

“(b) CIVIL ACTION.—An employee injured by a violation of subsection (a) may, in a civil action, obtain appropriate relief.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part III of title 28, United States Code, is amended by adding at the end the following:

“60. Inspector General for the judicial branch ..... 1021”.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 88. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table.

SA 89. Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 90. Mr. COONS (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 91. Mr. VITTER (for himself and Mrs. McCASKILL) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 92. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 93. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 94. Mr. BURR (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 95. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 96. Mr. BROWN (for himself, Mr. JOHANNIS, Mr. GRASSLEY, Mr. JOHNSON of South Dakota, Mrs. GILLIBRAND, Mr. TESTER, and Mr. BOOZMAN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 97. Mr. UDALL of New Mexico (for himself, Mr. UDALL of Colorado, and Ms. LANDRIEU) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 98. Ms. MIKULSKI (for herself and Mr. SHELBY) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 99. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 100. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 101. Mr. TOOMEY submitted an amendment intended to be proposed by him to the

bill H.R. 933, supra; which was ordered to lie on the table.

SA 102. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 103. Mr. WHITEHOUSE (for himself, Mr. COWAN, Mr. CARDIN, Mr. SCHATZ, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 104. Mr. MANCHIN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 105. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 106. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 107. Mr. FRANKEN (for himself, Mr. UDALL of New Mexico, Mr. JOHNSON of South Dakota, Ms. KLOBUCHAR, and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 108. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 109. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 110. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 111. Mr. BAUCUS (for himself, Mr. TESTER, Mr. BEGICH, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 112. Mr. UDALL of Colorado submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 113. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 114. Mr. JOHNSON of South Dakota submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 115. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra.

SA 116. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 117. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 118. Mr. BARRASSO (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and

Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 119. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 120. Ms. MURKOWSKI (for herself, Ms. CANTWELL, Mr. BEGICH, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 121. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 122. Ms. MURKOWSKI (for herself, Mr. COCHRAN, Ms. COLLINS, Mr. KING, Ms. WARREN, Mrs. SHAHEEN, Mr. COWAN, and Mr. BEGICH) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 123. Mr. DURBIN proposed an amendment to amendment SA 115 submitted by Mr. TOOMEY to the amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra.

SA 124. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 84 submitted by Ms. AYOTTE (for herself and Mr. CHAMBLISS) and intended to be proposed to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 125. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 88. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division C, insert the following:

SEC. 8131. (a) ADDITIONAL AMOUNT FOR O&M, DEFENSE-WIDE, FOR ACTIVITIES IN CONUS.—The amount appropriated by title II of this division under the heading “OPERATION AND MAINTENANCE, DEFENSE-WIDE” is hereby increased by \$60,000,000, with the amount to be available for operation and maintenance expenses in connection with programs, projects, and activities in the continental United States.

(b) OFFSET.—The amount appropriated by title III of this division under the heading “PROCUREMENT, DEFENSE-WIDE” is hereby decreased by \$60,000,000, with the amount of the reduction to be allocated to amounts available under that heading for Advanced Drop in Biofuel Production.

SA 89. Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal

year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 30. None of the funds made available by this Act or any other Act may be used to carry out the order of the Secretary of the Interior numbered 3321 and dated May 24, 2012 (regarding the establishment of a National Blueways System).

**SA 90.** Mr. COONS (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 3 and 4, insert the following:

SEC. 74. (a) Notwithstanding any other provision of this Act, during fiscal year 2013, the Secretary of Agriculture may transfer any amounts appropriated for the Department of Agriculture, made available for that fiscal year, and subject to reduction under a sequestration order under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), among accounts of the Department of Agriculture so as to prevent disruption in the inspection services of the Food Safety and Inspection Service.

(b) Prior to, or as soon as practicable after, transferring amounts under subsection (a), the Secretary of Agriculture shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report that describes the transfers.

**SA 91.** Mr. VITTER (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_ . **ELIMINATION OF AUTOMATIC PAY ADJUSTMENTS FOR MEMBERS OF CONGRESS.**

(a) IN GENERAL.—Paragraph (2) of section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) is repealed.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 601(a)(1) of such Act is amended—

(1) by striking “(a)(1)” and inserting “(a)”;

(2) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively, and adjusting the margins accordingly; and

(3) by striking “as adjusted by paragraph (2) of this subsection” and inserting “adjusted as provided by law”.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on February 1, 2015.

**SA 92.** Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs,

and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, insert the following:

SEC. 543. (a) INCREASE IN AMOUNT FOR NASA FOR CROSS AGENCY SUPPORT.—The amount appropriated by title III of this division under the heading “NATIONAL AERONAUTICS AND SPACE ADMINISTRATION” under the heading “CROSS AGENCY SUPPORT” is hereby increased by \$123,000,000.

(b) OFFSET.—The amount appropriated by title III of this division under the heading “NATIONAL AERONAUTICS AND SPACE ADMINISTRATION” under the heading “CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION” is hereby decreased by \$265,710,000, with the amount of the reduction to be allocated to amounts available under that heading for Exploration Construction of Facilities (CoF).

**SA 93.** Mr. COBURN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 542, strike lines 3 through 21 and insert the following:

REOPENING THE WHITE HOUSE FOR PUBLIC TOURS AND PRESERVING OUR NATIONAL TREASURES

SEC. 1404. Notwithstanding section 1101—

(1) the amount appropriated for the National Recreation and Preservation account shall be reduced by \$8,100,000, which shall be taken from the National Heritage Partnership Program; and

(2) the amount appropriated under section 1401(e) for “National Park Service, Operation of the National Park System” shall be increased by \$6,000,000, which shall be used for expenses related to visitor services and maintenance of national parks, monuments, sites, national memorials, and battlefields, including the White House, Grand Canyon National Park, the Washington Monument, Yellowstone National Park, and the Flight 93 National Memorial.

**SA 94.** Mr. BURR (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_ . **ABLE ACT OF 2013.**

(a) SHORT TITLE.—This section may be cited as the “Achieving a Better Life Experience Act of 2013” or the “ABLE Act of 2013”.

(b) PURPOSES.—The purposes of this section are as follows:

(1) To encourage and assist individuals and families in saving private funds for the purpose of supporting individuals with disabilities to maintain health, independence, and quality of life.

(2) To provide secure funding for disability-related expenses on behalf of designated

beneficiaries with disabilities that will supplement, but not supplant, benefits provided through private insurance, the Medicaid program under title XIX of the Social Security Act, the supplemental security income program under title XVI of such Act, the beneficiary’s employment, and other sources.

(c) ABLE ACCOUNTS.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—Section 529 of the Internal Revenue Code of 1986 is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

“(f) ABLE ACCOUNTS.—

“(1) GENERAL RULES.—For purposes of any other provision of law with respect to a qualified ABLE program and an ABLE account, except as otherwise provided in this subsection—

“(A) a qualified ABLE program and an ABLE account shall be treated in the same manner as a qualified tuition program and an account described in subsection (b)(1)(A)(ii), respectively, are treated,

“(B) qualified disability expenses with respect to a program or account described in subparagraph (A) shall be treated in the same manner as qualified higher education expenses are treated, and

“(C) maximum contributions shall be no higher than the limit established by the State for their regular 529 account.

“(2) QUALIFIED ABLE PROGRAM.—For purposes of this subsection, the term ‘qualified ABLE program’ means a program established and maintained by a State or agency or instrumentality thereof—

“(A) under which a person may make contributions to an ABLE account which is established for the purpose of meeting the qualified disability expenses of the designated beneficiary of the account,

“(B) which meets the requirements of the preceding subsections of this section (as modified by this subsection), determined by substituting—

“(i) ‘qualified ABLE program’ for ‘qualified tuition program’, and

“(ii) ‘ABLE account’ for ‘account’, and

“(C) which meets the other requirements of this subsection.

“(3) QUALIFIED DISABILITY EXPENSES.—For purposes of this subsection—

“(A) IN GENERAL.—The term ‘qualified disability expenses’ means any expenses which are made for the benefit of an individual with a disability who is a designated beneficiary.

“(B) EXPENSES INCLUDED.—The following expenses shall be qualified disability expenses if such expenses are made for the benefit of an individual with a disability who is a designated beneficiary and are related to such disability:

“(i) EDUCATION.—Expenses for education, including tuition for preschool thru post-secondary education, which shall include higher education expenses (as defined by subsection (e)(3)) and expenses for books, supplies, and educational materials related to preschool and secondary education, tutors, and special education services.

“(ii) HOUSING.—Expenses for a primary residence, including rent, purchase of a primary residence or an interest in a primary residence, mortgage payments, real property taxes, and utility charges.

“(iii) TRANSPORTATION.—Expenses for transportation, including the use of mass transit, the purchase or modification of vehicles, and moving expenses.

“(iv) EMPLOYMENT SUPPORT.—Expenses related to obtaining and maintaining employment, including job-related training, assistive technology, and personal assistance supports.

“(v) HEALTH, PREVENTION, AND WELLNESS.—Expenses for health and wellness, including premiums for health insurance, mental health, medical, vision, and dental expenses, habilitation and rehabilitation services, durable medical equipment, therapy, respite care, long-term services and supports, nutritional management, communication services and devices, adaptive equipment, assistive technology, and personal assistance.

“(vi) MISCELLANEOUS EXPENSES.—Financial management and administrative services; legal fees; expenses for oversight; monitoring; home improvements, and modifications, maintenance and repairs, at primary residence; or funeral and burial expenses.

“(vii) ASSISTIVE TECHNOLOGY AND PERSONAL SUPPORT SERVICES.—Expenses for assistive technology and personal support with respect to any item described in clauses (i) through (vi).

“(viii) OTHER APPROVED EXPENSES.—Any other expenses which are approved by the Secretary under regulations and consistent with the purposes of this section.

“(C) INDIVIDUAL WITH A DISABILITY.—

“(i) IN GENERAL.—Except as provided in clause (ii), an individual is an individual with a disability for a year if the individual (regardless of age)—

“(I) has a medically determinable physical or mental impairment, which results in marked and severe functional limitations, and which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months, or

“(II) is blind.

“(ii) DISABILITY CERTIFICATION REQUIRED.—An individual shall not be treated as an individual with a disability for a year unless the individual—

“(I) is receiving (or, for purposes of title XIX of the Social Security Act, is deemed to be, or treated as, receiving by the State Medicaid Agency) benefits under the supplemental security income program under title XVI of such Act, or whose benefits under such program are suspended other than by reason of misconduct,

“(II) is receiving disability benefits under title II of such Act, or

“(III) files a disability certification with the Secretary for such year.

“(iii) DISABILITY CERTIFICATION DEFINED.—The term ‘disability certification’ means, with respect to an individual, a certification to the satisfaction of the Secretary by the designated beneficiary or the parent or guardian of the designated beneficiary that—“(I) the individual meets the criteria described in clause (i), and

“(II) includes a copy of the designated beneficiary’s diagnosis, signed by a physician meeting the criteria of section 1861(r)(1) of the Social Security Act.

“(iv) RESTRICTION ON USE OF CERTIFICATION.—No inference may be drawn from a disability certification for purposes of establishing eligibility for benefits under title II, XVI, or XIX of the Social Security Act.

“(4) ROLLOVERS FROM ABLE ACCOUNTS.—Subsection (c)(3)(A) shall not apply to any amount paid or distributed from an ABLE account to the extent that the amount received is paid, not later than the 60th day after the date of such payment or distribution, into—

“(A) another ABLE account for the benefit of—

“(i) the same beneficiary, or

“(ii) an individual with a disability who is a family member of the beneficiary,

“(B) any trust which is described in subparagraph (A) or (C) of section 1917(d)(4) of the Social Security Act and which is for the benefit of an individual described in clause (i) or (ii) of subparagraph (A), or

“(C) a qualified tuition program—

“(i) for the benefit of the designated beneficiary, or

“(ii) to the credit of another designated beneficiary under a qualified tuition program who is a member of the family of the designated beneficiary with respect to which the distribution was made.

The preceding sentence shall not apply to any payment or distribution if it applied to any prior payment or distribution during the 12-month period ending on the date of the payment or distribution.

“(5) TRANSFER TO STATE.—Subject to any outstanding payments due for qualified disability expenses, in the case that the designated beneficiary dies or ceases to be an individual with a disability, all amounts remaining in the qualified ABLE account not in excess of the amount equal to the total medical assistance paid for the designated beneficiary after the establishment of the account, net of any premiums paid from the account or paid by or on behalf of the beneficiary to a Medicaid Buy-In program, under any State Medicaid plan established under title XIX of the Social Security Act shall be distributed to such State upon filing of a claim for payment by such State. For purposes of this paragraph, the State shall be a creditor of an ABLE account and not a beneficiary. Subsection (c)(3) shall not apply to a distribution under the preceding sentence.

“(6) REGULATIONS.—Not later than 6 months after the date of the enactment of this subsection, the Secretary may prescribe such regulations or other guidance as the Secretary determines necessary or appropriate to carry out the purposes of this subsection, including regulations to prevent fraud and abuse with respect to amounts claimed as qualified disability expenses.”.

(B) CONFORMING AMENDMENT.—Paragraph (2) of section 6693(a) of the Internal Revenue Code of 1986 such Code is amended by striking “and” at the end of subparagraph (D), by striking the period at the end of subparagraph (E) and inserting “and”, and by inserting after subparagraph (E) the following new subparagraph:

“(F) section 529(d) by reason of 529(f) (relating to ABLE accounts).”.

(2) ANNUAL REPORTS.—

(A) IN GENERAL.—The Secretary of the Treasury shall report annually to Congress on the usage of ABLE accounts under section 529(f) of the Internal Revenue Code of 1986.

(B) CONTENTS OF REPORT.—Any report under subparagraph (A) may include—

(i) the number of people with an ABLE account,

(ii) the total amount of contributions to such accounts,

(iii) the total amount and nature of distributions from such accounts,

(iv) issues relating to the abuse of such accounts, if any, and

(v) the amounts repaid from such accounts to State Medicaid programs established under title XIX of the Social Security Act.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after the date of the enactment of this Act.

(d) TREATMENT OF ABLE ACCOUNTS UNDER CERTAIN FEDERAL PROGRAMS.—

(1) ACCOUNT FUNDS DISREGARDED FOR PURPOSES OF CERTAIN OTHER MEANS-TESTED FEDERAL PROGRAMS.—Notwithstanding any other provision of Federal law that requires consideration of 1 or more financial circumstances of an individual, for the purpose of determining eligibility to receive, or the amount of, any assistance or benefit authorized by such provision to be provided to or for the benefit of such individual, any amount (including earnings thereon) in any ABLE account (as defined in section 529(f) of

the Internal Revenue Code of 1986) of such individual, and any distribution for qualified disability expenses (as defined in paragraph (3) of such section) shall be disregarded for such purpose with respect to any period during which such individual maintains, makes contributions to, or receives distributions from such ABLE account, except that, in the case of the supplemental security income program under title XVI of the Social Security Act, a distribution for housing expenses (as defined in subparagraph (B)(ii) of such paragraph) shall not be so disregarded, and in the case of such program, only the last \$100,000 of the amount (including such earnings) in such ABLE account shall be so disregarded.

(2) SUSPENSION OF SSI BENEFITS DURING PERIODS OF EXCESSIVE ACCOUNT FUNDS.—

(A) IN GENERAL.—The benefits of an individual under the supplemental security income program under title XVI of the Social Security Act shall not be terminated, but shall be suspended, by reason of excess resources of the individual attributable to an amount in the ABLE account (as defined in section 529(f) of the Internal Revenue Code of 1986) of the individual not disregarded under paragraph (1) of this subsection.

(B) NO IMPACT ON MEDICAID ELIGIBILITY.—An individual who would be receiving payment of such supplemental security income benefits but for the application of subparagraph (A) shall be treated for purposes of title XIX of the Social Security Act as if the individual continued to be receiving payment of such benefits.

**SA 95.** Mr. NELSON submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division F, add the following:

SEC. 12 \_\_. (a) Section 1001(17)(A) of the Water Resources Development Act of 2007 (121 Stat. 1052) is amended—

(1) by striking “\$125,270,000” and inserting “\$152,510,000”;

(2) by striking “\$75,140,000” and inserting “\$92,007,000”; and

(3) by striking “\$50,130,000” and inserting “\$60,503,000”.

(b) The amendments made by subsection (a) take effect on November 8, 2007.

**SA 96.** Mr. BROWN, for himself, Mr. JOHANN, Mr. GRASSLEY, Mr. JOHNSON of South Dakota, Mrs. GILLIBRAND, Mr. TESTER, and Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 24, line 14, strike “\$1,500,000,000” and insert “\$2,000,000,000”.

**SA 97.** Mr. UDALL of New Mexico (for himself, Mr. UDALL of Colorado, and Ms. LANDRIEU) submitted an amendment intended to be proposed to

amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division F, add the following:

SEC. 12 \_\_\_\_\_. (a) Section 999A(b) of the Energy Policy Act of 2005 (42 U.S.C. 16371(b)) is amended—

(1) in paragraph (1), by inserting “, and for research and development, including on technologies and processes to improve safety and well integrity and reduce environmental impacts” after “feet”;

(2) in paragraph (2), by inserting “, and for research and development, including on technologies and processes to improve safety, improve well integrity, improve water management, improve understanding of fluid flow and storage, and reduce the surface footprint” after “technology”;

(3) in paragraph (3), by inserting “, and for research and development, including on technology and processes for reducing the environmental impacts and improving well integrity” after “producers”.

(b) Section 999B of the Energy Policy Act of 2005 (42 U.S.C. 16372) is amended—

(1) in subsection (a), by striking “, to maximize” and all that follows through the period at the end and inserting “to ensure the safe and environmentally responsible production of natural gas and other petroleum resources of the United States.”; and

(2) by adding at the end the following:

“(k) STUDY; REPORT.—

“(1) STUDY.—As soon as practicable after the date of enactment of this subsection, the Secretary shall enter into an arrangement with the National Academy of Sciences under which the Academy shall conduct a study to determine—

“(A) whether the benefits provided through each award under this subsection during calendar year 2013 have been maximized; and

“(B) any new areas of research that, if carried out, would meet the overall objectives of the program.

“(2) REPORT.—Not later than January 1, 2014, the Secretary shall submit to the appropriate committees of Congress a report that contains a description of the results of the study conducted under paragraph (1).

“(3) OPTIONAL UPDATES.—The Secretary may update the report described in paragraph (2) for the 5-year period beginning on the date that is described in that subparagraph and each 5-year period thereafter.”.

(c) Section 999F of the Energy Policy Act of 2005 (42 U.S.C. 16376) is amended by striking “2014” and inserting “2017”.

(d) Section 999H(d) of the Energy Policy Act of 2005 (42 U.S.C. 16378(d)) is amended—

(1) in paragraph (1), by striking “35” and inserting “31.25”;

(2) in paragraph (2), by striking “32.5” and inserting “28.75”; and

(3) in paragraph (3), by striking “7.5” and inserting “15”.

**SA 98.** Ms. MIKULSKI (for herself and Mr. SHELBY) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for

other purposes; which was ordered to lie on the table; as follows:

On page 378, line 3, strike “a grant for”.

On page 585, line 11, strike “through C” and insert “through F”.

On page 586, line 16, strike “division C” and insert “division F”.

**SA 99.** Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ TECHNICAL AMENDMENTS TO THE COMMISSION ON LONG-TERM CARE.**

(a) IN GENERAL.—Section 643 of the American Taxpayer Relief Act of 2012 (Public Law 112-240) is amended—

(1) in subsection (a), by inserting “within the Legislative Branch” after “is established”;

(2) in subsection (c)—

(A) in paragraph (2)(A)(vii), by inserting “and employees” after “employers”;

(B) in paragraph (3), by adding after the period at the end the following: “The chairman and vice chairman, who shall be elected from the individuals appointed by members of Congress (as described in subparagraphs (B) through (E) of paragraph (1)), shall not both be individuals who were appointed by members of Congress from the same political party.”; and

(C) in paragraph (7)(A), by striking “and vice chairman” and inserting “, with timely notice to the vice chairman”;

(3) in subsection (d)—

(A) in paragraph (1), by striking “jointly”; and

(B) in paragraph (2)—

(i) by striking “and staff of the Commission” and inserting “, and, except as provided in subsection (e)(4), any employee or staff of the Commission (including any individual described in subsection (e)(9))”; and

(ii) by adding after the period at the end the following: “Members of the Commission who serve in an office or agency of the Executive Branch shall abide by the ethics rules applicable to such office or agency.”;

(4) in subsection (e)—

(A) by striking paragraph (1) and inserting the following:

“(1) HEARINGS AND OTHER ACTIVITIES.—

“(A) IN GENERAL.—For the purpose of carrying out its duties, the Commission may hold such hearings, sit and act at such times and places, take testimony of witnesses (and may reimburse witnesses for their attendance), receive evidence, travel, and undertake such other activities as the Commission determines to be necessary to carry out its duties.

“(B) ANNOUNCEMENT.—The chairman of the Commission, with timely notice to the vice chairman, shall make a public announcement of the date, place, time, and subject matter of any public hearing to be conducted, not less than 7 days in advance of such hearing, unless the chairman determines that there is good cause to begin such hearing at an earlier date.”;

(B) in paragraph (2), in the heading, by striking “GENERAL ACCOUNTING OFFICE” and inserting “GOVERNMENT ACCOUNTABILITY OFFICE”;

(C) in paragraph (4)—

(i) by inserting “and subject to approval by the Committee on Rules and Administration

of the Senate” after “request of the Commission”; and

(ii) by adding after the period at the end the following: “Any Federal employee detailed to the Commission shall abide by the ethics rules applicable to their employing agency and act in accordance with the rules governing detailees in the United States Senate.”;

(D) by striking paragraph (6) and inserting the following:

“(6) USE OF MAILS; DENIAL OF USE OF FRANK.—The Commission—

“(A) may use the United States mails in the same manner and under the same conditions as Federal agencies; and

“(B) for purposes of franking, shall not be considered to be a commission of Congress as described in section 3215 of title 39, United States Code.”; and

(E) by adding at the end the following new paragraphs:

“(9) EXPERTS AND CONSULTANTS.—The Commission may, subject to approval by the Committee on Rules and Administration of the Senate, procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

“(10) INAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

“(11) FUNDING.—Funding for the Commission shall be derived in equal portions from—

“(A) the applicable accounts from the House of Representatives; and

“(B) the contingent fund of the Senate from the appropriations account ‘Miscellaneous Items’, or such other accounts as deemed appropriate, subject to the rules and regulations of the Senate.”;

(5) in subsection (f)—

(A) in paragraph (1)(A), by striking “6 months after the appointment of the members” and inserting “24 months after the appointment of all of the members”; and

(B) in paragraph (2)(A), by striking “on Congress” and inserting “of Congress”; and

(6) in subsection (g)—

(A) by striking “30 days” and inserting “60 days”; and

(B) by adding after the period at the end the following: “Prior to the date of termination of the Commission, all records and papers of the Commission shall be delivered to the Archivist of the United States for deposit in the National Archives.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in section 643 of the American Taxpayer Relief Act of 2012.

**SA 100.** Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 3 and 4, insert the following:

SEC. 74 \_\_\_\_\_. None of the funds made available by this Act may be used to pay the salaries and expenses of personnel—

(1) to inspect horses under section 3 of the Federal Meat Inspection Act (21 U.S.C. 603);

(2) to inspect horses under section 903 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note; Public Law 104-127); or

(3) to implement or enforce section 352.19 of title 9, Code of Federal Regulations (or successor regulation).

**SA 101.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division C, insert the following:

**SEC. 8131. (a) ADDITIONAL AMOUNT FOR O&M FOR ACTIVITIES IN CONUS.**—The aggregate amount appropriated by title II of this division for operation and maintenance is hereby increased by \$60,000,000, with the amount to be available, as determined by the Secretary of Defense, for operation and maintenance expenses of the Department of Defense in connection with programs, projects, and activities in the continental United States.

(b) **OFFSET.**—The amount appropriated by title III of this division under the heading “PROCUREMENT, DEFENSE-WIDE” is hereby decreased by \$60,000,000, with the amount of the reduction to be allocated to amounts available under that heading for Advanced Drop in Biofuel Production.

**SA 102.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.** None of the funds appropriated or otherwise made available by this Act may be obligated or expended to carry out Executive Order No. 13547, relating to Stewardship of the Ocean, Our Coasts, and the Great Lakes.

**SA 103.** Mr. WHITEHOUSE (for himself, Mr. COWAN, Mr. CARDIN, Mr. SCHATZ, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page \_\_, between lines \_\_ and \_\_, insert the following:

**SEC. \_\_\_\_.** **SENSE OF THE SENATE RELATING TO LIMITING FEDERAL FISCAL EXPOSURE RESULTING FROM CLIMATE CHANGE.**

(a) **FINDINGS.**—The Senate finds that—  
(1) the Government Accountability Office has reported that the fiscal exposure of the Federal Government to climate change poses a high risk to many Federal functions, including as—

(A) the owner or operator of extensive defense facilities;

(B) the owner or operator of Federal property, including 650,000,000 acres of Federal land, hundreds of thousands of buildings, and infrastructure property, such as highways, bridges, irrigations systems, and power development and distribution infrastructure;

(C) the administrator of the National Flood Insurance Program;

(D) the administrator of the Federal Crop Insurance Corporation;

(E) the provider of aid in response to disasters through the Federal Emergency Management Agency and supplemental Federal disaster aid appropriations; and

(F) the provider of technical assistance and information for adaptation and preparedness to State and local governments that plan and implement adaptation;

(2) the Comptroller General of the United States has testified before Congress that it is the opinion of the Government Accountability Office that the Federal Government should take immediate action to mitigate the risk posed by climate change; and

(3) the Government Accountability Office has concluded that “[t]he Federal government needs a strategic approach with strong leadership and the authority to manage climate change risks that encompasses the entire range of related Federal activities and addresses all key elements of strategic planning”.

(b) **SENSE OF THE SENATE.**—It is the sense of the Senate that Federal agencies should take all actions possible under existing law—

(1) to limit Federal fiscal exposure to climate change;

(2) to maximize investments;

(3) to achieve efficiencies; and

(4) to better position the Federal Government for success in addressing the issues raised in the report of the Government Accountability Office entitled “Limiting the Federal Government’s Fiscal Exposure by Better Managing Climate Change Risks”.

**SA 104.** Mr. MANCHIN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division C, add the following:

**SEC. 8131. (a)** The purpose of this section is to implement common sense limits on defense contractor salaries, reduce spending, and better safeguard valuable taxpayer dollars.

(b) Section 2324(e)(1)(P) of title 10, United States Code, is amended—

(1) by striking “the benchmark” and all that follows through “section 1127 of title 41” and inserting “the annual amount payable under the aggregate limitation on pay as established by the Office of Management and Budget (currently \$230,700)”;

(2) by striking “and engineers” and inserting “, engineers, and cyber security experts”;

(3) by inserting before the period at the end the following: “, including for purposes of supporting personnel in hostile fire zones”.

(c) The amendments made by subsection (b) shall take effect on the date of the enactment of this Act, and shall apply with respect to costs of compensation incurred on or after that date under contracts entered into before, on, or after that date.

**SA 105.** Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division C, add the following:

**SEC. 8131. (a) REQUIREMENT TO CONTINUE TUITION ASSISTANCE PROGRAMS.**—Subject to the provisions of this section, the Secretary of Defense and the Secretaries of the military departments shall, using funds appropriated or otherwise made available by this division, continue to provide tuition assistance during fiscal year 2013 under the provisions of sections 1784a and 2007 of title 10, United States Code, in accordance with the provisions of such sections.

(b) **AMOUNT AVAILABLE.**—The amount available under this division for tuition assistance pursuant to this section is—

(1) the aggregate amount used by the Department of Defense in fiscal year 2012 for tuition assistance under the provisions of law referred to in subsection (a), minus

(2) an amount equal to 6.5 percent of the amount specified in paragraph (1).

(c) **PRIORITY FOR ASSISTANCE FOR CERTAIN MEMBERS.**—In providing tuition assistance pursuant to this section, the Secretaries of the military departments shall afford a priority to the following:

(1) Members of the Armed Forces in pay grade E-5 or below.

(2) Wounded warriors.

(d) **DISCRETIONARY AUTHORITY TO CONTINUE ASSISTANCE FOR PRIORITY MEMBERS AFTER EXCEEDING FUNDING LIMITATION.**—

(1) **IN GENERAL.**—In the event amounts cease to be available to the Secretary of a military department for tuition assistance in fiscal year 2013 by reason of equaling the amount available to the Secretary for that purpose under subsection (b), the Secretary may continue to provide tuition assistance pursuant to this section to members of the Armed Forces described in subsection (c) using amounts transferred pursuant to paragraph (2).

(2) **TRANSFER AUTHORITY.**—The Secretary of a military department may transfer amounts appropriated or otherwise made available to the military department by this division to accounts of the military department providing funds for tuition assistance for members of the Armed Forces for purposes of providing tuition assistance pursuant to paragraph (1). The transfer authority in this paragraph is in addition to any other transfer authority by law.

(e) **WOUNDED WARRIOR DEFINED.**—In this section, the term “wounded warrior” means a member of the Armed Forces with a serious injury or illness (as that term is defined in section 1601(8) of the Wounded Warrior Act (10 U.S.C. 1071 note)).

(f) **EFFECTIVE DATE.**—This section shall take effect on the date that is three days after the date of the enactment of this Act.

**SA 106.** Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 533, line 4, insert “‘Department of Energy, Fossil Energy Research and Development’, \$660,000,000” after “follows”.

On page 563, line 22, strike “\$129,400,000” and insert “\$0”.

**SA 107.** Mr. FRANKEN (for himself, Mr. UDALL of New Mexico, Mr. JOHNSON of South Dakota, Ms. KLOBUCHAR, and Ms. HEITKAMP) submitted an amendment intended to be proposed to

amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 540, strike lines 13 and 14, and insert the following:

(g) \$123,000,000 for “Bureau of Indian Affairs, Construction”, of which \$17,000,000 shall be made available for replacement school construction that replaces the entirety or majority of a school campus or replacement facility construction that replaces individual buildings that are beyond cost-effective repair measures: *Provided*, That \$17,000,000 of any unobligated funds made available to the Secretary of the Interior to pay for administrative expenses (except funds that are made available from emergency accounts) are rescinded;

**SA 108.** Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IX of division C, insert the following:

(b) **LIMITATION.**—No funds appropriated or otherwise made available by title IX of this division under the heading “AFGHANISTAN INFRASTRUCTURE FUND” may be obligated or expended until the Secretary of Defense submits to the appropriate committees of Congress a report setting forth the certifications as follows:

(1) That transfers to the Government of Afghanistan of Afghan nationals detained by United States Armed Forces in Afghanistan territory do not present a significant threat to United States or coalition forces based upon the likelihood that the detainee to be transferred will engage in continuing hostile acts against the United States or its coalition allies.

(2) That the Government of Afghanistan is in compliance with international humanitarian law, including Additional Protocol II of 1977 to the Geneva Convention of 1949, with respect to preventing detainee abuse.

(3) That the Government of Afghanistan has implemented an administrative detention regime under its domestic law as an alternative to criminal prosecution, which regime is—

(A) consistent with international humanitarian law, including the Additional Protocol II of 1977 to the Geneva Convention of 1949, Afghanistan domestic law, and all of the international obligations of Afghanistan;

(B) in compliance with the international obligations of Afghanistan with respect to humane treatment and applicable due process; and

(C) based on sustainable arrangements, including housing.

(4) That there exists a continuing capability of both the United States and Afghanistan to gather intelligence from detainees transferred to the Government of Afghanistan for the mutual benefit of both nations.

(5) That, as part of the intelligence gathering described in paragraph (4), the United States is granted regular, direct access to detainees held by the Government of Afghanistan

for the purpose of interrogation or any other lawful purpose.

(6) That the Government of Afghanistan is consulting, and will continue to consult, the United States before the release, including release prior to indictment, of any detainee transferred to the Government of Afghanistan, and, if the United States provides its assessment that continued detention is necessary to prevent such a detainee from engaging in or facilitating terrorist activity, the Government of Afghanistan will consider favorably such assessment.

(7) That additional processes will be in place in any case where the United States considers a detainee held by Afghanistan an enduring security threat (or its equivalent) to ensure that the detainee will not present a security threat once released.

(c) **CONTINGENT REQUIREMENT FOR EXPLANATORY REPORT.**—If the report described by subsection (b) has not been submitted to Congress by 45 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress on such date a report setting forth an explanation why the report described by subsection (b) has not been so submitted.

(d) **COMPTROLLER GENERAL REPORT.**—Not later than 45 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report setting forth an assessment by the Comptroller General of the ability of the Government of Afghanistan to sustain costs associated with securing detainees in Afghanistan.

(e) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

**SA 109.** Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**TITLE —SEQUESTER REPLACEMENT  
SEC. 01. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) sequestration is not the most efficient, effective, or responsible mechanism to address the debt problems facing the United States;

(2) providing flexibility to the Office of Management and Budget is an improvement over harmful across-the-board sequestration of security, nonsecurity, and direct spending;

(3) the only meaningful way to permanently address the debt problem of the United States is to implement a comprehensive plan for significant deficit reduction; and

(4) Congress and the President should act immediately to enact large-scale spending reform legislation.

**SEC. 02. SEQUESTER REPLACEMENT.**

(a) **DEFINITIONS.**—In this section—

(1) the terms “account”, “budgetary resources”, “discretionary appropriations”, “direct spending” and related terms have the meaning given such terms in section 250(c) of

the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c));

(2) the term “joint resolution” means only a joint resolution the matter after the resolving clause of which is as follows: “That Congress disapproves the cancellation of budgetary resources identified in the qualifying sequester replacement plan submitted by the President on \_\_\_\_\_.” (the blank space being appropriately filled in); and

(3) the term “qualifying sequester replacement plan” means a plan submitted by the President—

(A) not later than 14 calendar days after the date of enactment of this Act; and

(B) that proposes to permanently cancel budgetary resources available for fiscal year 2013 from any discretionary appropriations or direct spending account in the amount of the budgetary resources required to be cancelled under section 251 and 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901 and 901a) for fiscal year 2013, as determined after the enactment of this Act, provided—

(i) 50 percent of the proposed cancellation of budgetary resources shall be cancelled from defense spending (budget function 050);

(ii) any cancellation of budgetary resources from budget function 050 shall be consistent with amounts authorized in the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239);

(iii) the cancellation of budgetary resources may not be implemented through changes to programs or activities contained in the Internal Revenue Code, or increase governmental receipts, offsetting collections, or offsetting receipts;

(iv) any change to Medicare must be consistent with section 256(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 906(d));

(v) any cancellation of budgetary resources in an account that is not defense spending may not be offset against an increase in another such account;

(vi) the proposed cancellation of budgetary resources shall reduce outlays by not less than the amount of budgetary resources required to be cancelled under section 251 and 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901 and 901a) for fiscal year 2013, as determined after the enactment of this Act, by the end of fiscal year 2018; and

(vii) except as provided in clauses (i) through (vi), shall be consistent with sections 255 and 256 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 905 and 906).

(b) **PROPOSAL.**—Not later than 14 calendar days after the date of enactment of this Act, the President shall submit to Congress a qualifying sequester replacement plan.

(c) **JOINT RESOLUTION OF DISAPPROVAL.**—

(1) **NO REFERRAL.**—A joint resolution shall not be referred to a committee in either the House of Representatives or the Senate and shall immediately be placed on the calendar.

(2) **MOTION TO PROCEED.**—A motion to proceed to a joint resolution is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to a motion to postpone and all points of order against the motion are waived. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of a joint resolution is agreed to, the joint resolution shall remain the unfinished business of the respective House until disposed of.

(3) **EXPEDITED CONSIDERATION IN HOUSE OF REPRESENTATIVES.**—In the House of Representatives, a joint resolution shall be considered as read. All points of order against a

joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(4) EXPEDITED PROCEDURE IN SENATE.—

(A) CONSIDERATION.—In the Senate, consideration of a joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(B) VOTE ON PASSAGE.—If the Senate has proceeded to a joint resolution, the vote on passage of the joint resolution shall occur immediately following the conclusion of consideration of the joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate.

(C) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution shall be decided without debate.

(5) AMENDMENT NOT IN ORDER.—A joint resolution considered under this subsection shall not be subject to amendment in either the House of Representatives or the Senate.

(6) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before passing a joint resolution, one House receives from the other House a joint resolution—

(A) the joint resolution of the other House shall not be referred to a committee; and

(B) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House, except that the vote on final passage shall be on the joint resolution of the other House.

(7) PERIOD.—Subject to subsection (d), Congress may not consider a joint resolution under this subsection after the date that is 21 calendar days after the date of enactment of this Act.

(8) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such it 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

(B) 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.

(d) CONSIDERATION AFTER PASSAGE.—If Congress passes a joint resolution, the period beginning on the date the President is presented with the joint resolution and ending on the date the President signs, allows to become law without his signature, or vetoes and returns the joint resolution (but excluding days when either House is not in session) shall be disregarded in computing the calendar day period described in subsection (c)(7).

(e) DISAPPROVAL.—If a joint resolution is enacted under this section—

(1) the President may not carry out the proposed cancellation of budgetary resources

in the qualifying sequester replacement plan submitted under subsection (b); and

(2) sequestration shall continue in accordance with the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.).

(f) FAILURE TO ENACT DISAPPROVAL.—Effective on the day after the end of the calendar day period under subsection (c)(7) (as determined in accordance with subsection (d)), if the President has submitted a qualifying sequester replacement plan in accordance with subsection (b) and a joint resolution of disapproval has not been enacted under this section, the President shall—

(1) cancel any sequestration order issued under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a); and

(2) cancel budgetary resources in accordance with the qualifying sequester replacement plan submitted under subsection (b).

SEC. 303. LIMITATION.

Nothing in this title grants authority to cut additional direct spending beyond the scope of the 2013 sequester.

SA 110. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

In title VII of division F, insert after section 1708 the following:

SEC. 1709. Notwithstanding section 1101, subsection (a) of section 7041 of division I of Public Law 112-74 shall be applied to funds appropriated by this division by inserting at the end of such subsection the following new paragraph:

“(4)(A)(i) None of the amounts appropriated or otherwise made available under the heading ‘Foreign Military Financing Program’ that is available for assistance for Egypt may be used to enter into a contract on or after the date of enactment of this Act with the Government of Egypt for the sale or transfer of major defense equipment, such as F-16 attack aircraft and M1 tanks, until 15 days after the Secretary of State submits to Congress the strategy required under subparagraph (B).

“(ii) Clause (i) shall not apply to defense articles related to counterterrorism, border security, or special operations capabilities, and nothing in this section shall be construed to require the violation of an existing defense agreement or contract with the Government or Armed Forces of Egypt or to prevent or disrupt the production, transfer, or delivery of any defense article or service to the Government or Armed Services of Egypt, as required by a contract concluded by the United States Government or a United States person prior to the date of the enactment of this Act.

“(B)(i) The strategy referred to in subparagraph (A) is a comprehensive strategy for modernizing and improving United States security cooperation with, and assistance to, Egypt in order to prioritize and advance the following national security objectives:

“(I) The strategy shall seek to enhance the ability of the Government of Egypt to detect, disrupt, dismantle, and defeat al Qaeda, affiliated groups, and other terrorist organizations, whether based in and operating from Egyptian territory or elsewhere, and to counter terrorist ideology and radicalization within Egypt.

“(II) The strategy shall seek to improve and increase 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 tunnels and other illicit points of entry into Gaza.

“(III) The strategy shall seek to improve the ability of the Government of Egypt to conduct counterinsurgency and counterterrorism operations in the Sinai.

“(IV) The strategy shall seek to enhance the capacity of the Government of Egypt to gather, integrate, analyze, and share intelligence, especially with regard to the threat posed by terrorism and other illicit criminal activity, while ensuring a proper respect and protection for the human rights and civil liberties of Egypt’s citizens.

“(V) Any other objective that the President determines necessary.

“(ii) The strategy shall also include an assessment of the extent to which the Government of Egypt is—

“(I) implementing policies to protect, and not to restrict, the political, economic, and religious freedoms and human rights of all citizens and residents in Egypt;

“(II) continuing to demonstrate a commitment to free and fair elections and is not interfering with such elections;

“(III) implementing the Egypt-Israel Peace Treaty;

“(IV) addressing restrictions in law and practice on Egyptian and international nongovernmental organizations, particularly those promoting human rights and democracy;

“(V) taking effective steps to combat terrorism in the Sinai;

“(VI) taking effective steps to eliminate smuggling networks and to detect and destroy tunnels between Egypt and Gaza; and

“(VII) implementing an agreement with the International Monetary Fund to promote necessary economic reforms.

“(C) Of the funds appropriated under the heading ‘Economic Support Fund’ that is available for assistance for Egypt, not less than \$25,000,000 should be made available for democracy and education programs, including support for civil society organizations, and for programs to promote the rule of law and human rights.”.

SA 111. Mr. BAUCUS (for himself, Mr. TESTER, Mr. BEGICH, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 8119 and insert the following:

SEC. 8119. None of the funds made available by this Act may be used to retire, divest, realign, or transfer aircraft of the Air National Guard or Air Force Reserve, to disestablish or convert units associated with such aircraft, or to disestablish or convert any other unit of the Air National Guard or Air Force Reserve until each of the following occurs:

(1) The Comptroller General of the United States completes a study assessing such action, including an assessment of each of the following:

(A) The costs of infrastructure in connection with such action.

(B) The costs of any recruiting and training required in connection with such action.

(C) The effects of such action on local communities, including economic effects and any jobs to be gained or lost in connection with such action.

(2) The Inspector General of the Department of Defense completes a feasibility study on such section to determine and assess each of the following:

(A) The costs of infrastructure in connection with such action.

(B) The costs of any recruiting and training required in connection with such action.

(C) The environmental impact of such action.

**SA 112.** Mr. UDALL of Colorado submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 8119, relating to a limitation on certain actions with respect to Air Force aircraft.

**SA 113.** Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 580, between lines 4 and 5, insert the following:

SEC. 1811. Section 255 of the National Housing Act (12 U.S.C. 1715z–20) is amended—

(1) in subsection (d)(8)—

(A) by inserting “property maintenance,” before “insurance”; and

(B) by inserting “, including matters that set forth terms and provisions for establishing escrow accounts, performing financial assessments, or limiting the amount of any payment made available under the mortgage” before the semicolon; and

(2) in subsection (h)—

(A) in paragraph (1), by striking “; and” and inserting a semicolon;

(B) in paragraph (2), by striking the period and inserting “; and”; and

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

“(3) by notice or mortgagee letter, establish any additional or alternative requirements that the Secretary, in his or her discretion, determines necessary to more effectively carry out the provisions of this section, and any such notice or mortgagee letter shall take effect upon issuance.”.

**SA 114.** Mr. JOHNSON of South Dakota submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 579, line 2, after “Public Law 112-55:” insert the following: “*Provided further,*

That a public housing agency that does not receive from the Secretary of Housing and Urban Development an allocation sufficient to pay the full amount determined in the first proviso of such paragraph (3) under such heading in such Public Law may utilize unobligated balances remaining from housing assistance payment funds allocated to the public housing agency during a previous year, to the extent necessary to effect payment to the public housing agency of an amount not exceeding 90 percent of the full administrative fees and expenses payable to the public housing agency with respect to authorized vouchers under lease:”

**SA 115.** Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; as follows:

At the end of title VIII of division C, insert the following:

SEC. 8131. (a) ADDITIONAL AMOUNT FOR O&M FOR ACTIVITIES IN CONUS.—The aggregate amount appropriated by title II of this division for operation and maintenance is hereby increased by \$60,000,000, with the amount to be available, as determined by the Secretary of Defense, for operation and maintenance expenses of the Department of Defense in connection with programs, projects, and activities in the continental United States.

(b) OFFSET.—The amount appropriated by title III of this division under the heading “PROCUREMENT, DEFENSE-WIDE” is hereby decreased by \$60,000,000, with the amount of the reduction to be allocated to amounts available under that heading for Advanced Drop in Biofuel Production.

(c) For the purposes of section, as determined by the Secretary of Defense means a spend-out rate in compliance with the aggregate outlay levels as set forth in the Budget Control Act of 2011.

**SA 116.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. None of the funds appropriated or otherwise made available by division A, B, C, D, or E of this Act may be made used to require a person licensed under section 923 of title 18, United States Code, to report information to the Department of Justice regarding the sale of multiple rifles or shotguns to the same person, unless pursuant to a bona fide criminal investigation.

**SA 117.** Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

In title I of division F, insert after section 1114 the following:

SEC. 1115. (a)(1) Notwithstanding section 1101, section 7041 of division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting this subsection and subsections (b) and (c) of this section for paragraph (1) of subsection (a) of such section 7041.

(2)(A) Except as provided under paragraph (4), none of the amounts appropriated or otherwise made available by this Act under the heading “Economic Support Fund” may be made available as direct budget support to the Government of Egypt unless a certification under subsection (b)(2) is in effect.

(B) Except as provided under paragraph (4), none of the amounts appropriated or otherwise made available by this Act under the heading “Foreign Military Financing Program” may be obligated for contracts with the Government of Egypt entered into on or after the date of the enactment of this Act unless a certification under subsection (b)(1) is in effect.

(C)(i) The limitation under subparagraph (B) shall not apply to defense articles related to counterterrorism, border security, or special operations capabilities.

(ii) Nothing in this subsection shall be construed to require the violation of an existing defense contract with the Government or Armed Forces of Egypt or to prevent or disrupt the production, transfer, or delivery of any defense article or service to the Government or Armed Services of Egypt, as required by a contract concluded by the United States Government or a United States person prior to the date of the enactment of this Act.

(3) Not later than 90 days after the date on which the Secretary of State transmits to the appropriate congressional committees an initial certification under paragraph (1) or (2) of subsection (b), and 180 days thereafter, the Secretary shall transmit to the appropriate congressional committees—

(A) a recertification that the requirements contained in such paragraph are continuing to be met; or

(B) a statement that the Secretary is unable to make such a recertification and that the certification is no longer in effect.

(4) The Secretary of State may waive the requirements of subparagraphs (A) and (B) of paragraph (2) if the Secretary certifies to the appropriate congressional committees that it is in the national security interest of the United States to do so and submits to such committees a report with the reasons for the certification.

(b)(1) A certification described in this paragraph is a certification submitted by the Secretary of State to the appropriate congressional committees that the following conditions have been met:

(A) The Government of Egypt has adopted and is implementing policies to protect, and is not restricting, the political, economic, and religious freedoms and human rights of all citizens and residents of Egypt.

(B) The Government of Egypt is continuing to demonstrate a commitment to free and fair elections and is not taking any steps to interfere with or undermine the credibility of such elections.

(C) Egypt is implementing the Egypt-Israel Peace Treaty.

(D) The Government of Egypt is taking effective steps to eliminate smuggling networks and to detect and destroy tunnels between Egypt and the Gaza Strip.

(E) The Government of Egypt is taking effective steps to combat terrorism in the Sinai, and an appropriate portion of funds made available under the heading “Foreign Military Financing Program” for assistance for Egypt is being used for counterterrorism



purposes, including equipment and training related to border security.

(F) The Government of Egypt has addressed restrictions in law and practice on the work, funding, and ability to operate of Egyptian and international nongovernmental organizations, particularly those promoting human rights and democracy, including the International Republican Institute, the National Democratic Institute, and Freedom House.

(2) A certification described in this paragraph is a certification submitted by the Secretary of State to the appropriate congressional committees that—

(A) the conditions set forth in paragraph (1) have been met; and

(B) the Government of Egypt has signed and submitted to the International Monetary Fund a Letter of Intent and Memorandum of Economic and Financial Policies designed to promote critical economic reforms and has begun to implement such measures.

(c) Of the funds appropriated under the heading “Economic Support Fund”, not less than \$25,000,000 should be for democracy and governance programs for Egypt, including direct support for secular, democratic nongovernmental organizations, as well as programming and support for rule of law and human rights, good governance, political competition and consensus-building, and civil society.

(d) Not later than 180 days after the date of the enactment of this Act, the President shall, after consultation with the Government of Egypt and representatives of civil society in Egypt, submit to the appropriate congressional committees a report—

(1) describing the results of a policy review on Egypt on how to rebalance United States military and economic assistance to Egypt;

(2) analyzing the current security needs in Egypt; and

(3) summarizing all of the Foreign Military Financing contracts for the Government of Egypt carried out over the previous 10 years and describing plans for such contracts over the next 5 years.

(e) In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

**SA 118.** Mr. BARRASSO (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 544, strike line 23 and all that follows through page 545, line 4, and insert the following:

(a) \$1,556,596,000 for “Forest Service, National Forest System”;

(b) \$372,321,000 for “Forest Service, Capital Improvement and Maintenance”;

(c) \$28,000,000 for “Forest Service, Land Acquisition”;

(d) \$1,971,390,000 for “Forest Service, Wildland Fire Management”.

SEC. 1409. Notwithstanding section 1101, the levels of the following appropriations of the Department of the Interior shall be:

(a) \$51,897,000 for “National Park Service, National Park Land Acquisition”;

(b) \$2,264,202,000 for “National Park Service, Operation of the National Park System”;

(c) \$12,344,000 for “Bureau of Land Management, Land Acquisition”;

(d) \$960,757,000 for “Bureau of Land Management, Management of Lands and Resources”.

**SA 119.** Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 544, strike line 23 and all that follows through page 545, line 2, and insert the following:

(a) \$1,556,596,000 for “Forest Service, National Forest System”;

(b) \$372,321,000 for “Forest Service, Capital Improvement and Maintenance”;

(c) \$28,000,000 for “Forest Service, Land Acquisition”;

**SA 120.** Ms. MURKOWSKI (for herself, Ms. CANTWELL, Mr. BEGICH, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 60, line 16 strike “and (10)” and insert “(10) not less than \$150,000 shall be used to implement a requirement that genetically engineered salmon be labeled clearly as such on packaging for sale to consumers; and (11)”.

**SA 121.** Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division C, insert the following:

SEC. 8131. None of the funds appropriated or otherwise made available by this Act may be used to retire, divest, realign, or transfer Air Force aircraft assigned to the 18th Aggressor Squadron, Eielson Air Force Base, Alaska, or to disestablish or convert units associated with such aircraft, until the National Commission on the Structure of the Air Force submits to Congress the report required by section 363(b) of the National Defense Authorization Act for 2013 (Public Law 112-239).

**SA 122.** Ms. MURKOWSKI (for herself, Mr. COCHRAN, Ms. COLLINS, Mr. KING, Ms. WARREN, Mrs. SHAHEEN, Mr. COWAN, and Mr. BEGICH) submitted an amendment intended to be proposed to

amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 105, between lines 9 and 10, insert the following:

SEC. 111. (a) In addition to any other amount made available, \$150,000,000 shall be made available for fisheries disasters as declared by the Secretary of Commerce in the year beginning January 1, 2012.

(b) Amounts made available in this title, other than the amount made available in subsection (a), shall be reduced on a pro rata basis by \$150,000,000.

**SA 123.** Mr. DURBIN proposed an amendment to amendment SA 115 submitted by Mr. TOOMEY to the amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; as follows:

At the end, add the following:

(d) This section shall become effective 1 day after the date of enactment.

**SA 124.** Mr. PAUL submitted an amendment intended to be proposed to amendment SA 84 submitted by Ms. AYOTTE (for herself and Mr. CHAMBLISS) and intended to be proposed to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 10, line 13, strike the period and insert “; and

(7) to affirm that the Authorization for Use of Military Force (Public Law 107-40) and the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) do not authorize the detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.

**SA 125.** Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division C, insert the following:

SEC. 8131. (a) REDUCTION IN AMOUNT FOR ARMY RDTE FOR MEADS.—The amount appropriated or otherwise made available by title IV of this division under the heading “RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY” is hereby decreased by \$380,861,000, with the amount of the reduction to be allocated from amounts available under that heading for the Medium Extended Air Defense System (MEADS).

(b) INCREASE IN AMOUNT FOR O&M.—The aggregate amount appropriated by title II of this division for Operation and Maintenance is increased by \$380,861,000, with the amount to be allocated among accounts funded by that title in a manner determined appropriate by the Secretary of Defense.

(c) For the purpose of this section, as “in a manner determined appropriate by the Secretary of Defense” means a spend-cut rate in compliance with the aggregate outlay levels as set forth in the Budget Control Act of 2011.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. HARKIN. 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 March 14, 2013, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

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

##### COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “Keeping up with a Changing Economy: Indexing the Minimum Wage” on March 14, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building.

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

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 14, 2013, at 10 a.m. to conduct a hearing entitled “Border Security: Measuring the Progress and Addressing the Challenges.”

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

##### COMMITTEE ON THE JUDICIARY

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee of the Judiciary be authorized to meet during the session of the Senate, on March 14, 2013, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

##### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on March

14, 2013, at 10:30 a.m. in room 432 Russell Senate Office building to conduct a hearing entitled “Helping Small Businesses Weather Economic Challenges & Natural Disasters: Review of Legislative Proposals on Access to Capital and Disaster Recovery.”

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

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. HARKIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 14, 2013, at 2:30 p.m.

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

#### PRIVILEGES OF THE FLOOR

Mr. WYDEN. Mr. President, I ask unanimous consent that MAJ Steve Warren, a U.S. Army officer who is currently serving as a defense legislative fellow in my office, be granted floor privileges for the duration of consideration of H.R. 933.

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

#### INSTRUCTION MODIFICATION TO AMENDMENT NO. 29, AS MODIFIED

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the adoption of the Inhofe amendment No. 29, as modified, the instruction line on the amendment be modified with the changes that are at the desk. This is to make sure it is placed in the proper location of the substitute amendment.

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

The modification is as follows:

At the end of title IV of division F, insert the following:

#### BUDGET COMMITTEE REPORTING AUTHORIZATION

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the adjournment or recess of the Senate, the Budget Committee be authorized to report legislative matters on Friday, March 15, from 11 a.m. to 12 noon.

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

#### MEASURES READ THE FIRST TIME—S. 582 AND S. 583

Mr. REID. Mr. President, there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will report the bills by title for the first time en bloc.

The assistant legislative clerk read as follows:

A bill (S. 582) to approve the Keystone XL Pipeline.

A bill (S. 583) to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and preborn human person.

Mr. REID. Mr. President, I object to both bills at this time.

The PRESIDING OFFICER. Objection is heard.

The bills will be read for the second time during the next legislative day.

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 112-272, appoints the following individuals to be members of the World War I Centennial Commission: Phillip Peckman of Nevada and James Nutter, Sr., of Missouri.

#### ORDERS FOR MONDAY, MARCH 18, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, March 18, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of H.R. 933; further, that the second-degree amendment filing deadline be 4:30 p.m. on Monday; finally, that notwithstanding rule XXII, the cloture vote on the Mikulski-Shelby substitute amendment be at 5:30 p.m. on Monday.

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

#### PROGRAM

Mr. REID. Mr. President, the managers of the bill will work on a finite list, as we have announced, of amendments to the CR over the weekend. Senators should expect a rollcall vote at 5:30 p.m. on Monday—either a cloture vote or votes in relation to amendments.

#### ADJOURNMENT UNTIL MONDAY, MARCH 18, 2013, AT 2 P.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 7:37 p.m., adjourned until Monday, March 18, 2013, at 2 p.m.