

to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2069. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2070. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2071. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2072. Mr. PORTMAN (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2073. Mr. PORTMAN (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2074. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2032. Mr. INHOFE (for himself and Mr. BURR) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1082. SENSE OF SENATE ON VETERAN'S PREFERENCE IN PRIVATE EMPLOYMENT.

It is the sense of the Senate that private employers should, to the extent practical, do their utmost to educate and inform their managers and supervisors, and their human resource and personnel departments, on the advantages of hiring—

- (1) qualified veterans; and
- (2) qualified spouses of veterans, if the veterans have a permanent total disability that is service-connected.

SA 2033. Mr. REID proposed an amendment to the bill H.R. 3204, to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes; as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

SA 2034. Mr. REID proposed an amendment to amendment SA 2033 proposed by Mr. REID to the bill H.R. 3204, to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes; as follows:

In the amendment, strike “1 day” and insert “2 days”.

SA 2035. Mr. REID proposed an amendment to the bill H.R. 3204, to

amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes; as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

SA 2036. Mr. REID proposed an amendment to amendment SA 2035 proposed by Mr. REID to the bill H.R. 3204, to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes; as follows:

In the amendment, strike “3 days” and insert “4 days”.

SA 2037. Mr. REID proposed an amendment to amendment SA 2036 proposed by Mr. REID to the amendment SA 2035 proposed by Mr. REID to the bill H.R. 3204, to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes; as follows:

In the amendment, strike “4 days” and insert “5 days”.

SA 2038. Mr. CHAMBLISS (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 646. MODIFICATION OF PER-FISCAL YEAR CALCULATION OF DAYS OF CERTAIN ACTIVE DUTY OR ACTIVE SERVICE TO REDUCE ELIGIBILITY AGE FOR RETIREMENT FOR NON-REGULAR SERVICE.

Section 12731(f)(2)(A) of title 10, United States Code, is amended by inserting “or in any two consecutive fiscal years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014,” after “in any fiscal year after such date.”.

SA 2039. Mr. Kaine submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 573. LIMITATION ON TERMINATION OR TRANSFER OF ELEMENTARY AND SECONDARY SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS PROGRAMS OF THE DEPARTMENT OF DEFENSE.

(a) LIMITATION.—The Secretary of Defense may not terminate or transfer to the jurisdiction of another agency of the Federal

Government any elementary or secondary science, technology, engineering, and mathematics program of the Department of Defense in existence as of September 30, 2012, until 60 days after the date on which the Secretary submits to the congressional defense committees a transition plan with respect to such program.

(b) ELEMENTS.—The transition plan with respect to a program under subsection (a) shall include the following:

(1) For a program to be terminated, a description of the manner in which science, technology, engineering, and mathematics education requirements for the dependents covered by the program will be met by another program.

(2) For a program to be transferred to the jurisdiction of another agency—

(A) the name of such agency;

(B) the funding anticipated to be provided the program by such agency during the five-year period beginning on the date of transfer; and

(C) mechanisms to ensure that education under the program will continue to meet the science, technology, engineering, and mathematics education requirements of the Department of Defense, including requirements for the dependents covered by the program.

(3) Metrics to assess whether a program under paragraph (1) or (2) is meeting the requirements applicable to such program under such paragraph.

(c) CONSULTATION IN DEVELOPMENT.—Each transition plan under subsection (a) shall be developed by the Secretary of Defense in consultation with the Secretary of Education and the heads of other appropriate Federal agencies.

SA 2040. Mr. BAUCUS (for himself, Mr. ENZI, Mr. BARRASSO, Mr. TESTER, Mr. HOEVEN, Ms. HEITKAMP, Mrs. FISCHER, Mr. JOHANNES, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1045 and insert the following:

SEC. 1045. READINESS OF INTERCONTINENTAL BALLISTIC MISSILE FORCE.

The Secretary of Defense shall preserve each intercontinental ballistic missile silo that contains a deployed missile as of the date of the enactment of this Act in, at minimum, a warm status that enables that silo—

(1) to remain a fully functioning element of the interconnected and redundant command and control system of the missile field; and

(2) to be made fully operational with a deployed missile.

SA 2041. Mr. TESTER (for himself, Mr. HELLER, and Mr. BAUCUS) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VI, add the following:

SEC. 632. TRANSPORTATION ON MILITARY AIRCRAFT ON A SPACE-AVAILABLE BASIS FOR DISABLED VETERANS WITH A SERVICE-CONNECTED, PERMANENT DISABILITY RATED AS TOTAL.

(a) AVAILABILITY OF TRANSPORTATION.—Section 2641b of title 10, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

“(f) SPECIAL PRIORITY FOR CERTAIN DISABLED VETERANS.—(1) The Secretary of Defense shall provide, at no additional cost to the Department of Defense and without any aircraft modification, transportation on scheduled and unscheduled military flights within the continental United States and on scheduled overseas flights operated by the Air Mobility Command on a space-available basis for any veteran with a service-connected, permanent disability rated as total.

“(2) Notwithstanding subsection (d)(1), in establishing space-available transportation priorities under the travel program, the Secretary shall provide transportation under paragraph (1) on the same basis as such transportation is provided to members of the armed forces entitled to retired or retainer pay.

“(3) The requirement to provide transportation on Department of Defense aircraft on a space-available basis on the priority basis described in paragraph (2) to veterans covered by this subsection applies whether or not the travel program is established under this section.

“(4) In this subsection, the terms ‘veteran’ and ‘service-connected’ have the meanings given those terms in section 101 of title 38.”.

(b) EFFECTIVE DATE.—Subsection (f) of section 2641b of title 10, United States Code, as added by subsection (a), shall take effect at the end of the 90-day period beginning on the date of the enactment of this Act.

SA 2042. Ms. AYOTTE (for herself, Mr. CHAMBLISS, Mr. INHOFE, and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1033 and insert the following:

SEC. 1033. PROHIBITION ON THE USE OF FUNDS FOR THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act for fiscal year 2014 may be used to transfer, release, or assist in the transfer or release to or within the United States, or the territories or possessions of the United States, of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to an individual

who is transferred to United States Naval Station, Guantanamo Bay, Cuba, after the date of the enactment of this Act for the purpose of interrogation by the United States.

SA 2043. Ms. AYOTTE (for herself, Mr. CHAMBLISS, Mr. INHOFE, and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1031 and insert the following:

SEC. 1031. REQUIREMENTS FOR CERTIFICATIONS RELATING TO THE TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) CERTIFICATION REQUIRED PRIOR TO TRANSFER.—

(1) IN GENERAL.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary submits to Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) EXCEPTION.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).

(b) CERTIFICATION.—A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or reengage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary's certifications.

(c) PROHIBITION IN CASES OF PRIOR CONFIRMED RECIDIVISM.—

(1) PROHIBITION.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise made available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) EXCEPTION.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).

(d) NATIONAL SECURITY WAIVER.—

(1) IN GENERAL.—The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1) or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) REPORTS.—Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States;

(ii) in the case of a waiver of paragraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated; and

(iii) a classified summary of—

(I) the individual's record of cooperation while in the custody of or under the effective control of the Department of Defense; and

(II) the agreements and mechanisms in place to provide for continuing cooperation.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the paragraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) **RECORD OF COOPERATION.**—In assessing the risk that an individual detained at Guantanamo will engage in terrorist activity or other actions that could affect the security of the United States if released for the purpose of making a certification under subsection (b) or a waiver under subsection (d), the Secretary of Defense may give favorable consideration to any such individual—

(1) who has substantially cooperated with United States intelligence and law enforcement authorities, pursuant to a pre-trial agreement, while in the custody of or under the effective control of the Department of Defense; and

(2) for whom agreements and effective mechanisms are in place, to the extent relevant and necessary, to provide for continued cooperation with United States intelligence and law enforcement authorities.

(f) **DEFINITIONS.**—In this section:

(1) the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term “individual detained at Guantanamo” means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(3) The term “foreign terrorist organization” means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

Strike section 1033 and insert the following:

SEC. 1033. PROHIBITION ON THE USE OF FUNDS FOR THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) **PROHIBITION.**—None of the funds authorized to be appropriated by this Act for fiscal year 2014 may be used to transfer, release, or assist in the transfer or release to or within the United States, or the territories or possessions of the United States, of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

(b) **EXCEPTION.**—The prohibition in subsection (a) shall not apply to an individual who is transferred to United States Naval Station, Guantanamo Bay, Cuba, after the date of the enactment of this Act for the purpose of interrogation by the United States.

At the end of subtitle D of title X, add the following:

SEC. 1035. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) **IN GENERAL.**—No amounts authorized to be appropriated or otherwise made available for fiscal year 2014 by this Act or any other Act may be used to construct or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment unless authorized by Congress.

(b) **EXCEPTION.**—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) **INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.**—

(1) **IN GENERAL.**—In this section, the term “individual detained at Guantanamo” means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(2) **EXCLUSION.**—The term does not mean any individual transferred to United States Naval Station, Guantanamo Bay, Cuba, after October 1, 2009, who was not located at United States Naval Station, Guantanamo Bay, Cuba, on that date.

SEC. 1036. PROHIBITION ON TRANSFER OR RELEASE TO YEMEN OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

None of the amounts authorized to be appropriated or otherwise available to the Department of Defense may be used to transfer, release, or assist in the transfer or release, during the period beginning on the date of the enactment of this Act and ending on December 31, 2014, of any individual detained in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay, Cuba, to the custody or control of the Republic of Yemen or any entity within Yemen.

SA 2044. Ms. AYOTTE (for herself, Mr. CHAMBLISS, Mr. INHOFE, and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1031 and insert the following:

SEC. 1031. REQUIREMENTS FOR CERTIFICATIONS RELATING TO THE TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) **CERTIFICATION REQUIRED PRIOR TO TRANSFER.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense to

transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary submits to Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) **EXCEPTION.**—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).

(b) **CERTIFICATION.**—A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or reengage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary's certifications.

(c) **PROHIBITION IN CASES OF PRIOR CONFIRMED RECIDIVISM.**—

(1) **PROHIBITION.**—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise made available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) **EXCEPTION.**—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).

(d) **NATIONAL SECURITY WAIVER.**—

(1) **IN GENERAL.**—The Secretary of Defense may waive the applicability to a detainee

transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1) or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) **REPORTS.**—Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States;

(ii) in the case of a waiver of paragraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated; and

(iii) a classified summary of—

(I) the individual's record of cooperation while in the custody of or under the effective control of the Department of Defense; and

(II) the agreements and mechanisms in place to provide for continuing cooperation.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the paragraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) **RECORD OF COOPERATION.**—In assessing the risk that an individual detained at Guantanamo will engage in terrorist activity or other actions that could affect the security of the United States if released for the purpose of making a certification under subsection (b) or a waiver under subsection (d), the Secretary of Defense may give favorable consideration to any such individual—

(1) who has substantially cooperated with United States intelligence and law enforcement authorities, pursuant to a pre-trial agreement, while in the custody of or under the effective control of the Department of Defense; and

(2) for whom agreements and effective mechanisms are in place, to the extent relevant and necessary, to provide for continued cooperation with United States intelligence and law enforcement authorities.

(f) **DEFINITIONS.**—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term “individual detained at Guantanamo” means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(3) The term “foreign terrorist organization” means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SA 2045. Ms. AYOTTE (for herself, Mr. CHAMBLISS, Mr. INHOFE, and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1035. PROHIBITION ON TRANSFER OR RELEASE TO YEMEN OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

None of the amounts authorized to be appropriated or otherwise available to the Department of Defense may be used to transfer, release, or assist in the transfer or release, during the period beginning on the date of the enactment of this Act and ending on December 31, 2014, of any individual detained in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay, Cuba, to the custody or control of the Republic of Yemen or any entity within Yemen.

SA 2046. Ms. AYOTTE (for herself, Mr. CHAMBLISS, Mr. INHOFE, and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1035. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) **IN GENERAL.**—No amounts authorized to be appropriated or otherwise made available for fiscal year 2014 by this Act or any other Act may be used to construct or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment unless authorized by Congress.

(b) **EXCEPTION.**—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) **INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.**—

(1) **IN GENERAL.**—In this section, the term “individual detained at Guantanamo” means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(2) **EXCLUSION.**—The term does not mean any individual transferred to United States Naval Station, Guantanamo Bay, Cuba, after October 1, 2009, who was not located at United States Naval Station, Guantanamo Bay, Cuba, on that date.

SA 2047. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title X, add the following:

SEC. 1025. EXPANSION OF AUTHORITY FOR DISPOSITION OF LARGER NAVAL VESSELS.

Section 7307(a) of title 10, United States Code, is amended by striking “3,000 tons” and inserting “6,000 tons”.

SA 2048. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VIII, add the following:

SEC. 804. EXECUTIVE AGENT FOR BATTERY TECHNOLOGY.

(a) **EXECUTIVE AGENT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall designate a senior official of the Department of Defense to act as the executive agent for battery technology.

(b) **ROLES, RESPONSIBILITIES, AND AUTHORITIES.**—

(1) **ESTABLISHMENT.**—Not later than one year after the date of the enactment of this Act and in accordance with Directive 5101.1, the Secretary shall prescribe the roles, responsibilities, and authorities of the executive agent designated under subsection (a).

(2) **SPECIFICATION.**—The roles and responsibilities of the executive agent designated under subsection (a) shall include each of the following:

(A) Development and maintenance of a battery technology roadmap that ensures that the Department has access to the manufacturing capabilities and technical expertise necessary to meet future military requirements regarding such technology.

(B) Development of recommended funding strategies necessary to meet the requirements of the roadmap developed under subparagraph (A).

(C) Assessment of the vulnerabilities, trustworthiness, and diversity of the battery technology supply chain, including the development of trustworthiness requirements for battery technology used in defense systems, and development of strategies to address matters that are identified as a result of such assessment.

(D) Such other roles and responsibilities as the Secretary considers appropriate.

(c) **SUPPORT WITHIN DEPARTMENT OF DEFENSE.**—In accordance with Directive 5101.1, the Secretary shall ensure that the military departments, Defense Agencies, and other components of the Department provide the executive agent designated under subsection (a) with the appropriate support and resources needed to perform the roles, responsibilities, and authorities of the executive agent.

(d) **DEFINITIONS.**—In this section:

(1) The term “Directive 5101.1” means Department of Defense Directive 5101.1, or any successor directive relating to the responsibilities of an executive agent of the Department of Defense.

(2) The term “executive agent” has the meaning given the term “DoD Executive Agent” in Directive 5101.1.

SA 2049. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VIII, add the following:

SEC. 804. EXECUTIVE AGENT FOR MICROWAVE, HIGH POWER VACUUM TUBE TECHNOLOGY, AND TRANSMIT AND RECEIVE DEVICES.

(a) **EXECUTIVE AGENT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall designate a senior official of the Department of Defense to act as the executive agent for microwave, high power vacuum tube technology, and transmit and receive (TR) devices.

(b) **ROLES, RESPONSIBILITIES, AND AUTHORITIES.**—

(1) **ESTABLISHMENT.**—Not later than one year after the date of the enactment of this Act and in accordance with Directive 5101.1, the Secretary shall prescribe the roles, responsibilities, and authorities of the executive agent designated under subsection (a).

(2) **SPECIFICATION.**—The roles and responsibilities of the executive agent designated under subsection (a) shall include each of the following:

(A) Development and maintenance of a roadmap for microwave, high power vacuum tube technology, and transmit and receive devices that ensures that the Department has access to the manufacturing capabilities and technical expertise necessary to meet future military requirements regarding such devices.

(B) Development of recommended funding strategies necessary to meet the requirements of the roadmap developed under subparagraph (A).

(C) Assessment of the vulnerabilities, trustworthiness, and diversity of the microwave, high power vacuum tube technology, and transmit and receive devices supply

chain, including the development of trustworthiness requirements for microwave, high power vacuum tube technology, and transmit and receive devices used in defense systems, and development of strategies to address matters that are identified as a result of such assessment.

(D) Such other roles and responsibilities as the Secretary considers appropriate.

(c) **SUPPORT WITHIN DEPARTMENT OF DEFENSE.**—In accordance with Directive 5101.1, the Secretary shall ensure that the military departments, Defense Agencies, and other components of the Department provide the executive agent designated under subsection (a) with the appropriate support and resources needed to perform the roles, responsibilities, and authorities of the executive agent.

(d) **DEFINITIONS.**—In this section:

(1) The term “Directive 5101.1” means Department of Defense Directive 5101.1, or any successor directive relating to the responsibilities of an executive agent of the Department of Defense.

(2) The term “executive agent” has the meaning given the term “DoD Executive Agent” in Directive 5101.1.

SA 2050. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VIII, add the following:

SEC. 804. EXECUTIVE AGENT FOR RADIATION HARDENED DEVICES.

(a) **EXECUTIVE AGENT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall designate a senior official of the Department of Defense to act as the executive agent for radiation hardened devices.

(b) **ROLES, RESPONSIBILITIES, AND AUTHORITIES.**—

(1) **ESTABLISHMENT.**—Not later than one year after the date of the enactment of this Act and in accordance with Directive 5101.1, the Secretary shall prescribe the roles, responsibilities, and authorities of the executive agent designated under subsection (a).

(2) **SPECIFICATION.**—The roles and responsibilities of the executive agent designated under subsection (a) shall include each of the following:

(A) Development and maintenance of a radiation hardened devices roadmap that ensures that the Department has access to the manufacturing capabilities and technical expertise necessary to meet future military requirements regarding such devices.

(B) Development of recommended funding strategies necessary to meet the requirements of the roadmap developed under subparagraph (A).

(C) Assessment of the vulnerabilities, trustworthiness, and diversity of the radiation hardened devices supply chain, including the development of trustworthiness requirements for radiation hardened devices used in defense systems, and development of strategies to address matters that are identified as a result of such assessment.

(D) Such other roles and responsibilities as the Secretary considers appropriate.

(c) **SUPPORT WITHIN DEPARTMENT OF DEFENSE.**—In accordance with Directive 5101.1, the Secretary shall ensure that the military departments, Defense Agencies, and other

components of the Department provide the executive agent designated under subsection (a) with the appropriate support and resources needed to perform the roles, responsibilities, and authorities of the executive agent.

(d) **DEFINITIONS.**—In this section:

(1) The term “Directive 5101.1” means Department of Defense Directive 5101.1, or any successor directive relating to the responsibilities of an executive agent of the Department of Defense.

(2) The term “executive agent” has the meaning given the term “DoD Executive Agent” in Directive 5101.1.

SA 2051. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VIII, add the following:

SEC. 804. INCREASED MICRO-PURCHASE THRESHOLD FOR PURCHASES BY THE UNITED STATES SPECIAL OPERATIONS COMMAND IN SUPPORT OF OPERATIONS OVERSEAS.

(a) **INCREASED MICRO-PURCHASE THRESHOLD.**—In the case of any purchase by the United States Special Operations Command in support of an operation overseas, the micro-purchase threshold for purposes of section 1902 of title 41, United States Code, shall be deemed to be \$10,000 rather than the amount otherwise provided for in subsection (a) of such section.

(b) **OTHER REQUIREMENTS.**—In applying subsections (d) and (e) of section 1902 of title 41, United States Code, to purchases described in subsection (a), the purchases covered by such subsection (d) or (e) shall be deemed to be purchases not greater than \$10,000 rather than the amount otherwise provided for in such subsection (d) or (e).

SA 2052. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1208. ENHANCED AUTHORITY FOR PROVISION OF SUPPORT TO PARTNER NATION LIAISON OFFICERS WHILE ASSIGNED TO THE UNITED STATES SPECIAL OPERATIONS COMMAND.

(a) **ELIGIBILITY.**—Subsection (a) of section 1051a of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by inserting “(1)” before “The Secretary of Defense”; and

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

“(2)(A) In the case of a liaison officer of another nation who is assigned to the headquarters of the United States Special Operations Command, the Secretary of Defense may provide administrative services and support, to the extent that the Secretary determines appropriate, for the performance of

duties by that liaison officer while so assigned without regard to whether that officer's nation is involved in a military operation with the United States.

“(B) The authority of the Secretary to provide administrative services and support under this subsection for the performance of duties by a liaison officer of another nation who is assigned as described in subparagraph (A) may be exercised only with respect to a liaison officer of another nation whose assignment as described in that subparagraph is accepted by the Secretary of Defense with the concurrence of the Secretary of State.”.

(b) **TERMS OF REIMBURSEMENT.**—Subsection (c) of such section is amended by adding at the end the following new sentence: “In the case of an assignment described in subsection (a)(2), the terms of reimbursement shall be specified in the appropriate international agreement used to assign the liaison officer as described in that subsection.”.

(c) **CONFORMING AMENDMENT.**—Subsection (b)(1) of such section is amended by striking “subsection (a)” and inserting “subsection (a)(1)”.

SA 2053. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1208. SENSE OF CONGRESS REGARDING RIMPAC 2014.

It is the sense of Congress that—

(1) Taiwan should be extended an invitation to participate in the Rim of the Pacific (RIMPAC) 2014 to help increase the proficiency of the Taiwan Navy in humanitarian assistance and disaster relief (HA/DR) operations;

(2) Taiwan's participation in HA/DR exercises will contribute to its capacity to respond to natural disasters such as earthquakes and typhoons that frequently strike its own homeland;

(3) building this capacity will only increase Taiwan's ability to effectively respond in the future while contributing to the security and stability of the maritime domain in the Asia-Pacific region for the benefit of all; and

(4) the United States welcomes the opportunity to work with Taiwan in creating a more interactive naval relationship between our two countries as it is in best security interests of both countries.

SA 2054. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1208. SENSE OF CONGRESS ON PARTICIPATION IN JOINT NATO EXERCISES.

It is the sense of Congress that the Department of Defense should participate meaningfully in every joint North Atlantic Treaty Organization (NATO) exercise in order to

demonstrate continuing commitment to NATO, ensure its operational effectiveness with the United States in a leading role, and confirm the President's announced policy to balance withdrawal of Europe-based Brigade Combat Teams (BCTs) with effective and meaningful rotation of forces to Europe of a United States-based BCT.

SA 2055. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page __, between lines __ and __, insert the following:

SEC. __. ASSESSMENTS OF ARMS CONTROL, NONPROLIFERATION, AND DISARMAMENT AGREEMENT VERIFICATION.

Section 306 of the Arms Control and Disarmament Act (22 U.S.C. 2577) is amended—

(1) in subsection (a)(3), by inserting “the intelligence community, and the Department of Defense” after “Department of State”; and

(2) in subsection (b)—

(A) by striking “REQUEST.—Upon” and inserting the following: “REQUEST.—

“(1) IN GENERAL.—Upon”;

(B) by striking “Committee on Foreign Relations of the Senate or the Committee on International Relations of the House of Representatives” and inserting “Committee on Foreign Relations, the Select Committee on Intelligence, the Committee on Armed Services, or the Committee on Banking, Housing, and Urban Affairs of the Senate or the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, the Committee on Armed Services, or the Committee on Financial Services of the House of Representatives”; and

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

“(2) **CONTENT.**—The report required under paragraph (1) shall specify—

“(A) the types of violations that the foreign country might engage in or attempt if the proposal becomes an agreement; and

“(B) the economic sanctions, military responses, and other options that might be considered by the United States Government in response to any such violation.

“(3) **PROPOSAL DEFINED.**—In this subsection, the term ‘proposal’ means any proposal, whether formal or informal or in ‘white paper’ form, that is, either directly or through intermediaries, provided in writing to a foreign country by the United States or provided in writing to the United States by a foreign country.”.

SA 2056. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1220. SPECIAL ENVOY TO PROMOTE RELIGIOUS FREEDOM OF RELIGIOUS MINORITIES IN THE NEAR EAST AND SOUTH CENTRAL ASIA.

(a) **APPOINTMENT.**—The President may appoint a Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia (in this section referred to as the “Special Envoy”) within the Department of State. The Special Envoy shall have the rank of ambassador and shall hold the office at the pleasure of the President.

(b) **QUALIFICATIONS.**—The Special Envoy should be a person of recognized distinction in the field of human rights and religious freedom and with expertise in the Near East and South Central Asia.

(c) **DUTIES.**—

(1) **IN GENERAL.**—The Special Envoy shall carry out the following duties:

(A) Promote the right of religious freedom of religious minorities in the countries of the Near East and the countries of South Central Asia, denounce the violation of such right, and recommend appropriate responses by the United States Government when such right is violated.

(B) Monitor and combat acts of religious intolerance and incitement targeted against religious minorities in the countries of the Near East and the countries of South Central Asia.

(C) Work to ensure that the unique needs of religious minority communities in the countries of the Near East and the countries of South Central Asia are addressed, including the economic and security needs of such communities.

(D) Serve as a liaison between the Secretary of Defense and the Secretary of State and foreign governments of the countries of the Near East and the countries of South Central Asia to address laws that are discriminatory toward religious minority communities in such countries.

(E) Coordinate and assist in the preparation of that portion of the report required by sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d) and 2304(b)) relating to the nature and extent of religious freedom of religious minorities in the countries of the Near East and the countries of South Central Asia.

(F) Coordinate and assist in the preparation of that portion of the report required by section 102(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6412(b)) relating to the nature and extent of religious freedom of religious minorities in the countries of the Near East and the countries of South Central Asia.

(2) **COORDINATION.**—In carrying out the duties under paragraph (1), the Special Envoy shall, to the maximum extent practicable, coordinate with the Under Secretary of Defense for Policy, the Assistant Secretary of State for Population, Refugees and Migration, the Ambassador at Large for International Religious Freedom, the United States Commission on International Religious Freedom, and other relevant Federal agencies and officials.

(d) **DIPLOMATIC REPRESENTATION.**—Subject to the direction of the President and the Secretary of State, the Special Envoy is authorized to represent the United States in matters and cases relevant to religious freedom in the countries of the Near East and the countries of South Central Asia in—

(1) contacts with foreign governments, intergovernmental organizations, and specialized agencies of the United Nations, the Organization of Security and Cooperation in Europe, and other international organizations of which the United States is a member; and

(2) multilateral conferences and meetings relevant to religious freedom in the countries of the Near East and the countries of South Central Asia.

(e) **CONSULTATIONS.**—The Special Envoy shall consult with domestic and international nongovernmental organizations and multilateral organizations and institutions, as the Special Envoy considers appropriate to fulfill the purposes of this section.

(f) **FUNDING.**—

(1) **AUTHORITY.**—Of the amounts appropriated or otherwise made available to the Secretary of State for “Diplomatic and Consular Programs” for fiscal years 2014 through 2018, the Secretary of State is authorized to provide to the Special Envoy \$1,000,000 for each such fiscal year for the hiring of staff, the conduct of investigations, and necessary travel to carry out the provisions of this section.

(2) **FUNDING OFFSET.**—To offset the costs to be incurred by the Department of State to carry out the provisions of this section for fiscal years 2014 through 2018, the Secretary of State shall eliminate such positions within the Department of State, unless otherwise authorized or required by law, as the Secretary determines to be necessary to fully offset such costs.

(3) **LIMITATION.**—No additional funds are authorized to be appropriated for “Diplomatic and Consular Programs” to carry out the provisions of this section.

SA 2057. Ms. COLLINS (for herself, Mr. KING, Mr. MARKEY, and Ms. STABENOW) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VIII, add the following:

SEC. 864. COMPLIANCE WITH DOMESTIC SOURCE REQUIREMENTS OF FOOTWEAR FURNISHED OR OBTAINED BY ALLOWANCE FOR ENLISTED MEMBERS OF THE ARMED FORCES UPON THEIR INITIAL ENTRY INTO THE ARMED FORCES.

Section 418 of title 37, United States Code, is amended by adding at the end the following new subsection:

“(d)(1) The footwear prescribed under this section to be furnished to, or to be paid for by allowance under this section by, members of the Army, Navy, Air Force, or Marine Corps upon their initial entry into the armed forces shall comply with the requirements of section 2533a of title 10, without regard to the applicability of any simplified acquisition threshold under chapter 137 of title 10 (or any other provision of law) to the use of such allowance for such footwear.

“(2) Paragraph (1) does not apply to athletic footwear furnished to, or paid for by allowance by, a member described in that paragraph if such footwear—

“(A) is medically required to meet unique physiological needs of the member; and

“(B) cannot be met with athletic footwear that complies with the requirements referred to in that paragraph.”.

SA 2058. Ms. COLLINS (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 722. PRESCRIPTION DRUG TAKE-BACK PROGRAM FOR MEMBERS OF THE ARMED FORCES, THEIR DEPENDENTS, AND VETERANS.

(a) **PROGRAM FOR MEMBERS OF THE ARMED FORCES AND DEPENDENTS.**—The Secretary of Defense and the Attorney General shall jointly carry out a program (commonly referred to as a “prescription drug take-back program”) under which members of the Armed Forces and dependents of members of the Armed Forces may deliver controlled substances to military medical treatment facilities to be disposed of in accordance with section 302(g) of the Controlled Substances Act (21 U.S.C. 822(g)).

(b) **PROGRAM FOR VETERANS.**—The Secretary of Veterans Affairs and the Attorney General shall jointly carry out a program under which veterans may deliver controlled substances to be disposed of in accordance with section 302(g) of the Controlled Substances Act.

(c) **PROGRAM ELEMENTS.**—The programs required by this section shall provide for the following:

(1) In the case of the program required by subsection (a), the delivery of controlled substances under the program to such members of the Armed Forces, medical professionals, and other employees of the Department of Defense, and to such other acceptance mechanisms, as the Secretary of Defense and the Attorney General jointly specify for purposes of the program.

(2) In the case of the program required by subsection (b), the delivery of controlled substances under the program to such employees of the Veterans Health Administration of the Department of Veterans Affairs, and to such other acceptance mechanisms, as the Secretary of Veterans Affairs and the Attorney General jointly specify for purposes of the program.

(3) Appropriate guidelines and procedures to prevent the diversion, misuse, theft, or loss of controlled substances delivered under such programs.

SA 2059. Mr. WICKER (for himself, Mr. KAINE, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1066. REPORT ON FUTURE AMPHIBIOUS ASSAULT FORCE.

(a) **IN GENERAL.**—Not later than February 15, 2014, the Commandant of the Marine Corps shall provide a written report and briefing to the congressional defense committees on the operational risk to the ability of the Marine Corps to meet its obligations under the Department of Defense’s Defense Strategic Guidance issued on January 5, 2012.

(b) **CONTENT.**—The report and briefing required under subsection (a) shall provide an

evaluation of any operational risk imposed by the current and planned number of amphibious warfare ships in the amphibious assault force as well as a review of the capabilities of these ships to meet the needs of the Marine Corps.

SA 2060. Mr. WICKER (for himself, Mr. KAINE, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title X, add the following:

SEC. 1025. SENSE OF CONGRESS ON A BALANCED FUTURE NAVAL FORCE.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The battle force of the Navy must be sufficiently sized and balanced in capability to meet current and anticipated future national security objectives.

(2) A robust and balanced naval force is required for the Department of Defense to fully execute the National Security Strategy of the President.

(3) To develop and sustain required capabilities the Navy must balance investment and maintenance costs across various vessel types, including—

- (A) aircraft carriers;
- (B) surface combatants;
- (C) submarines;
- (D) amphibious assault ships; and
- (E) other auxiliary vessels, including support vessels operated by the Military Sealift Command.

(4) The Navy possesses only 28 amphibious assault ships, with an average of only 22 amphibious assault ships available for surge deployment despite a Marine Corps requirement for 38 amphibious assault ships.

(5) The inadequate level of investment in Navy shipbuilding over the last 20 years has resulted in the following:

(A) A fragile shipbuilding industrial base in the United States, both in the construction yards and secondary suppliers of materiel and equipment.

(B) Increased costs per vessel stemming from low production volume.

(6) The Department of Defense Appropriations Act, 2013 (division C of Public Law 113-6) provides \$263,000,000 towards advance procurement of materiel and equipment required to continue the San Antonio LPD-17 amphibious transport dock class of vessels to a total of 12 vessels, a key first step in rebalancing the amphibious assault ship force structure of the Navy.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the Department of Defense and the Department of the Navy must prioritize funding towards increased shipbuilding rates to enable the Navy to meet the full-range of requests from the combatant commands;

(2) the budget requests for the Navy for future fiscal years, and future Long Range Plans for the Construction of Naval Vessels, under section 231 of title 10, United States Code, must realistically anticipate and reflect the true investment necessary to meet stated Navy force structure goals;

(3) without modification to the shipbuilding plan in the Long Range Plan for the Construction of Naval Vessels, the industrial

base that enables construction of large, combat-survivable amphibious assault ships is at significant risk; and

(4) the Department of Defense and Congress should act expeditiously to restore the force structure and capability balance of the fleet of Navy vessels as quickly as possible.

SA 2061. Mr. KAINÉ submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title VI, add the following:

SEC. 673. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON DEPARTMENT OF DEFENSE COMMISSARY PROGRAM BENEFIT.

(a) **REPORT REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth an analysis and assessment of the Department of Defense commissary program benefit.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) A description of the level of Department of Defense funding for the Department of Defense commissary program for each of 10 fiscal years ending with fiscal year 2013.

(2) A list of the commissaries not located within 10 miles of either—

(A) a chain grocery store of comparable size; or

(B) a large commercial store that offers grocery products (including fresh produce) that are comparable to products offered at the nearest commissary.

(3) An analysis of the numbers of each type of eligible beneficiary that used the commissaries in the United States during the 10-fiscal year period ending with fiscal year 2013.

(4) An assessment of the value of the commissary benefit to beneficiaries of the commissary program, including members of the regular and reserve components of the Armed Forces, military retirees, and their dependents.

(5) An assessment of the priority eligible beneficiaries place on the commissary benefit as a recruiting and retention tool for the Armed Forces.

(6) An assessment of the priority the Department of Defense places on the commissary benefit as a recruiting and retention tool for the Armed Forces.

(7) A comparative assessment of commissary store operations in the United States with commissary store operations at overseas and remote locations, and an assessment of the potential impacts on operations of commissary stores overseas of curtailing commissary stores operations in the United States.

(8) An identification and assessment of operating cost reductions and efficiency that could be achieved by the Defense Commissary Agency without impacting the current benefit levels provided to beneficiaries of the commissary program.

(9) An assessment of the potential savings to the Department if commissary operations in the United States were curtailed or otherwise changed.

SA 2062. Mr. GRAHAM (for himself and Mr. HATCH) submitted an amend-

ment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 514. POLICY ON MILITARY RECRUITMENT AND ENLISTMENT OF GRADUATES OF SECONDARY SCHOOLS.

(a) **CONDITIONS ON USE OF TEST, ASSESSMENT, OR SCREENING TOOLS.**—In the case of any test, assessment, or screening tool utilized under the policy on recruitment and enlistment required by subsection (b) of section 532 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1403; 10 U.S.C. 503 note) for the purpose of identifying persons for recruitment and enlistment in the Armed Forces, the Secretary of Defense shall—

(1) implement a means for ensuring that graduates of a secondary school (as defined in section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38)), including all persons described in subsection (a)(2) of section 532 of the National Defense Authorization Act for Fiscal Year 2012, are required to meet the same standard on the test, assessment, or screening tool; and

(2) use uniform testing requirements and grading standards.

(b) **RULE OF CONSTRUCTION.**—Nothing in section 532(b) of the National Defense Authorization Act for Fiscal Year 2012 or this section shall be construed to permit the Secretary of Defense or the Secretary of a military department to create or use a different grading standard on any test, assessment, or screening tool utilized for the purpose of identifying graduates of a secondary school (as defined in section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38)), including all persons described in subsection (a)(2) of section 532 of the National Defense Authorization Act for Fiscal Year 2012, for recruitment and enlistment in the Armed Forces.

SA 2063. Ms. AYOTTE (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 135. LIMITATION ON RETIREMENT OF A-10 AIRCRAFT.

(a) **LIMITATION.**—None of the funds authorized to be appropriated or otherwise made available for the Department of Defense may be obligated or expended to retire, prepare to retire, or place in storage any A-10 aircraft until each of the following:

(1) The Secretary of the Air Force certifies to the congressional defense committees each of the following:

(A) That the F-35A aircraft has achieved full operational capability.

(B) That the F-35A aircraft has achieved Block 4A capabilities, including—

(i) an enhanced electronic warfare capability that will allow the F-35A aircraft to counter emerging threats in a close air support (CAS) environment; and

(ii) a GBU-53 Small Diameter Bomb version II or equivalent weapon operational capability.

(C) That a number of F-35A aircraft exists in the Air Force inventory in sufficient quantity to replace the A-10 aircraft being retired in order to meet close air support capability requirements of the combatant commands.

(2) The Comptroller General of the United States submits to the congressional defense committees a report setting forth the following:

(A) An assessment whether each certification under paragraph (1) is comprehensive, fully supported, and sufficiently detailed.

(B) An identification of any shortcomings, limitations, or other reportable matters that affect the quality or findings of any certification under paragraph (1).

(b) **DEADLINE FOR SUBMITTAL OF COMPTROLLER GENERAL REPORT.**—The report of the Comptroller General under paragraph (2) of subsection (a) shall be submitted not later than 90 days after the date of the submittal of the certification referred to in paragraph (1) of that subsection.

SA 2064. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

SEC. 1003. AUTHORITY FOR ACCEPTANCE OF PAYMENT IN KIND IN SETTLEMENT OF A-12 AIRCRAFT LITIGATION.

Notwithstanding any other provision of law, during the current fiscal year and hereafter, the Secretary of the Navy is authorized to accept and retain the following consideration in lieu of a monetary payment for purposes of the settlement of the A-12 aircraft litigation arising from the default termination of Contract No. N00019-88-C-0050:

(1) From General Dynamics Corporation: credit in an amount not to exceed \$198,000,000 toward the design, construction, and delivery of the steel deckhouse, hangar, and aft missile launching system for the DDG 1002.

(2) From the Boeing Company: Three EA-18G Growler aircraft, with installed Airborne Electronic Attack kits, valued at an amount not to exceed \$198,000,000, at no cost to the Department of the Navy.

SA 2065. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1237. REPORT ON UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION.

(a) **IN GENERAL.**—Not later than March 15, 2014, the Chairman of the United States-

China Economic and Security Review Commission established under section 1238 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002) shall submit a report on the operations of the Commission to—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Finance of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on Ways and Means of the House of Representatives.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the manner in which the Commission has carried out the requirements of section 1238 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), including how the Commission has—

(A) carried out the purpose described in subsection (b)(2) of that section;

(B) carried out the duties of the Commission described in subsection (c) of that section;

(C) compensated members of the Commission under subsection (e)(1) of that section; and

(D) appointed and compensated the executive director and other personnel of the Commission under subsection (e)(3) of that section.

(2) A list that includes—

(A) the name of each individual that has served or is serving as a member of the Commission as of the date of the submission of the report; and

(B) the term that each such individual served or is serving as of that date.

(3) A description of the extent to which the Commission has access to classified information and how the Commission has used that information in carrying out the duties of the Commission.

(4) A summary of all domestic and foreign travel by members and personnel of the Commission after December 31, 2005, including dates, locations, and purposes of travel and the names of members and personnel who participated.

(5) Recommendations of the Commission for statutory changes to update the mandate, purpose, duties, organization, and operations of the Commission, taking into account changes in the relationship between the United States and China.

SA 2066. Mr. DONNELLY (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1054. COLLABORATION AMONG THE STRATEGIC FORCES OF THE ARMED FORCES.

(a) SENSE OF CONGRESS ON COLLABORATION.—It is the sense of Congress that—

(1) ongoing collaboration on strategic forces for affordability between the Navy and the Air Force may be further augmented, for example, by the technologies and expertise being developed under the Conventional Prompt Global Strike (CPGS) efforts of the Office of the Secretary of Defense; and

(2) identifying and leveraging areas of overlap may increase efficiencies of strategic systems and Conventional Prompt Global Strike efforts in a manner that reduces long-term costs, including supporting common subsystems that may promote a more resilient industrial base.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a detailed strategy for collaboration among the Army, the Navy, and the Air Force to improve overall strategic program efficiencies, technology sharing, and overall potential benefits of such activities.

(2) ELEMENTS.—The report required by paragraph (2) shall include the following:

(A) An assessment of the potential benefits of collaboration among the Army, the Navy, and the Air Force on strategic programs (including, but not limited to, program management for programs to develop and modernize strategic weapon systems), including potential costs and benefits for research and development and production, and potential benefits for the defense industrial base that supports strategic forces.

(B) An assessment of any risks associated with collaboration described in subparagraph (A), including resource availability, cyber security, and impact on the schedule for current strategic systems modernization programs, and a description of actions to be taken by the Department to mitigate such risks.

SA 2067. Mr. DONNELLY (for himself, Mr. LEAHY, Mr. CRUZ, Mr. BLUNT, Mr. BEGICH, Mr. PRYOR, Mr. SCHATZ, Mr. BENNET, Mr. JOHANNES, Mr. MENENDEZ, Mr. CORNYN, Mr. BOOZMAN, Ms. HEITKAMP, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1082. TIERED PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

(a) SHORT TITLE.—This section may be cited as the “Military Reserve Jobs Act of 2013”.

(b) PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 2108 of title 5, United States Code, is amended—

(1) in paragraph (3)—

(A) in subparagraph (G)(iii), by striking “and” at the end;

(B) in subparagraph (H), by adding “and” at the end; and

(C) by inserting after subparagraph (H) the following:

“(I) a qualified reservist;”;

(2) in paragraph (4)—

(A) in subparagraph (A), by striking “or” at the end;

(B) in subparagraph (B), by striking “and” at the end and inserting “or”; and

(C) by adding at the end the following:

“(C) the individual is a retiree described in paragraph (7)(B);”;

(3) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

“(6) ‘entry level and skill training’ has the meaning given that term in section 3301(2) of title 38;

“(7) ‘qualified reservist’ means—

“(A) an individual who is a member of a reserve component of the Armed Forces—

“(i) who has—

“(I) successfully completed officer candidate training or entry level and skill training; and

“(II) incurred, or is performing, an initial period of obligated service in a reserve component of the Armed Forces of not less than 6 consecutive years; or

“(ii) who—

“(I) has completed at least 10 years of service in a reserve component of the Armed Forces; and

“(II) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; and

“(B) an individual who is—

“(i) retired from service in a reserve component of the Armed Forces; and

“(ii) eligible for, but has not yet commenced receipt of, retired pay for non-regular service under chapter 1223 of title 10; and

“(8) ‘reserve component of the Armed Forces’ means a reserve component specified in section 101(27) of title 38.”.

(c) TIERED HIRING PREFERENCE FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 3309 of title 5, United States Code, is amended—

(1) in paragraph (1), by striking “and” at the end; and

(2) by striking paragraph (2) and inserting the following:

“(2) a preference eligible under subparagraph (A) or (B) of section 2108(3), or described in section 2108(7)(B)—5 points;

“(3) a preference eligible described in section 2108(7)(A)(ii)—4 points; and

“(4) a preference eligible described in section 2108(7)(A)(i)—3 points.”.

SA 2068. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 415, strike lines 15 and 16 and insert following:

United States Government;

(5) addresses issues relating to the ability of the United States to support non-proliferation goals through domestic, nuclear fuel cycle capabilities using technology of United States origin; and

(6) mobilizes and leverages additional resources

SA 2069. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1107 and insert the following:

SEC. 1107. DEFENSE SCIENCE INITIATIVE FOR PERSONNEL.

(a) **STATEMENT OF POLICY.**—It is the policy of the United States to assure the scientific and technological preeminence of its defense laboratories, which are essential to the national security, by requiring the Department of Defense to provide to its science and technology laboratories—

(1) the personnel and support services needed to carry out their mission; and

(2) decentralized management authority.

(b) **ESTABLISHMENT OF INITIATIVE.**—There is hereby established within the Department of Defense an initiative to be known as the Defense Science Initiative for Personnel (in this section referred to as the “Initiative”). The Initiative shall provide authorities for the Department for the employment and management of personnel of Department of Defense Science and Technology Reinvention Laboratories.

(c) **LABORATORIES COVERED BY INITIATIVE.**—The laboratories covered by the Initiative—

(1) shall be those designated as Science and Technology Reinvention Laboratories (in this section referred to as “STRLs”) by the Secretary or by paragraph (2); and

(2) shall include the laboratories enumerated in section 1105 of the National Defense Authorization Act for Fiscal Year 2010 (10 U.S.C. 2358 note), which laboratories are hereby designated as STRLs.

(d) **SCIENCE AND ENGINEERING DEGREEED AND TECHNICAL POSITIONS AT STRLS.**—

(1) **IN GENERAL.**—The director of any STRL may appoint qualified candidates, without regard to subchapter I of chapter 33 of title 5, United States Code (other than sections 3303 and 3328 of such title), directly to scientific, technical, engineering, mathematical, or medical positions within such STRL, on either a temporary, term, or permanent basis.

(2) **QUALIFIED CANDIDATES DEFINED.**—Notwithstanding any provision of chapter 51 of title 5, United States Code, in this subsection, the term “qualified candidate” means an individual who is—

(A) a candidate who has earned a bachelor's degree;

(B) a student enrolled in a program of undergraduate or graduate instruction leading to a bachelor's or master's degree in a scientific, technical, engineering, mathematical, or medical course of study at an institution of higher education (as that term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); or

(C) a veteran or disabled veteran, as defined in paragraph (1) or (2) of section 2108 of title 5, United States Code, respectively, who served as a technician in the Armed Forces in a scientific, technical, engineering, mathematical, or medical occupational specialty.

(3) **LIMITATION.**—The authority in paragraph (2)(A) may not, in any calendar year and with respect to any STRL, be exercised with respect to a number of candidates hired into permanent, term, and temporary positions greater than the number equal to 5 percent of the scientific, technical, engineering, mathematical, and medical positions within such STRL that are filled as of the close of the fiscal year before the start of such calendar year.

(4) **RULE OF CONSTRUCTION.**—Any exercise of authority under paragraph (1) shall be considered to satisfy section 2301(b)(1) of title 5, United States Code.

(e) **EXCLUSIONS FROM PERSONNEL LIMITATIONS.**—The director of any STRL shall manage the workforce strength, structure, composition, and compensation of such STRL—

(1) without regard to any limitation on appointments or funding with respect to such STRL, subject to paragraph (2); and

(2) in a manner consistent with the budget available with respect to such STRL.

(f) **SENIOR EXECUTIVE SERVICE ROTATION AUTHORITY.**—The Secretary of Defense shall, exercising the authority granted to the Secretary by section 3131 of title 5, United States Code, delegate decision making authority under section 3131(5) of such title to the director of each STRL described in subsection (c)(2) to determine the duration of assignment of senior executives assigned to such laboratory, consistent with carrying out the mission of such laboratory.

(g) **SENIOR SCIENTIFIC TECHNICAL MANAGERS.**—

(1) **ESTABLISHMENT.**—There is hereby established in each STRL a category of senior professional scientific positions, the incumbents of which shall be designated as “senior scientific technical managers” and which shall, notwithstanding section 5108 of title 5, United States Code, be positions classified above GS-15 of the General Schedule. The primary functions of such positions shall be—

(A) to engage in research and development in the physical, biological, medical, or engineering sciences, or another field closely related to the mission of such STRL; and

(B) to carry out technical supervisory or program management responsibilities.

(2) **APPOINTMENTS.**—The positions described in paragraph (1) may be filled, and shall be managed, by the director of the STRL involved, under criteria established pursuant to section 342(b) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 108 Stat. 2721), relating to personnel demonstration projects at laboratories of the Department of Defense, except that the director of the laboratory involved shall determine the number of such positions at such laboratory, not to exceed 3 percent of the number of scientists and engineers employed at such laboratory at the end of the fiscal year prior to the calendar year in which any appointments subject to that numerical limitation are made.

(h) **SELECTION AND COMPENSATION OF SPECIALLY-QUALIFIED SCIENTIFIC AND PROFESSIONAL PERSONNEL.**—Section 3104 of title 5, United States Code, is amended by adding at the end the following new subsection:

“(d) In addition to the number of positions authorized by subsection (a), the director of each Science and Technology Reinvention Laboratory described in section 1107(c)(2) of the National Defense Authorization Act for Fiscal Year 2014 may establish, without regard to the second sentence of subsection (a), such number of specially-qualified scientific and professional (ST) positions as may be necessary to carry out the research and development functions of the laboratory and which require the services of specially-qualified personnel. The selection process governing appointments made under this subsection shall be determined by the director of the laboratory involved, and the rate of basic pay for the employee holding any such position shall be set by the laboratory director at a rate not to exceed the rate for level II of the Executive Schedule.”.

SA 2070. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. 585. AUTHORITY FOR AWARD OF THE DISTINGUISHED SERVICE CROSS TO SPECIALIST FOUR ROBERT L. TOWLES FOR ACTS OF VALOR DURING THE VIETNAM WAR.

(a) **WAIVER OF TIME LIMITATIONS.**—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army may award the Distinguished Service Cross under section 3742 of that title to Robert L. Towles for the acts of valor referred to in subsection (b).

(b) **ACTION DESCRIBED.**—The acts of valor referred to in subsection (a) are the actions of Specialist Four Robert L. Towles, on November 17, 1965, as a member of the United States Army serving in the grade of Specialist Four during the Vietnam War while serving in Company D, 2d Battalion, 7th Cavalry, 1st Cavalry Division, for which he was originally awarded the Bronze Star with “V” Device.

SA 2071. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. 237. DEADLINE FOR DEVELOPMENT OF CONTINGENCY PLAN FOR DEPLOYMENT OF A HOMELAND DEFENSE MISSILE DEFENSE INTERCEPTOR SITE.

Section 227(d) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1679) is amended by striking “shall—” and inserting “shall, by not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014—”

SA 2072. Mr. PORTMAN (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 722. REPORT ON USE OF TELEHEALTH FOR TREATMENT OF POST-TRAUMATIC STRESS DISORDER, TRAUMATIC BRAIN INJURIES, AND MENTAL HEALTH CONDITIONS.

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the use of telehealth to improve the diagnosis and treatment of Post-Traumatic Stress Disorder (PTSD), Traumatic Brain Injuries (TBI), and mental health conditions.

(b) **ELEMENTS.**—The report required by subsection (a) shall address the following:

(1) The current status of telehealth initiatives within the Defense Department to diagnose and treat Post-Traumatic Stress Disorder, Traumatic Brain Injuries, and mental health conditions.

(2) Plans for integrating telehealth into the military health care system, including in health care delivery, records management, medical education, public health, private sector partnerships, and research and development.

(3) The status of the integration of telehealth initiatives of the Department with the telehealth initiatives of the Department of Veterans Affairs.

(4) A description and assessment of challenges to the use of telehealth as a means of in-home treatment, outreach in rural areas, and in settings which provide group treatment or therapy in connection with treatment of Post-Traumatic Stress Disorder, Traumatic Brain Injuries, and mental health conditions, and a description and assessment of efforts to address such challenges.

(5) A description of privacy issues related to use of telehealth for the treatment of Post-Traumatic Stress Disorder, Traumatic Brain Injuries, and mental health conditions, and recommendations for mechanisms to remedy any privacy concerns in connection with use of telehealth for such treatment.

SA 2073. Mr. PORTMAN (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 931 and insert the following:

SEC. 931. PERSONNEL SECURITY.

(a) COMPARATIVE ANALYSIS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, acting through the Director of Cost Assessment and Program Evaluation and in coordination with the Director of the Office of Management and Budget and the Director of the Office of Personnel Management, submit to Congress a report setting forth a comprehensive analysis comparing the cost, schedule, and performance of personnel security clearance investigations and reinvestigations for employees and contractor personnel of the Department of Defense that are conducted by the Office of Personnel Management with the cost, schedule, and performance of personnel security clearance investigations and reinvestigations for such personnel that are conducted by the components of the Department of Defense.

(2) ELEMENTS OF ANALYSIS.—The analysis under paragraph (1) shall do the following:

(A) Determine, for each of the Office of Personnel Management and the components of the Department that conduct personnel security investigations, the cost, schedule, and performance associated with personnel security investigations and reinvestigations of each type and level of clearance, and identify the elements that contribute to such cost, schedule, and performance.

(B) Identify mechanisms for permanently improving the transparency of the cost structure of personnel security investigations and reinvestigations.

(b) PERSONNEL SECURITY FOR DEPARTMENT OF DEFENSE EMPLOYEES AND CONTRACTORS.—

(1) IN GENERAL.—If the Secretary of Defense determines that the current approach for obtaining personnel security investigations and reinvestigations for employees and contractor personnel of the Department of Defense is not the most advantageous approach for the Department, the Secretary

shall develop a plan, by not later than October 1, 2014, for the transition of personnel security investigations and reinvestigations to the approach preferred by the Secretary.

(2) CONSIDERATIONS.—In selecting the most advantageous approach preferred for the Department under paragraph (1), the Secretary shall consider whether cost, schedule, and performance could be improved through increased reliance on private-sector entities to conduct, or provide supporting information for, personnel security investigations and reinvestigations for employees and contractor personnel of the Department.

(c) STRATEGY FOR CONTINUOUS MODERNIZATION OF PERSONNEL SECURITY.—

(1) STRATEGY REQUIRED.—The Secretary of Defense, the Director of National Intelligence, the Director of the Office of Management and Budget, and the Director of the Office of Personnel Management shall jointly develop and implement a strategy to continuously modernize all aspects of personnel security for the Department of Defense with the objectives of lowering costs, increasing efficiencies, enabling and encouraging reciprocity, and improving security.

(2) METRICS.—

(A) METRICS REQUIRED.—In developing the strategy required by paragraph (1), the Secretary and the Directors shall jointly establish metrics to measure the effectiveness of the strategy in meeting the objectives specified in that paragraph.

(B) REPORT.—At the same time the budget of the President for each of fiscal years 2015 through 2018 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Secretary and the Directors shall jointly submit to the appropriate committees of Congress a report on the metrics established under paragraph (1), including an assessment using the metrics of the effectiveness of the strategy in meeting the objectives specified in paragraph (1).

(3) ELEMENTS.—In developing the strategy required by paragraph (1), the Secretary and the Directors shall consider, and may adopt, mechanisms for the following:

(A) Elimination of manual or inefficient processes in investigations and reinvestigations for personnel security, wherever practicable, and automating and integrating the elements of the investigation process, including in the following:

(i) The clearance application process.

(ii) Case management.

(iii) Adjudication management.

(iv) Investigation methods for the collection, analysis, storage, retrieval, and transfer of data and records.

(v) Records management for access and eligibility determinations.

(B) Elimination or reduction, where possible, of the use of databases and information sources that cannot be accessed and processed automatically electronically, or modification of such databases and information sources, if appropriate and cost-effective, to enable electronic access and processing within and between agencies.

(C) Access and analysis of government, publicly available, and commercial data sources, including social media, that provide independent information pertinent to adjudication guidelines to improve quality and timeliness, and reduce costs, of investigations and reinvestigations.

(D) Use of government-developed and commercial technology for continuous monitoring and evaluation of government and commercial data sources that can identify and flag information pertinent to adjudication guidelines and eligibility determinations.

(E) Standardization of forms used for routine reporting required of cleared personnel (such as travel, foreign contacts, and finan-

cial disclosures) and use of continuous monitoring technology to access databases containing such reportable information to independently obtain and analyze reportable data and events.

(F) Establishment of an authoritative central repository of personnel security information that is accessible electronically at multiple levels of classification and eliminates technical barriers to rapid access to information necessary for eligibility determinations and reciprocal recognition thereof.

(G) Elimination or reduction of the scope of, or alteration of the schedule for, periodic reinvestigations of cleared personnel, when such action is appropriate in light of the information provided by continuous monitoring or evaluation technology.

(H) Electronic integration of personnel security processes and information systems with insider threat detection and monitoring systems, and pertinent law enforcement, counterintelligence and intelligence information, for threat detection and correlation.

(I) Determination of the net value of implementing phased investigative approaches designed to reach an adjudicative decision sooner than is currently achievable by truncating investigations based on thresholds where no derogatory information or clearly unacceptably derogatory information is obtained through initial background checks.

(d) RECIPROCITY OF CLEARANCES.—The Secretary of Defense and the Director of National Intelligence shall jointly ensure that the transition of personnel security clearances between and among Department of Defense components, Department contractors, and Department contracts proceeds as rapidly and inexpensively as possible, including through the following:

(1) By providing for reciprocity of personnel security clearances among positions requiring personnel holding secret, top secret, or sensitive compartmented information clearances (the latter with a counterintelligence polygraph examination), to the maximum extent feasible consistent with national security requirements.

(2) By permitting personnel, when feasible and consistent with national security requirements, to begin work in positions requiring additional security requirements, such as a full-scope polygraph examination, pending satisfaction of such additional requirements.

(e) BENCHMARKS.—For purposes of carrying out the requirements of this section, the Secretary of Defense and the Director of National Intelligence shall jointly determine, by not later than 180 days after the date of the enactment of this Act, the following:

(1) The current level of mobility and personnel security clearance reciprocity of cleared personnel as personnel make a transition between Department of Defense components, between Department contracts, and between government and the private sector.

(2) The costs due to lost productivity in inefficiencies in such transitions arising from personnel security clearance matters.

(f) COMPTROLLER GENERAL REVIEW.—

(1) REVIEW REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall carry out a review of the personnel security process.

(2) OBJECTIVE OF REVIEW.—The objective of the review required by paragraph (1) shall be to identify the following:

(A) Differences between the metrics used by the Department of Defense, the Suitability and Security Clearance Performance and Accountability Council, and the Office of

Personnel Management in granting reciprocity for security clearances, and the manner in which such differences can be harmonized.

(B) The extent to which existing Federal Investigative Standards are relevant, complete, and sufficient for guiding agencies and individual investigators as they conduct their security clearance background investigations.

(C) The processes agencies have implemented to ensure quality in the security clearance background investigation process.

(D) The extent to which agencies have developed and implemented outcome-focused performance measures to track the quality of security clearance investigations and any insights from these measures.

(E) The processes agencies have implemented for resolving incomplete or subpar investigations, and the actions taken against government employees and contractor personnel who have demonstrated a consistent failure to abide by quality assurance measures.

(3) **REPORT.**—Not later than 120 days after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the review required by paragraph (1).

(g) **TASK FORCE ON RECORDS ACCESS FOR SECURITY CLEARANCE BACKGROUND INVESTIGATIONS.**—

(1) **ESTABLISHMENT.**—The Suitability and Security Clearance Performance Accountability Council, as established by Executive Order No. 13467, shall convene a task force to examine the different policies and procedures that determine the level of access to public records provided by State and local authorities in response to investigative requests by Federal Government employees or contracted employees carrying out background investigations to determine an individual's suitability for access to classified information or secure government facilities.

(2) **MEMBERSHIP.**—The members of the task force shall include, but need not be limited to, the following:

(A) The Chair of the Suitability and Security Clearance Performance and Accountability Council, who shall serve as chair of the task force.

(B) Representative from the Office of Personnel Management.

(C) Representative from the Office of the Director of National Intelligence.

(D) Representative from the Department of Defense responsible for administering security clearance background investigations.

(E) Representatives from Federal law enforcement agencies within the Department of Justice and the Department of Homeland Security involved in security clearance background investigations.

(F) Representatives from State and local law enforcement agencies, including—

(i) agencies in rural areas that have limited resources and less than 500 officers; and

(ii) agencies that have more than 1,000 officers and significant technological resources.

(G) Representative from Federal, State, and local law enforcement associations involved with security clearance background administrative actions and appeals.

(H) Representatives from Federal, State, and local judicial systems involved in the sharing of records to support security clearance background investigations.

(3) **INITIAL MEETING.**—The task force shall convene its initial meeting not later than 45 days after the date of the enactment of this Act.

(4) **DUTIES.**—The task force shall do the following:

(A) Analyze the degree to which State and local authorities comply with investigative

requests made by Federal Government employees or contractor employees carrying out background investigations to determine an individual's suitability for access to classified information or secure government facilities, including the degree to which investigative requests are required but never formally requested.

(B) Analyze limitations on the access to public records provided by State and local authorities in response to investigative requests by Federal Government employees and contractor employees described in subparagraph (A), including, but not be limited to, limitations relating to budget and staffing constraints on State and local authorities, any procedural and legal obstacles impairing Federal access to State and local law enforcement records, or inadequate investigative procedural standards for background investigators.

(C) Provide recommendations for improving the degree of cooperation and records-sharing between State and local authorities and Federal Government employees and contractor employees described in subparagraph (A).

(5) **REPORT.**—Not later than 120 days after the date of the enactment of this Act, the task force shall submit to the appropriate committees of Congress a report setting forth a detailed statement of the findings and conclusions of the task force pursuant to this subsection, together with the recommendations of the task force for such legislative or administrative action as the task force considers appropriate.

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

(1) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Oversight and Government Reform, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 2074. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title X, add the following:

SEC. 1025. GENERAL COASTWISE WAIVER.

(a) **GENERAL COASTWISE WAIVER.**—A vessel owned and operated by a contractor or subcontractor providing supplies or services under a shipbuilding or ship repair contract entered into with the Department of Navy is authorized to transport merchandise between points in the United States for purposes of performing that shipbuilding or ship repair contract.

(b) **REQUIREMENT TO ISSUE.**—Notwithstanding chapters 121 and 551 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating shall issue a certificate of documentation with a coastwise endorsement to any vessel which will be engaged in the performance of a shipbuilding or ship repair contract entered into with the Department of Navy.

(c) **LIMITATION ON OPERATION.**—Coastwise trade authorized under subsections (a) and (b) shall be limited to the performance of

shipbuilding or ship repair contracts entered into with the Department of Navy.

(d) **TERMINATION OF ENDORSEMENT.**—A coastwise endorsement issued under subsection (b) for a vessel shall expire on the date of the sale of the vessel.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on November 14, 2013, at 10 a.m.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on November 14, 2013, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 14, 2013, at 11:15 a.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. 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 on November 14, 2013, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building, to conduct a hearing entitled “Ensuring Access to Higher Education: Simplifying Federal Student Aid for Today's College Student.”

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID. 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 November 14, 2013, at 10 a.m. to conduct a hearing entitled “Threats to the Homeland.”

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

COMMITTEE ON INDIAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on November 14, 2013, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a hearing entitled “Contract Support Costs and Sequestration: Fiscal Crisis in Indian Country.”

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