran Act of 2013'';

(2) in paragraph (2), by striking ''the date that is 180 days after the date of the enactment of this Act'' and inserting ''the date that is 90 days after the date of the enactment of the Nuclear Free Iran Act of 2013''; and

(3) in paragraph (3), by striking ''the energy, shipping, or shipbuilding sectors'' and inserting ''a strategic sector''.

(e) SALE, SUPPLY, OR TRANSFER OF CERTAIN MATERIALS TO OR FROM IRAN.—Section 1245 of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8804) is amended—

(1) in subsection (a)(1)—

(A) in the matter preceding subparagraph (A), by striking ''the date that is 180 days after the date of the enactment of this Act'' and inserting ''the date that is 90 days after the date of the enactment of the Nuclear Free Iran Act of 2013''; and

(B) in subparagraph (C)(i)(I), by striking ''the energy, shipping, or shipbuilding sectors'' and inserting ''a strategic sector (as defined in section 1244(c)(4))''; and

(2) in subsection (c), by striking ''the date that is 180 days after the date of the enactment of this Act'' and inserting ''the date that is 90 days after the date of the enactment of the Nuclear Free Iran Act of 2013''.

(f) PROVISION OF INSURANCE TO SANCTIONED PERSONS.—Section 1246(a)(1) of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8805(a)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''the date that is 180 days after the date of the enactment of this Act'' and inserting ''the date that is 90 days after the date of the enactment of the Nuclear Free Iran Act of 2013''; and

(2) in subparagraph (B)(i), by striking ''the energy, shipping, or shipbuilding sectors'' and inserting ''a strategic sector (as defined in section 1244(c)(4))''.

(g) CONFORMING AMENDMENTS.—Section 1244 of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8803), as amended by subsections (a), (b), (c), and (d), is further amended—

(1) in the section heading, by striking ''**THE ENERGY, SHIPPING, AND SHIPBUILDING**'' and inserting ''**CERTAIN PORTS, ECONOMIC ZONES, AND**'';

(2) in subsection (b), in the subsection heading, by striking ''PORTS AND ENTITIES IN THE ENERGY, SHIPPING, AND SHIPBUILDING SECTORS OF IRAN'' and inserting ''CERTAIN ENTITIES'';

(3) in subsection (c), in the subsection heading, by striking ''ENTITIES IN ENERGY, SHIPPING, AND SHIPBUILDING SECTORS'' and inserting ''CERTAIN ENTITIES''; and

(4) in subsection (d), in the subsection heading, by striking ''THE ENERGY, SHIPPING, AND SHIPBUILDING'' and inserting ''STRATEGIC''.

SEC. 1254. IMPOSITION OF SANCTIONS WITH RESPECT TO TRANSACTIONS IN FOREIGN CURRENCIES WITH OR FOR CERTAIN SANCTIONED PERSONS.

(a) IN GENERAL.—Title II of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8721 et seq.) is amended—

(1) by inserting after section 221 the following:

"Subtitle C—Other Matters";

(2) by redesignating sections 222, 223, and 224 as sections 231, 232, and 233, respectively; and

(3) by inserting after section 221 the following:

"SEC. 222. IMPOSITION OF SANCTIONS WITH RESPECT TO TRANSACTIONS IN FOREIGN CURRENCIES WITH CERTAIN SANCTIONED PERSONS.

''(a) IMPOSITION OF SANCTIONS.—

''(1) IN GENERAL.—The President—

''(A) shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that knowingly conducts or facilitates a transaction described in subsection (b)(1); and

''(B) may impose sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) with respect to any other person that knowingly conducts or facilitates such a transaction.

''(2) EXCEPTION.—The authority to impose sanctions under paragraph (1)(B) shall not include the authority to impose sanctions on the importation of goods.

''(b) TRANSACTIONS DESCRIBED.—

''(1) IN GENERAL.—A transaction described in this subsection is a significant transaction conducted or facilitated by a person related to the currency of a country other than the country with primary jurisdiction over the person with, for, or on behalf of—

''(A) the Central Bank of Iran or an Iranian financial institution designated by the Secretary of the Treasury for the imposition of sanctions pursuant to the International Emergency Economic Powers Act; or

''(B) a person described in section 1244(c)(2) of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8803(c)(2)) (other than a person described in subparagraph (C)(iii) of that subsection).

''(2) PRIMARY JURISDICTION.—For purposes of paragraph (1), a country in which a person operates shall be deemed to have primary jurisdiction over the person only with respect to the operations of the person in that country.

''(c) APPLICABILITY.—Subsection (a) shall apply with respect to a transaction described in subsection (b)(1) conducted or facilitated—

''(1) on or after the date that is 90 days after the date of the enactment of the Nuclear Free Iran Act of 2013 pursuant to a contract entered into on or after such date of enactment; and

''(2) on or after the date that is 180 days after such date of enactment pursuant to a contract entered into before such date of enactment.

''(d) INAPPLICABILITY TO HUMANITARIAN TRANSACTIONS.—The President may not impose sanctions under subsection (a) with respect to any person for conducting or facilitating a transaction for the sale of agricultural commodities, food, medicine, or medical devices to Iran or for the provision of humanitarian assistance to the people of Iran.

''(e) WAIVER.—

''(1) IN GENERAL.—The President may waive the application of subsection (a) with respect to a person for a period of not more than 180 days, and may renew that waiver for additional periods of not more than 180 days, if the President—

''(A) determines that the waiver is important to the national interest of the United States; and

''(B) not less than 15 days after the waiver or the renewal of the waiver, as the case may be, takes effect, submits a report to the appropriate congressional committees on the waiver and the reason for the waiver.

''(2) FORM OF REPORT.—Each report submitted under paragraph (1)(B) shall be submitted in unclassified form but may contain a classified annex.

''(f) DEFINITIONS.—In this section:

''(1) FINANCIAL INSTITUTION; IRANIAN FINANCIAL INSTITUTION.—The terms 'financial institution' and 'Iranian financial institution' have the meanings given those terms in section 104A(d) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513b(d)).

''(2) TRANSACTION.—The term 'transaction' includes a foreign exchange swap, a foreign exchange forward, and any other type of currency exchange or conversion or derivative instrument.''.

(b) ADDITIONAL DEFINITIONS.—Section 2 of the Iran Threat Reduction and Syria Human Rights Act (22 U.S.C. 8701) is amended—

(1) by redesignating paragraphs (2), (3), and (4) as paragraphs (5), (6), and (9), respectively;

(2) by striking paragraph (1) and inserting the following:

''(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms 'account', 'correspondent account', and 'payable-through account' have the meanings given those terms in section 5318A of title 31, United States Code.

''(2) AGRICULTURAL COMMODITY.—The term 'agricultural commodity' has the meaning given that term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

''(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

''(4) DOMESTIC FINANCIAL INSTITUTION; FOREIGN FINANCIAL INSTITUTION.—The terms 'domestic financial institution' and 'foreign financial institution' have the meanings determined by the Secretary of the Treasury pursuant to section 104(i) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513(i)).''; and

(3) by inserting after paragraph (6), as redesignated by paragraph (1), the following:

''(7) MEDICAL DEVICE.—The term 'medical device' has the meaning given the term 'device' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

''(8) MEDICINE.—The term 'medicine' has the meaning given the term 'drug' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).''.

(c) CLERICAL AMENDMENT.—The table of contents for the Iran Threat Reduction and Syria Human Rights Act of 2012 is amended by striking the items relating to sections 222, 223, and 224 and inserting the following:

''Sec. 222. Imposition of sanctions with respect to transactions in foreign currencies with certain sanctioned persons.

''Subtitle C—Other Matters

''Sec. 231. Sense of Congress and rule of construction relating to certain authorities of State and local governments.

''Sec. 232. Government Accountability Office report on foreign entities that invest in the energy sector of Iran or export refined petroleum products to Iran.

''Sec. 233. Reporting on the importation to and exportation from Iran of crude oil and refined petroleum products.''.

PART II—ENFORCEMENT OF SANCTIONS

SEC. 1261. SENSE OF CONGRESS ON THE PROVISION OF SPECIALIZED FINANCIAL MESSAGING SERVICES TO THE CENTRAL BANK OF IRAN AND OTHER SANCTIONED IRANIAN FINANCIAL INSTITUTIONS.

It is the sense of Congress that—

(1) the President has been engaged in intensive diplomatic efforts to ensure that sanctions against Iran are imposed and maintained multilaterally to sharply restrict the access of the Government of Iran to the global financial system;

(2) the European Union is to be commended for strengthening the multilateral sanctions regime against Iran by prohibiting all persons subject to the jurisdiction of the European Union from providing specialized financial messaging services to the Central Bank of Iran and other sanctioned Iranian financial institutions;

(3) in order to continue to sharply restrict access by Iran to the global financial system, the President and the European Union must continue to expeditiously address any judicial, administrative, or other decisions in their respective jurisdictions that might weaken the current multilateral sanctions regime, including decisions regarding the designation of financial institutions and global specialized financial messaging service providers for sanctions; and

(4) existing restrictions on the access of Iran to global specialized financial messaging services should be maintained.

SEC. 1262. INCLUSION OF TRANSFERS OF GOODS, SERVICES, AND TECHNOLOGIES TO STRATEGIC SECTORS OF IRAN FOR PURPOSES OF IDENTIFYING DESTINATIONS OF DIVERSION CONCERN.

(a) IN GENERAL.—Section 302(b) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8542(b)) is amended—

(1) in paragraph (1)(C)(ii), by striking ''; or'' and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(3) that will be sold, transferred, or otherwise made available to a strategic sector of Iran.''.

(b) STRATEGIC SECTOR DEFINED.—Section 301 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8541) is amended—

(1) by redesignating paragraph (14) as paragraph (15); and

(2) by inserting after paragraph (13) the following:

''(14) STRATEGIC SECTOR.—The term 'strategic sector' has the meaning given that term in section 1244(c)(4) of the Iran Freedom and Counter-Proliferation Act of 2012.''.

(c) SUBMISSION OF REPORT.—Section 302(a) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8542(a)) is amended by striking ''180 days after the date of the enactment of this Act'' and inserting ''90 days after the date of the enactment of the Nuclear Free Iran Act of 2013''.

SEC. 1263. AUTHORIZATION OF ADDITIONAL MEASURES WITH RESPECT TO DESTINATIONS OF DIVERSION CONCERN.

(a) IN GENERAL.—Section 303(c) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8543(c)) is amended—

(1) by striking ''Not later than'' and inserting the following:

''(1) LICENSING REQUIREMENT.—Not later than''; and

(2) by adding at the end the following

''(2) ADDITIONAL MEASURES.—The President may—

''(A) impose restrictions on United States foreign assistance or measures authorized under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) with respect to a country designated as a Destination of Diversion Concern under subsection (a) if the President determines that those restrictions or measures would prevent the diversion of goods, services, and technologies described in section 302(b) to Iranian end-users or Iranian intermediaries; or

''(B) prohibit the issuance of a license under section 38 of the Arms Export Control Act (22 U.S.C. 2778) for the export to such a country of a defense article or defense service for which a notification to Congress would be required under section 36(b) of that Act (22 U.S.C. 2776(b)).

''(3) EXCEPTION.—The authority under paragraph (1)(A) to impose measures authorized under the International Emergency Economic Powers Act shall not include the authority to impose sanctions on the importation of goods.

''(4) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of the Nuclear Free Iran Act of 2013, and every 90 days thereafter, the President shall submit to the appropriate congressional committees a report—

''(A) identifying countries that have allowed the diversion through the country of goods, services, or technologies described in section 302(b) to Iranian end-users or Iranian intermediaries during the 180-day period preceding the submission of the report;

''(B) identifying the persons that engaged in such diversion during that period; and

''(C) describing the activities relating to diversion in which those countries and persons engaged.''.

(b) CONFORMING AMENDMENTS.—Section 303 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8543) is amended—

(1) in subsection (c), in the subsection heading, by striking ''LICENSING REQUIREMENT'' and inserting ''LICENSING AND OTHER MEASURES''; and

(2) in subsection (d)—

(A) in paragraph (1), by striking ''subsection (c)'' and inserting ''subsection (c)(1)'';

(B) in paragraph (2), by striking ''subsection (c)'' and inserting ''subsection (c)(1)''; and

(C) in paragraph (3), by striking ''is it'' and inserting ''it is''.

SEC. 1264. INCREASED STAFFING FOR AGENCIES INVOLVED IN THE IMPLEMENTATION AND ENFORCEMENT OF SANCTIONS AGAINST IRAN.

(a) INCREASED STAFF.—

(1) DEPARTMENT OF THE TREASURY.—The Secretary of the Treasury may increase by 20 the number of employees of the Office of Foreign Assets Control dedicated to the implementation and enforcement of sanctions with respect to Iran relative to the number of such employees on the day before the date of the enactment of this Act.

(2) DEPARTMENT OF STATE.—The Secretary of State may increase by 20 the number of employees of the Department of State dedicated to the implementation and enforcement of sanctions with respect to Iran relative to the number of such employees on the day before the date of the enactment of this Act.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out subsection (a).

PART III—IMPLEMENTATION OF NEW SANCTIONS

SEC. 1271. SUSPENSION OF SANCTIONS TO FACILITATE A DIPLOMATIC SOLUTION.

(a) SUSPENSION OF SANCTIONS AFTER REACHING AN INTERIM AGREEMENT OR ARRANGEMENT.—

(1) IN GENERAL.—The President may suspend the application of sanctions imposed under this subtitle or amendments made by this subtitle (other than sanctions imposed pursuant to the amendments made by sections 1262 and 1263) for not more than 180 days after the date of the enactment of this Act if the President certifies to the appropriate congressional committees every 30 days that—

(A) the United States and its allies have reached a verifiable interim agreement or arrangement with Iran toward the termination of its illicit nuclear activities and related weaponization activities;

(B) the steps being taken by Iran pursuant to the interim agreement or arrangement are transparent and verifiable;

(C) any suspension or relief of sanctions provided to Iran pursuant to the interim agreement or arrangement is temporary, reversible, and proportionate to steps taken by Iran with respect to its illicit nuclear program;

(D) Iran has not breached the terms of or any commitment made pursuant to the interim agreement or arrangement;

(E) Iran is proactively engaged in negotiations toward a final agreement or arrangement to terminate its illicit nuclear activities and related weaponization activities;

(F) the United States is working toward a final agreement or arrangement that will dismantle Iran's nuclear infrastructure in a manner that will ensure that Iran is incapable of obtaining a nuclear weapons capability and that permits daily verification, monitoring, and inspections of suspect facilities in Iran;

(G) Iran has not directly, or through a proxy, supported, financed, or otherwise carried out an act of international terrorism against the United States; and

(H) the suspension of sanctions is vital to the national security interest of the United States.

(2) RENEWAL OF SUSPENSION.—The President may renew a suspension of sanctions under paragraph (1) for 2 additional periods of not more than 30 days if the President submits to the appropriate congressional committees—

(A) a new certification under that paragraph; and

(B) a certification that a final agreement or arrangement with Iran to verifiably terminate its illicit nuclear program and related weaponization activities is imminent.

(b) SUSPENSION FOR A FINAL AGREEMENT OR ARRANGEMENT.—

(1) IN GENERAL.—Unless a joint resolution of disapproval is enacted pursuant to paragraph (2), the President may suspend the application of sanctions imposed under this subtitle or amendments made by this subtitle for an indefinite period of time if the President certifies to the appropriate congressional committees that the United States and its allies have reached a final and verifiable agreement or arrangement with Iran that will—

(A) prevent Iran from achieving a nuclear weapons capability; and

(B) provide for the detection of any attempt by Iran to reinstate or advance its nuclear weapons program.

(2) JOINT RESOLUTION OF DISAPPROVAL.—

(A) IN GENERAL.—In this paragraph, the term ''joint resolution of disapproval'' means only a joint resolution of the 2 Houses of Congress, the sole matter after the resolving clause of which is as follows: ''That Congress disapproves of the suspension of sanctions imposed with respect to Iran pursuant to the certification of the President submitted to Congress on _____ under section 1261(b)(1) of the Nuclear Free Iran Act of 2013.'', with the blank space being filled with the appropriate date.

(B) PROCEDURES FOR CONSIDERING RESOLUTIONS.—

(i) INTRODUCTION.—A joint resolution of disapproval—

(I) may be introduced in the House of Representatives or the Senate during the 15-day period beginning on the date on which the President submits a certification under paragraph (1) to the appropriate congressional committees;

(II) in the House of Representatives, may be introduced by the Speaker or the minority leader or a Member of the House designated by the Speaker or minority leader;

(III) in the Senate, may be introduced by the majority leader or minority leader of the Senate or a Member of the Senate designated by the majority leader or minority leader; and

(IV) may not be amended.

(ii) REFERRAL TO COMMITTEES.—A joint resolution of disapproval introduced in the Senate shall be referred to the Committee on Banking, Housing, and Urban Affairs and a joint resolution of disapproval in the House of Representatives shall be referred to the Committee on Foreign Affairs.

(iii) COMMITTEE DISCHARGE AND FLOOR CONSIDERATION.—The provisions of subsections (c) through (f) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192) (relating to committee discharge and floor consideration of certain resolutions in the House of Representatives and the Senate) apply to a joint resolution of disapproval under this subsection to the same extent that such subsections apply to joint resolutions under such section 152, except that—

(I) subsection (c)(1) shall be applied and administered by substituting ''10 days'' for ''30 days''; and

(II) subsection (f)(1)(A)(i) shall be applied and administered by substituting ''Committee on Banking, Housing, and Urban Affairs'' for ''Committee on Finance''.

(C) RULES OF THE HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(i) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(ii) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

PART IV—GENERAL PROVISIONS

SEC. 1281. EXCEPTION FOR AFGHANISTAN RECONSTRUCTION.

The President may provide for an exception from the imposition of sanctions under the provisions of or amendments made by this subtitle for reconstruction assistance or economic development for Afghanistan—

(1) to the extent that the President determines that such an exception is in the national interest of the United States; and

(2) if, not later than 15 days before issuing the exception, the President submits a notification of and justification for the exception to the appropriate congressional committees (as defined in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note)).

SEC. 1282. APPLICABILITY TO CERTAIN INTELLIGENCE ACTIVITIES.

Nothing in this subtitle or the amendments made by this subtitle shall apply to the authorized intelligence activities of the United States.

SEC. 1283. APPLICABILITY TO CERTAIN NATURAL GAS PROJECTS.

Nothing in this subtitle or any amendment made by this subtitle shall be construed to apply with respect to any activity relating to a project described in subsection (a) of section 603 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8783) to which the exception under that section applies at the time of the activity.

SEC. 1284. RULE OF CONSTRUCTION WITH RESPECT TO THE USE OF FORCE AGAINST IRAN.

Nothing in this subtitle or the amendments made by this subtitle shall be construed as a declaration of war or an authorization of the use of force against Iran.

Subtitle E—Other Matters

SEC. 1291. AMERICAN HOSTAGES IN IRAN COMPENSATION FUND.

(a) ESTABLISHMENT.—There is established in the Treasury a fund, to be known as the ''American Hostages in Iran Compensation Fund'' (in this section referred to as the ''Fund'') for the purpose of making payments to the 52 Americans held hostage in the United States embassy in Tehran, Iran, between November 3, 1979, and January 20, 1981 (in this section referred to as the ''former hostages'').

(b) FUNDING.—

(1) IMPOSITION OF SURCHARGE.—

(A) IN GENERAL.—There is imposed a surcharge equal to 30 percent of the amount of—

(i) any fine or monetary penalty assessed, in whole or in part, on a person for a violation of a law or regulation specified in subparagraph (B) related to activities undertaken on or after the date of the enactment of this Act; or

(ii) the monetary amount of a settlement entered into by a person with respect to a suspected violation of a law or regulation specified in subparagraph (B) related to activities undertaken on or after such date of enactment.

(B) LAWS AND REGULATIONS SPECIFIED.—A law or regulation specified in this subparagraph is any law or regulation that provides for a civil or criminal fine or other monetary penalty for any economic activity relating to Iran that is administered by the Department of the Treasury, the Department of Justice, or the Department of Commerce.

(C) TERMINATION OF DEPOSITS.—The imposition of the surcharge under subparagraph (A) shall terminate on the date on which all amounts described in subsection (c)(2) have been distributed to all recipients described in that subsection.

(2) DEPOSITS INTO FUND; AVAILABILITY OF AMOUNTS.—

(A) DEPOSITS.—All surcharges collected pursuant to paragraph (1)(A) shall be deposited into the Fund.

(B) PAYMENT OF SURCHARGE.—A person on whom a surcharge is imposed under paragraph (1)(A) shall pay the surcharge to the Fund without regard to whether the fine, penalty, or settlement to which the surcharge applies—

(i) is paid directly to the Federal agency that administers the relevant law or regulation specified in paragraph (1)(B); or

(ii) is deemed satisfied by a payment to another Federal agency.

(C) CONTRIBUTIONS.—The Secretary of State is authorized to accept such amounts as may be contributed by individuals, business concerns, foreign governments, or other entities for payments under this Act. Such amounts shall be deposited directly into the Fund.

(D) AVAILABILITY OF AMOUNTS IN FUND.—Amounts in the Fund shall be available, without further appropriation, to make payments under subsection (c).

(c) DISTRIBUTION OF FUNDS.—

(1) ADMINISTRATION OF FUND.—Payments from the Fund shall be administered by the Secretary of State, pursuant to such rules and processes as the Secretary, in the Secretary's sole discretion, may establish.

(2) PAYMENTS.—Subject to paragraphs (3) and (4), payments shall be made from the Fund to the following recipients in the following amounts:

(A) To each living former hostage, $150,000, plus $5,000 for each day of captivity of the former hostage.

(B) To the estate of each deceased former hostage, $150,000, plus $5,000 for each day of captivity of the former hostage.

(3) PRIORITY.—Payments from the Fund shall be distributed under paragraph (2) in the following order:

(A) First, to each living former hostage described in paragraph (2)(A).

(B) Second, to the estate of each deceased former hostage described in paragraph (2)(B).

(4) CONSENT OF RECIPIENT.—A payment to a recipient from the Fund under paragraph (2) shall be made only after receiving the consent of the recipient.

(d) WAIVER.—A recipient of a payment under subsection (c) shall waive and forever release all existing claims against Iran and the United States arising out of the events described in subsection (a).

(e) NOTIFICATION OF CLAIMANTS; LIMITATION ON REVIEW.—

(1) NOTIFICATION.—The Secretary of State shall notify, in a reasonable manner, each individual qualified to receive a payment under subsection (c) of the status of the individual's claim for such a payment.

(2) SUBMISSION OF ADDITIONAL INFORMATION.—If the claim of an individual to receive a payment under subsection (c) is denied, or is approved for payment of less than the full amount of the claim, the individual shall be entitled to submit to the Secretary additional information with respect to the claim. Upon receipt and consideration of that information, the Secretary may affirm, modify, or revise the former action of the Secretary with respect to the claim.

(3) LIMITATION ON REVIEW.—The actions of the Secretary in identifying qualifying claimants and in disbursing amounts from the Fund shall be final and conclusive on all questions of law and fact and shall not be subject to review by any other official, agency, or establishment of the United States or by any court by mandamus or otherwise.

(f) DEPOSIT OF REMAINING FUNDS INTO THE TREASURY.—

(1) IN GENERAL.—Any amounts remaining in the Fund after the date specified in paragraph (2) shall be deposited in the general fund of the Treasury.

(2) DATE SPECIFIED.—The date specified in this paragraph is the later of—

(A) the date on which all amounts described in subsection (c)(2) have been made to all recipients described in that subsection; or

(B) the date that is 5 years after the date of the enactment of this Act.

(g) REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this Act, and annually thereafter until the date specified in subsection (f)(2), the Secretary of State shall submit to the appropriate congressional committees a report on the status of the Fund, including—

(1) the amounts and sources of money deposited into the Fund;

(2) the rules and processes established to administer the Fund; and

(3) the distribution of payments from the Fund.

(h) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

(2) PERSON.—The term ''person'' includes any individual or entity subject to the civil or criminal jurisdiction of the United States.

SEC. 1292. CATEGORIES OF ALIENS FOR PURPOSES OF REFUGEE DETERMINATIONS.

The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167) is amended—

(1) in section 599D (8 U.S.C. 1157 note)—

(A) in subsection (b), by striking paragraph (3); and

(B) in subsection (e)—

(i) in paragraph (1), by striking ''and shall only apply to applications for refugee status submitted before October 1, 2013'' and inserting ''and shall apply to all applications for refugee status submitted after October 1, 2013'';

(ii) in paragraph (2), by striking ''and before October 1, 2013''; and

(iii) in paragraph (3), by striking ''and shall apply only to reapplications for refugee status submitted before October 1, 2013''; and

(2) in section 599E(b)(2) (8 U.S.C. 1255 note), by striking ''during the period beginning on August 15, 1988, and ending on September 30,

2013, after being denied refugee status'' and inserting ''after August 15, 1998, after being denied refugee status''.

SEC. 1293. ANTITERRORISM AMENDMENTS TO TITLE 18.

(a) IN GENERAL.—Title 18 of the United States Code is amended—

(1) in section 2333—

(A) in subsection (a), by striking ''national of the United States'' and inserting ''person''; and

(B) by inserting at the end the following:

''(d) LIABILITY.—In an action arising under subsection (a), liability may be asserted as to the person or persons who committed such act of international terrorism or any person or entity that aided, abetted, or conspired with the person or persons who committed such an act of international terrorism.'';

(2) in section 2334, by inserting at the end the following:

''(e) JURISDICTION.—The district courts shall have personal jurisdiction, to the maximum extent permissible under the 5th Amendment to the Constitution, over any person who commits, aids, and abets an act of international terrorism, or provides material support or resources as set forth in section 2339A, 2339B, or 2339C of this title, for acts of international terrorism in which any person suffers injury in his or her person, property, or business by reason of such an act in violation of section 2333.

''(f) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial Federal jurisdiction over any civil action brought under section 2333 of this title.'';

(3) in section 2337—

(A) in paragraph (1), by striking ''or'' ;

(B) in paragraph (2), by striking the period and inserting ''; or''; and

(C) by inserting at the end the following:

''(3) a person providing any substantial support or assistance to any person or entity referred to in paragraphs (1) and (2) unless such foreign state, foreign agency, or an officer or employee of foreign government has been designated as a state sponsor of terrorism under section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 24505(j)) or by reason of an Executive Order or through designation by an executive agency of the United States.'';

(4) in section 2339C(a)(1), by striking subparagraph (A) and inserting the following:

''(A) an act which constitutes an act of international terrorism or an offense within the scope of a treaty specified in subsection (e)(7), as implemented by the United States, or''; and

(5) in section 2331, by striking paragraph (4) and inserting the following:

''(4) the term ''act of war''—

''(A) means any act occurring in the course of—

''(i) declared war;

''(ii) armed conflict, whether or not war has been declared, between two or more nations; or

''(iii) armed conflict between military forces of any origin; and

''(B) does not include any act committed by a foreign terrorist organization, as defined under section 219 of the Immigration and Nationality Act, or any agent of a Foreign Terrorist Organization as defined in part 597.301 of title 31, Code of Federal Regulation, of the Foreign Terrorist Organizations Sanctions Regulations, or any act committed by an agent of a state sponsor of terrorism as such term is defined by section 6(j) of the Export Administration Act (50 U.S.C. 2405(j)), section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)), and section 620A of the Foreign Assistance Act (22 U.S.C. 2371); and''.

(b) SEVERABILITY.—If any provision of this section or any amendment made by this section, or the application of a provision or amendment to any person or circumstance, is held to be invalid, the remainder of this section and the amendments made by this section, and the application of the provisions and amendments to any other person not similarly situated or to other circumstances, shall not be affected by the holding.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any claim in any case pending on the date of the enactment of this section arising from an act of international terrorism, whether under section 2333(a) of title 18, United States Code, or any other civil damages provision, and to any claim in any case commenced on or after such date of enactment, resulting from an act of international terrorism.

SA 2524. Mr. KING (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1082. HUBZONES.

(a) IN GENERAL.—Section 3(p)(5)(A)(i)(I) of the Small Business Act (15 U.S.C. 632(p)(5)(A)(i)(I)) is amended—

(1) in item (aa), by striking ''or'' at the end;

(2) by redesignating item (bb) as item (cc); and

(3) by inserting after item (aa) the following:

''(bb) pursuant to subparagraph (A), (B), (C), (D), or (E) of paragraph (3), that its principal office is located in a HUBZone described in paragraph (1)(E) (relating to base closure areas) (in this item referred to as the 'base closure HUBZone'), and that not fewer than 35 percent of its employees reside in—

''(AA) a HUBZone;

''(BB) the census tract in which the base closure HUBZone is wholly contained;

''(CC) a census tract the boundaries of which intersect the boundaries of the base closure HUBZone; or

''(DD) a census tract the boundaries of which are contiguous to a census tract described in subitem (BB) or (CC); or''.

(b) BASE CLOSURE AREAS.—

(1) DEFINITION.—In this subsection—

(A) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively;

(B) the terms ''base closure area'', ''HUBZone'', and ''HUBZone small business concern'' have the meanings given those terms under section 3(p) of the Small Business Act (15 U.S.C. 632(p)); and

(C) the term ''covered HUBZone area'' means an area that—

(i) is a base closure area;

(ii) on or after the date of enactment of this Act is treated as a HUBZone for purposes of the Small Business Act (15 U.S.C. 631 et seq.) pursuant to—

(I) section 152(a)(2) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note); or

(II) section 1698(b) of National Defense Authorization Act for Fiscal Year 2013 (15 U.S.C. 632 note);

(iii) after the date of enactment of this Act, ceases to be treated as a HUBZone under the applicable provision of law described in clause (ii); and

(iv) qualifies as a HUBZone under subparagraph (A), (B), (C), or (D) of section 3(p)(1) of the Small Business Act (15 U.S.C. 632(p)(1)).

(2) QUALIFIED HUBZONE SMALL BUSINESS CONCERNS.—A HUBZone small business concern shall be qualified for purposes of the Small Business Act (15 U.S.C. 631 et seq.) if the HUBZone small business concern has certified in writing to the Administrator (or the Administrator otherwise determines, based on information submitted to the Administrator by the HUBZone small business concern, or based on certification procedures, which shall be established by the Administration by regulation) that—

(A) it is a HUBZone small business concern pursuant to subparagraph (A), (B), (C), (D), or (E) of section 3(p)(3) of the Small Business Act (15 U.S.C. 632(p)(3));

(B) its principal office is located in a covered HUBZone area; and

(C) not fewer than 35 percent of its employees reside in—

(i) a HUBZone;

(ii) the census tract in which the covered HUBZone area is wholly contained;

(iii) a census tract the boundaries of which intersect the boundaries of the covered HUBZone area; or

(iv) a census tract the boundaries of which are contiguous to a census tract described in clause (ii) or (iii).

SA 2525. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Insert after section 4 the following:

SEC. 5. EFFECTIVE DATE.

This Act shall take effect on the day after the date of the enactment of this Act.

SA 2526. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title V, add the following:

SEC. ____. EXCLUSION OF DISCHARGE OF STUDENT LOANS FOR VETERANS WITH SERVICE-CONNECTED CONDITIONS.

(a) IN GENERAL.—Paragraph (1) of section 108(f) of the Internal Revenue Code of 1986 is amended by striking ''discharge (in whole or in part) of'' and all that follows and inserting ''discharge (in whole or in part) of—

''(A) any student loan if such discharge was pursuant to a provision of such loan under which all or part of the indebtedness of the individual would be discharged if the individual worked for a certain period of time in certain professions for any of a broad class of employers,

''(B) any loan made, insured, or guaranteed under part B or D of title IV of the Higher Education Act of 1965, if such discharge was pursuant section 437(a) of such Act and due to a determination by the Secretary of Veterans Affairs that the borrower is unemployable due to a service-connected condition,

''(C) any loan made, insured, or guaranteed under part E of title IV of the Higher Education Act of 1965, if such discharge was pursuant to section 464(c)(1)(F)(iv) of such Act, or

''(D) any obligation arising under subpart 9 of part A of title IV of the Higher Education Act of 1965, if such discharge was pursuant to section 420N(d)(2) of such Act and due to a determination by the Secretary of Veterans Affairs that the borrower is unemployable due to a service-connected condition.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to discharges of loans after December 31, 2013.

SA 2527. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title V, add the following:

SEC. ___. EXCLUSION OF DISCHARGE OF STUDENT LOANS FOR VETERANS WITH SERVICE-CONNECTED CONDITIONS.

(a) IN GENERAL.—Paragraph (1) of section 108(f) of the Internal Revenue Code of 1986 is amended by striking ''discharge (in whole or in part) of'' and all that follows and inserting ''discharge (in whole or in part) of—

''(A) any student loan if such discharge was pursuant to a provision of such loan under which all or part of the indebtedness of the individual would be discharged if the individual worked for a certain period of time in certain professions for any of a broad class of employers,

''(B) any loan made, insured, or guaranteed under part B or D of title IV of the Higher Education Act of 1965, if such discharge was pursuant section 437(a) of such Act and due to a determination by the Secretary of Veterans Affairs that the borrower is unemployable due to a service-connected condition,

''(C) any loan made, insured, or guaranteed under part E of title IV of the Higher Education Act of 1965, if such discharge was pursuant to section 464(c)(1)(F)(iv) of such Act, or

''(D) any obligation arising under subpart 9 of part A of title IV of the Higher Education Act of 1965, if such discharge was pursuant to section 420N(d)(2) of such Act and due to a determination by the Secretary of Veterans Affairs that the borrower is unemployable due to a service-connected condition.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to discharges of loans after December 31, 2013.

SA 2528. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title V, add the following:

SEC. ___. EXCLUSION OF DISCHARGE OF STUDENT LOANS FOR VETERANS WITH SERVICE-CONNECTED CONDITIONS.

(a) IN GENERAL.—Paragraph (1) of section 108(f) of the Internal Revenue Code of 1986 is amended by striking ''discharge (in whole or in part) of'' and all that follows and inserting ''discharge (in whole or in part) of—

''(A) any student loan if such discharge was pursuant to a provision of such loan under which all or part of the indebtedness of the individual would be discharged if the individual worked for a certain period of time in certain professions for any of a broad class of employers,

''(B) any loan made, insured, or guaranteed under part B or D of title IV of the Higher Education Act of 1965, if such discharge was pursuant section 437(a) of such Act and due to a determination by the Secretary of Veterans Affairs that the borrower is unemployable due to a service-connected condition,

''(C) any loan made, insured, or guaranteed under part E of title IV of the Higher Education Act of 1965, if such discharge was pursuant to section 464(c)(1)(F)(iv) of such Act, or

''(D) any obligation arising under subpart 9 of part A of title IV of the Higher Education Act of 1965, if such discharge was pursuant to section 420N(d)(2) of such Act and due to a determination by the Secretary of Veterans Affairs that the borrower is unemployable due to a service-connected condition.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to discharges of loans after December 31, 2013.

SA 2529. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle D—Iran Sanctions

SEC. 1241. IMPOSITION OF SANCTIONS WITH RESPECT TO THE SALE, SUPPLY, AND TRANSFER OF NATURAL GAS PRODUCED IN IRAN.

Section 5(a) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended—

(1) by redesignating paragraph (9) as paragraph (10); and

(2) by inserting after paragraph (8) the following:

''(9) SALE, SUPPLY, AND TRANSFER OF NATURAL GAS PRODUCED IN IRAN.—

''(A) IN GENERAL.—Except as provided in subparagraph (C) and subsection (f), the President shall impose 5 or more of the sanctions described in section 6(a) with respect to a person if the President determines that the person knowingly, on or after the date that is 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, conducts or facilitates a significant financial transaction for the sale, supply, or transfer of natural gas produced in Iran to a country that—

''(i) begins importing natural gas produced in Iran after such date of enactment; or

''(ii) during any month that begins on or after the date that is 60 days after such date of enactment, imports natural gas produced in Iran in a volume that exceeds the volume of such natural gas identified under clause (iii)(II) of subparagraph (B) in the most recent report submitted under that subparagraph as the highest volume of natural gas produced in Iran imported by that country in any month during the 2-year period preceding the submission of the report.

''(B) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, and annually thereafter, the Administrator of the Energy Information Administration, in consultation with the Secretary of the Treasury, the Secretary of State, and the Director of National Intelligence, shall submit to Congress a report that includes—

''(i) an assessment of exports of natural gas from Iran during the year preceding the submission of the report;

''(ii) an identification of the countries that imported natural gas produced in Iran during that year;

''(iii) for each such country—

''(I) an assessment of the volume of natural gas produced in Iran imported by that country during each month during the 2-year period preceding the submission of the report;

''(II) an identification of the highest volume of natural gas produced in Iran imported by that country during any such month; and

''(III) an assessment of alternative supplies of natural gas available to that country;

''(iv) an assessment of the impact a reduction in exports of natural gas from Iran would have on global natural gas supplies and the price of natural gas, especially in countries identified under clause (ii); and

''(v) such other information as the Administrator considers appropriate.

''(C) EXCEPTION.—Nothing in this paragraph shall apply with respect to any activity relating to a project described in subsection (a) of section 603 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8783) to which the exception under that section applies at the time of the activity.''.

SA 2530. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 411, line 7, insert ''or subcontract'' after ''contract''.

On page 411, beginning on line 12, strike ''if the Secretary'' and all that follows through line 13 and insert ''if the Secretary—

(1) determines that—

(A) an action described in subsection (a) is necessary to meet a valid military requirement; and

(B) there is no feasible alternative to Rosoboronexport for meeting such requirement; or

(2) in consultation with the Secretary of State and the Director of National Intelligence, certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge, Rosoboronexport has ceased the transfer of lethal military equipment to the government of the Syrian Arab Republic.

On page 412, between lines 7 and 8, insert the following:

(d) DEPARTMENT OF DEFENSE INSPECTOR GENERAL REVIEW.—

(1) IN GENERAL.—The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport in which a waiver is issued by the Secretary of Defense pursuant to subsection (b) on or after the date of the enactment of this Act.

(2) ELEMENTS.—A review conducted under paragraph (1) shall assess the accuracy of the factual and legal conclusions made by the

Secretary in the waiver covered by the review, including the following—

(A) whether there is any viable alternative to Rosoboronexport for carrying out the function for which funds will be obligated;

(B) whether the Secretary has previously used an alternative vendor for carrying out the same function regarding the military equipment in question, and what vendor was previously used;

(C) whether other explanations for the issuance of the waiver are supportable; and

(D) any other matter with respect to the waiver the Inspector General considers appropriate.

(3) REPORT.—Not later than 90 days after a waiver is issued by the Secretary pursuant to subsection (b) that is covered by this subsection, the Inspector General shall submit to the congressional defense committees a report containing the results of the review on such waiver conducted under paragraph (1).

SEC. 1233A. MODIFICATION OF FISCAL YEAR 2013 PROHIBITION ON USE OF FUNDS TO ENTER INTO CONTRACTS OR AGREEMENTS WITH ROSOBORONEXPORT.

(a) SCOPE OF PROHIBITION.—Subsection (a) of section 1277 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2030) is amended by inserting ''or subcontract'' after ''contract''.

(b) WAIVER AUTHORITY.—Subsection (b) of such section is amended by striking ''if the Secretary'' and all that follows and inserting ''if the Secretary—

''(1) determines that—

''(A) an action described in subsection (a) is necessary to meet a valid military requirement; and

''(B) there is no feasible alternative to Rosoboronexport for meeting such requirement; or

''(2) in consultation with the Secretary of State and the Director of National Intelligence, certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge, Rosoboronexport has ceased the transfer of lethal military equipment to the government of the Syrian Arab Republic.''.

(c) ADDITIONAL LIMITATIONS AND REQUIREMENTS.—Such section is further amended by adding at the end the following new subsections:

''(c) NOTICE TO CONGRESS BEFORE OBLIGATION OF FUNDS.—Not later than 30 days before obligating funds pursuant to any waiver pursuant to subsection (b) that is issued after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary of Defense shall submit to Congress a notice on the obligation of funds pursuant to the waiver.

''(d) DEPARTMENT OF DEFENSE INSPECTOR GENERAL REVIEW .—

''(1) IN GENERAL.—The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport in which a waiver is issued by the Secretary of Defense pursuant to subsection (b) on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014.

''(2) ELEMENTS.—A review conducted under paragraph (1) shall assess the accuracy of the factual and legal conclusions made by the Secretary in the waiver covered by the review, including the following—

''(A) whether there is any viable alternative to Rosoboronexport for carrying out the function for which funds will be obligated;

''(B) whether the Secretary has previously used an alternative vendor for carrying out the same function regarding the military equipment in question, and what vendor was previously used;

''(C) whether other explanations for the issuance of the waiver are supportable; and

''(D) any other matter with respect to the waiver the Inspector General considers appropriate.

''(3) REPORT.—Not later than 90 days after a waiver is issued by the Secretary pursuant to subsection (b) that is covered by this subsection, the Inspector General shall submit to the congressional defense committees a report containing the results of the review on such waiver conducted under paragraph (1).''.

SEC. 1233B. PROHIBITION ON USE OF FISCAL YEAR 2012 FUNDS TO ENTER INTO CONTRACTS OR AGREEMENTS WITH ROSOBORONEXPORT.

(a) PROHIBITION.—None of the funds authorized to be appropriated for the Department of Defense for fiscal year 2012 by the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) that remain available for obligation or expenditure as of the date of the enactment of this Act may be used to enter into a contract or subcontract, memorandum of understanding, or cooperative agreement with, to make a grant, to, or to provide a loan or loan guarantee to Rosoboronexport.

(b) NATIONAL SECURITY WAIVER AUTHORITY.—The Secretary of Defense may waive the applicability of subsection (a) if the Secretary—

(1) determines that—

(A) an action described in subsection (a) is necessary to meet a valid military requirement; and

(B) there is no feasible alternative to Rosoboronexport for meeting such requirement; or

(2) in consultation with the Secretary of State and the Director of National Intelligence, certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge, Rosoboronexport has ceased the transfer of lethal military equipment to the government of the Syrian Arab Republic.

(c) NOTICE TO CONGRESS BEFORE OBLIGATION OF FUNDS.—Not later than 30 days before obligating funds pursuant to any waiver pursuant to subsection (b), the Secretary of Defense shall submit to Congress a notice on the obligation of funds pursuant to the waiver.

(d) DEPARTMENT OF DEFENSE INSPECTOR GENERAL REVIEW .—

(1) IN GENERAL.—The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport in which a waiver is issued by the Secretary of Defense pursuant to subsection (b).

(2) ELEMENTS.—A review conducted under paragraph (1) shall assess the accuracy of the factual and legal conclusions made by the Secretary in the waiver covered by the review, including the following—

(A) whether there is any viable alternative to Rosoboronexport for carrying out the function for which funds will be obligated;

(B) whether the Secretary has previously used an alternative vendor for carrying out the same function regarding the military equipment in question, and what vendor was previously used;

(C) whether other explanations for the issuance of the waiver are supportable; and

(D) any other matter with respect to the waiver the Inspector General considers appropriate.

(3) REPORT.—Not later than 90 days after a waiver is issued by the Secretary pursuant to subsection (b), the Inspector General shall submit to the congressional defense committees a report containing the results of the review on the waiver conducted under paragraph (1).

SEC. 1233C. REPORT ON ROSOBORONEXPORT ACTIVITIES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the following:

(1) A list of the known transfers of lethal military equipment by Rosoboronexport to the Government of the Syrian Arab Republic since March 15, 2011.

(2) A list of the known contracts, if any, that Rosoboronexport has signed with the Government of the Syrian Arab Republic since March 15, 2011.

(3) A detailed list of all existing contracts, subcontracts, memorandums of understanding, cooperative agreements, grants, loans, and loan guarantees between the Department of Defense and Rosoboronexport, including a description of the transaction, signing dates, values, and quantities.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 2531. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 411, line 7, insert ''or subcontract'' after ''contract''.

On page 411, beginning on line 12, strike ''if the Secretary'' and all that follows through line 13 and insert ''if the Secretary—

(1) determines that such a waiver is in the national security interests of the United States; or

(2) in consultation with the Secretary of State and the Director of National Intelligence, certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge, Rosoboronexport has ceased the transfer of lethal military equipment to the government of the Syrian Arab Republic.

On page 412, between lines 7 and 8, insert the following:

(d) DEPARTMENT OF DEFENSE INSPECTOR GENERAL REVIEW.—

(1) IN GENERAL.—The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport in which a waiver is issued by the Secretary of Defense pursuant to subsection (b) on or after the date of the enactment of this Act.

(2) ELEMENTS.—A review conducted under paragraph (1) shall assess the accuracy of the factual and legal conclusions made by the Secretary in the waiver covered by the review, including the following—

(A) whether there is any viable alternative to Rosoboronexport for carrying out the function for which funds will be obligated;

(B) whether the Secretary has previously used an alternative vendor for carrying out the same function regarding the military equipment in question, and what vendor was previously used;

(C) whether other explanations for the issuance of the waiver are supportable; and

(D) any other matter with respect to the waiver the Inspector General considers appropriate.

(3) REPORT.—Not later than 90 days after a waiver is issued by the Secretary pursuant to subsection (b) that is covered by this subsection, the Inspector General shall submit

to the congressional defense committees a report containing the results of the review on such waiver conducted under paragraph (1).

SEC. 1233A. MODIFICATION OF FISCAL YEAR 2013 PROHIBITION ON USE OF FUNDS TO ENTER INTO CONTRACTS OR AGREEMENTS WITH ROSOBORONEXPORT.

(a) SCOPE OF PROHIBITION.—Subsection (a) of section 1277 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2030) is amended by inserting ''or subcontract'' after ''contract''.

(b) WAIVER AUTHORITY.—Subsection (b) of such section is amended by striking ''if the Secretary'' and all that follows and inserting ''if the Secretary—

''(1) determines that such a waiver is in the national security interests of the United States; or

''(2) in consultation with the Secretary of State and the Director of National Intelligence, certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge, Rosoboronexport has ceased the transfer of lethal military equipment to the government of the Syrian Arab Republic.''.

(c) ADDITIONAL LIMITATIONS AND REQUIREMENTS.—Such section is further amended by adding at the end the following new subsections:

''(c) NOTICE TO CONGRESS BEFORE OBLIGATION OF FUNDS.—Not later than 30 days before obligating funds pursuant to any waiver pursuant to subsection (b) that is issued after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary of Defense shall submit to Congress a notice on the obligation of funds pursuant to the waiver.

''(d) DEPARTMENT OF DEFENSE INSPECTOR GENERAL REVIEW .—

''(1) IN GENERAL.—The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport in which a waiver is issued by the Secretary of Defense pursuant to subsection (b) on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014.

''(2) ELEMENTS.—A review conducted under paragraph (1) shall assess the accuracy of the factual and legal conclusions made by the Secretary in the waiver covered by the review, including the following—

''(A) whether there is any viable alternative to Rosoboronexport for carrying out the function for which funds will be obligated;

''(B) whether the Secretary has previously used an alternative vendor for carrying out the same function regarding the military equipment in question, and what vendor was previously used;

''(C) whether other explanations for the issuance of the waiver are supportable; and

''(D) any other matter with respect to the waiver the Inspector General considers appropriate.

''(3) REPORT.—Not later than 90 days after a waiver is issued by the Secretary pursuant to subsection (b) that is covered by this subsection, the Inspector General shall submit to the congressional defense committees a report containing the results of the review on such waiver conducted under paragraph (1).''.

SEC. 1233B. PROHIBITION ON USE OF FISCAL YEAR 2012 FUNDS TO ENTER INTO CONTRACTS OR AGREEMENTS WITH ROSOBORONEXPORT.

(a) PROHIBITION.—None of the funds authorized to be appropriated for the Department of Defense for fiscal year 2012 by the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) that remain available for obligation or expenditure as of the date of the enactment of this Act may be used to enter into a contract or subcontract, memorandum of understanding, or cooperative agreement with, to make a grant, to, or to provide a loan or loan guarantee to Rosoboronexport.

(b) NATIONAL SECURITY WAIVER AUTHORITY.—The Secretary of Defense may waive the applicability of subsection (a) if the Secretary—

(1) determines that such a waiver is in the national security interests of the United States; or

(2) in consultation with the Secretary of State and the Director of National Intelligence, certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge, Rosoboronexport has ceased the transfer of lethal military equipment to the government of the Syrian Arab Republic.

(c) NOTICE TO CONGRESS BEFORE OBLIGATION OF FUNDS.—Not later than 30 days before obligating funds pursuant to any waiver pursuant to subsection (b), the Secretary of Defense shall submit to Congress a notice on the obligation of funds pursuant to the waiver.

(d) DEPARTMENT OF DEFENSE INSPECTOR GENERAL REVIEW .—

(1) IN GENERAL.—The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport in which a waiver is issued by the Secretary of Defense pursuant to subsection (b).

(2) ELEMENTS.—A review conducted under paragraph (1) shall assess the accuracy of the factual and legal conclusions made by the Secretary in the waiver covered by the review, including the following—

(A) whether there is any viable alternative to Rosoboronexport for carrying out the function for which funds will be obligated;

(B) whether the Secretary has previously used an alternative vendor for carrying out the same function regarding the military equipment in question, and what vendor was previously used;

(C) whether other explanations for the issuance of the waiver are supportable; and

(D) any other matter with respect to the waiver the Inspector General considers appropriate.

(3) REPORT.—Not later than 90 days after a waiver is issued by the Secretary pursuant to subsection (b), the Inspector General shall submit to the congressional defense committees a report containing the results of the review on the waiver conducted under paragraph (1).

SEC. 1233C. REPORT ON ROSOBORONEXPORT ACTIVITIES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the following:

(1) A list of the known transfers of lethal military equipment by Rosoboronexport to the Government of the Syrian Arab Republic since March 15, 2011.

(2) A list of the known contracts, if any, that Rosoboronexport has signed with the Government of the Syrian Arab Republic since March 15, 2011.

(3) A detailed list of all existing contracts, subcontracts, memorandums of understanding, cooperative agreements, grants, loans, and loan guarantees between the Department of Defense and Rosoboronexport, including a description of the transaction, signing dates, values, and quantities.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 2532. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XV, add the following:

SEC. 1534. COMPREHENSIVE LONG-TERM PLAN FOR AFGHAN NATIONAL SECURITY FORCES AVIATION CAPABILITIES.

(a) LONG-TERM PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees report setting forth a comprehensive long-term plan for training, equipping, advising, and sustaining the aviation capabilities of the Afghan National Security Forces (ANSF), at a minimum, through 2018.

(b) SCOPE AND COVERAGE.—The plan required by subsection (a) shall cover the plans of the Department of Defense to build the capacity of the Afghan National Security Forces to maintain and sustain a professional and safe military aviation program that includes the Special Mission Wing (SMW) and the Afghan Air Force (AAF).

(c) ELEMENTS.—The plan required by subsection (a) shall include the following:

(1) The manner in which the Department of Defense will maintain and evaluate safety, airworthiness, and pilot proficiency standards of the Afghan National Security Forces.

(2) Means by which the Department will train the Afghan National Security Forces to the necessary aviation proficiency levels.

(3) Means by which the Department will assist the Afghan National Security Forces in recruiting the requisite number of pilots, other crewmembers, and aircraft maintenance personnel.

(4) The type and number of aircraft required to equip each Afghan National Security Forces aviation unit.

(5) The additional aircraft to be procured by the Afghan National Security Forces to meet such requirements.

(6) For each aircraft platform required to equip Afghan National Security Forces aviation units, the date on which the Afghan National Security Forces are expected to be capable of maintaining and operating such platform without oversight from the United States Armed Forces.

(7) The amount required on an annual basis for operations and sustainment of planned aviation units.

(8) The portion of the amount described in paragraph (7) that is anticipated to be provided by the Afghanistan Government and the portion that is anticipated to be provided by international contributions.

(9) Mechanisms for vetting Afghan National Security Forces personnel that will receive training from the United States under the plan.

(10) Mechanisms for end-user monitoring for aircraft and equipment provided the Afghan National Security Forces by the United States.

(d) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(e) DEPARTMENT OF DEFENSE INSPECTOR GENERAL REVIEW.—Not later than 180 days after the date of the submittal of the report required by subsection (a), the Inspector General of the Department of Defense shall submit to the congressional defense committee a report on the plan covered by such report. The report under this subsection shall include the following:

(1) A review and assessment of the plan by the Inspector General.

(2) Such recommendations for additional actions on training, equipping, advising, and sustaining the aviation capabilities of the Afghan National Security Forces as the Inspector General considers appropriate.

SA 2533. Mr. CORNYN (for himself, Mr. CRUZ, Mr. BOOZMAN, Mr. PRYOR, Mr. HELLER, Mr. MORAN, Ms. COLLINS, and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. 585. MEDALS FOR MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE WHO WERE KILLED OR WOUNDED IN AN ATTACK PERPETRATED BY A HOMEGROWN VIOLENT EXTREMIST WHO WAS INSPIRED OR MOTIVATED BY A FOREIGN TERRORIST ORGANIZATION.

(a) PURPLE HEART.—

(1) AWARD.—

(A) IN GENERAL.—Chapter 57 of title 10, United States Code, is amended by inserting after section 1129 the following new section:

"§ 1129a. Purple Heart: members killed or wounded in attacks of homegrown violent extremists motivated or inspired by foreign terrorist organizations

''(a) IN GENERAL.—For purposes of the award of the Purple Heart, the Secretary concerned shall treat a member of the armed forces described in subsection (b) in the same manner as a member who is killed or wounded in action as a result of an act of an enemy of the United States.

''(b) COVERED MEMBERS.—A member described in this subsection is a member on active duty who was killed or wounded in an attack perpetrated by a homegrown violent extremist who was inspired or motivated to engage in violent action by a foreign terrorist organization in circumstances where the death or wound is the result of an attack targeted on the member due to such member's status as a member of the armed forces, unless the death or wound is the result of willful misconduct of the member.

''(c) DEFINITIONS.—In this section:

''(1) The term 'foreign terrorist organization' means an entity designated as a foreign terrorist organization by the Secretary of State pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

''(2) The term 'homegrown violent extremist' shall have the meaning given that term by the Secretary of Defense in regulations prescribed for purposes of this section.''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 57 of such title is amended by inserting after the item relating to section 1129 the following new item:

''1129a. Purple Heart: members killed or wounded in attacks of homegrown violent extremists motivated or inspired by foreign terrorist organizations.''.

(2) RETROACTIVE EFFECTIVE DATE AND APPLICATION.—

(A) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as of September 11, 2001.

(B) REVIEW OF CERTAIN PREVIOUS INCIDENTS.—The Secretaries concerned shall undertake a review of each death or wounding of a member of the Armed Forces that occurred between September 11, 2001, and the date of the enactment of this Act under circumstances that could qualify as being the result of the attack of a homegrown violent extremist as described in section 1129a of title 10, United States Code (as added by paragraph (1)), to determine whether the death or wounding qualifies as a death or wounding resulting from a homegrown violent extremist attack motivated or inspired by a foreign terrorist organization for purposes of the award of the Purple Heart pursuant to such section (as so added).

(C) ACTIONS FOLLOWING REVIEW.—If the death or wounding of a member of the Armed Forces reviewed under subparagraph (B) is determined to qualify as a death or wounding resulting from a homegrown violent extremist attack motivated or inspired by a foreign terrorist organization as described in section 1129a of title 10, United States Code (as so added), the Secretary concerned shall take appropriate action under such section to award the Purple Heart to the member.

(D) SECRETARY CONCERNED DEFINED.—In this paragraph, the term ''Secretary concerned'' has the meaning given that term in section 101(a)(9) of title 10, United States Code.

(b) SECRETARY OF DEFENSE MEDAL FOR THE DEFENSE OF FREEDOM.—

(1) REVIEW OF THE NOVEMBER 5, 2009 ATTACK AT FORT HOOD, TEXAS.—If the Secretary concerned determines, after a review under subsection (a)(2)(B) regarding the attack that occurred at Fort Hood, Texas, on November 5, 2009, that the death or wounding of any member of the Armed Forces in that attack qualified as a death or wounding resulting from a homegrown violent extremist attack motivated or inspired by a foreign terrorist organization as described in section 1129a of title 10, United States Code (as added by subsection (a)), the Secretary of Defense shall make a determination as to whether the death or wounding of any civilian employee of the Department of Defense or civilian contractor in the same attack meets the eligibility criteria for the award of the Secretary of Defense Medal for the Defense of Freedom.

(2) AWARD.—If the Secretary of Defense determines under paragraph (1) that the death or wounding of any civilian employee of the Department of Defense or civilian contractor in the attack that occurred at Fort Hood, Texas, on November 5, 2009, meets the eligibility criteria for the award of the Secretary of Defense Medal for the Defense of Freedom, the Secretary shall take appropriate action to award the Secretary of Defense Medal for the Defense of Freedom to the employee or contractor.

SA 2534. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title IX, add the following:

SEC. 935. REQUIREMENTS RELATED TO DATA FUSION, ANALYSIS, PROCESSING, AND DISSEMINATION SYSTEMS.

(a) PROJECT CODES FOR BUDGET SUBMISSIONS.—In the budget transmitted by the President to Congress under section 1105 of title 31, United States Code, for fiscal year 2015 and each subsequent fiscal year, each module within the distributed common ground system program shall be set forth as a separate project code within the program element line with supporting justification for each project code within the program element descriptive summary provided to Congress.

(b) REPORT ON CAPABILITIES.—

(1) IN GENERAL.—Not later than March 1, 2014, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report on the distributed common ground system program.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment of the capability of the program, as currently available to users, to meet current operational and program requirements.

(B) An evaluation of the capability of commercial-off-the-shelf software that meets open architecture standards to meet data fusion, analysis, processing, and dissemination requirements, including the capability of those tools to meet program requirements.

(C) An assessment of total lifecycle costs for each program and commercial-off-the-shelf alternatives, including the methodology utilized to arrive at such costs.

(c) REQUIREMENT FOR COMPETITION.—Full and open competition shall be used to the maximum extent practicable to procure or develop any data fusion, analysis, processing, and dissemination products or cloud computing services of any module covered by subsection (a).

(d) REPORT ON ADOPTION OF INTELLIGENCE COMMUNITY INFORMATION SYSTEMS BY ARMY.—

(1) IN GENERAL.—Not later than March1, 2014, the Secretary of the Army shall submit to the congressional defense committees a report on the interoperability of Army information systems with intelligence community information technology standards.

(2) CONTENTS.—The report required by paragraph (1) shall include, at a minimum, the following:

(A) An assessment of the ability of current information systems of the Army to meet intelligence community requirements.

(B) A list of current requirements for inclusion in systems of the Army designed to interface with intelligence community systems, including the Intelligence Community Information Technology Enterprise.

(C) Identification of the official responsible for determining any requirement or standard for any major function of the Intelligence Community Information Technology Enterprise-Army system.

(D) Definitions, as adopted and utilized by the Army for—

(i) ''open architecture standards''; and

(ii) ''intelligence community standards''.

(e) UPDATED ACQUISITION STRATEGY REQUIRED.—No later than March 1, 2014, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees an updated acquisition strategy for the program described in subsection (a).

SA 2535. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title III, add the following:

SEC. 353. UTILIZATION OF NATIONAL GUARD INSTALLATION AIRSPACE.

(a) IN GENERAL.—The Secretary of Defense shall not prohibit a State National Guard, designated by the Federal Aviation Administration as a Using Agency, from scheduling and activating, for a public purpose, special use airspace associated with State-owned military facility as long as State National Guard use of airspace can only occur when no military mission or Department of Defense activity within the airspace is affected.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to give any State National Guard superiority over the Department of Defense in airspace scheduling and activation.

SA 2536. Mr. BURR (for himself, Mr. COBURN, Mr. CHAMBLISS, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1066. REPORT ON PLANS TO DISRUPT AND DEGRADE HAQQANI NETWORK ACTIVITIES AND FINANCES.

(a) FINDINGS.—Congress makes the following findings:

(1) The Haqqani Network is a primary partner for the Taliban, al Qaeda, regional militants, and other global Islamic jihadists committing acts of violence, as well as political and economic oppression in Afghanistan and Pakistan.

(2) The Haqqani Network continues to be a strategic threat to the safety, security, and stability of Afghanistan, as well as the broader region.

(3) The Haqqani Network is directly responsible for a significant number of United States casualties and injuries on the battlefield in Afghanistan.

(4) The Haqqani Network continues to actively plan potentially catastrophic attacks against United States interests and personnel in Afghanistan.

(5) On September 19, 2012, the Secretary of State formally designated the Haqqani Network a Foreign Terrorist Organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Administration should urgently prioritize efforts, and utilize its full authority, to disrupt and degrade the Haqqani Network and to deny the organization finances it requires to carry out their activities.

(c) REPORT ON ACTIVITIES AND PLANS TO DISRUPT AND DEGRADE HAQQANI NETWORK ACTIVITIES AND FINANCES.—

(1) REPORT REQUIRED.—The President shall report to the appropriate committees of Congress, not later than 9 months after the date of enactment of their Act, on activities and plans to disrupt and degrade Haqqani Network activities and finances.

(2) COORDINATION.—The report required by paragraph (1) shall be prepared by the Secretary of Defense, in coordination with the Secretary of State, the Secretary of the Treasury, the Attorney General, and the Director of National Intelligence, and any other department or agency of the United States Government involved in activities related to disrupting and degrading the Haqqani Network.

(3) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the current activities of the Department of Defense, the Department of State, the Department of the Treasury, the Department of Justice, and the elements of the intelligence community to disrupt and degrade Haqqani Network activities, finances, and resources.

(B) An assessment of the intelligence community—

(i) of the operations of the Haqqani Network in Afghanistan and Pakistan, and its activities outside the region; and

(ii) of the relationships, networks, and vulnerabilities of the Haqqani Network, including with Pakistan's military, intelligence services, and government officials, including provincial and district officials.

(C) A review of the plans and intentions of the Haqqani Network with respect to the continued drawdown of United States and coalition troops.

(D) A review of the current United States policies, operations, funding, and plans for applying sustained and systemic pressure against the Haqqani Network's financial infrastructure, including—

(i) identification of the agencies that would participate in implementing such plans;

(ii) a description of the legal authorities under which such a plan would be conducted;

(iii) a description of the objectives and desired outcomes of such a plan, including specific steps to achieve these objectives and outcomes;

(iv) metrics to measure the success of the plan; and

(v) the identity of the agency of office to be designated as the lead agency in implementing such a plan.

(E) An examination of the role current United States and coalition contracting processes have in furthering the financial interests of the Haqqani Network, and how such strategy will mitigate the unintended consequences of such processes.

(F) An assessment of formal and informal business sectors penetrated by the Haqqani Network in Afghanistan, Pakistan, and other countries, particularly in the Persian Gulf region, and a description of steps to counter these activities.

(G) An estimate of associated costs required to plan and execute any proposed activities to disrupt and degrade the Haqqani Network's operations and resources.

(H) A description of how activities and plans specified in paragraph (1) fit in the broader United States efforts to stabilize Afghanistan and prevent the region from being a safe haven for al Qaeda and its affiliates.

(4) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

SA 2537. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XXVIII, add the following:

SEC. 2842. RESPONSIBILITY FOR ENVIRONMENTAL REMEDIATION AT BADGER ARMY AMMUNITION PLANT, BARABOO, WISCONSIN.

(a) DEFINITIONS.—In this section:

(1) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(2) PLANT.—The term ''plant'' means the Badger Army Ammunition Plant near Baraboo, Wisconsin.

(3) PROPERTY.—The term ''property'' includes—

(A) the plant;

(B) any land located in Sauk County, Wisconsin, and managed by the Federal Government relating to the plant; and

(C) any structure on the land described in subparagraph (B).

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) IN GENERAL.—There is transferred from the Secretary of Defense to the Secretary of the Interior administrative jurisdiction over approximately 1,553 acres of land located within the boundary of the property, to be held in trust by the Secretary of the Interior for the benefit of the Ho-Chunk Nation.

(2) DATE OF TRANSFER.—The transfer under paragraph (1) shall be carried out—

(A) not earlier than the date on which environmental remediation activities on the land transferred under paragraph (1) is finalized; and

(B) not later than the earlier of—

(i) the date that is 12 months after the date described in subparagraph (A); and

(ii) the date of enactment of this section.

(c) RETENTION OF ENVIRONMENTAL LIABILITY.—

(1) IN GENERAL.—Subject to paragraph (2), beginning on the date on which the property is transferred to the Secretary of the Interior under subsection (b), the Department of Defense shall retain sole and exclusive Federal responsibility and liability to fund and implement any action required under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), or any other applicable Federal or State law.

(2) LIMITATION.—The liability described in paragraph (1) is limited to the remediation of environmental contamination caused by the activities of the Department of Defense that existed before the date on which the property is transferred.

(d) EFFECT.—Except as otherwise provided in this section, nothing in this section—

(1) relieves the Secretary of Defense, the Administrator of the Environmental Protection Agency, the Secretary of the Interior, or any other person from any obligation or liability under any Federal or State law with respect to the plant;

(2) affects or limits the application of, or any obligation to comply with, any environmental law, including—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(B) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.); or

(3) prevents the United States from bringing a cost recovery, contribution, or any other action that would otherwise be available under any Federal or State law.

SA 2538. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXVIII, add the following:

SEC. 2815. COMPREHENSIVE REPORT FOR ENERGY REMOTE MILITARY INSTALLATIONS.

(a) REPORT.—

(1) REPORT REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Deputy Under Secretary of Defense for Installations and Environment, in conjunction with the Service Assistant Secretaries responsible for Installations and Environment for the military services, shall submit a report to the congressional defense committees detailing the current cost and sources of energy at each military installation in states with energy remote military installations, and viable and feasible options for achieving energy efficiency and cost savings at those military installations.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following elements:

(A) A comprehensive, installation specific assessment of feasible and mission appropriate energy initiatives supporting energy production and consumption at energy remote military installations.

(B) An assessment of current sources of energy in states with energy remote military installations and potential future sources that are technologically feasible, cost effective, and mission appropriate.

(C) A comprehensive implementation strategy to include required investment for feasible energy efficiency options determined to be the most beneficial and cost effective where appropriate and consistent with department priorities.

(D) An explanation on how military services are working collaboratively in order to leverage lessons learned on potential energy efficiency solutions.

(E) An assessment of State and local partnership opportunities that could achieve efficiency and cost savings, and any legislative authorities required to carry out such partnerships or agreements.

(3) UTILIZATION OF OTHER EFFORTS.—In preparing the report required under paragraph (1), the Under Secretary shall take into consideration completed and ongoing efforts by agencies of the Federal Government to analyze and develop energy efficient solutions in states with energy remote military installations, including the Department of Defense information available in the Annual Energy Management Report.

(4) COORDINATION WITH STATE AND LOCAL AND OTHER ENTITIES.—In preparing the report required under paragraph (1), the Under Secretary may encouraged to work in conjunction and coordinate with the states containing energy remote military installations, local communities, and other Federal departments and agencies.

(b) DEFINITIONS.—In this section, the term ''energy remote military installation'' includes military installations in the United States not connected to an extensive electrical energy grid.

SA 2539. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2185 submitted by Mr. WICKER (for himself, Mr. LEE, Mrs. FISCHER, and Mr. CORNYN) and intended to be proposed to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

(c) NATIONAL SECURITY WAIVER.—

(1) IN GENERAL.—The President may waive the certification requirement in subsection (a) if the President, acting jointly through the Secretary of Defense and the Director of National Intelligence, certifies to Congress that the waiver is in the interests of the national security of the United States, provided—

(A) all data collected or transmitted from ground monitoring stations covered by the waiver shall not be encrypted;

(B) all foreign nationals involved in the construction, operation, and maintenance of such ground monitoring stations shall be accompanied by cleared United States persons or United States law enforcement personnel;

(C) such ground monitoring stations shall be not located in geographic proximity to sensitive United States national security sites;

(D) the United States shall approve all equipment to be located at such ground stations; and

(E) appropriate actions are taken to ensure that any such ground monitoring station does not pose a cyber espionage or other cyber threat to the United States.

(2) WAIVER REPORT.—The waiver in this subsection shall be accompanied by a written report to the appropriate congressional committees that sets forth—

(A) the reason why it is not possible to provide the certification in subsection (a);

(B) an assessment of the impact of the waiver on the national security of the United States;

(C) a description of the means to be used to mitigate any such impact to the United States for the duration that such ground monitoring stations are operated on United States Government soil;

(D) to the extent possible, the elements of the report required by subsection (b); and

(E) any other information in connection with the waiver that the President considers appropriate.

SA 2540. Mr. BAUCUS (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 2100 submitted by Mr. WYDEN (for himself and Mr. HEINRICH) and intended to be proposed to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 37, between lines 14 and 15, insert the following:

(f) PAYMENT FOR ENTITLEMENT LAND.—The land withdrawn under subsection (a) is considered the location of a semi-active installation that the Secretary of the Army keeps for reserve component training, for purposes of chapter 69 of title 31, United States Code.

SA 2541. Mr. UDALL of Colorado (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ESTABLISHMENT OF THE ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.

(a) ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.—Subtitle B of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384l et seq.) is amended by adding at the end the following:

''SEC. 3632. ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this section, the President shall establish and appoint an Advisory Board on Toxic Substances and Worker Health (referred to in this section as the 'Board').

''(2) CONSULTATION ON APPOINTMENTS.—The President shall make appointments to the Board in consultation with organizations with expertise on worker health issues in order to ensure that the membership of the Board reflects a proper balance of perspectives from the scientific, medical, legal, worker, worker families, and worker advocate communities.

''(3) CHAIRPERSON.—The President shall designate a Chair of the Board from among its members.

''(b) DUTIES.—The Board shall—

''(1) advise the President concerning the review and approval of the Department of Labor site exposure matrix;

''(2) conduct periodic peer reviews of, and approve, medical guidance for part E claims examiners with respect to the weighing of a claimant's medical evidence;

''(3) obtain periodic expert review of evidentiary requirements for part B claims related to lung disease regardless of approval;

''(4) provide oversight over industrial hygienists, Department of Labor staff physicians, and Department of Labor's consulting physicians and their reports to ensure quality, objectivity, and consistency; and

''(5) coordinate exchanges of data and findings with the Advisory Board on Radiation and Worker Health to the extent necessary (under section 3624).

''(c) STAFF AND POWERS.—

''(1) IN GENERAL.—The President shall appoint a staff to facilitate the work of the Board. The staff of the Board shall be headed by a Director who shall be appointed under subchapter VIII of chapter 33 of title 5, United States Code.

''(2) FEDERAL AGENCY PERSONNEL.—The President may authorize the detail of employees of Federal agencies to the Board as necessary to enable the Board to carry out its duties under this section. The detail of such personnel may be on a non-reimbursable basis.

''(3) POWERS.—The Board shall have same powers that the Advisory Board has under section 3624.

''(4) CONTRACTORS.—The Secretary shall employ outside contractors and specialists selected by the Board to support the work of the Board.

''(d) EXPENSES.—Members of the Board, other than full-time employees of the United States, while attending meetings of the Board or while otherwise serving at the request of the President, and while serving away from their homes or regular place of business, shall be allowed travel and meal expenses, including per diem in lieu of subsistence (as authorized by section 5703 of title 5, United States Code) for individuals in the Federal Government serving without pay.

''(e) SECURITY CLEARANCES.—

''(1) APPLICATION.—The Secretary of Energy shall ensure that the members and staff of the Board, and the contractors performing work in support of the Board, are afforded the opportunity to apply for a security clearance for any matter for which such a clearance is appropriate.

''(2) DETERMINATION.—The Secretary of Energy should, not later than 180 days after receiving a completed application for a security clearance under this subsection, make a determination whether or not the individual concerned is eligible for the clearance.

''(3) REPORT.—For fiscal year 2015, and each fiscal year thereafter, the Secretary of Energy shall include in the budget justification materials submitted to Congress in support of the Department of Energy budget for that fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a report specifying the number of applications for security clearances under this subsection, the number of such applications granted, and the number of such applications denied.

''(f) INFORMATION.—The Secretary of Energy shall, in accordance with law, provide to the Board and the contractors of the Board, access to any information that the Board considers relevant to carry out its responsibilities under this section, including information such as restricted data (as defined in section 11(y) of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y))) and information covered by the Privacy Act.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section. The provision of section 151(b) of title I of division B of Public Law 106-554 shall not apply to funding provided to carry out this section.''.

(b) DEPARTMENT OF LABOR RESPONSE TO THE OFFICE OF THE OMBUDSMAN ANNUAL REPORT.—Section 3686 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–15) is amended—

(1) in subsection (e)(1), by striking ''February 15'' and inserting ''July 30''; and

(2) by striking subsection (h) and inserting the following:

''(h) RESPONSE TO REPORT.—Not later than 180 days after the publication of the annual report under subsection (e), the Department of Labor shall submit an answer in writing on whether the Department agrees or disagrees with the specific issues raised by the Ombudsman, if the Department agrees, on the actions to be taken to correct the problems identified by the Ombudsman, and if the Department does not agree, on the reasons therefore. The Department of Labor shall post such answer on the public Internet website of the Department.''.

SA 2542. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2502 submitted by Ms. BALDWIN and intended to be proposed to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 3 and all that follows through page 3, line 24, and insert the following:

SEC. 2842. RESPONSIBILITY FOR ENVIRONMENTAL REMEDIATION AT BADGER ARMY AMMUNITION PLANT, BARABOO, WISCONSIN.

(a) DEFINITIONS.—In this section:

(1) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(2) PLANT.—The term ''plant'' means the Badger Army Ammunition Plant near Baraboo, Wisconsin.

(3) PROPERTY.—The term ''property'' includes—

(A) the plant;

(B) any land located in Sauk County, Wisconsin, and managed by the Federal Government relating to the plant; and

(C) any structure on the land described in subparagraph (B).

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) IN GENERAL.—There is transferred from the Secretary of Defense to the Secretary of the Interior administrative jurisdiction over approximately 1,553 acres of land located within the boundary of the property, to be held in trust by the Secretary of the Interior for the benefit of the Ho-Chunk Nation.

(2) DATE OF TRANSFER.—The transfer under paragraph (1) shall be carried out—

(A) not earlier than the date on which environmental remediation activities on the land transferred under paragraph (1) is finalized; and

(B) not later than the earlier of—

(i) the date that is 12 months after the date described in subparagraph (A); and

(ii) the date of enactment of this section.

(c) RETENTION OF ENVIRONMENTAL LIABILITY.—

(1) IN GENERAL.—Subject to paragraph (2), beginning on the date on which the property is transferred to the Secretary of the Interior under subsection (b), the Department of Defense shall retain sole and exclusive Federal responsibility and liability to fund and implement any action required under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), or any other applicable Federal or State law.

(2) LIMITATION.—The liability described in paragraph (1) is limited to the remediation of environmental contamination caused by the activities of the Department of Defense that existed before the date on which the property is transferred.

(d) EFFECT.—Except as otherwise provided in this section, nothing in this section—

(1) relieves the Secretary of Defense, the Administrator of the Environmental Protection Agency, the Secretary of the Interior, or any other person from any obligation or liability under any Federal or State law with respect to the plant;

(2) affects or limits the application of, or any obligation to comply with, any environmental law, including—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(B) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.); or

(3) prevents the United States from bringing a cost recovery, contribution, or any other action that would otherwise be available under any Federal or State law.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on November 21, 2013, at 10 a.m., to conduct a hearing entitled ''Housing Finance Reform: Powers and Structure of a Strong Regulator.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on November 21, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on November 21, 2013, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS AND THE SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works and the Subcommittee on Clean Air and Nuclear Safety be authorized to meet during the session of the Senate on November 21, 2013, at 10:15 a.m. in room SD–406 of the Dirksen Senate Office Building, to conduct a hearing entitled, ''Oversight Hearing: NRC's Implementation of the Fukushima Near-Term Task Force Recommendations and other Actions to Enhance and Maintain Nuclear Safety.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 21, 2013, at 9:30 a.m., to hold a hearing entitled ''Convention on the Rights of Persons with Disabilities.''

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

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on November 21, 2013, at 10 a.m., in SD–226 of the Dirksen Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on November 21, 2013, at 2:30 p.m.

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

SUBCOMMITTEE ON NEAR EASTERN AND SOUTH AND CENTRAL ASIAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 21, 2013, at 2:15 p.m., to hold a Near Eastern and South and Central Asian Affairs subcommittee hearing entitled, ''Political, Economic, And Security Situation in Africa''.

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

FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Debbie Stabenow:									
Brazil	Real		1,883.00						1,883.00
Christopher Adamo:									
Brazil	Real		1,883.00						1,883.00
Karla Thieman:									
Brazil	Real		1,783.00						1,783.00
T.A. Hawks:									
Brazil	Real		1,883.00						1,883.00
*Delegation Expenses:									
Brazil	Real						6,656.00		6,656.00
Senator John Thune:									
Italy	Euro		603.81						603.81
Ethiopia	Birr		439.66						439.66
Rwanda	Franc		700.98						700.98
Liberia	Dollar		206.67						206.67
Spain	Euro		247.09						247.09
Senator Mike Johanns:									
United States	Dollar		156.27						156.27
Italy	Euro		603.81						603.81
Ethiopia	Birr		439.66						439.66
Rwanda	Franc		548.65						548.65
Liberia	Dollar		206.67						206.67
Spain	Euro		247.09						247.09
*Delegation Expenses							8,102.22		8,102.22
Total			11,832.36				14,758.22		26,590.58

*Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR DEBBIE STABENOW,
Chairman, Committee on Agriculture, Nutrition, and Forestry, Nov. 7, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Toni-Marie Higgins:									
Jordan	Dinar		335.62						335.62
United Arab Emirates	Dirham		839.14						839.14
Germany	Euro		90.93						90.93
Turkey	Lira		208.72						208.72
Senator John Boozman:									
Jordan	Dinar		447.01						447.01
United Arab Emirates	Dirham		863.25						863.25
Germany	Euro		109.13						109.13
Turkey	Lira		310.94						310.94
Senator Thad Cochran:									
Jordan	Dinar		398.83						398.83
United Arab Emirates	Dirham		863.25						863.25
Germany	Euro		109.13						109.13
Turkey	Lira		310.94						310.94
Kay Webber:									
Jordan	Dinar		398.83						398.83
United Arab Emirates	Dirham		839.14						839.14
Germany	Euro		90.93						90.93
Turkey	Lira		208.72						208.72
Senator Roy Blunt:									
Brazil	Real		1,883.00						1,883.00
Stacy McBride:									
Brazil	Real		1,883.00						1,883.00
Senator Richard Shelby:									
Cape Verde	Escudo		203.73						203.73
South Africa	Rand		2,085.98						2,085.98
Argentina	Peso		1,079.30						1,079.30
Senator Thad Cochran:									
Cape Verde	Escudo		203.73						203.73
South Africa	Rand		2,085.98						2,085.98
Argentina	Peso		1,079.30						1,079.30
Senator John Boozman:									
Cape Verde	Escudo		203.73						203.73
South Africa	Rand		1,935.98						1,935.98
Argentina	Peso		1,029.30						1,029.30
Chris Ford:									
Cape Verde	Escudo		203.73						203.73

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
South Africa	Rand		2,086.00						2,086.00
Argentina	Peso		1,079.30						1,079.30
Anne Caldwell:									
Cape Verde	Escudo		203.73						203.73
South Africa	Rand		2,085.98						2,085.98
Argentina	Peso		1,079.30						1,079.30
Kay Webber:									
Cape Verde	Escudo		203.73						203.73
South Africa	Rand		2,085.98						2,085.98
Argentina	Peso		1,079.30						1,079.30
Senator Barbara Mikulski:									
Poland	Zloty		504.00						504.00
United States	Dollar				9,007.90				9,007.90
Shannon Kula:									
Poland	Zloty		1,219.23						1,219.23
United States	Dollar				10,214.30				10,214.30
Jean Doyle:									
Poland	Zloty		1,219.23						1,219.23
United States	Dollar				10,214.30				10,214.30
Alycia Farrell:									
South Korea	Won		1,012.54				176.00		1,188.54
United States	Dollar				11,325.51				11,325.51
Dennis Balkham:									
South Korea	Won		1,012.54						1,012.54
United States	Dollar				11,325.51				11,325.51
Paul Grove:									
Italy	Euro		532.33						532.33
Rwanda	Franc		1,717.99						1,717.99
Ethiopia	Birr		354.98						354.98
Liberia	Dollar		252.00						252.00
Spain	Euro		158.00						158.00
*Delegation Expenses:									
Argentina	Peso						890.64		890.64
Brazil	Real						3,328.00		3,328.00
Cape Verde	Escudo				170.40		2,136.84		2,307.24
Dem. Rep. Congo	Franc						285.90		285.90
Ethiopia	Birr				497.60		23.05		520.65
Italy	Euro				421.05		388.22		809.27
Jordan	Dinar				103.16		1,087.68		1,190.84
Liberia	Dollar				35.08		179.89		214.97
Poland	Zloty						813.77		813.77
Rwanda	Franc						1,697.75		1,697.75
South Africa	Rand				2,940.48		1,681.02		4,621.50
South Korea	Won				438.24		380.71		818.95
Spain	Euro				117.05		461.19		578.24
Turkey	Lira				206.88		116.16		323.04
United Arab Emirates	Dirham						1,900.52		1,900.52
Total			38,187.43		57,017.46		15,547.34		110,752.23

*Delegation expenses include payments and reimbursements to the Department of State under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR BARBARA A. MIKULSKI,
Chairman, Committee on Appropriations, Nov. 5, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John McCain:									
Turkey	Lira		529.93						529.93
Iraq	Dinar		93.95						93.95
Israel	Shekel		505.72						505.72
Qatar	Riyal		615.80						615.80
Afghanistan	Afghani		43.90						43.90
United States	Dollar		16,720.90						16,720.90
Christian D. Brose:									
Turkey	Lira		537.76						537.76
Iraq	Dinar		61.00						61.00
Israel	Shekel		538.00						538.00
Qatar	Riyal		328.00						328.00
Afghanistan	Afghani		78.00						78.00
United States	Dollar				16,685.00				16,685.00
Margaret Goodlander:									
Turkey	Lira		678.43						678.43
Iraq	Dinar		93.95						93.95
Israel	Shekel		516.37						516.37
Qatar	Riyal		480.65						480.65
United States	Dollar				16,700.90				16,700.90
Senator Lindsey Graham:									
Turkey	Lira		157.93						157.93
Iraq	Dinar		93.95						93.95
Israel	Shekel		147.37						147.37
Qatar	Riyal		298.79						298.79
Afghanistan	Afghani		43.90						43.90
United States	Dollar				12,587.90				12,587.90
*Delegation Expenses:									
Turkey	Lira				210.00		104.27		314.27
Iraq	Dinar				9,200.00				9,200.00
Israel	Shekel				1,298.24		5,428.11		6,726.35
United Arab Emirates	Dirham						758.80		758.80
Senator Carl Levin:									
Turkey	Lira		181.00						181.00
Jordan	Dinar		573.00						573.00
United States	Dollar				11,400.00				11,400.00
Peter K. Levine:									
Turkey	Lira		255.50						255.50
Jordan	Dinar		840.08						840.08

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
United States	Dollar				9,390.00				9,390.00
Michael J. Kuiken:									
Turkey	Lira		342.50						342.50
Jordan	Dinar		840.08						840.08
United States	Dollar				9,425.00				9,425.00
Senator Angus S. King, Jr:									
Turkey	Lira		337.50						337.50
Jordan	Dinar		770.08						770.08
United States	Dollar				9,400.00				9,400.00
Stephen M. Smith:									
Turkey	Lira		285.50						285.50
Jordan	Dinar		840.08						840.08
United States	Dollar				9,396.00				9,396.00
*Delegation Expenses:									
Turkey	Lira				282.05		2,219.32		2,501.37
Jordan	Dinar				327.60		935.46		1,263.06
Adam J. Barker:									
Yemen	Rial		745.00						745.00
Qatar	Riyal		742.00						742.00
United States	Dollar				10,057.70				10,057.70
Senator Tim Kaine:									
Turkey	Lira		338.87						338.87
Jordan	Dinar		375.12						375.12
United Arab Emirates	Dirham		613.91						613.91
Germany	Euro		131.33						131.33
Karen E. Courington:									
Turkey	Lira		299.00						299.00
Jordan	Dinar		317.33						317.33
United Arab Emirates	Dirham		688.61						688.61
Germany	Euro		85.54						85.54
Senator Jeff Sessions:									
Turkey	Lira		316.21						316.21
Jordan	Dinar		453.32						453.32
United Arab Emirates	Dirham		713.91						713.91
Germany	Euro		213.26						213.26
Sandra E. Luff:									
Turkey	Lira		297.10						297.10
Jordan	Dinar		403.03						403.03
United Arab Emirates	Dirham		954.55						954.55
Germany	Euro		155.89						155.89
Senator Deb Fischer:									
Turkey	Lira		118.28						118.28
Jordan	Dinar		334.69						334.69
United Arab Emirates	Dirham		414.97						414.97
Germany	Euro		350.44						350.44
*Delegation Expenses:									
Turkey	Lira				250.00		184.62		434.62
Jordan	Dinar				128.95		1,359.58		1.488.53
United Arab Emirates	Dirham						3,649.68		3,649.68
Senator Roger Wicker:									
Turkey	Lira		724.00						724.00
Azerbaijan	Manat		166.22						166.22
Hungary	Forint		300.00						300.00
Joseph G. Lai:									
Turkey	Lira		724.00						724.00
Azerbaijan	Manat		166.22						166.22
Hungary	Forint		300.00						300.00
*Delegation Expenses:									
Turkey	Lira						116.10		116.10
Azerbaijan	Manat						78.94		78.94
Hungary	Forint						9.19		9.19
Senator Bill Nelson:									
Belgium	Euro		155.00						155.00
Luxembourg	Euro		1,920.00						1,920.00
United States	Dollar				31,498.20				31,498.20
*Delegation Expenses:									
Belgium	Euro						10.04		10.04
Luxembourg	Euro				9,660.90		4,777.76		14,438.66
Thomas W. Goffus:									
Turkey	Lira		1,365.00						1,365.00
United States	Dollar				10,249.90				10,249.90
Senator Bill Nelson:									
Haiti	Gourde		245.00		1,442.14				1,687.14
Marin Stein:									
Haiti	Gourde		262.00		1,642.10				1,904.10
*Delegation Expenses:									
Haiti	Gourde				1,220.00		8,770.00		9,990.00
Senator John McCain:									
Egypt	Pound		252.52						252.52
Christian D. Brose:									
Egypt	Pound		317.12						317.12
Senator Lindsey Graham:									
Egypt	Pound		252.52						252.52
Craig Abele:									
Egypt	Pound		262.00						262.00
*Delegation Expenses:									
Egypt	Pound						362.00		362.00
Senator Joe Manchin III:									
South Africa	Rand		186.38						186.38
Argentina	Peso		108.99						108.99
David LaPorte:									
South Africa	Rand		161.37						161.37
Argentina	Peso		208.08						208.08
*Delegation Expenses:									
Cape Verde	Escudo						769.08		769.08
South Africa	Rand						1,540.50		1,540.50
Argentina	Peso						296.88		296.88
Michael J. Kuiken:									
Singapore	Dollar		178.00						178.00
Thailand	Baht		417.71						417.71
Philippines	Peso		1,015.00						1,015.00
Vietnam	Dong		462.00						462.00
United States	Dollar				10,498.20				10,498.20
Adam J. Barker:									
Singapore	Dollar		912.66						912.66

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Thailand	Baht		502.00						502.00
Philippines	Peso		853.00						853.00
Vietnam	Dong		468.45						468.45
United States	Dollar				16,123.70				16,123.70
Ozge Guzelsu:									
Thailand	Baht		478.00						478.00
Philippines	Peso		858.00						858.00
Vietnam	Dong		386.00						386.00
United States	Dollar				18,874.00				18,874.00
Thomas W. Goffus:									
Singapore	Dollar		912.66						912.66
Thailand	Baht		502.00						502.00
Philippines	Peso		853.00						853.00
Vietnam	Dong		468.45						468.45
United States	Dollar				16,123.70				16,123.70
*Delegation Expenses:									
Singapore	Dollar				691.96				691.96
Thailand	Baht						306.73		306.73
Philippines	Peso						576.26		576.26
Vietnam	Dong						45.08		45.08
Jonathan Epstein:									
Russia	Ruble		1,136.00						1,136.00
Azerbaijan	Manat		796.00						796.00
Georgia	Lari		596.00						596.00
Belgium	Euro		1,439.00						1,439.00
Jordan	Dinar		810.81						810.81
United States	Dollar				16,444.60				16,444.60
Daniel Lerner:									
Russia	Ruble		1,136.00						1,136.00
Azerbaijan	Manat		796.00						796.00
Georgia	Lari		596.00						596.00
Belgium	Euro		321.00						321.00
Jordan	Dinar		810.81						810.81
United States	Dollar				16,730.20				16,730.20
*Delegation Expenses:									
Russia	Ruble						700.00		700.00
Georgia	Lari						669.15		669.15
Belgium	Euro						341.26		341.26
Jordan	Dinar				191.52		326.93		518.45
Senator John McCain:									
Japan	Yen		209.81						209.81
China	Renminbi		289.45						289.45
Mongolia	Togrog		621.02						621.02
South Korea	Won		266.70						266.70
United States	Dollar				15,835.90				15,835.90
Christian D. Brose:									
Japan	Yen		668.00						668.00
China	Renminbi		387.34						387.34
Mongolia	Togrog		497.00						497.00
South Korea	Won		373.25						373.25
United States	Dollar				15,835.90				15,835.90
*Delegation Expenses:									
Japan	Yen						1,771.65		1,771.65
China	Renminbi				881.78		753.22		1,635.00
Mongolia	Togrog				2,327.42		4,812.02		7,139.44
South Korea	Won						1,855.64		1,855.64
Senator Lindsey Graham:									
United States	Dollar		156.27						156.27
Italy	Euro		602.54						602.54
Ethiopia	Birr		479.36						479.36
Rwanda	Franc		606.73						606.73
Liberia	Dollar		406.67						406.67
Spain	Euro		274.19						274.19
Andrew King:									
United States	Dollar		156.27						156.27
Italy	Euro		602.54						602.54
Ethiopia	Birr		442.08						442.08
Rwanda	Franc		563.65						563.65
Liberia	Dollar		206.67						206.67
Spain	Euro		274.19						274.19
Virginia Boney:									
United States	Dollar		156.27						156.27
Italy	Euro		602.54						602.54
Ethiopia	Birr		438.53						438.53
Rwanda	Franc		563.65						563.65
Liberia	Dollar		206.67						206.67
Spain	Euro		274.19						274.19
Senator Saxby Chambliss:									
Italy	Euro		625.33						625.33
Ethiopia	Birr		447.98						447.98
Rwanda	Franc		1,017.00						1,017.00
Liberia	Dollar		345.00						345.00
Spain	Euro		316.00						316.00
Senator Roy Blunt:									
Italy	Euro		623.07						623.07
Ethiopia	Birr		438.53						438.53
Rwanda	Franc		699.39						699.39
Liberia	Dollar		206.67						206.67
Spain	Euro		274.19						274.19
*Delegation Expenses:									
Italy	Euro						4,046.40		4,046.40
Ethiopia	Birr						2,603.25		2,603.25
Rwanda	Franc						8,488.75		8,488.75
Congo	Franc						1,429.50		1,429.50
Liberia	Dollar						1,074.85		1,074.85
Spain	Euro						2,891.20		2,891.20
Senator Kirsten Gillibrand:									
United States	Dollar		639.04						639.04
Hong Kong	Dollar		802.09						802.09
Japan	Yen		250.12						250.12
South Korea	Won		565.90						565.90
China	Renminbi		341.55						341.55
Jess Fassler:									
United States	Dollar		630.04						630.04
Hong Kong	Dollar		765.02						765.02

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Japan	Yen		250.27						250.27
South Korea	Won		593.28						593.28
China	Renminbi		341.55						341.55
Moran Banai:									
United States	Dollar		630.04						630.04
Hong Kong	Dollar		765.02						765.02
Japan	Yen		219.93						219.93
South Korea	Won		553.75						553.75
China	Renminbi		341.55						341.55
Senator Mazie K. Hirono:									
Hong Kong	Dollar		394.00						394.00
Japan	Yen		209.21						209.21
South Korea	Won		502.38						502.38
China	Renminbi		339.00						339.00
Nick Ikeda:									
Hong Kong	Dollar		370.99						370.99
Japan	Yen		203.40						203.40
South Korea	Won		445.55						445.55
China	Renminbi		414.99						414.99
*Delegation Expenses:									
Hong Kong	Dollar						426.35		426.35
Japan	Yen						3,518.59		3,518.59
South Korea	Won						1,078.72		1,078.72
China	Renminbi				440.96		1,986.54		2,427.50
Total			88,560.36		303,452.42		71,072.42		463,085.20

*Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR CARL LEVIN,
Chairman, Committee on Armed Services, Nov. 7, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Mike Crapo:									
Turkey	Lira		1,991.00						1,991.00
Azerbaijan	Manat		437.00						437.00
Hungary	Forint		656.00						656.00
Karen P. Brown:									
Turkey	Lira		1,991.00						1,991.00
Azerbaijan	Manat		437.00						437.00
Hungary	Forint		656.00						656.00
Total			6,168.00						6,168.00

SENATOR TIM JOHNSON,
Chairman, Committee on Banking, Housing, and Urban Affairs,
Oct. 17, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Barbara Boxer:									
United States	Dollar				13,860.30				13,860.30
Australia	Dollar		2,962.01						2,962.01
Paul Ordal:									
United States	Dollar				17,274.30				17,274.30
Australia	Dollar		5,082.28						5,082.28
Joseph Mendelson III:									
United States	Dollar				17,490.00				17,490.00
Australia	Dollar		3,901.78						3,901.78
Bettina Poirier:									
United States	Dollar				18,620.20				18,620.20
Australia	Dollar		3,753.52						3,753.52
Total			15,699.59		67,244.80				82,944.39

SENATOR BARBARA BOXER,
Chairman, Committee on Environment and Public Works, Nov. 7, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Cornyn:									
Cape Verde	Escudo		203.73						203.73
South Africa	Rand		1,778.64						1,778.64
Argentina	Peso		746.50						746.50
Senator Pat Roberts:									
Cape Verde	Escudo		203.73						203.73

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
South Africa	Rand		1,704.76						1,704.76
Argentina	Peso		734.26						734.26
Jacqueline Cottrell:									
Cape Verde	Escudo		203.73						203.73
South Africa	Rand		1,721.17						1,721.17
Argentina	Peso		796.10						796.10
Russell Thomasson:									
Cape Verde	Escudo		203.73						203.73
South Africa	Rand		1,855.93						1,855.93
Argentina	Peso		748.22						748.22
Senator Johnny Isakson:									
Ethiopia	Birr		934.41						934.41
United States	Dollar				12,982.30				12,982.30
Christopher Sullivan:									
Ethiopia	Birr		987.04						987.04
United States	Dollar				8,804.30				8,804.30
Shane Warren:									
Ethiopia	Birr		795.50						795.50
United States	Dollar				8,755.50				8,755.50
*Delegation Expenses:									
United States	Dollar						234.16		234.16
Laura Rauch:									
Jordan	Dinar		608.81						608.81
United Arab Emirates	Dirham		347.07						347.07
Afghanistan	Dollar		12.00						12.00
Total			14,585.33		30,542.10		234.16		45,361.59

*Delegation expenses include transportation, embassy overtime, as well as official expenses in accordance with the responsibilities of the host country.

SENATOR MAX BAUCUS,
Chairman, Committee on Finance, Nov. 8, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Barrasso:									
Bahrain	Dinar		188.14						188.14
United States	Dollar				10,267.00				10,267.00
John D. Kunsman:									
Bahrain	Dinar		196.63						196.63
United States	Dollar				9,296.00				9,296.00
*Delegation Expenses:									
Bahrain	Dinar						662.73		662.73
Senator John Barrasso:									
Italy	Euro		603.81						603.81
Ethiopia	Birr		439.66						439.66
Rwanda	Franc		922.92						922.92
Liberia	Dollar		206.67						206.67
Spain	Euro		247.09						247.09
*Delegation Expenses:									
Italy	Euro						809.27		809.27
Ethiopia	Birr						520.65		520.65
Rwanda	Franc						1,697.74		1,697.74
Dem. Rep. of Congo	Franc						285.90		285.90
Liberia	Dollar						214.89		214.89
Spain	Euro						578.24		578.24
Senator Christopher Coons:									
Liberia	Dollar		694.83						694.83
United States	Dollar				12,052.00				12,052.00
Christina Gleason:									
Liberia	Dollar		687.13						687.13
United States	Dollar				12,052.00				12,052.00
*Delegation Expenses:									
Liberia	Dollar						181.52		181.52
Senator Bob Corker:									
United Arab Emirates	Dirham		345.14						345.14
Pakistan	Rupee		7.00						7.00
Afghanistan	Afghani		12.00						12.00
United States	Dollar				12,369.98				12,369.98
Jamil Jaffer:									
United Arab Emirates	Dirham		345.22						345.22
Pakistan	Rupee		62.00						62.00
Afghanistan	Afgani		26.00						26.00
United States	Dollar				11,754.10				11,754.10
Michael Phelan:									
United Arab Emirates	Dirham		361.21						361.21
Pakistan	Rupee		62.00						62.00
Afghanistan	Afghani		12.00						12.00
United States	Dollar				11,959.79				11,959.79
*Delegation Expenses:									
United Arab Emirates	Dirham						1,558.91		1,558.91
Pakistan	Rupee						1,047.92		1,047.92
Senator Bob Corker:									
Turkey	Lira		203.97						203.97
Jordan	Dinar		608.83						608.83
United States	Dollar				16,444.10				16,444.10
Stacie Oliver:									
Turkey	Lira		240.43						240.43
Iraq	Dinar		30.00						30.00
Jordan	Dinar		609.12						609.12
United States	Dollar				15,590.10				15,590.10
Jamil Jaffer:									
Turkey	Lira		250.43						250.43
Iraq	Dinar		40.00						40.00
Jordan	Dinar		610.12						610.12
United States	Dollar				5,353.50				5,353.50
*Delegation Expenses:									
Turkey	Lira						2,897.29		2,897.29

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Iraq	Dinar						8,820.00		8,820.00
Jordan	Dinar						754.28		754.28
United Arab Emirates:	Dirham						322.37		322.37
Senator Jeff Flake:									
South Africa	Rand		2,094.87						2,094.87
Cape Verde	Escudo		203.73						203.73
Argentina	Peso		1,079.30						1,079.30
Chandler Morse:									
South Africa	Rand		1,630.43						1,630.43
Cape Verde	Escudo		203.73						203.73
Argentina	Peso		930.51						930.51
*Delegation Expenses:									
South Africa	Rand						1,540.50		1,540.50
Cape Verde	Escudo						769.07		769.07
Argentina	Peso						296.88		296.88
Senator Robert Menendez:									
Japan	Yen		939.25						939.25
Taiwan	New Dollar		481.90						481.90
Korea	Won		591.05						591.05
China	Yuan Renminbi		819.31						819.31
United States	Dollar				15,393.30				15,393.30
Daniel O'Brien:									
Japan	Yen		939.25						939.25
Taiwan	New Dollar		481.90						481.90
Korea	Won		591.05						591.05
China	Yuan Renminbi		819.31						819.31
United States	Dollar				15,771.80				15,771.80
Rolfe Michael Schiffer:									
Japan	Yen		949.27						949.27
Taiwan	New Dollar		612.80						612.80
Korea	Baht		740.74						740.74
China	Yuan Renminbi		869.98						869.98
United States	Dollar				14,144.50				14,144.50
*Delegation Expenses:									
Taiwan	New Dollar						692.84		692.84
Korea	Baht						1,726.20		1,726.20
China	Yuan Renminbi						1,278.38		1,278.38
Jaime Fly:									
Turkey	Lira		1,285.41						1,285.41
United States	Dollar				2,978.70				2,978.70
Caleb McCarry:									
Turkey	Lira		1,330.00						1,330.00
United States	Dollar				2,881.60				2,881.60
*Delegation Expenses:									
Turkey	Lira						2,387.41		2,387.41
Terrell Henry:									
Bangladesh	Rupee		1,047.37						1,047.37
United States	Dollar				6,042.40				6,042.40
Clyde Hicks:									
Qatar	Riyal		185.39						185.39
Nepal	Rupee		348.82						348.82
Sri Lanka	Rupee		481.22						481.22
United States	Dollar				4,914.70				4,914.70
Morgan Roach:									
Qatar	Riyal		185.39						185.39
Nepal	Rupee		373.81						373.81
Sri Lanka	Rupee		415.22						415.22
United States	Dollar				4,780.70				4,780.70
Jamil Jaffer:									
Israel	Shekel		1,545.00						1,545.00
United States	Dollar				7,909.57				7,909.57
Caroline Vik:									
Israel	Shekel		1,384.00						1,384.00
United States	Dollar				1,470.97				1,470.97
Caleb McCarry:									
Mexico	Peso		1,761.86						1,761.86
United States	Dollar				1,981.61				1,981.61
John Zadrozny:									
Mexico	Peso		1,618.86						1,618.86
United States	Dollar				1,981.61				1,981.61
*Delegation Expenses:									
Mexico	Peso						406.00		406.00
Ann Norris:									
Australia	Dollar		2,875.00						2,875.00
United States	Dollar				15,517.10				15,517.10
*Delegation Expenses:									
Australia	Dollar						1,381.00		1,381.00
Total			37,828.08		212,907.13		30,829.99		281,565.20

*Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR ROBERT MENENDEZ,
Chairman, Committee on Foreign Relations, Oct. 24, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON THE JUDICIARY FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Sheldon Whitehouse:									
United States	Dollar				10,641.90				10,641.90
China	Yuan Renminbi		658.45						658.45
Mongolia	Tugrik		809.68						809.68
South Korea	Won		399.90						399.90
*Delegation Expenses:									
China	Yuan Renminbi						545.00		545.00
Mongolia	Tugrik						3,056.43		3,056.43
South Korea	Won						618.55		618.55

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON THE JUDICIARY FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Cornyn:									
Turkey	Lira		221.20						221.20
Jordan	Dinar		415.84						415.84
United Arab Emirates	Dirham		881.27						881.27
Germany	Euro		455.77						455.77
Elizabeth Jafari:									
Turkey	Lira		220.49						220.49
Jordan	Dinar		373.21						373.21
United Arab Emirates	Dirham		829.24						828.24
Germany	Euro		259.83						259.83
Sidney Jerr Rosenbaum:									
Turkey	Lira		340.25						340.25
Jordan	Dinar		283.01						283.01
United Arab Emirates	Dirham		746.68						746.68
Germany	Euro		317.74						317.74
Grace Smitham:									
Turkey	Lira		217.74						217.74
Jordan	Dinar		343.48						343.48
United Arab Emirates	Dirham		694.35						694.35
Germany	Euro		239.83						239.83
*Delegation Expenses:									
Turkey	Lira						323.06		323.06
Jordan	Dinar						1,190.84		1,190.84
United Arab Emirates	Dirham						1,900.50		1,900.50
Germany	Euro						1,019.24		1,019.24
Total			8,707.96		10,641.90		8,653.62		28,003.48

*Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR PATRICK J. LEAHY,
Chairman, Committee on the Judiciary, Nov. 7, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Tressa Guenov			1,215.00						1,215.00
	Dollar				4,792.70				4,792.70
Michael Buchwald			1,399.76						1,399.76
	Dollar				4,504.95				4,504.95
Tyler Stephens			1,360.00						1,360.00
	Dollar				4,792.70				4,792.70
Senator Ron Wyden			1,546.00						1,546.00
	Dollar				12,789.50				12,789.50
Isaiah Akin			1,554.00						1,554.00
	Dollar				12,789.50				12,789.50
Total			7,074.76		39,669.35				46,744.11

SENATOR DIANNE FEINSTEIN,
Chairman, Committee on Intelligence, Oct. 17, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Fred Turner:									
Turkey	Lira		1,656.00						1,656.00
Azerbaijan	Manat		361.78						361.78
Hungary	Forint		506.00						506.00
Poland	Zoloty		785.76						785.76
United States	Dollar				1,369.00				1,369.00
Robert Hand:									
Turkey	Lira		1,646.99						1,646.99
Azerbaijan	Manat		361.78						361.78
Hungary	Forint		506.00						506.00
United States	Dollar				2,511.10				2,511.10
Allison Hollabaugh:									
Turkey	Lira		1,777.07						1,777.07
United States	Dollar				3,022.90				3,022.90
Shelly Han:									
Czech Republic	Koruna		1,582.00						1,582.00
United States	Dollar				1,734.90				1,734.90
Marlene Kaufmann:									
Turkey	Lira		639.00						639.00
Jordan	Dinar		688.83						688.83
United States	Dollar				7,252.10				7,252.10
Alex Johnson:									
Turkey	Lira		1,704.00						1,704.00
Azerbaijan	Manat		447.28						447.28
United States	Dollar				438.51				438.51
Austria	Euro		12,640.00						12,640.00
United States	Dollar				861.20				861.20
Poland	Zloty		1,463.52						1,463.52
United States	Dollar				1,319.19				1,319.19
Total			26,766.01		18,508.90				45,274.91

SENATOR BENJAMIN L. CARDIN,
Chairman, Commission on Security and Cooperation in Europe,
Oct. 18, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Anna Brettell:									
Hong Kong	Dollar		1,480.83		24.51				1,505.34
China (PRC)	Yuan		3,151.85						3,151.85
United States	Dollar				3,672.00				3,672.00
Jesse Heatley:									
Hong Kong	Dollar		493.61		24.51				518.12
China (PRC)	Yuan		3,151.85						3,151.85
United States	Dollar				3,672.00				3,672.00
*Delegation Expenses							9,305.76		9,305.76
Total			8,278.14		7,393.02		9,305.76		24,976.92

*Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR SHERROD BROWN,
Chairman, Congressional-Executive Commission on China, Nov. 12, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), MAJORITY LEADER FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Gary Myrick:									
Cape Verde	Escudo		203.73				384.54		588.27
South Africa	Rand		2,037.94				2,321.83		4,359.77
Argentina	Peso		917.26				148.44		1,065.70
Thomas Ross:									
United States	Dollar				16,604.50				16,604.50
South Korea	Won		307.49				319.68		627.17
Japan	Yen		1,147.04						1,147.04
Total			4,613.46		16,604.50		3,174.49		24,392.45

SENATOR HARRY REID,
Majority Leader, Oct. 30, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), PRESIDENT PRO TEMPORE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Patrick J. Leahy:									
United States	Dollar				10,772.50				10,772.50
United Kingdom	Pound		2,614.71						2,614.71
Senator Thad Cochran:									
United States	Dollar				10,772.50				10,772.50
United Kingdom	Pound		2,566.71						2,566.71
Senator Richard Shelby:									
United States	Dollar				10,772.50				10,772.50
United Kingdom	Pound		2,614.71						2,614.71
Senator Sheldon Whitehouse:									
United States	Dollar				10,772.50				10,772.50
United Kingdom	Pound		2,566.71						2,566.71
Dr. Brian Monahan:									
United States	Dollar				10,772.50				10,772.50
United Kingdom	Pound		2,154.71						2,154.71
Ann Berry:									
United States	Dollar				10,772.50				10,772.50
United Kingdom	Pound		2,566.71						2,566.71
Anne Caldwell:									
United States	Dollar				10,772.50				10,772.50
United Kingdom	Pound		2,566.71						2,566.71
Bruce Evans:									
United States	Dollar				10,772.50				10,772.50
United Kingdom	Pound		2,566.71						2,566.71
Kevin McDonald:									
United States	Dollar				12,489.50				12,489.50
United Kingdom	Pound		2,566.71						2,566.71
Sally Walsh:									
United States	Dollar				10,772.50				10,772.50
United Kingdom	Pound		2,566.71						2,566.71
Kay Webber:									
United States	Dollar				10,772.50				10,772.50
United Kingdom	Pound		2,566.71						2,566.71
*Delegation Expenses:									
United Kingdom	Pound						23,831.55		23,831.55
Total			27,917.81		120,214.50		23,831.55		171,963.86

*Delegation expenses include payments and reimbursements to the Department of State, under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR PATRICK J. LEAHY,
President Pro Tempore, Dec. 12, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), REPUBLICAN LEADER FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2013

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Tom Hawkins:									
Qatar	Dollar		649.00						649.00
Jordan	Dollar		631.00						631.00
Turkey	Dollar		430.00						430.00
United States	Dollar				11,761.72				11,761.72
Tom Hawkins:									
Yemen	Dollar		95.00						95.00
Qatar	Dollar		303.00						303.00
United States	Dollar				16,998.15				16,998.15
Dr. Brian Monahan:									
Italy	Euro		625.33				809.28		1,434.61
Ethiopia	Birr		447.98				520.65		968.63
Rwanda	Franc		839.30				1,697.75		2,537.05
Liberia	Dollar		335.00				214.97		549.97
Spain	Euro						578.24		578.24
Democratic Republic of the Congo	Franc						285.90		285.90
Total			4,355.61		28,759.87		4,106.79		37,222.27

SENATOR MITCH McCONNELL,
Republican Leader, Oct. 31, 2013.

MEASURES READ THE FIRST TIME—H.R. 1965, H.R. 2728, S. 1774, AND S. 1775

Mr. REID. Mr. President, I am told there are four bills at the desk due for their first reading, en bloc.

The PRESIDING OFFICER. The clerk will report the bills by title en bloc.

The assistant legislative clerk read as follows:

A bill (S. 1774) to reauthorize the Undetectable Firearms Act of 1988 for 1 year.

A bill (S. 1775) to improve the Sexual Assault Prevention and Response Programs and activities of the Department of Defense, and for other purposes.

A bill (H.R. 1965) to streamline and ensure onshore energy permitting, provide for onshore leasing certainty, and give certainty to oil shale development for American energy security, economic development, and job creation, and for other purposes.

A bill (H.R. 2728) to recognize States' authority to regulate oil and gas operations and promote American energy security development and job creation.

Mr. REID. I ask for a second reading en bloc and object to my own request en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be read for a second time on the next legislative day.

SIGNING AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that during the adjournment or recess of the Senate from Thursday, November 21, through Monday, December 9, Senators WARREN, KAINE, and ROCKEFELLER be authorized to sign duly enrolled bills or joint resolutions.

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

APPOINTMENT

The PRESIDING OFFICER. On behalf of the President pro tempore and upon the recommendation of the Republican leader, pursuant to Section 2(b) of Public Law 98–183, as amended by Public Law 103–419, appoints Gail Heriot, of California, to the United States Commission on Civil Rights, for a term of six years.

ORDERS FOR FRIDAY, NOVEMBER 22, 2013, THROUGH MONDAY, DECEMBER 9, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn and convene for pro forma sessions only, with no business conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, November 22, at 11:15 a.m.; Tuesday, November 26, at 11 a.m.; Friday, November 29, at 1 p.m.; Tuesday, December 3, at 11 a.m.; and Friday, December 6, at 10:30 a.m.; and that the Senate adjourn on Friday, December 6 until 2 p.m. on Monday, December 9, 2013, unless the Senate receives a message from the House that it has adopted S. Con. Res. 28, the adjournment resolution; and that if the Senate receives such a message, the Senate adjourn until 2 p.m. on Monday, December 9, 2013; that on Monday, following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate be in a period of morning business until 4 p.m., with Senators permitted to speak therein for up to 10 minutes each; that following morning business, the Senate resume consideration of S. 1197, the National Defense Authorization Act, to allow the chairman and ranking member to provide a status update on the bill; further, that at 5 p.m., the Senate proceed to executive session to resume consideration of Calendar No. 327, the nomination of Patricia Millett to be U.S. circuit judge for the DC Circuit, postcloture, with up to 30 minutes of debate equally divided and controlled in the usual form; and, finally, that at 5:30 p.m. all postcloture time be expired and the Senate vote on confirmation of the Millett nomination.

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

PROGRAM

Mr. REID. Mr. President, the next rollcall vote will be at 5:30 p.m. on Monday, December 9.

CONDITIONAL ADJOURNMENT UNTIL FRIDAY, NOVEMBER 22, 2013, AT 11:15 A.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:32 p.m., conditionally adjourned until Friday, November 22, 2013, at 11:15 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

SHERRY MOORE TRAFFORD, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE NATALIA COMBS GREENE, RETIRED.

STEVEN M. WELLNER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE KAYE K. CHRISTIAN, RETIRED.

DEPARTMENT OF JUSTICE

ANDREW MARK LUGER, OF MINNESOTA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF MINNESOTA FOR THE TERM OF FOUR YEARS, VICE B. TODD JONES, TERM EXPIRED.

DAMON PAUL MARTINEZ, OF NEW MEXICO, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF NEW MEXICO FOR THE TERM OF FOUR YEARS, VICE KENNETH J. GONZALES, RESIGNED.

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO AND WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

GERALD MICHAEL FEIERSTEIN, OF PENNSYLVANIA
ROBERT S. FORD, OF MARYLAND
DAVID M. HALE, OF NEW JERSEY

STUART E. JONES, OF VIRGINIA
LINDA THOMAS-GREENFIELD, OF LOUISIANA

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR:

RONALD D. ACUFF, OF FLORIDA
DOUGLAS A. ALLISON, OF VIRGINIA
MARJORIE ANN AMES, OF FLORIDA
WHITNEY YOUNG BAIRD, OF NORTH CAROLINA
ERICA JEAN BARKS–RUGGLES, OF VIRGINIA
KRISTEN F. BAUER, OF MASSACHUSETTS
PAUL S. BEIGHLEY, OF THE DISTRICT OF COLUMBIA
KATE M. BYRNES, OF FLORIDA
FLOYD STEVEN CABLE, OF NEW YORK
AUBREY A. CARLSON, OF TEXAS
ANNE S. CASPER, OF NEVADA
TODD CRAWFORD CHAPMAN, OF TEXAS
KAREN LISE CHRISTENSEN, OF VIRGINIA
SUSAN R. CRYSTAL, OF PENNSYLVANIA
KAREN BERNADETTE DECKER, OF VIRGINIA
KATHLEEN A. DOHERTY, OF NEW YORK
MARY DALE DRAPER, OF CALIFORNIA
MICHAEL J. FITZPATRICK, OF FLORIDA
ROBERT W. FORDEN, OF CALIFORNIA
JENNIFER ZIMDAHL GALT, OF COLORADO
THOMAS HENRY GOLDBERGER, OF NEW JERSEY
MARK A. GOODFRIEND, OF CALIFORNIA
ROBERT DANIEL GRIFFITHS, OF NEVADA
KELII J. GURFIELD, OF WASHINGTON
PETER DAVID HAAS, OF FLORIDA
DANIEL J. HALL, OF TEXAS
DENNIS B. HANKINS, OF VIRGINIA
KATHLEEN D. HANSON, OF THE DISTRICT OF COLUMBIA
CLIFFORD AWTREY HART, OF VIRGINIA
JENNIFER CONN HASKELL, OF FLORIDA
DONALD L. HEFLIN, OF VIRGINIA
LEO J. HESSION, JR., OF CALIFORNIA
CATHERINE M. HILL–HERNDON, OF PENNSYLVANIA
PERRY L. HOLLOWAY, OF SOUTH CAROLINA
JOHN F. HOOVER, OF VIRGINIA
CHRISTINE L. HUGHES, OF FLORIDA
THOMAS J. HUSHEK, OF THE DISTRICT OF COLUMBIA
MICHAEL JOSEPH JACOBSEN, OF TEXAS
JULIE LYNN KAVANAGH, OF VIRGINIA
MICHAEL STANLEY KLECHESKI, OF VIRGINIA
KENT D. LOGSDON, OF FLORIDA
MATTHEW ROBERT LUSSENHOP, OF MINNESOTA
MICHAEL WILLIAM MCCLELLAN, OF KENTUCKY
ROBIN D. MEYER, OF THE DISTRICT OF COLUMBIA
JONATHAN M. MOORE, OF ILLINOIS
WENDELA C. MOORE, OF VIRGINIA
KIN WAH MOY, OF NEW YORK
WARREN PATRICK MURPHY, OF VIRGINIA
JULIETA VALLS NOYES, OF FLORIDA
LARRY G. PADGET, JR., OF TEXAS
VIRGINIA E. PALMER, OF VIRGINIA
BETH A. PAYNE, OF THE DISTRICT OF COLUMBIA
MARY CATHERINE PHEE, OF THE DISTRICT OF COLUMBIA
CLAIRE A. PIERANGELO, OF CALIFORNIA
LONNIE J. PRICE, OF VIRGINIA
ROBIN S. QUINVILLE, OF CALIFORNIA
ELIZABETH H. RICHARD, OF TEXAS
ADELE E. RUPPE, OF MARYLAND
SUE ELLEN SAARNIO, OF VIRGINIA
CHRISTIAN J. SCHURMAN, OF VIRGINIA
KRISTEN B. SKIPPER, OF CALIFORNIA
PAUL RANDALL SUTPHIN, OF VIRGINIA
MARA R. TEKACH, OF FLORIDA
MICHAEL STEPHEN TULLEY, OF CALIFORNIA
DAVID A. TYLER, OF NEW HAMPSHIRE
THOMAS LASZLO VAJDA, OF VIRGINIA
JAMES E. VANDERPOOL, OF CALIFORNIA
PAUL DASHNER WOHLERS, OF WASHINGTON
STEVEN EDWARD ZATE, OF FLORIDA
TIMOTHY P. ZUNIGA-BROWN, OF NEVADA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AS INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

KELLY ADAMS-SMITH, OF VIRGINIA
STEVEN P. ADAMS-SMITH, OF VIRGINIA
JORGAN KENDAL ANDREWS, OF VIRGINIA
VIRGINIA MEADE BLASER, OF VIRGINIA
SCOTT DOUGLAS BOSWELL, OF THE DISTRICT OF COLUMBIA
WILLIAM HARVEY BOYLE, OF ARIZONA
MATTHEW GORDON BOYSE, OF CONNECTICUT
BRIDGET A. BRINK, OF THE DISTRICT OF COLUMBIA
MARYKAY LOSS CARLSON, OF TEXAS
JAMES A. CAROUSO, OF NEW YORK
MELISSA CLEGG-TRIPP, OF WASHINGTON
THEODORE R. COLEY, OF VIRGINIA
KELLY COLLEEN DEGNAN, OF CALIFORNIA
LESLIE STEPHEN DEGRAFFENRIED, OF TEXAS
JILL DERDERIAN, OF MARYLAND
THOMAS M. DUFFY, OF CALIFORNIA
STUART ANDERSON DWYER, OF MAINE
ANDREW S. E. ERICKSON, OF CALIFORNIA
THOMAS R. FAVRET, OF PENNSYLVANIA
TARA FERET, OF VIRGINIA
PATRICIA L. FIETZ, OF VIRGINIA
FRANK JONATHAN FINVER, OF MARYLAND
DEHAB GHEBREAB, OF VIRGINIA
PAUL G. GILMER, OF CALIFORNIA
JOSHUA D. GLAZEROFF, OF VIRGINIA
ANTHONY F. GODFREY, OF VIRGINIA
KATHARINA P. GOLLNER–SWEET, OF VIRGINIA
FRANCISCO JAVIER GONZALES, OF NEW JERSEY
LAURA MARLENE GOULD, OF VIRGINIA
ERIC F. GREEN, OF THE DISTRICT OF COLUMBIA
ALLEN S. GREENBERG, OF TEXAS
MICHAEL NICHOLAS GREENWALD, OF CALIFORNIA
HENRY HARRISON HAND, OF THE DISTRICT OF COLUMBIA
TODD C. HOLMSTROM, OF MICHIGAN
HENRY VICTOR JARDINE, OF VIRGINIA
LISA ANNE JOHNSON, OF VIRGINIA
ELIZABETH JANE JORDAN, OF FLORIDA
GEORGE P. KENT, OF VIRGINIA
JOHN STUART KINCANNON, OF THE DISTRICT OF COLUMBIA
DOUGLAS A. KONEFF, OF MARYLAND
MICHAEL B. KOPLOVSKY, OF NEW YORK
STEVEN CHRISTOPHER KOUTSIS, OF MASSACHUSETTS
DALE A. LARGENT, OF WASHINGTON
LAURA ANNE LOCHMAN, OF NORTH CAROLINA
JAMES L. LOI, OF CONNECTICUT
THEODORE J. LYNG, OF CONNECTICUT
JEAN ELIZABETH MANES, OF FLORIDA
ANDREW COOPER MANN, OF WASHINGTON
CARLOS F. MATUS, OF MARYLAND
WAYNE AMORY MCDUFFY, OF VIRGINIA
DAVID SLAYTON MEALE, OF VIRGINIA
DAVID MEES, OF MARYLAND
CHRISTOPHER MIDURA, OF VIRGINIA
KEITH W. MINES, OF NEW YORK
SARAH CRADDOCK MORRISON, OF VIRGINIA
SUSAN BUTLER NIBLOCK, OF MARYLAND
KAREN L. OGLE, OF MICHIGAN
KEVIN MICHAEL O'REILLY, OF VIRGINIA
INMI KIM PATTERSON, OF NEW YORK
BRIAN HAWTHORNE PHIPPS, OF FLORIDA
THOMAS C. PIERCE, OF OREGON
JOHN MARK POMMERSHEIM, OF FLORIDA
JOHN ROBERT POST, OF THE DISTRICT OF COLUMBIA
LYNETTE JOYCE POULTON, OF CALIFORNIA
TIMOTHY JOEL POUNDS, OF NEVADA
JEAN E. PRESTON, OF THE DISTRICT OF COLUMBIA
MONIQUE VALERIE QUESADA, OF FLORIDA
DAVID J. RANZ, OF NEW YORK
DAVID REIMER, OF VIRGINIA
RICHARD HENRY RILEY IV, OF VIRGINIA
LYNN WHITLOCK ROCHE, OF VIRGINIA
ELIZABETH HELEN ROOD, OF VIRGINIA
DAVID JONATHAN SCHWARTZ, OF VIRGINIA
DOROTHY CAMILLE SHEA, OF THE DISTRICT OF COLUMBIA
ADAM MATTHEW SHUB, OF MARYLAND
LYNNE P. SKEIRIK, OF NEW HAMPSHIRE
MICHAEL H. SMITH, OF NEW JERSEY
THOMAS D. SMITHAM, OF MARYLAND
ANDREW SNOW, OF NEW YORK
SEAN B. STEIN, OF IDAHO
JAMES KENT STIEGLER, OF CALIFORNIA
MARTINA A. STRONG, OF TEXAS
STEPHANIE FAYE SYPTAK–RAMNATH, OF TEXAS
GREGORY DEAN THOME, OF WISCONSIN
LAURENCE EDWARD TOBEY, OF NEW JERSEY
LAURIE JO TROST, OF VIRGINIA
LESLIE MEREDITH TSOU, OF VIRGINIA
JOHN MICHAEL UNDERRINER, OF OHIO
DENISE A. URS, OF TEXAS
PETER HENDRICK VROOMAN, OF NEW YORK
GARY S. WAKAHIRO, OF CALIFORNIA
JESSICA WEBSTER, OF DELAWARE
WILLIAM J. WEISSMAN, OF CALIFORNIA
ERIC PAUL WHITAKER, OF CALIFORNIA
FRANK J. WHITAKER, OF SOUTH CAROLINA
HENRY THOMAS WOOSTER, OF VIRGINIA
THOMAS K. YAZDGERDI, OF FLORIDA
PAUL DOUGLAS YESKOO, OF VIRGINIA
MARTA COSTANZO YOUTH, OF MARYLAND

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

RAYMOND BASSI, OF VIRGINIA
MARK S. BUTCHART, OF MARYLAND
RICHARD A. CAPONE, OF VIRGINIA
JANET A. COTE, OF NEVADA
CAROLYN I. CREEVY, OF VIRGINIA
JILL E. DARKEN, OF ILLINOIS
LON C. FAIRCHILD, OF VIRGINIA
BARTLE B. GORMAN, OF VIRGINIA
ALEEN JANICE GRABOW, OF WISCONSIN
ROBERT ALLEN HALL, OF PENNSYLVANIA
RALPH A. HAMILTON, OF OHIO
ROGER A. HERNDON, OF PENNSYLVANIA
BRUCE J. LIZZI, OF MARYLAND
DAVID LEE LYONS, OF MARYLAND
MICHAEL M. MACK, OF VIRGINIA
KATHLEEN A. MCCRAY, OF VIRGINIA
ALEX G. MCFADDEN, OF FLORIDA
BEVERLY DOREEN ROCHESTER, OF NEVADA
THOMAS GERARD SCANLON, OF VIRGINIA
KATHRYN M. SCHALOW, OF VIRGINIA
DEAN K. SHEAR, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED, EFFECTIVE OCTOBER 12, 2008:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

DAVID MICHAEL SATTERFIELD, OF MISSOURI

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. ROBERT I. MILLER

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. MICHAEL T. MCGUIRE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE JUDGE ADVOCATE GENERAL OF THE AIR FORCE AND FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE SERVING AS THE JUDGE ADVOCATE GENERAL UNDER TITLE 10, U.S.C., SECTION 8037:

To be lieutenant general

BRIG. GEN. CHRISTOPHER F. BURNE

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROBERT S. FERRELL

DEPARTMENT OF DEFENSE

BRAD R. CARSON, OF OKLAHOMA, TO BE UNDER SECRETARY OF THE ARMY, VICE JOSEPH W. WESTPHAL.

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

RICHARD A. KENNEDY, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM EXPIRING MAY 30, 2016, VICE WILLIAM COBEY, TERM EXPIRED.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

DAVID RADZANOWSKI, OF THE DISTRICT OF COLUMBIA, TO BE CHIEF FINANCIAL OFFICER, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, VICE ELIZABETH M. ROBINSON.

DEPARTMENT OF STATE

MAUREEN ELIZABETH CORMACK, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BOSNIA AND HERZEGOVINA.

UNITED NATIONS

LESLIE BERGER KIERNAN, OF MARYLAND, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS FOR U. N. MANAGEMENT AND REFORM, WITH THE RANK OF AMBASSADOR.

LESLIE BERGER KIERNAN, OF MARYLAND, TO BE ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, DURING HER TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS FOR U. N. MANAGEMENT AND REFORM.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

HEATHER L. MACDOUGALL, OF FLORIDA, TO BE A MEMBER OF THE OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM EXPIRING APRIL 27, 2017, VICE HORACE A. THOMPSON, TERM EXPIRED.

DEPARTMENT OF HOMELAND SECURITY

JOHN ROTH, OF MICHIGAN, TO BE INSPECTOR GENERAL, DEPARTMENT OF HOMELAND SECURITY, VICE RICHARD L. SKINNER, RESIGNED.